Antisemitism and Islamophobia

by David Matas

Thank you for inviting me. I want to begin with a linguistic analysis of the two terms "antisemitism" and "Islamophobia" and then move on to substance.

The evolution of the term "antisemitism"

The meaning of the word "antisemitism" has diverged remarkably over time from its literal meaning.   Literally, antisemitism means being against semitism. But what is semitism?

There are no advocates of semitism, clubs for semitism, manifestos of semitism, preachers of semitism and so on.   The very existence of semitism exists only in the minds of antisemites.   The word "antisemitism" is often now unabbreviated, because there is no semitism.

For centuries, Jews in Europe were excluded from society. The work they were allowed to do, the locations where they could work, the areas where they could live, the schools to which they could send their children, the clubs they could join, the places where they could play sports and so on, were systematically limited.   For the Jewish population, pervasive discrimination was the norm.

With the French Revolution, the enlightenment and the spread of the concept of natural rights and equality, the fog of state and public sanctioned discrimination started to lift. Jews in the nineteenth century in Western Europe began to be treated like other people around them.

The beginning of the end to this discrimination meant that Jews were found in professions

they had not practised before, acquired positions they never held before, and achieved successes no one from the Jewish community had ever been allowed to accomplish before. This movement of the Jewish community into general society generated push-back, under the name of antisemitism. The League of Anti-semites was founded by Wilhelm Marr in Germany in the 1879 to combat the emancipation of the Jewish population and their acceptance by the general community[1].

This acceptance, looked at objectively, was beneficial to the community. If Jews succeeded in the general community, the reason was that they performed a service or manufactured a product or invented a device or developed an idea which the general community valued.

However, Marr and his League give this community acceptance a nefarious twist. They saw the success of Jews in the larger world as the result of a Jewish conspiracy of world domination.

This conspiracy theory acquired widespread adherence. Every success by a Jewish person anywhere in whatever field became fodder for antisemitic conspiracy theorists.

The fantastical nature of antisemitism as well as the ravages of the Holocaust discredited the term.   The vocabulary of antisemitism switched sides.   The word "antisemitism" today is not brandished by antisemites.   Rather, it is a term used by those combating antisemitism.   Virtually no one today self-identifies as an antisemite.   Those who speak and act out antisemitic beliefs describe themselves in other ways.

---

[1] Wilhhelm Marr, "The Victory of Judaism over Germanism", 8th edition,

http://www.kevinmacdonald.net/Marr-Text-English.pdf

As well, the concept of antisemitism has broadened to encompass all anti-Jewish bigotry, the religious as well as the racial, the modern as well as the historical. Bigotry against Jews is a shape shifting monster. Today, one prevalent form of anti-Jewish bigotry is anti-Zionism - the demonization of Israel for the purpose of delegitimization and the consequent demonization of Jews worldwide for their actual or presumed support for this allegedly demon state. An expansive definition, which encompasses anti-Zionism, has now become generally accepted, adopted by the European Union Monitoring Centre in March 2005[2], the Conference and Summit of the Inter parliamentary Coalition for Combating Antisemitism in its Ottawa Protocol in November 2010[3], and the International Holocaust Remembrance Alliance in May 2016[4].

The meaning of "Islamophobia"

The word "Islamophobia", literally, means irrational fear of Islam. The prevalence of the term in public discourse dates from 1997, more than a hundred years after the introduction of the term "antisemitism"[5].

Runnymede Trust, a UK think tank, struck in 1996 a Commission on British Muslims and Islamophobia which in its 1997 report wrote that

"anti-Muslim prejudice has grown so considerably and so rapidly in recent years that

---

[2] https://ukmediawatch.org/how-we-define-antisemitism/

[3] http://www.cbc.ca/newsblogs/politics/inside-politics-blog/2010/11/for-the-record-the-full-text-of-the-ottawa-protocol.html

[4] https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf

[5] Nasar Meer & Tariq Modood "Refutations of racism in the 'Muslim question'" Patterns of Prejudice, 43:3-4, https://doi.org/10.1080/00313220903109250

a new item in the vocabulary is needed".

The term the Commission proposed was "Islamophobia" and the definition for the term the Commission proposed was "an unfounded hostility towards Islam, and therefore fear or dislike of all or most Muslims"[6].

