Religions **2013**, *4*, 423–442; doi:10.3390/rel4030423

OPEN ACCESS

religions

ISSN 2077-1444

www.mdpi.com/journal/religions

Article

Promoting the Everyday: Pro-Sharia Advocacy and Public Relations in Ontario, Canada's "Sharia Debate"

Jennifer A. Selby

Religious Studies Department, Memorial University of Newfoundland, St. John's, NL A1C 5S7, Canada; E-Mail: jselby@mun.ca; Tel.: 001-709-864-4046; Fax: 001-709-864-8059

Received: 10 July 2013; in revised form: 10 September 2013 / Accepted: 12 September 2013 / Published: 17 September 2013

Abstract: Why, in the midst of public debates related to religion, are unrepresentative orthodox perspectives often positioned as illustrative of a religious tradition? How can more representative voices be encouraged? Political theorist Anne Phillips (2007) suggests that facilitating multi-voiced individual engagements effectively dismantles the monopolies of the most conservative that tend to privilege maleness. In this paper, with reference to the 2003–2005 faith-based arbitration debate in Ontario, Canada, I show how, in practice, Phillips' approach is unwieldy and does not work well in a sound-bite-necessitating culture. Instead, I argue that the "Sharia Debate" served as a catalyst for mainstream conservative Muslim groups in Ontario to develop public relations apparatuses that better facilitate the perspectives of everyday religious conservatives in the public sphere.

Keywords: "Sharia Debate"; faith-based arbitration; representation; orthodoxy; advocacy; public relations; Muslims; Ontario; Canada

1. Introduction

The 2003–2005 "Sharia Debate" in the province of Ontario, Canada offers a lens with which to consider why, in the absence of a clear interlocutor, an orthodox religious group was able to position itself as representative of mainstream Muslims who supported faith-based arbitration (FBA).[1] This

[1] These kinds of debates and controversies receive a great deal of attention by journalists and academics. Yet, these requests are rare. Statham *et al.* ([1], p. 438) show in their analysis of group demands in the Netherlands, Britain and

dominance is significant given the efforts made by an Ontario provincial government-appointed commissioner to facilitate broader more "everyday" responses. To reflect upon possible ways Western governments have sought to create democratized representative processes for minority Muslims that are not top-down state-created councils like the French Council of the Muslim Faith[2], I consider political theorist Anne Phillips' [5] suggestion that the reification of conservative religious men as spokespeople for communities in the UK could be rectified by facilitating heterogeneous theological positions. Moira Dustin and Anne Phillips' ([6], see also [7]) work on British policy formation underscores how, in a misguided attempt to be inclusive, when orthodox rather than liberal clerics are positioned as experts on religious practice in policy debates, too much power is granted to the more powerful members or gatekeepers in ways that overemphasize maleness. In *Multiculturalism Without Culture* ([5], p. 161), Phillips concludes that a better approach is to emphasize individuals and not groups to create a default multiplicity. In engaging Phillips' proposal I seek to reformulate Talal Asad's discussion of "how religion becomes public" ([8], p. 182) to ask *which* religion emerges predominantly, in this case which "Islam." I aim to show how, in practice, Phillips' suggestion is not effective in democratizing a variety of mainstream theological positions into public discourse. In practice, this approach is unwieldy and does not work well in contemporary soundbite-necessitating contexts.

In this paper, I propose three possible explanations as to why orthodox positions dominated the "Sharia Debate"—a lack of knowledge, competing voices, and poor public relations—and suggest that the debate was a benchmark in underscoring the importance of public relations for religiously conservative Muslim groups in Ontario. The Islamic Institute of Civil Justice's dominance made clear the importance of articulating arguments that are more palpable to a broader public. Thus, rather than assuming that Western governments should grant more voice to individuals to counter the power of orthodoxy as Phillips suggests, religious groups themselves must proactively develop public relations through websites and press releases to better translate their interests. Ideally this multi-voiced media-savvy engagement could reshape the so-called secular sphere to carve out space so that more religiously-motivated concerns could have a place in public debate, better reflecting a post-secular [9] and de-privatized public sphere [10].

Methodologically, I frame this critique with reference to fieldwork in 2008 and 2009 with pro- and anti-FBA members of advocacy groups in the Greater Toronto Area (GTA), where most of Canada's Muslims live, and examination of the 191-page government-mandated report and related press releases. I draw on statistical studies to cast the concerns of the so-called "everyday" Muslims I argue

---

France from 1992–1998 that Muslim group requests for accommodation accounted for fewer than 3.5% of all such appeals to the government. They are, in short, extremely minor.

[2] In 2003 French Interior Minister Nicolas Sarkozy created the *Conseil Français du Culte Musulman* (CFCM or French Council of the Muslim Faith). Sarkozy envisioned a representative body for French Muslims who could be called upon when input was needed. Christians and Jews had similar representation in place. The government's involvement with the CFCM has drawn criticisms about state interference. These remarks were sharpest with the appointment of Dalil Boubakeur by Sarkozy as the first council president and with complaints that the organization does not adequately represent the diverse makeup of French Muslims (see [2], pp. 71–84; [3], pp. 24–25; [4], pp. 85–87). Seats on the CFCM are apportioned according to the physical square footage of individual mosques, a system that benefits groups with greater financial resources.

were excluded from the polarizing debate (on lived religion, see [11–15]). A 2008 Canadian Muslim Profile Survey suggests that 31% of self-defined Canadian Muslims attend mosque on a weekly basis[3], yet other data show that no matter their level of practice, more than 90% of Ontario Muslims seek to marry using a *nikah* or Islamic marriage contract.[4] "Average" Muslims are thus not necessarily attending weekly congregational prayer but do engage with Sharia at their time of marriage (and of divorce, thus necessitating some engagement with an imam or religious leader to be granted a religious divorce; see [17]). Accessibility to and engagement with Islamically-informed family law therefore generally matters to this population. Studies in Australia and the UK map similar kinds of everyday engagements with Islamic law (see [19–21]).

2. Context

In late 2003, the Islamic Institute of Civil Justice (IICJ) held a press conference to announce they would begin offering arbitration services in private family disputes in accordance with Islamic law and the province of Ontario's 1991 Arbitration Act. A two-year international debate followed this announcement. The FBA debate sought to assess the suitability of religiously-based legally-binding private arbitration in matters of commercial and family law. Arbitration decisions that articulated religious language and reasoning became possible in Ontario following an amendment in 1991, motivated to alleviate backlog in the courts and to move toward more cost-effective privatization. Because a number of Western European countries fear similar requests of accommodation by non-Christian minorities, the debate unfolded with international attention. Public concern centred on the legitimacy of references to Islamic family law in binding decisions. This focus explains why "Sharia courts" erroneously became short-form for the controversy.[5] As though Sharia were a uniform instrument, this popularly used phrase falsely raised the spectre of stoning women and capital punishment [22,23]. In addition, Julie Macfarlane's [17] research with Ontario imams shows that mediation, and not legally-binding arbitration, takes place primarily; and, most common are meetings in imams' offices or in family homes and not in courtroom settings. In other words, commonly-expressed fears were unfounded.

