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THE NEW BACKWARDNESS

In 2004, the government of the Province of Ontario, Canada, sought to recognize Islamic law, “sharia,” as part of the Arbitration Act, for the purposes of resolving family disputes. In theory, decisions based on principles of the Islamic religion would have to conform to the Canadian Charter of Rights and Freedoms. (The Charter entrenches and protects basic rights guaranteed to all Canadians, and is part of the *Constitution Act*, 1982.) Tribunal (sharia) decisions would then be recognized by the regular Ontario courts.

Sharia is an inflexible body of medieval rules of law which Muslim scholars claim were laid down by the Prophet Mohamed. It is based on the Koran and Muslims believe it provides divine rules for behavior. It is misogynistic, discriminates against women and for many is a brutal form of totalitarianism. Promoters of Islam in Western countries have been working toward integrating sharia into democratic legislation for years. To further their Ontario agenda, they set up the Islamic Institute of Civil Justice, training arbitrators in sharia and Canadian civil law.

This is a fundamentalist drive. There are over 1250 mosques in the U.S. and Canada. Most of their financial support comes from Saudi Arabia, Libya, and other regimes which assert Islam and Islamic law in its traditional form. This has led to a right-wing, social-conservative movement that does not recognize tolerant versions of Islam.

While the sharia debate was playing itself out, I was present at a speech given by Homa Arjomand, Coordinator of the International Campaign against Sharia Court in Canada, and one of the most vocal opponents of the plan. Born in Iran, she knows about the conditions of living under sharia first hand. She endured it until she escaped her home country and fled to Canada. She now lives in Toronto, where she works with immigrant Muslim women and children in distress.

In her presentation, Ms. Arjomand told the audience why this sharia plan must be defeated and recited a shameful litany of the abuse, imprisonment, violence, deprivation and unthinkable subjugation suffered by women and girls in Toronto. The nosharia.com website describes what life is like for women living under this system. It also describes the actions the organization is taking against sharia, honor killings, polygamy and other life and death issues that Muslim women suffer around the world and here at home. (In 2006, Homa Arjomand was honored as Ontario’s Humanist of the Year.)

As for the Canadian Charter of Rights and Freedoms protecting these women, that is pie in the sky. It doesn’t now and will not, unless these women escape the tyranny of Islamic law being practiced in their families and communities. And after that? The Charter has no practical application which prevents incidents of repression, oppression and violence against women, whatever their religion or society may be.

Sharia was thrown out in the fall 2005 and in early 2006, Ontario repealed all religious-based tribunals from the Arbitration Act. Said Attorney General Michael Bryant, "When it comes to family law arbitrations in this province, there is only one law and that is Canadian law."

The cockamamie idea to graft Islamic law onto the Canadian justice system owes itself to the Canadian habit of bowing down to the trinity of diversity, tolerance and multiculturalism, which is government cultural policy. In the sharia case, it goes like this: "cultural diversity requires that Muslim law be accorded the same respect as other legal systems." This, in a democracy. The idea is as backward as sharia itself.

"This is an abuse of multiculturalism. . . . There is a lack of courage [on the part of governments], and also a fear of offending Muslim sensitivities." Alia Hogben, President, Canadian Council of Muslim Women

"I chose to come to Canada because of multiculturalism. . . . But when I came here, I realized how much damage multiculturalism is doing to women. I'm against it strongly now. It has become a barrier to women's rights." Homa Arjomand

Source: Our Own Correspondence, BBC Radio 4, 26 August 2004

During their push, the Islamic power brokers used another titillating tactic to persuade the politically correct Canadian consciousness. They proposed that Canada would be a good place to work on fourteen hundred years of underdevelopment, as described by a female Muslim academic, anonymously quoted in the same BBC4 news report mentioned above.

This is a chance for us to develop a progressive and tolerant form of sharia . . . consistent with 21st century notions of gender equality. . . . This will force Canadian Muslims to define who they are. It could even be a Canadian contribution to an Islamic reformation.

No thanks, babe. Go find some other place willing to destroy itself so you can dig your way up out of the pre-medieval hole you've found yourself in. And good luck.

The point of telling this story is to come back to the point of feminist knowledge. It is not only important that we recognize this issue, as it pertains to the oppression of a specific group of women living here and abroad. Or that accepting theocracy into Canada would erode our common democratic values, such as they are. What is equally important is understanding the implications of such a venture, which run far and deep. First of all, success in Ontario would be used as a precedent for political Islam to push its agenda to gain a foothold in the justice systems in the rest of Canada and indeed, around the Western world. Next, is how Canadian women see themselves in the context of this entire issue. I brought up the sharia subject with a variety of mainstream women. They had vague or no interest in it: the it-doesn't-affect-us or it-can't-happen-here syndrome. In fact, they usually seemed perplexed about why I was even brought it up.

Feminist knowledge recognizes that all religions oppress women and that theocracies have the right to control women by law and according to male dictates. That, alone, is sufficient to make anyone fight to keep religion out of government and protect the basic democratic principle of the separation of church and state from collapsing.

There are further implications here. The standard of women's equality that apply here are ones that women have fought for and still do. The levels of oppression that women bring with them from other countries and perpetuate in North American society are not acceptable. Somewhere between the democratic principles of equality and women and girls who stay in the house because they are told they can't go out, give everything they earn to their husbands, marry before they've even developed physically, or walk ten paces, head bowed, behind their husband on the American and Canadian streets is a problem. Regardless of how, why and whence these women have come to live in such circumstances does not change the fact that they live here and reflect upon us. They're "we." They are not only symbols of misogyny and discrimination in the culture, but the real thing. They have a civic responsibility to uphold women's equality and if they don't know this, it's time they learned.

When I first heard about the Islamist power play in the summer of 2004, I wrote a letter to the editors of several newspapers:

. . . Every foreign woman who enters this country with the intention of settling here should be given a primer on citizenship the moment she arrives. She should be informed that freedom and justice already have a meaning here and it didn't just arrive in somebody's suitcase. It was fought for and evolved over centuries on this soil.

That here in this democracy, freedom is a different venture for women: that our position in society has not been, nor is it now, equal to that of men because of gender prejudice. That we have had to commit to struggle to obtain and maintain our rights and as a result of doing so, have transformed this society and its laws in ways that could hardly be imagined only fifty years ago.

That submissive roles are not admired and perpetuate a backslide in women's equality that causes damage to our society and the added burden of redefining battles we were already winning. That submissiveness excavates misogyny from depths that this society should long ago have buried and left dead. That obliviousness and denial of this reality and women's sovereignty are not an option here and that we detest the encroachment of any repressive ideologies into our personal, public and political lives.

Then she can go to the motel with her old man and have a lively debate about what it means to live in a free country.

End Excerpt *The New Backwardness*