There are three specifics worth noting in the concept of Islamophobia, as defined by the Runnymede Trust. One is that the definition refers to unfounded hostility to Islam, not all hostility to Islam.   One can say the same of the literal meaning of Islamophobia, irrational fear of Islam. The very concept has embedded within it the possibility of rational fear of Islam.

The Runnymede phraseology suggests some forms of hostility to Islam are unfounded and some are well-founded. The literal meaning of the word Islamophobia has embedded in it that some fears of Islam are rational and some are irrational.

This conception is not specific to Islam. Any phobia is an irrational fear.   However, it is wrong to say that all fear is irrational.

My everyday work at my office as a lawyer is helping refugees seek and obtain protection. A refugee by definition, set out in the UN Refugee Convention and reproduced in Canadian statute law, is someone with a well-founded fear of persecution for listed reasons. To be a refugee you have to be afraid. If you are not subjectively afraid, then your claim for refugee status is doomed to fail. As well, the fear has to be well-founded.

Every person found to be a refugee has been found to have both these components - a subjective fear and an objective basis for the fear which makes the fear well-founded.   The notion that fear is always irrational would mean, in my area of work, that no one could be a

---

[6] "Islamophobia: A problem for us all"

refugee.   Yet, of course, many are, not just practically, but also legally, people who one can legitimately say have a well-founded fear.

Second, the Runnymede Trust definition relates unfounded hostility towards Islam to fear or dislike of all or most Muslims.   Runnymede Trust is a think tank focused on racial equality, not religious intolerance.   Its primary concern, when it comes to Islam and Muslims, is not hostility to Islam but rather hostility to Muslims.   Its concern about unfounded hostility to Islam is based on the linkage the Trust sees between that hostility to Islam and hostility to Muslims.   The Trust, rather than defending Islam, is specifying one particular cause of anti-Muslim bigotry, hostility to Islam.

Third, because the primary concern of the Runnymede Trust is anti-Muslim prejudice, the opposition to Islamophobia is secondary.   The concern is not to oppose Islamophobia as such. It was rather to oppose Islamophobia because of the perceived linkage between Islamophobia and fear or dislike of all or most Muslims. Insofar as the linkage does not exist, the concern of the Runnymede Trust about Islamophobia does not exist either.

In general, what is wrong with racism is not so much the cause as the result.   Causes are worth noting and combating, but it is simplistic to say that racism against any group has one specific cause.

Antisemitism, in a general sense, does not come only from irrational fear of the Jewish religion, or a conspiracy fantasy or anti-Zionism or the blood libel or false attribution of responsibility for the black plague or a suspicion of dual loyalty. It comes from all of them and many others besides.   At the end of the day, what is wrong with bigotry is not this cause or that, but the bigotry itself, from whatever cause.

It is easy enough to put aside the Runnymede definition and think of some other definition

which avoids its problems. Nonetheless, the definition of Islamophobia has not reached the same stage of development as the definition of antisemitism.   There has not developed a level of consensus around the meaning of Islamophobia similar to the consensus around the meaning of antisemitism.

Partly this is a matter of time, the fact that the term antisemitism was introduced and widely used over 100 years before the term Islamophobia was itself introduced and widely used. It also has been easier to agree on a definition of antisemitism divorced from its literal meaning because there is no semitism.   Indeed, the very word seems strange.   However, there are plenty of Islamic believers.   The literal meaning of Islamophobia conveys something which sounds real, which can be real.

It may be that one hundred years from now there will develop a consensus around the definition of Islamophobia which differs from its literal meaning, as there has now developed a consensus around the definition of antisemitism which differs from its literal meaning.   However, we are not there yet.   Moreover, getting there will be a lot more difficult, partly because of the many strands of Islam and the legitimate fear of some.

As well, if there were consensus on the meaning of Islamophobia which diverged from its literal meaning, the consequent recommendations against Islamophobia could all too be easily misunderstood as being directed to the literal meaning as opposed to the adopted meaning. Unlike the word "antisemitism" the word "Islamophobia" has a literal content and will continue to have one.

Differences between the terms "antisemitism" and "Islamophobia"

Linguistically, the terms "antisemitism" and "Islamophobia" bear some similarity. Both juxtapose a belief system and an opposition to that belief.   Being against a belief

(semitism) is similar to having an irrational fear of a belief (Islam).