That a non-mainstream Islamically-conservative position dominated the debate is worth noting for, as I will show, a 191-page government commissioned report, "Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion" [24], effectively captured multiplicity among Muslim groups. To the credit of its appointed author, former attorney general Marion Boyd, akin to Phillips' proposal, the "Boyd Report" portrayed the sophisticated non-theological arguments advanced by some pro-FBA

---

[3] According to the Canadian Muslim Profile Survey conducted in 2008 by the Canadian Institute of Policy Studies, 37% of respondents went to the mosque more than twice a week, and 31% once a week. Some (15%) of respondents attended the mosque only for special programs, and 2% of respondents never went to a mosque [16].

[4] Julie Macfarlane's recent qualitative research with Muslims on Islamic divorce in Southern Ontario and in three American cities (Dearborn, Los Angeles, and Omaha) concludes that "the number of Muslim North Americans who marry using a nikah is far higher than those who regularly attend prayers or even consider themselves to be observant." Ninety-eight percent of the marriages in her study were contracted using a nikah ([17], p. 11; [18]).

[5] This paper refers to both *sharia*, as Islamic law stipulated in the Qur'an and the Sunnah, and *fiqh*, as jurisprudence or the more practical application of these sometimes abstract notions.

groups and concluded that this form of dispute resolution continue with some caveats. Yet, these positions did not translate into public discourse. Instead, one conservative religious group, the Islamic Institute of Civil Justice, promoted their own *Darul-Qada* ('Islamic Court of Justice') and monopolized the pro-side of the debate. My aim is not to question the outcome of the controversy—religiously-based family law arbitration was legally outlawed in Ontario with a 2006 amendment—but rather to ask how and why a falsely representative "pro-Sharia" position was embraced as normative in representations of the debate. Their position erroneously exaggerated the degree and depth of cultural disagreement.

At the same time, reliance on orthodoxic positions is understandable for a number of reasons. Firstly, audiences of the Ontario FBA debate (including many Muslims) likely held little knowledge of the parameters of the traditions of Islamic law, so that more extremist positions like the IICJ's went unquestioned. FBA was surprising to many Ontarians. Generally, the public was not aware that the Arbitration Act could be used to settle family law and inheritance disputes, or that if an arbitration award were made under the Act, it could be enforced by Canadian courts, no matter the religious tradition. Until 2003, it had taken place without public scrutiny; when Islamic law was referenced, concern heightened. In this way, a lack of knowledge alongside irrational fear of Islam (or Islamophobia) were factors in how the IICJ and their message monopolized public debate. Prior to this period, faith-based family law arbitration had taken place in Ontario for 14 years with no public fanfare, largely among Orthodox Jews but also among some Christian groups as well as Shi'ite Ismailis ([24], p. 56; the Boyd Report notes the Ismailis' "sophisticated and organized" arbitration model [24], p. 57).

Secondly, the tremendous ethnic and legal diversity among the Ontario Muslim community made centralizing religious authority in the community a challenge. Therefore, when the IICJ became the de facto spokespeople for FBA it was difficult to draw together a counter-narrative. Paul Bramadat ([25], p. 13) describes how Canadian Muslims constitute the most ethnically diverse group in Canada and they are similarly theologically diverse.[6] Longer discussions on the malleability and construction of *fiqh* (Islamic jurisprudence) in minority populations did not have a necessary 'soundbite' quality to counter the IICJ. Even if, following the spirit of what Tariq Ramadan calls "the building of the Muslim personality in the West" ([22], p. 7; see also [31]), a number of imams in the GTA have worked together to contextualize Islamic law for a Canadian Muslim minority situation and develop a *fiqh* for minorities, positioning family law for all Muslims in Ontario at the moment of the debate was

[6] The Muslim population in Canada in 2001 was 36.7% South Asian, 21.1% Arab, 14.0% West Asian, and 14.2% were part of other minority groups (not including the small percentage of Chinese, Black, Filipino, Latin American, Korean, and Japanese Muslims; [26]). PEW's 2010 estimations suggest there were just under 1 million Muslims in Canada or 2.8% of the entire population [27] The most recent reliable data predict that by 2017, the Canadian Muslim population will be approximately 1.6 times the 2001 population of 579,645 (see [28,29]) and that by 2030 the population will be approximately 2.7 million, or 6.6% of the Canadian population [30].

impossible.[7] Compiling a '*fiqh* for minorities' is a long-term project that could not be amassed within a few weeks, particularly given the provincial Muslim communities' diversity.

Thirdly, the pro-Sharia side's public relations errors gave it visibility. Its more extremist views on apostasy were simplistic and were therefore more readily taken up by opponents and through media statements. Indeed, seeking to locate stable theological positions—and not the complexities within which most religio-cultural interpretation takes place—meant that media outlets and the final government response by the provincial Premier accentuated a more facile monolithic religiously-conservative position.

I contend that exploring the IICJ's dominance in light of Phillips' contribution is worthy of examination because the dispute devolved into debates that highlighted fears of patriarchal religiosity that did not appropriately engage with a number of substantive issues. A more robust, reflective and useful debate could have taken place. As Anna Korteweg and I have argued elsewhere [34], matters like unilateral *talaq* divorce[8] and the equal rights of all women in private arbitration no matter their faiths were never publicly debated[9], in part because the more varied pro-faith-based arbitration (FBA) positions captured in the Boyd Report did not translate beyond the document into public discourse. Because the debate remained focused on murky fears of Islamic law, significant power issues in arbitration and patriarchal divorce proceedings were not formally debated and have remained unchanged.

Pro-FBA advocates were not aided by the IICJ's conservative head, former lawyer Syed Mumtaz Ali, whose initial public announcement spurred the debate. Ali had begun lobbying for these tribunals two decades earlier.[10] The IICJ made a number of significant public relations gaffs through their publicly-accessible website and in interviews where Ali shared inaccurate claims. For example, Ali announced the opening of "sharia courts," a turn of phrase that gave a false sense of courtrooms where Muslims would be judged, when studies show that most Ontarian Muslims seek out counseling or assistance from imams, who take a mediative and not arbitral role ([17], p. 15, [37], p. 76). In addition to his invocation of "sharia courts," in seeking to inspire Muslims to use his services, Ali set out vitriolic theological claims that warned of apostasy: only "good Muslims" would use their services [39,40].[11] Ali referenced Qur'anic passages that described "infidels," rhetoric that served to alienate the *Darul-Qada* from mainstream Muslims ([42], p. 247) and non-Muslims. In sum, references to "sharia courts" and "good Muslims" did not quell fears that groups like the *Darul-Qada*

---

[7] The Canadian Council of Imams (CCI) was established in 1990 and is constituted by more than 40 members. The CCI meets monthly to discuss relevant elements that affect Muslims in Canada (see [32,33]). Their website notes that it "has become the principle [sic] liaison with Federal, Ontario Provincial and Toronto Municipal Governments."

[8] There are typically three forms of marriage dissolution outlined in mainstream Sunni jurisprudence: *talaq*, *khul* and *faskh*. In the first case, traditional Islamic juristic traditions accord unilateral extra-judicial divorce rights solely to men, grant women limited alimony ranging from three months to one year, and typically favour men in child custody and inheritance rights. *Talaq* divorce—or unilateral divorce by the husband—is the most common form of divorce among Canadian Muslims (see [35], pp. 33–34; [36], pp. 20–23).

[9] In addition, many Ontario-based imams who act as mediators are being stretched thin by the familial counseling often demanded of them and are ill-equipped to respond to domestic abuse [17,37].

[10] Ali was called to the Ontario Bar in 1962 and was the first lawyer to take his legal oath on the Qur'an rather than on the Bible [38]. Syed Mumtaz Ali passed away in 2009.