However, there is also a big difference. Semitism, as I noted, does not exist. Islam most certainly does. It has over one billion adherents. Fear of Islam is not fear of a mirage. It is a fear of something real.

Because semitism does not exist, arguing about whether opposition to semitism makes sense is nonsensical. It is an argument about nothing, an argument in which no one engages.

Historically, much bigotry directed against Jews was based on mischaracterizations of their religious beliefs. Even today there are some strains of antisemitism which are based on misrepresentations of the Jewish religion. Nonetheless, there are whole swaths of antisemitism which are racial, divorced from religion.

Indeed, Wilhelm Marr was attempting to do just that, to create a race based rather than religion based ideology. A lot of antisemitism today remains race based.

One can not say the same about anti-Muslim bigotry. Anti-Muslim bigots are hard put to posit the existence of Muslim race, given the size and diversity of the Muslim population.

Objectively, race does not exist. The notion that a group belongs to this or that race exists only in the minds of racists. Given that this is so, there is, despite the heterogeneity of the global Muslim community, some racism directed against Muslims. However, to describe the prejudice Muslims face as racists is not quite right.

Describing the prejudice Muslims face as religious intolerance is closer, which is why Runnymede Trust and others have diverted onto the sidetrack of Islamophobia. However,

to describe the prejudice that the Muslim community faces as religious intolerance is not quite right either given the wide variety of forms of Islam and the non-practising behaviour of many nominal Muslims.   The phrase "anti-Muslim hostility", which the Runnymede Trust ultimately uses, or "anti-Muslim sentiment" is better because it identifies the problem, rather than a cause of the problem.

Because the concept of antisemitism has spread to encompass all forms of anti-Jewish bigotry including anti-Zionism, there are active borderline debates about that. On which side of the line do various anti-Israel pronouncements and actions fall?   Are they targeting specific practices and policies of Israel or are they targeting its very existence?

There are energetic debates about the borderlines of anti-Zionism, about whether criticism of Israel is an attack on the existence of Israel. There are a variety of benchmarks for answering that question set out in the now accepted definition n of antisemitism - for instance, whether the criticism compares Israeli behaviour to that of the Nazis or whether the critic is applying a different standard to Israel than to other countries.

Natan Sharansky has described the ant-Zionist form of antisemitism as the three "ds" - demonization, delegitimization and double standards[7].   The double standard benchmark is easy to apply. None of the behaviour of Israel, however legitimately one can criticize it, rises, in my view, to the level of international concern.   Because Israel has a free press, a democratic government and an independent judiciary, legitimate criticisms of Israeli government behaviour can be handled internally, without the need for international intervention.

---

[7] "3D Test of Anti-Semitism" Jewish Political Studies Review 16:3-4 (Fall 2004)

http://www.jcpa.org/phas/phas-sharansky-f04.htm

International law hinges on the notion of complementarity, the need to engage international instances when local instances have failed. In Israel, local instances are well able to address local and global criticism. So, there is no need to engage the international community.

With Islam that is not always so. Indeed, for many Islamic countries, it is the complete reverse. Criticism has to come from outside, because those inside put themselves at grave peril through criticism.

Iran is a classic example. A human rights advocate in Iran, particularly an advocate for the regime's directly targeted victims, becomes a human rights victim him or herself. We have regrettably a number of Canadian examples, Canadian victims of the regime of Iran in Iran.

But what is the legitimate criticism or fear of Islam, legitimate hostility to Islam? Raising the question that way over generalizes.

Because there is no semitism, there are not various forms of semitism. It is meaningless to say that some forms semitism can be legitimately criticised and others not so much.

One can not say the same of Islam. Because of the wide varieties of forms of Islam, it is possible, meaningful to criticise one form of Islam and not another, to have a rational fear of one form of Islam and not another.

The utility of the term "Islamophobia"

While I accept what the Runnymede trust wrote, that there is a linkage between an unfounded hostility towards Islam and a fear or dislike of Muslims, I wonder how useful the term "I slamophobia" is. To limit concern about anti-Muslim bigotry to that bigotry caused

by hostility to Islam is unduly limiting. Anti-Muslim bigotry is wrong no matter what its cause.

Moreover, the concept of Islamophobia gets us into a debate about what fears of Islam are rational and what are not, what hostility to Islam is unfounded and what is not.   While that debate is interesting and important, it should have nothing to do with combating anti-Muslim bigotry.

As well, attributing fear or dislike of all or most Muslims to irrational fear of the Islamic religion has a regrettable side effect, a back handed opposition to blasphemy of the Islamic religion. While I do not encourage blasphemy of any religion and urge respect for all religions, I am opposed to attempts to prevent blasphemy as an unreasonable limitation on freedom of expression.   Blasphemous libel is now in the Canadian Criminal Code[8]. And it should not be.

Power entrepreneurs use religion as a political device, to seek and maintain power.   They repress their opponents violently, in the name of opposing blasphemy.

For instance, in Iran, being an enemy of God is punishable by death[9]. The regime of the mullahs has murdered their political opponents in the tens of thousands with the justification that they are enemies of God.   They attack Israel under the guise of Islam. The Runnymede Trust adoption of the term Islamophobia to combat anti-Muslim prejudice was unfortunate because it played into this anti-blasphemy dynamic and gave unintended support to the religious intolerance of the most violent elements of the Islamic community.

---

[8] Section 296

[9] Islamic Penal Code of the Islamic Republic of Iran

http://www.iranhrdc.org/english/human-rights-documents/iranian-codes/3200-islamic-penal-code-of-the-islamic-republic-of-iran-book-one-and-book-two.html#31

One can say the same about violence against women and girls. Those who seek to achieve and maintain power by force both in the public and private sphere sometimes invoke religion as justification. We should be free not just to criticise the abuse, but also to criticise the claims that the religion justifies the abuse.

Generally, all people in a group, whatever group, should not be blamed for the faults of some members of a group. Blaming all for what some do is prejudice. What we see with anti-Muslim bigotry is all or most Muslims being blamed for what some Muslims do in the name of Islam. So, one can see why the Runnymede Trust did what it did.

Nonetheless, the Runnymede Trust, through linking anti-Muslim bigotry to Islamophobia, was doing the global Muslim community no favour. The first and worst victims of radical Islam are other Muslims.

This is something I see every day in my refugee practice. Many of my clients are Muslim. And the persecution they flee, the persecution they fear, does not come from the non-Muslim world. It comes from other Muslims.

Muslim refugees flee from Gaza to escape Hamas, from Somalia to escape Al Shabab, from Iran to escape the regime of the mullahs, from Afghanistan to escape the Taliban and so on. If we want to protect Muslims from bigotry, and we surely should, our primary concern has to protect them from the religious and political tolerance of other Muslims. Claiming that irrational fear of Islam is the sole or primary cause of intolerance against Muslims is blind to the everyday experience of Muslims living in the Muslim world.

When we consider the Islamic community, we must not just consider one component, the victim component. We should also consider the other component, the perpetrator

component.

Innocent Muslims are victimized twice. First, they are victimized by radicals in their own Islamic community. Then, they are victimized by the broader community, being blamed for the misdeeds of Islamic radicals.   Helping the innocents in the Islamic community means combatting both threats, not just the second.

We do no favour to the victims by ignoring the perpetrators.   We should be concerned not just with the Islamophobia which leads to racism and religious discrimination directed against innocent Muslims. We need also to be concerned with the preaching, the incitement and the acts of hatred and terror perpetrated by components of Islam itself.

One concern about the use of the term "Islamophobia" is an expansive definition of the term. For example, B'nai Brith Canada in October 2017 raised concerns about an overly broad definition of Islamophobia adopted by the Toronto District School Board, who advised staff and students against criticizing "Islamic politics" as Islamophobic.   Yet, a political view one hears all too often in the Islamic world is that the State of Israel should not exist. Another, cognate, political view one also hears in the Islamic world is that the caliphate, an Islamic ruled empire in the Middle East, should be restored.   Any definition of Islamophobia which makes criticism of these political views out of bounds is badly mistaken. The Toronto District School Board, after the B'nai Brith concerns were raised, dropped the expansive definition.

Islam and terrorism

When it comes to terrorist based Islam, and there are many varieties of Islam which take this form, it is absence of fear which is irrational. Adherents of some components of Islam preach hatred and terrorism, incite to hatred and terrorism and engage in hate motivated

acts and terrorist crimes. Fear of these forms of Islam is a rational response to the threat they represent.