[11] Here Ali uses polemical language like that critiqued by Mahmood Mamdani [41].

sought to create a parallel legal justice system, which would weaken the rights of Muslim women and the functioning of the liberal democratic state ([34], p. 12). The IICJ's condemnatory language in their press releases and on their website gave the impression of a newfound coercive power overstepping the bounds of the Canadian legal system. Ali's characterization of "Sharia Courts" suggested that arbitration decisions are not subject to judicial oversight, a point that was quickly propagated in the community and with the media. Ironically, there is no evidence that the IICJ ever carried out formal religious arbitration ([37], p. 68).

Opposition to the IICJ's announcement to open "Sharia courts" emerged quickly among local and national secular and Muslim organizations. Two anti-faith-based arbitration groups led by women perceived as Muslim[12] became most prominent: the "International Campaign Against Shari'a Court in Canada" and the government-funded Canadian Council of Muslim Women were sophisticated in their press releases, websites, and social media mobilization. Other secular Muslim organizations like the Muslim Canadian Congress were also involved in critiquing FBA.[13] Altogether eighty-seven groups came together to oppose the IICJ's announcement ([45], p. 257). Only nine organizations espoused FBA publicly, several with qualified support, like that from the Jewish Beth Dein. These groups include the Canadian Council on American-Islamic Relations (CAIR–CAN)[14], the Islamic Society of North America Canada (ISNA), the Canadian Islamic Council (CIC)[15], the Federation of Muslim Women and the Coalition of Muslim Organizations of Ontario (COMO), which represents over 30 Muslim organizations ([48], p. 108). While fewer in number, analysis of media coverage throughout the debate shows how the pro-FBA stance was underrepresented ([49], p. 441).

In response to growing concerns about Islamic law exacerbated by comments like these ones, Marion Boyd, a former Ontario Attorney General, was appointed by the provincial Attorney General and the Minister Responsible for Women's Issues to review the Arbitration Act and its impact on vulnerable peoples in the province. During the course of the review Boyd met with close to 50 groups ([24], p. 5). Six months later in December 2004, Boyd submitted her report that outlined concerns expressed during the debate and made 46 recommendations. The report gave qualified support for FBA for all faiths. Boyd concluded that to only bar Muslims from religiously-based arbitration constituted clear discrimination ([24], p. 73).

Following Boyd's qualified recommendation of the status quo, a number of pro-Sharia representatives like Faisal Kutty [50], legal representative for the Coalition of Muslim Organizations of Ontario (COMO), assumed the debate was over and that citizens could continue to choose to legally

---

[12] Homa Arjomand of the International Campaign against Sharia Court in Canada calls herself an "atheist Muslim" [43]. Alia Hogben of the CCMW claims to be a practicing Muslim.

[13] Internationally, these groups received support from the Progressive Muslim Union of North America and the grand mufti of Marseilles, Soheib Bencheikh. Nationally, these groups' critiques of FBA were bolstered by prominent politicians like Quebec MPP Fatima Houda-Pepin and the Ontario Women's Liberal Caucus [44].

[14] The Ottawa-based non-for-profit Council on American-Islamic Relations Canada (CAIR-CAN) was founded in 2002 and has been active in a number of lobbying campaigns, including those surrounding the Maher Arar and Omar Khadr cases ([46], p. 203).

[15] The CIC is based in Saskatoon, SK and was formally incorporated in 1998. It has been in the active in the media on the Israeli-Palestinian Conflict, a Human Rights complaint against *Maclean's*, and the Canadian Anti-Terrorism Act of 2001, among others [47].

arbitrate family matters with a religious leader. Having participated in the exercise of the Boyd commission, and having seen their views reflected in the Report, groups like COMO excused themselves from the public eye. Following Boyd's recommendations, as Katherine Bullock, ISNA representative noted, "the eventual decision in 2005, to ban FBA for all, did not cross our minds—we could not imagine that the government would take away an accommodation that was already present in the law" ([51], p. 258).

However, following the publication of the Review, public debate continued. Boyd's reasoning to maintain FBA in Ontario fell on deaf ears as subsequent international protests at Canadian embassies against "Sharia Courts" in September 2005 referenced the stoning of women and human rights atrocities. With mounting international pressure, on 11 September 2005 (a Sunday not typically reserved for government press releases), then-provincial Premier Dalton McGuinty announced: "There will be no Shariah law in Ontario. There will be no religious arbitration in Ontario. There will be one law for all Ontarians" [52], thus barring FBA for all religious groups. An amendment in February 2006 (the Family Statute Law Amendment Act) legally ended faith-based arbitration in Ontario. However, social scientific research by Julie Macfarlane and Christopher Cutting demonstrates that, because arbitration was never widely used (informal mediation was far more common), very little has changed. Religion can inform an arbitrator's rulings so long as the texts of final rulings use the language of Canadian law and make no reference to religious principles [17,50,53]. With this background of the debate in mind, I now turn briefly to three factors that influenced the IICJ's monopoly of the debate: a lack of knowledge about what was being requested, competing authorities, and poor public relations.

3. Islamophobia and Ignorance

Islamophobic elements are evident in how the debate unfolded and may partially explain its derailment into now familiar patriarchal critiques of Islamic beliefs and practices. In these public debates, Islam was often positioned homogeneously as a patriarchal religious tradition that condones the cutting off of hands and the stoning of women [54–56]. These media accounts and press releases were not neutral. A number of pro-FBA Muslim spokespeople observed that paternalism and Islamophobia informed those who conducted media interviews. For instance, part-time ISNA Canada spokesperson Katherine Bullock noted that "the level of hatred has been frequently astonishing" [57] and recounts having experienced Orientalizing portrayals of the tradition in her encounters with the media ([51], pp. 262, 269). The IICJ's inaccurate call for "Sharia courts" gained a great deal of attention and authority because of a lack of knowledge about the parameters of Islamic family law and the kinds of mediation that were commonly taking place. This lack of knowledge extends within Ontario Muslims' communities, as well. Some of the so-called average Muslims I interviewed in 2008 similarly felt they could not speak up to counter this characterization, as they were not legal specialists.

4. Dispersed Authority

Dispersed religious authority had a significant impact on the seemingly highly-conservative pro-FBA lobby. In the first place, theological diversity in part explains why it took longer for the Coalition of Muslim Organizations of Ontario (COMO) to respond as a united group. A shared sense of the parameters of Islamic jurisprudence and arbitration processes did not coalesce in the midst of the

debate, so that Muslims and non-Muslims were unable to engage with its potential positive implications. Part of this lack of representation relates to the traditions of Sunni Islam and its non-centralized authority structure that does not support a hierarchical clerical class that acts as a representative body. Federal and provincial governments have not established religious authoritative representatives following Protestant models, like the French government has mandated with the French Council of the Muslim Faith.

This lack of a unified theological position became apparent in how pro-FBA groups disagreed about the utility of referencing the term 'Sharia'. On the one hand, pro-FBA groups like ISNA Canada and the Islamic Institute of Toronto (IIT) suggested that over-usage of the term precluded a measured and qualified discussion of how *fiqh*-based arbitration could be developed and regulated. They preferred the more specific and contextual term *fiqh* or what Marion Boyd, aware of differences on the term, referred to more generally as 'Muslim principles.' On the other hand, the Canadian Islamic Congress (CIC) noted in a media communiqué that the term must be embraced, out of respect for its meaning and history:

> Sharia is Arabic for Islamic Law and there is no need for Canadian Muslims to be apologetic. Those who oppose the use of the word Sharia, but say the tribunals will use 'Islamic principles' are contradicting themselves [. . .] We should not let those abusers rob us of a word that has a long and noble history [58].