Anyone who is not afraid of, for instance, Al Qaeda, ISIS, Boko Harum, the Taliban in Afghanistan, Abu Sayyaf in the Philippines, Lakshar e Taiba in Kashmir, Hezbollah in Lebanon, Hamas in Gaza, Islamic Jihad in Syria, the Al Aqsa Martyrs Brigade in the West Bank, Al Shabab in Somalia or the Al Quds Revolutionary Guard in Iran is not thinking straight. Fear of some elements of Islam is not intolerance. It is mere prudence.

The purpose of terrorism is terror. Terrorist Islamic groups have as their purpose inducing fear. Many of these groups are listed terrorist entities in Canada. Canada has had troops in Afghanistan training and advising in combat against the Taliban. To suggest that we should not be afraid of Islamic based listed terrorist entities, that fear of Islamic based listed terrorist entities amounts to discrimination, is wrong- headed. It is contrary to Canadian anti-terrorist policy as well as our past presence in Afghanistan.

Some people assert that the terrorism coming from elements of the Islamic community has nothing to do with Islam and has everything to do with the propensity to violence of the terrorists. Yet, by pretending that those who preach, incite and act out hatred and terror in the name of Islam are not really Islamic, we define away the problem rather than confront it directly. Propensity to violence is not just a given. It can be and is inflamed or dampened, triggered or mitigated. Radical Islam is an inflammation, a triggering which we ignore at our peril.

While I welcome expressions from within the Islamic community that Islamic based terrorist factions are not really Islamic, it does not fall to those of us who are not Muslim to say who is Muslim and who is not. Non-Muslims have to take expressions of Islamic faith at face value.

The Supreme Court of Canada, I think rightly, has defined religion as subjective spiritual belief rather than conformity to established doctrine[10]. What makes a person Islamic is sincerity of belief that he/she is Islamic and not recognition of the validity of his or her beliefs by other members of the Islamic community.

If these many terrorist groups say that they are Islamic, then we who are not Muslim, have to accept that they are. We can legitimately fear those components of Islam. However, that does not mean we should fear all Muslims.

Islamophobia is wrong because the justifiable fear of some Muslims becomes an unjustifiable fear of all Muslims. The sins of guilty are attributed to the innocent. Being afraid of all Muslims because of the incitement and acts of hatred and terror of some Muslims is both racism and religious discrimination.

Islamophobia is misplaced because it is overbroad. However, we must not be carried away by the combat against overbreadth and go to the opposite extreme of being too narrow, of ignoring or, even worse, standing against the fear of those elements of Islam about which there is every reason to be afraid. Islamic based terrorist organizations should not be able to hide behind claims of Islamophobia to shield themselves from criticism of their incitement to terror and hatred.

The Jewish community and Islamic radicalism

For the Jewish community, concerns about incitement and acts of hatred and terrorism which come from Islamic radicalism are more than just theoretical. Islamic extremists, despite their various doctrinal and tactical disputes, have this in common - rabid

---

[10] *Syndicat Northcrest v. Amselem*, [2004] 2 SCR 551, 2004 SCC 47

antisemitism and anti-Zionism. For some of these terrorists, such as Hamas, Hezbollah, the Al Aqsa Martyrs Brigade or the Islamic Jihad, that is their primary purpose, to attack Jews and the Jewish state.

But even the others, whose ambit is wider, give pride of place to their antisemitism and anti-Zionism. We see attacks around the world perpetrated by Islamic fundamentalists against Jewish community institutions and individual Jews.

• In July 1984, in Buenos Aires, Argentina, Islamic terrorists bombed the Jewish Community Centre (AMIA) killing 85 people, and injuring hundreds.

• In November 2008, in Mumbai, India Islamic terrorists attacked the Chabad Lubavitch Jewish Centre. The rabbi and his six month pregnant wife were murdered along with four other hostages.

• In May 2014, in Brussels, Belgium, an Islamic terrorist opened fire on the Jewish Museum, killing four people.

• In January 2015, in Paris, France, an Islamic terrorist attacked a Jewish grocery store, killing four Jewish customers.

Antisemitism in Canada comes from many sources. In examining antisemitism overall, we must acknowledge that antisemitism arising from elements within the Islamic community is a problem for the Canadian Jewish community. An increasing number of anti-Jewish incidents in Canada are the work of Canadian Muslims claiming to act or speak in the name of Islam. The League for Human Rights of B'nai Brith Canada Annual Report on Antisemitism reported these incidents in 2016:

• In March 2016, al Forqan, an Arabic language newspaper from the Windsor area encouraged terrorism with a front cover article entitled, "The Sacred Duty of Jihad," along with an illustrative photo featuring Palestinian terrorists in Jerusalem.