This discord on language reflects a range of views. Despite having been organized for a few years, the COMO (the Coalition of Muslim Organizations of Ontario) formed their common unified response following the announcement to end FBA [24]. At that point it was too late to impact public opinion.

In the third place, this kind of public opinion campaign is not easy for groups often largely composed of volunteers. ISNA Canada representative Katherine Bullock described having had a number of work and familial responsibilities that made her often unavailable for the short turn-around time necessitated by the media ([51], p. 261). Her absence meant that at times more moderate pro-FBA voices were excluded.

These shortcomings in theological unity and public presence overshadowed the other Ontario-based pro-FBA Muslim groups' press releases' sophisticated arguments submitted for consideration by Marion Boyd. While I recognize the homogenizing and naturalizing forces in determining the "mainstream," I argue that these arguments sought to demonstrate how FBA could signal a Canadian multicultural ethic in light of the Charter of Rights and Freedoms; pointed to how FBA could save tax dollars in alleviating the overburdened public court system; claimed that structuring it more formally would allow for greater transparency; and argued that, counter to the main concern by anti-FBA groups, FBA offered better opportunities for the protection of women's rights in allowing for "indigenizing" opportunities. These kinds of arguments that move away from apostasy arguably would have had greater credibility and been more legible amidst the broader public narrative on the suitability of FBA in a supposedly secular country. Despite constant references in the Report to the country's secularity, Canada does not have a formal legal separation of religion and politics [59].

Firstly, in their press releases and submission to the Boyd Commission, the Islamic Society of North America Canada based their support for FBA primarily on liberal democratic grounds. They challenged the notion that judicial autonomy in the form of 'sharia-inspired tribunals' would lead to a fracturing of the secular state and stated that "a denial of this right to Sunni Muslims will be reckoned

as discrimination and a singling out of a religious group in Ontario. This will be counter to Canada's Charter of Rights and Freedoms, which guarantees freedom of religion for all groups" [24]. The group drew on multicultural guarantees and political arguments regarding the possibilities for coexistence of religious law within a secular framework. CAIR-CAN framed its rationale similarly, stating that any form of Muslim dispute resolution would be "consistent with Canadian law and the Charter" ([60]; see also [61]; [24], p. 44). The Canadian Islamic Congress's (CIC) then-president went further to describe the end of FBA as a violation of the Charter.

Secondly, the head of the CIC appealed to practical considerations noting that such arbitration would "ease the backlog in the courts" and that "many judges prefer this" [62]. In other words, FBA saves taxpayers' money. This justification worked for former Premier Mike Harris whose then-conservative majority privatized a number of government programs as cost-saving measures in the 1990s.

Thirdly, a number of pro-FBA groups noted that mediation related to familial conflicts was already common, making arbitration a viable new option. Here pro-FBA advocates noted how many Ontarian Muslims feel that their interests and confidentiality are better protected by an imam, who also typically does not charge for his services, unlike a professional counselor, mediator or lawyer [17]. Following this argumentation, Riad Saloojee, a CAIR-CAN spokesperson, pointed out in a communiqué submitted to the Boyd Report that pragmatism should motivate policy makers to maintain the status quo related to FBA: "The reality is that on the ground, faith-based arbitration is already going on in an informal way," noted, so that "the best way is to regulate it and ensure it is transparent" [63]. Faisal Kutty, legal representative of COMO, moved from an argument of practicality to one of fairness and suggested that FBA for Ontarian Muslims reflected an opportunity to "indigenize" Islamic legal rulings so that they could be better regulated and supervised ([50], p.124). For Kutty, this process would allow judicial oversight into practices that would better reflect the beliefs of religious minorities while integrating them into the Canadian legal system. He referenced similar language to Saloojee, arguing that "formalizing the process will allow for greater transparency and accountability" [64], both of which would positively impact women.

On this note, contrary to the pejorative portrayal of pro-FBA groups like the CCMW whose public platform focused upon how Muslim family law perpetuates patriarchy ([24], p. 48; [65]), pro-FBA groups also reflected on Islam and gender politics, a point that did not translate well into the public debate. ISNA Canada's spokesperson, Katherine Bullock, proposed an equity model based upon gender complementarity to counter what she called the "Liberal-feminist version which says that if men and women are not treated in an identical manner, then women are being oppressed" [50]. Other pro-FBA advocates positioned Islam as pro-women and saw FBA as a way to convince culturally-patriarchal religiously-minded men of this fact. As cited in the Boyd Report, Mubin Shaikh of Toronto's Sunni Masjid El Noor[16] noted:

---

[16] Formally since 1982 and informally prior to that, the Masjid El Noor has offered counselling, mediation and arbitration services carried out from a pastoral care point of view. Their mediation board consists of seven people, one of whom is an imam and the rest of whom are volunteers divided equally between men and women. The mosque provides translations in Gujurati and Urdu to those who need services in other languages ([24], p. 60).

> when decision [sic] in favour of women are made against men who are ignorant of the rights of women afforded in Islam. The authority of the Tribunal will prevent a disputant from accusing it of ignoring their Islamic values—a claim frequently made against the secular system. Through this authority, the community will pressure the wrongdoer to conform to the norm and encourage him/her to cease their sinful behaviour ([24], p. 64).

Along these lines, in one of its public position papers, ISNA Canada argued that immigrant women would feel more "at home" with Muslim arbiters, who would also guarantee privacy and confidentiality in a way a "secular court" does not [24]. This concern about women's rights was *the* central issue for anti-FBA groups, a point that needed to be better addressed by groups who supported it. Despite nuanced written submissions for the Boyd commission by pro-FBA advocates of the potential advantages FBA afforded to women, symbolic representations trumped these reflections. In the wake of the debate, Faisal Kutty, legal counsel for COMO, conceded that from a public perception perspective, the group should have strategically situated Muslim women as the leaders and spokespersons [50,66]. Because Muslim women are not equally represented in the institutional structures of Ontario communities, such as in mosques, schools, and community centers, this inclusion would have greatly aided public perception. The 'pro-Sharia' campaign thus did not respond effectively to the oppressed Muslim woman trope that emerged so prominently; there was little confidence that Sharia-based tribunals would be any more responsive to women's interests.

A unified and authoritative message that effectively and, following John Dewey's theory of communication [67], aesthetically and effectively conveyed the socio-political benefits of FBA for non-Muslims or non-religiously practicing Ontarians—including a reduction in public court costs and a potentially more robust multiculturalism—did not occur. In part, enunciation of the role of women might have been better assured by stronger public relations. These articulations matter because when policy discourses privilege orthodox positions like the IICJ's, they tend to accept sweeping characterizations of women's social comportment and rights [68–72].

5. Orthodoxy and Public Relations

Religious conservatism does not lead to uniformity in theological positions. Acknowledging the power dynamics laden in the homogenizing category of the "mainstream," religious studies scholars are well aware of the diversity of belief and practice in religious systems, including a range among the most orthodox. Nancy Davis and Robert Robinson's ([73], p. 243) quantitative overview of conservatism among Protestants in the US demonstrates that the religiously orthodox exhibit little consensus of opinion on specific issues and, as individuals, hold inconsistent views. Rajeev Bhargava [74] warns of intra- and interreligious domination, where certain branches within the same religious tradition are privileged by members, the public and by scholars. Overuse of a narrow understanding of orthodoxy is therefore problematic because, as I have described, it is not representative of contradictory everyday experiences of religious beliefs and practices among mainstream publics.

Facilitating these positions assumes that everyday individuals will want to share their opinions. These 'average' individuals have a right to indifference or a lack of knowledge on the application and interpretation of religious law. For instance, one of my female interlocutors interviewed regarding her experience of the FBA debate explained her frustration with herself for not becoming more involved.

'Asma' explained, "I'm busy with my three young children. I think this is an important issue, but what can I do? And I don't know the Sharia. I can't go on talking about it when I don't know the hadith" [75]. Capturing Asma's position is central to unlocking the common concerns of Muslims in Ontario who were for FBA, but whose voices were absent from discussions. Asma's experience reflects how other individual pro-FBA voices existed, but were not captured by the public debate for a variety of reasons, including not being sensational enough for the media, who preferred a simplistic, reductive approach to the issues at hand.

In sum, with the exception of Phillips' [5] suggestion of emphasizing individuals in Western public policy matters rather than institutionalized groups, theory about *which* religion emerges through policy has not fully considered how orthodox positions take precedence [10]. Critiqued for how she characterizes Muslims primarily as "different, as not-wholly-Canadian, and perhaps as potential threats to 'real' Canadians" ([76], p. 350) and for too plainly pushing a multicultural ethos that masks inequalities [77], Marion Boyd's Report is nevertheless a good example of what Phillips describes. The Boyd Report successfully captured nuances related to arbitration and to Islamic law from a variety of Muslim perspectives. Even if the pro-FBA groups under examination engaged with the language, national culture and citizenship rituals necessary for full engagement in their consultation with Boyd ([1], p. 428), pro-FBA groups were unable to translate this into political action and public discourse. In part this disconnect was due to limited resources, to a media bias and to a lack of understanding in the community regarding the broader implications. Pro-FBA groups were not able to transmit their more sophisticated explanations in the mediatized debate that had too quickly latched to the IICJ. By way of conclusion, I suggest that policy engagement and media knowledge are keys to this end.

6. Conclusions

The Sharia Debate has become a benchmark for a number of Ontario Muslim groups who seek to better facilitate their positions in public debate. Public perception and relations are clearly important in shaping opinions and the course of debates like this one. The post-9/11 and 'Toronto 18' [17] environment casts suspicion on Islamic-informed engagement. In this climate, Ontario Muslim groups acknowledge the importance of promoting the positive engagements of their members. Macfarlane similarly notes that while post-9/11 Islamophobia negatively impacts the lives of women and men who are Muslims in Ontario, it also enforces a "commitment to greater openness and communication with non-Muslims" ([17], p. 7). Canadian Muslim organizations have, since the Sharia Debate, become more cognizant of the need for sophisticated public relations and political lobby. To make this point, I point to three examples in Ontario, the US and the UK that highlight differing ways these groups have shifted their strategies.

---

[17] The "Toronto 18" refers to eleven men and four youths arrested on 2 June 2006 (two others were arrested who were already serving prison terms, another was arrested two months later), accused of participating in plots to attack Parliament Hill among other locations. That these were the first arrests after the 9/11-related anti-terrorist legislation and that these threats to Canada were "homegrown" raised the spectre of radicalization.

Firstly, a public policy and government course developed in the wake of the FBA debate at the Islamic Institute of Toronto specifically addressed the importance of knowing the system to engage government ([78], p. 362). This initiative reflects a newfound post-2005 proactive stance. The aim of these evening classes was focused on affording Muslim Canadians knowledge of the political system so that they would feel empowered about practical matters, like governmental structure and when advocacy could take place. In one May 2008 class, the Pakistani-born Canadian teacher outlined the hierarchies of municipal and provincial governments, the common ways in which policy and law are created, and when an informed citizen might best lobby his or her council member (town hall meetings are too late). This course clearly advocated religiously-informed lobby and was inspired by frustration felt by the instructor who worked in the provincial legislature. This kind of mobilization suggests that knowing the political system allows individuals to better engage with government so to translate their arguments, and exemplifies Jose Casanova's [10] now-classic argument of the deprivatization of religious perspectives in political lobby. This engagement does not wait to be called upon as consultants like with the Boyd Report but rather seeks to frame potential issues.

Secondly, in 2011–2012, the New York State-based Islamic Circle of North America (ICNA), which has 30 chapters in the US, launched a $3 million public awareness campaign to de-stigmatize the term "sharia" among the American public. Its timing suggested that it emerged in part in response to the IICJ's public relations disaster. Its campaign focused on recent Sharia debates in the United States where 13 states are considering legislation to forbid "Sharia," with aims to dispel "the myths surrounding Shariah Law" and to communicate "the truth to the American public." They outlined these efforts as defending religious freedom and warding against Islamophobia [79]. Using Christian-based references to appeal to non-Muslim Americans they noted:

> There is no one thing called Shariah. A variety of Muslim communities exist, and each understands Shariah in its own way. No official document, such as the Ten Commandments, encapsulates Shariah.

ICNA does not elaborate, however, as to more specific sources of authority and how *fiqh* would be determined. Their campaign is primarily focused on de-stigmatizing Islamic law.

Thirdly, Marta Bolognani and Paul Statham [80] point to how British Muslim organizations have formed alliances to more efficiently and effectively brand themselves. Based on qualitative interviews with British Muslim organizations, they note that Muslim community representatives recognize how the media shape perceptions. They cite an imam who argues that "stories about Muslims [are] restricted to a negative focus and limited to only a few oft-repeated clichéd cultural issues, usually on wearing a burqa or niqab, or claims about the treatment of women" ([80], p. 238). Bolognani and Statham report that their participants found that sensationalism meant that unrepresentative, even if camera-ready, individuals were more often selected for interviews; one example given of someone who had interviewed a great deal but who has few actual followers was Anjem Choudary, akin to the IICJ's former president, Syed Mumtaz Ali. They also cite a representative from the Bradford Council for Mosques who suggests how engagement with the media is necessary, and that "faith leaders generally are not very good at interacting with the media. There are many positive stories and many positive examples of work which should be shared widely. The media offers us the opportunity to do this" ([80], p. 239). Daniel Nilsson DeHanas and Zacharias Pieri [81] similarly show the significance for the Tablighi Jamaat of hiring a PR company to manage their image and website in the midst of the

building of a 'mega-mosque' construction adjacent to the main 2012 Olympic site near London. Nilsson DeHanas and Pieri note that the mobilization of their website (now defunct) allowed them to promote a more modest mosque. Beforehand, the Tablighi Jamaat's web and PR absence "perpetuated their image as an isolated and secretive group" ([81], p. 809). Again, these apparatuses matter.

Returning to the Canadian context, the importance of this sophistication and proactive media portrayal has been solidified. After the April 2013 Boston Bombings when the Royal Canadian Mounted Police arrested two men suspected of a railway terror plot in Toronto [82], a number of Muslim organizations like CAIR-CAN very clearly and intentionally dis-associated themselves from these actions. This collaboration of Muslim groups with police reflects years of negotiation and trust-building undertaken with the Royal Canadian Mounted Police. Toronto Imam Yusuf Badat made evident to CBC Radio that Muslim leaders are taking steps to help prevent radicalization. Badat concluded:

> We tell them [members], 'be part of the broader mainstream community. Get involved. Be part of the civic engagement. Learn Islam from the right sources, rather than being radicalized through these internet videos' [82].