• In February 2016, it was reported that an imam, Sheikh Wael Al Ghitawi, at the Al Andalous Islamic Centre in the St Laurent borough of Montreal, in 2014 prayed to his congregation that Jews be killed "one by one". Quebec prosecutors decided in September 2017 not to lay charges because of lapse of time. I contest that decision on the basis that the incitement once made and publicly available is ongoing and not past.

• In October 2016, it was reported that the home page of the Islamic Society of British Columbia, which operates a mosque near Vancouver, included a link to antisemitic content that urges an "Islamic jihad" against Jews, and approves the killing of ex-Muslims. The Canada Revenue Agency decided against revoking the charitable status of the Society on the basis that "the organization was not involved in any activities involving terrorism". In my view, that decision was wrong; incitement to terrorism is an activity involving terrorism.

A general problem

Despite the havoc Islamic based terrorist groups cause, they are a tiny component of Islam. Here, as elsewhere, we have to avoid stereotyping and over-generalization.

Nonetheless, there is a general problem with Islam and terrorism, related to anti-Zionism. The Organization of The Islamic Cooperation States rejects terrorism everywhere against everyone except against Israeli targets. Anti-Zionism is widespread within the global Islamic community, including endorsement of terrorism against Israeli targets.

The Organization of Islamic Cooperation endorses a definition of terrorism which excludes a

common form of terrorism, targeted attacks on innocents where the attacks were committed in

"people's struggle including armed struggle against foreign occupation, aggression, colonialism and hegemony aimed at liberation and self-determination"[11].

The Organization of The Islamic Cooperation, in one United Nations proposed resolution after another, labels Israel a foreign occupier, a colonialist and an aggressor and calls those who attack Israel liberators, engaged in a struggle for self-determination. Whatever one thinks, in general, of those labels against Israel and for its armed attackers, and I do not think of much of any of them, we must not forget the context. In context, in practical terms, this labelling is an endorsement of targeted attacks on innocent Jewish civilians in Israel.

Though this definition of terrorism is highly politicized, the Organization of Islamic Cooperation justifies it by relying on Islam. The Charter of the Organization asserts that the organization bases its stances on Islamic values[12].

There is no international treaty criminalizing terrorism. Terrorism is not a crime within the jurisdiction of the International Criminal Court. The reason is that the international community can not agree on a definition of terrorism. There is no agreement because the Organization of The Islamic Cooperation States wants a definition of terrorism which excludes from its ambit attacks against Israel, an exclusion the rest of the international community, thankfully, refuses to accept.

It is one thing to say that a group like Boko Harum has got Islam wrong. It is quite another to say that the Organization of The Islamic Cooperation States has got Islam wrong. Doing

---

[11] Convention of the Organisation of the Islamic Conference on Combating International Terrorism, Article 2(a)   http://www.oic-cdpu.org/en/getdoc/?dID=13

[12] https://www.oic-oci.org/page/?p_id=53&p_ref=27&lan=en

that means tilting against the established Islamic world.

The combat against antisemitism and anti-Muslim prejudice

Globally and in Canada, antisemitism continues as a mainstream threat, one that is certainly not receding. Antisemitism remains an appallingly significant phenomenon in Canada.

Every year since 1982, B'nai Brith has published an Annual Audit of Antisemitic Incidents based on police statistics and reports from throughout Canada. 2017 was the worst year on record with a total of 1752 incidents, an average of almost five incidents every day. Statistics Canada reported that in 2016, the most recent year with complete figures, Jews were the most targeted religious group in this country for hate crimes, a sad trend that has been ongoing for ten years. From 2015 to 2016, police reported hate crimes against the Muslim population fell, but against the Jewish population increased[13].

One thread of antisemitism in Canada comes from elements within the Islamic community imbued with Islamic extremist ideology. The combat against Islamophobia must not facilitate antisemitism by giving shelter to antisemites within the Islamic community who act out Islamic extremist ideology. On the contrary, a properly targeted combat against Islamophobia must have as its partner the targeting of Islamic extremism, an extremism which victimizes both Muslims and Jews.