In a televised press conference in a media room (and not in a mosque) after the Via Rail plot was revealed, CAIR-CAN reminded Canadian Muslims to immediately notify police whenever they have knowledge of criminal activities. In denouncing the terror plot and reminding the media that the most important tip came from an imam, its executive director Ihsaan Gardee emphasized the everyday-ness of Muslims:

> Like all Canadians, we want to feel safe and protected in our own country. We trust that our fellow citizens will see this for what it is: the alleged criminal and misguided actions of a few who do not reflect or represent Canadian Muslim communities [83].

Salam Elmenyawi, president of the Muslim Council of Montreal, similarly sought to show his community's separateness from the suspects and noted that no one seemed to know them from local mosques. He said the fact that the accused opted not to be represented by a lawyer demonstrates he is either "stupid or mentally ill," [84] clearly separating the suspect from mainstream Muslim groups. In this 2013 instance, in announcing the arrests, the RCMP thanked Muslim leaders for their help and publicly credited them with bringing a suspect to their attention [85].

As a flashpoint, the FBA debate in Ontario is thus illustrative of the need for PR by mainstream religious groups. Even if the 'average' Muslim would not attend, the public policy class that emerged at the IIT following the debate is an example of this emerging space. Individuals who have taken this class may be better equipped to steer conversations to what matters to them. Even if clear discrimination has been charted and Muslim Canadians are significantly under-employed in contrast with other religious groups[18], the country's Muslim communities are conversant civic contributors.

---

[18] Statistics Canada data 2001 show that despite a higher level of education than non-Muslims, Canadian Muslims' level of unemployment (14,4%) is more than twice as high as the national average [86]. A 2004 CAIR-CAN study suggested that 43% of their 467 respondents knew at least one other Muslim who had, since 2001, been questioned by the RCMP (Royal Canadian Mounted Police), CSIS (Canadian Security Intelligence Service) or local police. More than half (56%) had experienced at least one anti-Muslim incident since 9/11 [87].

The sophistication and significance of FBA for pro-Sharia groups was mired by problems in not specifically addressing the gender concerns of most critics and not translating their message to the "sound-bite" terms of the debate. However, events in the wake of the debate suggest an increasing recognition of the importance of public relations and opinion to better represent the positions of Muslims in Canada, the US and the UK. The challenge for these groups and individuals is to allow for a subtlety and depth of representation so that Muslimness does not necessarily become the sole defining feature of this political engagement should the interlocutors choose otherwise. This reductive understanding of identity, wherein religiously-determined behaviors and beliefs come to solely encompass identities, parallels the over-reliance of the singular representation of the IICJ in the FBA debate in Ontario, Canada.

Acknowledgements

This paper has benefited from comments raised in a panel discussion at the 2012 American Anthropological Association meetings organized by James Bielo and Eric Hoenes del Pinal, as well as insights from Faisal Kutty and suggestions by anonymous reviews. I thank Katie Flood for her bibliographic assistance. Field research was conducted in the Greater Toronto area from January–August 2008 and July–August 2009 with support from a Fulbright Scholar award and with research funding from Memorial University of Newfoundland.

Conflicts of Interest

The author declares no conflict of interest.

References

1. Paul Statham, Ruud Koopmans, Marco Giugni, and Florence Passy. "Resilient or adaptable Islam? Multiculturalism, religion and migrants' claims-making for group demands in Britain, the Netherlands and France." *Ethnicities* 5 (2005): 427–59.
2. Alexandre Caeiro. "Religious Authorities or Political Actors? The Muslim Leaders of the French Representative Body of Islam." In *European Muslims and the Secular State.* Edited by Jocelyne Cesari and Seán McLoughlin. Aldershot: Ashgate, 2005, pp. 71–84.
3. Valérie Amiraux. "CFCM: A French touch?" *ISIM Newsletter* 12 (2003): 24–25.
4. Bronwyn Winter. *Hijab & the Republic: Uncovering the French Headscarf Debate*. Syracuse, NY: Syracuse University Press, 2008.
5. Anne Phillips. *Multiculturalism without Culture*. Princeton: Princeton University Press, 2007.
6. Moira Dustin, and Anne Phillips. "Whose agenda is it? Abuses of women and abuses of "Culture" in Britain." *Ethnicities* 8 (2008): 405–24.
7. Veena Meetoo, and Heidi Safia Mirza. "There is nothing "Honourable" about Honour Killings: Gender, violence and the limits of multiculturalism." *Women´s Studies International Forum* 30 (2007): 187–200. http://eprints.ioe.ac.uk/2018/1/meetooandmirza2007nothinghonourable187.pdf.
8. Talal Asad. *Formations of the Secular: Christianity, Islam, and Modernity*. Stanford: Stanford University Press, 2003.

9. Jürgen Habermas. "Notes on a post secular society." *Sign and Sight*, 18 June 2008. http://www.signandsight.com/features/1714.html/.
10. Jose Casanova. *Public Religions in the Modern World*. Chicago: University of Chicago Press, 1994.
11. Linda Woodhead. "Five concepts of religion." *International Review of Sociology* 21 (2011): 121–43.
12. Paul Heelas, Linda Woodhead, Benjamin Seel, Bronislaw Szerszynski, and Karin Tusting. *The Spiritual Revolution: Why Religion is Giving Way to Spirituality*. Oxford: Blackwell, 2005.
13. Meredith B McGuire. *Lived Religion: Faith and Practice in Everyday Life*. Oxford: Oxford University Press, 2008.
14. Robert Orsi. "Is the study of lived religion irrelevant to the world we live in?" *Journal for the Scientific Study of Religion* 42 (2003): 169–74.
15. Robert Orsi. *Between Heaven and Earth: The Religious Worlds People Make and the Scholars Who Study Them*. Princeton, NJ: Princeton University Press, 2005.
16. Canadian Institute of Policy Studies (CIPS). "Muslim community profile survey." *Canadian Institute of Policy Studies*, 2008. Available online: http://www.c-ips.ca/docs/CIPS_Survey_Report.pdf (accessed on 12 August 2012).
17. Julie Macfarlane. *Islamic Divorce in North America: A Shari'a Path in a Secular Society*. Oxford: Oxford University Press, 2012.
18. Julie Macfarlane. "Understanding trends in American Muslim divorce and marriage: A discussion guide for families and communities." *Institute for Social Policy and Understanding*, January 2012. Available online: http://ispu.org/pdfs/ISPU%20Report_Marriage%20II_Macfarlane_WEB.pdf (accessed on 12 August 2012).
19. Samia Bano. "Islamic family arbitration, justice and human rights in Britain." *Law, Social Justice & Global Development Journal* 1 (2007): http://www.go.warwick.ac.uk/elj/lgd/2007_1/bano.
20. Ghena Krayem. "Multiculturalism and its challenges for Muslim women." In *Challenging Identities: Muslim Women in Australia*. Edited by Shahram Akbarzadeh. Carlton, Victoria: Melbourne University Press, 2010, pp. 105–29.
21. Asifa Quraishi, and Najeeba Syeed-Miller. "No altars: A survey of Islamic family law in the United States." *Emory Law*, n.d. Available online: http://www.law.emory.edu/ifl/cases/USA.htm (accessed on 6 September 2013).
22. Tariq Ramadan. *Western Muslims and the Future of Islam*. London: Oxford University Press, 2009.
23. Tariq Modood. "Multicultural citizenship and the anti-sharia storm." *Open Democracy*, 14 February 2008. http://www.opendemocracy.net/article/faith_ideas/europe_islam/anti_sharia_storm#.
24. Marion Boyd. "Dispute resolution in family law: Protecting choice, promoting inclusion." *Ministry of the Attorney General*, 20 December 2004, p. 191. Available online: http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/boyd/fullreport.pdf (accessed on 6 September 2013).
25. Paul Bramadat. "Beyond Christian Canada: Religion and Ethnicity in a Multicultural Society." In *Religion and Ethnicity in Canada*. Edited by Paul Bramadat and David Seljak. Toronto: Pearson Education Canada Inc., 2005, pp. 1–29.

26. Statistics Canada. "2001 Census Data: Religion (95) and Visible Minority Groups (15) for Population, for Canada, Provinces, Territories, Census Metropolitan Areas 1 and Census Agglomerations, 2001 Census - 20% Sample Data." *Government of Canada*, 2001. Available online: http://www12.statcan.ca/english/census01/products/standard/themes/RetrieveProductTable.cfm?Temporal=2001&PID=55825&APATH=3&GID=431515&METH=1&PTYPE=55440&THEME=56&FOCUS=0&AID=0&PLACENAME=0&PROVINCE=0&SEARCH=0&GC=0&GK=0&VID=0&VNAMEE=&VNAMEF=&FL=0&RL=0&FREE=0 (accessed on September 6, 2013).
27. PEW. "The Future of the Global Muslim Population: An Interactive Feature." *PEW-Templeton Global Religious Futures Project*, January 2011. Available online: http://features.pewforum.org/muslim-population-graphic/#/Canada (accessed on 6 September 2013).
28. Statistics Canada. "Selected Religions by Immigrant Status and Period of Immigration, 2001 Counts, for Canada, Provinces and Territories – 20% Sample Data." *Government of Canada*, 2001. Available online: http://www12.statcan.ca/english/census01/products/highlight/religion/Page.cfm?Lang=E&Geo=PR&View=1b&Code=01&Table=1&StartRec=1&Sort=2&B1=Canada&B2=Counts (accessed on 6 September 2013).
29. Jack Jedwab. "Canada's Demo-Religious Revolution: 2017 will bring considerable change to the profile of the Mosaic." *Association for Canadian Studies/Association d'études Canadiennes*, 2005. Available online: http://www.acs-aec.ca/oldsite/Polls/30-03-2005.pdf (accessed on 6 September 2013).
30. Charles Lewis. "Number of Muslims in Canada predicted to triple over next 20 years: Study." *The National Post*, 31 January 2011. Available online: http://www.nationalpost.com/todays-paper/2030+Canada+Muslim+population+triple/4200144/story.html (accessed on 8 August 2012).
31. Alexandre Caeiro. "The power of European fatwas: The minority fiqh project and the making of an Islamic counter public." *International Journal of Middle East Studies* 42 (2010): 435–49.
32. Agence France-Presse. "Canadian imams condemn radical Islam." *The National Post*, 13 August 2012. Available online: http://life.nationalpost.com/2010/08/13/canadian-imams-condemn-radical-islam/#ixzz0xP2b45Yy (accessed on 9 December 2012).
33. Canadian Council of Imams. "Canadian council of imams: To serve those who serve." *Canadian Council of Imams*, 2012. Available online: http://www.canadiancouncilofimams.com/ (accessed on 6 September 2013).
34. Jennifer A. Selby, and Anna C. Korteweg. "Setting the Scene in Ontario." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 12–31.
35. John L. Esposito, and Natana J. DeLong-Bas. *Women in Muslim Family Law*, 2nd ed. Syracuse: Syracuse University Press, 2001.
36. Pascale Fournier. *Islamic Marriage in Western Courts: Lost in Transplantation*. Farnham, UK: Ashgate, 2010.
37. Christopher Cutting. "Faith-Based Arbitration or Religious Divorce: What Was the Issue?" In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration.* Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 66–87.

38. The Canadian Society of Muslims. "Our President." n.d. Available online: http://muslimcanada.org/csm_president.html (accessed on 6 September 2013).
39. Syed Mumtaz Ali. "Interview: A review of the Muslim Personal/Family Law Campaign." *The Canadian Society of Muslims*, August 1995. Available online: http://muslimcanada.org/pfl.htm (accessed on 6 September 2013).
40. Judy VanRhijn. "First steps taken for Islamic arbitration board." *Law Times*, 24 November 2003. http://www.freerepublic.com/focus/f-news/1028843/posts.
41. Mahmood Mamdani. *Good Muslim, Bad Muslim: America, the Cold War and the Roots of Terror*. New York, Pantheon, 2004.
42. Nevin Reda. "The 'Good' Muslim, 'Bad' Muslim Puzzle? The Assertion of Muslim Women's Islamic Identity in the Sharia Debates in Canada." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 231–56.
43. Personal Interview, 22 January 2008.
44. Kevin Dougherty. "Québec bans sharia." *Canwest News Service*, 27 May 2005. http://www.sikhtimes.com/news_052705b.html.
45. Lorraine Weinrib. "Ontario's Sharia Law Debate: Law and Politics under the Charter." In *Law and Religious Pluralism in Canada*. Edited by Richard Moon. Vancouver: UBC Press, 2008, pp. 239–63.
46. Jamie Scott. *The Religions of Canadians*. Toronto: University of Toronto Press, 2012.
47. Canadian Islamic Congress. "Canadian Islamic Congress." 2011. Available online: http://www.canadianislamiccongress.com/cicfacts.php (accessed on 6 September 2013).
48. Haideh Moghissi, Saeed Rahnema, and Mark Goodman. *Diaspora by Design: Muslim Immigrants in Canada and Beyond*. Toronto: University of Toronto Press, 2009.
49. Anna C Korteweg. "The Sharia Debate in Ontario: Gender, Islam, and representations of Muslim women's agency." *Gender & Society* 22 (2008): 434–54.
50. Faisal Kutty. "'Sharia' Courts in Canada: A Delayed Opportunity for the Indigenization of Islamic Legal Rulings." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 123–49.
51. Katherine Bullock. "'The Muslims Have Ruined Our Party:' A Case Study of Ontario Media Portrayals of Supporters of Faith-Based Arbitration." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 257–76.
52. Harvey Simmons. "One Law for All Ontarians." *The Toronto Star*, 14 September 2010. http://www.thestar.com/opinion/editorialopinion/article/860513--one-law-for-all-ontarians.
53. Natasha Bakht. "Were Muslim barbarians really knocking on the gates of Ontario?" *Ottawa Law Review* 35: (2006): 67–82.
54. Sian Powell. "Shamed by Sharia." *The Weekend Australian*, 26 June 2004, p. 21.
55. United Press International. "Muslims adopt Shariah legal code in Canada." 4 August 2004. http://www.upi.com/Top_News/2004/08/04/Muslims-adopt-Shariah-legal-code-in-Canada/UPI-14001091627835/.