Combatting racism and religious discrimination which victimizes Muslims and combatting racism and religious discrimination which victimizes Jews are the same effort, not just in a theoretical sense, but also in a practical sense, since the perpetrators in both cases are often the same, Islamic extremists. Attacking racism and religious discrimination which

---

[13] "Police-reported hate crime, 2016"

https://www.statcan.gc.ca/daily-quotidien/171128/dq171128d-eng.htm

victimizes Muslims, if done properly, does not mean singling out the Muslim community. It means also combating antisemitism and anti-Zionism. The combat against racism and religious discrimination which victimizes Muslims and the combat against racism and religious discrimination which victimizes Jews should be one and the same.

When it comes to Islamophobia, we need to prevent the combat against incitement to and acts of hatred and terrorism perpetrated by specific elements of the Islamic community from degenerating into generalized anti-Islamic racism and religious discrimination. We also need to focus on the incitement and acts of hatred and terrorism which come from within elements of the Islamic community.

Islamophobia does not appear in a vacuum. It grows out of a fear of incitement and acts of hatred and terrorism coming from elements of the Islamic community. Combatting Islamophobia effectively means combatting incitement and acts of hatred and terrorism effectively coming from within the Islamic community, targeting the real threats and not the innocents who have no association with the threats.

Answering the question, "how do we combat Islamophobia effectively?" involves answering the question "how do we combat incitement and acts of hatred terrorism coming from within elements of the Islamic community effectively?" We can not hope to answer the first question in isolation, without regard to the second.

Human rights violations often occur as disproportionate and misdirected over-reactions to real threats. The threats of incitement and acts of hatred and terror from radical Islam are planet wide. The efforts to combat those threats and acts must be proportionate and directed against them. They must not be directed against all of Islam. When they are, we have Islamophobia.

Targeting threats of incitement and acts of hatred and terror directly and proportionately is easier said than done.   Often difficult decisions have to be made.

Some are easy. For instance, I say without hesitation that the United States decision to ban from entry to the US arrivals from seven countries, six of which host Islamic terrorist organizations is an over-reaction, a targeting far too diffuse and, consequently, Islamophobic.

To take an example in the other direction, the National Assembly of France in October 2017 adopted legislation giving the Interior Ministry power to shut down mosques if they are being used to propagate hate speech or incitement to violence, to provoke acts of terrorism or to justify terrorist acts.   Shutting down a mosque potentially can affect some innocents who attend the mosque and have no sympathy with the incitement of its imam. Nonetheless, the action is specific enough and the threat of incitement is direct enough that it strikes me as a proportionate measure.

The international arena

Canada could at home just sidestep the issue of the debate about Islamophobia and address directly anti-Muslim prejudice.   At international instances, Canada can promote and support that strategy as well.

The G7 Foreign Ministers' Communiqué just three weeks ago (April 23, 2018) stated that the Ministers were

> "concerned about resurgent forms of racism, xenophobia and discrimination worldwide, including anti-Semitism and anti-Muslim sentiment"[14]

---

[14]

https://g7.gc.ca/en/g7-presidency/themes/building-peaceful-secure-world/g7-ministerial-

The word "Islamophobia" was avoided. The phrase "anti-Muslim sentiment" was placed there instead.

All that is well and good. However, there are some instances where addressing the issue of what to do with Islamophobia is unavoidable. The Organization of The Islamic Cooperation States has latched on to the concept of Islamophobia with a vengeance.

There is now a plethora of United Nations initiatives, in various UN bodies, condemning Islamophobia. Given the strange way some of these UN instances are structured and the support the Organization of The Islamic Cooperation states can muster, the Organization, in many UN bodies, has an automatic majority. Some UN resolutions condemning Islamophobia also condemn Judaeophobia and Christianophobia, add-ons meant to legitimate the condemnation of Islamophobia. Irrational fear of the Jewish religion is a component of antisemitism, but far from its only component.

In 2004, the UN passed a General Assembly resolution by consensus with the support of both Israel and the Organization of The Islamic Cooperation States condemning both Islamophobia and antisemitism[15]. However, consensus is not the same as unanimity. Some Muslim states did not support the resolution, because the word "antisemitism," rather than "Judaeophobia" was used[16].

Resolution M-103

---

meeting/g7-foreign-ministers-joint-communique/

[15] See for instance United Nations A/RES/59/199. Resolution adopted by the General Assembly on 20 December 2004 "Elimination of all forms of religious intolerance"

[16] http://web.archive.org/web/20060726075832/http://www.un.org/Pubs/chronicle/2005/issue1/0105p30.html

The House of Commons of the Parliament of Canada on March 23rd, 2017 passed a motion under the heading "Systemic racism and religious discrimination" which called on the Government of Canada to condemn Islamophobia and all forms of systemic racism and religious discrimination. It requested the Standing Committee on Canadian Heritage to undertake a study on how the Government could reduce or eliminate systemic racism and religious discrimination including Islamophobia.

The resolution, by referring to Islamophobia, shows a concern about overbreadth in addressing the threat of radical Islamic incitement and acts of hatred and terror. The resolution called for recommendations which better reflect rights and freedoms.

I point out that the right to freedom from incitement to hatred and terrorism is a human right. The right to security of the person from hate motivated crimes and terrorist acts is also a human right. Better reflecting rights and freedoms means using a rights based analysis in considering how best to combat the threat of incitement and acts of hatred and terrorism coming within elements of the Islamic community. It does not mean ignoring the threat.

The House of Commons resolution called for the Committee study to use a holistic response. I would say that a response which looks only at the systemic racism and religious discrimination of which the Islamic community is victim is partial, piecemeal. A holistic response, when it comes to Islamophobia, requires, in addition, a focus on the incitement and acts of hatred and terrorism which come from within elements of the Islamic community.

The majority of the Standing Committee, in its February 2018, report noted the varying

definitions of Islamophobia it heard, but did not recommend one in particular[17]. Two of its thirty recommendations mentioned Islamophobia.

Recommendation 22 was that the Government of Canada take a strong leadership role to actively condemn systemic racism and religious discrimination including Islamophobia. Recommendation 30 was that January 29th be designated as a National Day of Remembrance and Action on Islamophobia and other forms of religious discrimination.

The Conservative minority report recommended that the Government of Canada should cease using the term "Islamophobia" because of the inability to agree on the specific definition of the term and because groups outside of Canada would use opposition to Islamophobia to justify acts of violence and terror, particularly against women and girls. The New Democrats supported explicitly condemning Islamophobia.

Islamophobia has become an unintended centre of attention. The term Islamophobia, as noted, was proposed by the Runnymede Trust as a cause of anti-Muslim prejudice. However, what we see with the Parliamentary resolution M-103 and the Committee study is a shift away from what should be the primary problem, anti-Muslim prejudice, and instead, a focus on an invented term directed to one particular cause of that problem.

Parliament and the Committee have confused means and ends. The Runnymede Trust proposed the term Islamophobia and opposition to Islamophobia as a means to an end - combatting anti-Muslim prejudice. Parliament and the Committee have made opposition to Islamophobia an end in itself, leading to unnecessary controversy and confusion.

The Government has yet to react to the Committee report mandated by resolution M-103.

---

[17] "Taking action against systemic racism and religious discrimination including Islamophobia", Report of the Standing Committee on Canadian Heritage

In its reaction, I suggest it take a page from the G7 book. Instead of condemning racism and religious discrimination including Islamophobia as the Committee recommended, the Government should condemn racism, xenophobia and discrimination, including antisemitism and anti-Muslim sentiment. Instead of designating January 29th as a National Day of Remembrance and Action on Islamophobia and other forms of religious discrimination as the Committee recommended, the Government should designate January 29th as a National Day of Remembrance and Action on antisemitism and anti-Muslim sentiment and other forms of racial and religious discrimination.

Conclusion

While avoiding the term "Islamophobia" is all well and good and combining its condemnation with a condemnation of antisemitism is also useful, I would suggest confronting the problems that Islamophobia represents, rather than avoiding or circumventing them. We need criteria, with illustrative examples, which can guide those directly involved in the combat against the threat and acts of hatred and terror coming from Islamic radicals. The guidance would help those involved determine whether a particular action intended to counter the threats from Islamic radicals is indeed proportionate or Islamophobic.

The question "What do we do about Islamophobia?" is a difficult one. My general approach to difficult questions is, do not avoid them. Try to answer them.
....
David Matas is an international human rights lawyer based in Winnipeg, Manitoba, Canada and senior honorary counsel to B'nai Brith Canada.