56. Salim Mansur. "Sharia's underclass." *The National Post*, 22 July 2005, p. A18. Available online: http://www.freedominion.ca/phpBB2/viewtopic.php?f=1&t=42785 (accessed on 6 September 2013).
57. Thunder Bay Chronicle. "Pro-shariah Muslim women decry decision to axe faith arbitration." *Thunder Bay Chronicle*, 15 September 2005.
58. Canadian Islamic Congress. "'Sharia' defines who we are' says Islamic Congress: Fears of potential abuse called unfounded." *CIC Media Communiqué*, 24 August 2004. Available online: http://www.canadianislamiccongress.com/cic2010/2004/08/28/sharia-defines-who-we-are-says-islamic-congress-fears-of-potential-abuse-called-unfounded/ (accessed on 6 September 2013).
59. Lori G Beaman. "Introduction." In *Religion and Canadian Society*, 2nd ed. Edited by Lori G. Beaman. Toronto: Canadian Scholars' Press, 2012, pp. 1–6.
60. CAIR-CAN (Canadian Council of American-Islamic Relations). "Review of Ontario's Arbitration process and arbitration act. written submissions to Marion Boyd." *CAIR-CAN*, 10 August 2004. Available online: http://www.caircan.ca/downloads/sst-10082004.pdf (accessed on 6 September 2013).
61. Rita Trichur. "Muslims divided over whether sharia belongs in Ontario arbitration law." *Canadian Press Newswire*, 22 August 2004. http://www.religionnewsblog.com/8496/muslims-divided-over-whether-sharia-belongs-in-ontario-arbitration-law.
62. Canadian Islamic Congress. "'Sharia' defines who we are' says Islamic Congress: Fears of potential abuse called unfounded." *CIC Media Communiqué*, 28 August 2004. http://www.canadianislamiccongress.com/cic2010/2004/08/28/sharia-defines-who-we-are-says-islamic-congress-fears-of-potential-abuse-called-unfounded/.
63. Marina Jimenez. "Arbitration based on faith is working, Muslim group says." *The Globe and Mail*, 11 September 2004, p. A11. http://www.theglobeandmail.com/news/national/arbitration-based-on-faith-is-working-muslim-group-says/article1004089/.
64. Faisal Kutty. "Boyd's Recommendations balance needs of religious communities with rights of vulnerable." *The Lawyers Weekly*, 21 January 2005. http://www.lawyersweekly.ca/index.php?section=article&articleid=20.
65. Canadian Council of Muslim Women. "CCMW submission to Marion Boyd – review of the Ontario arbitration act and arbitration processes specifically in matters of family law." *Canadian Council of Muslim Women (CCMW)*, 2004. Available online: http://beta.ccmw.com/wp-content/uploads/2013/04/CCMW-Submission-to-Marion-Boyd-Review-of-the-Ontario-Arbitration-Act-and-Arbitration-Processes-Specifically-in-Matters-of-Family-Law-July-2004.pdf (accessed on 6 September 2013).
66. Marina Jimenez. "Decision on Shari'a sparks Jewish protest." *The Globe and Mail*, 13 September 2005. Available online: http://www.theglobeandmail.com/servlet/ArticleNews/TPStory/LAC/20050913/SHARIA13\/TPNational/TopStories (accessed on 6 September 2013).
67. Scott R Stroud. "John Dewey and the question of artful communication." *Philosophy and Rhetoric* 41, no. 2 (2008): 153–83.
68. Valérie Amiraux."Headscarves in Europe: What is really the Issue." In *European Islam: Challenges for Society and Public Policy*. Edited by Samir Amghar, Amel Boubekeur and Michel Emerson. Bruxelles: CEPS, 2007, pp. 124–43.

69. Birgit Sauer. "Headscarf regimes in Europe: Diversity policies at the intersection of gender, culture and religion." *Comparative European Politics* 7 (2009): 75–94.
70. Jennifer A Selby. "Islam in France reconfigured: Republican Islam in the 2010 Gerin Report." *The Journal of Muslim Minority Affairs* 31 (2011): 383–98.
71. Anna C Korteweg. "Understanding honour killing and honour-related violence in the immigrant context: Implications for the legal profession and beyond." *Canadian Criminal Law Review* 16, no.2 (2012): 135–60.
72. Pascale Fournier, and Erica See. "The "Naked Face" of secular exclusion: Bill 94 and the privatization of belief." *Windsor Yearbook of Access to Justice* 30 (2012): 63–76.
73. Nancy J Davis, and Robert V Robinson. "Religious orthodoxy in American society: The myth of a monolithic camp." *Journal for the Scientific Study of Religion* 35 (1996): 229–45.
74. Rajeev Bhargava. "States, religious diversity, and the crisis of secularism." *Open Democracy*, 22 March 2011. http://www.opendemocracy.net/rajeev-bhargava/states-religious-diversity-and-crisis-of-secularism-0.
75. Personal Interview, 15 January 2008.
76. Alexandra Brown. "Constructions of Islam in the context of religious arbitration: A consideration of the "Shari'ah Debate" in Ontario, Canada." *Journal of Muslim Minority Affairs* 30 (2010): 343–56.
77. Alexandra Brown. "Managing the Mosaic: The Work of Form in 'Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 329–50.
78. Jennifer A Selby."Construing the Secular: Implications of the Ontario Sharia Debate." In *Debating Sharia: Islam, Gender Politics and Family Law Arbitration*. Edited by Anna C. Korteweg and Jennifer A. Selby. Toronto: University of Toronto Press, 2012, pp. 351–76.
79. Islamic Circle of North America (ICNA) Press Kit. "Defending religious freedom: Understanding Shariah." *ICNA National Campaign*, October 2011–December 2012. Available online: www.defendingreligiousfreedom.com (accessed on 6 September 2013).
80. Marta Bolognani, and Paul Statham. "The changing public face of Muslim associations in Britain: Coming together for common 'social' goals?" *Ethnicities* 13 (2013): 229–49.
81. Daniel Nilsson DeHanas and Zacharias P Pieri. "Olympic proportions: The expanding scalar politics of the London 'Olympics Mega-Mosque' controversy." *Sociology* 45 (2011): 798–814.
82. CBC News. "What the analysts are saying about alleged train plot." *CBC News*, 23 April 2013, http://www.cbc.ca/news/canada/story/2013/04/23/f-via-plot-analysis.html.
83. Bruce Deachman. "Ottawa imams would 'never hesitate' reporting any activity to police they thought might cause harm." *Ottawa Citizen*, 23 April 2013. Available online: http://www.ottawacitizen.com/news/Ottawa+imams+would+never+hesitate+reporting+activity+police/8284232/story.html (accessed on 6 September 2013).
84. The Canadian Press. "Muslim groups thank police for foiling terror plot, denounce distortion of Islam." *Macleans*, 23 April 2013. http://www2.macleans.ca/2013/04/23/muslim-groups-thank-police-for-foiling-terror-plot-denounce-distortion-of-islam/.

85. CBC News. "Via terror plot suspects deny allegations." 23 April 2013. http://www.cbc.ca/news/politics/story/2013/04/22/terror-plot-suspects.html.
86. Jennifer A Selby. "Islam in the west: Canada country profile." *Euro-Islam Website*, 2008. Available online: http://www.euro-islam.info/spip/article.php3?id_article=2336 (accessed on 6 September 2013).
87. CAIR-CAN (Canadian Council of American-Islamic Relations). "Presumptions of guilt: A national survey on security visitations of Canadian Muslims." 8 June 2005. Available online: http://www.caircan.ca/downloads/POG-08062005.pdf (accessed on 12 August 2012).