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## APPENDIX B

### CBSC Decision 07/08-0916 CFRA-AM re an episode of the *Lowell Green Show*

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#### The Complaint

The following complaint was sent to the CRTC on December 4, 2007 and forwarded to the CBSC in due course:

CFRA 580 AM radio continues to spread hatred over the airways [*sic*]. I have reported an incident last year (Sep. 2006; Ref#: 314076) and at that time I was assured by the program director that my allegations have no basis and the station does not tolerate such hatred. Well, yesterday on the same radio talk show of Mr. Green, he was mainly focusing on attacking a religion, specifically Islam. On December 3rd, 2007 at around 11:15 am, Mr. Green clearly stated that there are problems with the religion itself and that all terrorism is blamed on the religion (not people). He also made it clear that it is not about Muslims, it is about Islam. In addition, this show is providing a platform to most callers to attack a religion and spread hatred. To my knowledge, CRTC has rules prohibiting such activities.

My main complaint is no longer about the radio station, it is about CRTC. They know what this radio station, during the morning talk show, does. I am sure that I am not the only one complaining about it and yet they tolerate it. Perhaps, they (CRTC) should make it clear that their rules do not apply to certain groups or religions.

#### Broadcaster Response

CFRA responded to the complainant on January 9, 2008:

Thank you for expressing your concerns about Lowell Green's recent program, and the always-delicate subject of religion.

Having now reviewed the program in question, it is clear that Mr. Green was indeed addressing a very timely, urgent matter worthy of public discussion. The incident which sparked the latest controversy was rioting by thousands of Sudanese (many armed with clubs and knives), calling for the execution of a British school teacher who allowed her students to name a teddy bear "Muhammad."

Lowell made the point of his show quite clear. He was not in any way attacking believers (followers of Islam), nor was he saying they do not have a right to hold and practice their faith.

That said, however, he went on to explain that he was not treating Islam any differently than he has treated other faiths. For example, Lowell has criticized the Catholic Church for what he sees as discrimination against women priests. He has criticized Protestants in Northern Ireland for supporting deadly attacks against Catholics in their ongoing strife. There are similar examples surrounding Sikhs, Falun Gong, Judaism and other faiths. To merely discuss a matter of legitimate public concern is not an attack on any individuals or groups.

On this date at 10:26 am, Lowell made clear:

"I mean, we can go back through history and see many evils carried out in the name of Christianity, and we're not afraid to talk about that ... but it just seems to me that we've got to address this. Is there something in the faith itself?"

As Lowell and some callers pointed out, Christianity underwent significant change during the reformation period, and some early elements of the religion are clearly unacceptable by modern Western standards. Harsh penalties contained in Leviticus, for example, may be part of the foundations of Christian and Jewish faith, but the practice of that faith has moved beyond such penalties. A woman cannot be stoned to death for committing adultery in Canada, for example. We do not accept a blasphemer being stoned to death, or the death penalty for a child insulting its parents (Leviticus 20), or the burning alive of prostitutes. As Christianity and Judaism have (in some people's view) inherent flaws which were largely cast aside during the reformation, it is not unreasonable to discuss Islam or any other faith in the same context.

In his "Ask the Religion Experts" column in the *Ottawa Citizen* this weekend, Rev. James Christie -- dean of the faculty of theology of the University of Winnipeg and president of the Canadian Council of Churches -- responded to a question about so-called "honour killings" in the wake of the alleged "hijab-motivated" death of a teen girl in Mississauga. He wrote: "All our faiths, from time to time, have upheld a patriarchy alien to our theologies. It is an outlook to be purged -- from all our religions." As a Christian minister, he was critical of Christianity, and suggested that Islam should not be shielded from similar fair comment and scrutiny.

Respectfully, Mr. [O.], the Canadian Broadcast Standards Council has clearly stated that "it is not a breach of any codified standard to be critical of a religious policy." In *W Network re My Feminism* (CBSC Decision 01/02-1120, February 28, 2003), the Council pointed out that "there is no obligation ... for a broadcaster to be uncritical of the subject treated. Criticism is not alone the equivalent of unduly discriminatory comment. It is casual, gratuitous, foundation-less criticism that cannot stand the bright light of ... codified standards." That is not the case here, as Lowell was raising some very legitimate concerns and inviting people to express all views on the matters at hand. The points he raised were all legitimate.

The CBSC has no problem with discussion of controversial religion-based issues, such as the screening of terrorists by immigration authorities; immigration from Muslim countries; the publication of the controversial Danish Islam-related cartoons in the *Western Standard*; the treatment of Muslim women when in the North American context; the hypocrisy of Christian groups going to the Middle East to protest Western military actions there while benefiting from the Western military efforts on their behalf; the acceptance of some non-Christian cultural practices (such as the Sikh carrying of the kirpan) and the corresponding non-acceptance of certain Christian practices (such as the recitation of the Lord's Prayer); the relative violence of Islam and Christianity; suicide bombers; conflicts between Muslims and Jews; the modern application of the teachings of the Qur'an; and so on.

There are significant cultural differences at play here. To discuss them openly and honestly is indeed controversial, but valuable, and hopefully, dialogue may lead to better communication and understanding.

Thank you for raising these concerns. I will be addressing them directly with Mr. Green to underscore the delicate nature of the subject, and to underscore the importance of continuing to invite people of the Muslim faith to get on the air to have their say as well. It's a matter worth discussing as a community.

## **Additional Correspondence**

The complainant replied to the broadcaster on January 11, indicating his desire for the CBSC to pursue the matter:

Thank you for your email.

I am not going to respond to every statement you made. However, if you choose to attack all religions and expect everyone else to accept it, it does not mean I have to accept the attack on Islam. To my knowledge, if any attack happened on Christianity, the focus was on the church itself and its policies, not on the religion as a whole. When someone says that there is something wrong with the Islamic religion, this means it is an attack on it and on all its followers (estimated to be more than a billion). Obviously, the main intent of the show is not to address a specific issue on the religion or its people within the Canadian society. It focuses on general and very broad issues worldwide with a conclusion that Islam is no good.

This happens not once or twice, but on a regular basis. This strongly helps to spread hatred among the Canadian society and create barriers between Canadian Muslims and the rest of the Canadian society. And this act is wrong! I believe the CBSC does not allow such an attack and I would like to receive a statement from them indicating otherwise.

After reading your email very carefully, I concluded that you have full support of [*sic*] what Mr. Green does and what his show is all about. So I do not understand your point of saying that you will address these issues with Mr. Green. For what? To have him to concentrate [*sic*] more on attacking Muslims on the air?

As you can see, I am not satisfied with your email. I was hoping to receive a more constructive response from you.

The complainant wrote to the CBSC on February 13:

Hi [CBSC Correspondence Officer], any update on this issue?

Today, I briefly listened (unfortunately) to the same show. Mr. Green continues to provide a platform to callers to attack the Islamic religion and the Islamic community. He goes about it in a very sneaky and smart way. He discusses Islamic extremism and terror (which we all reject), but at the same time allows callers to make general attacks on Canadians who practice Islam. Therefore, this CFRA station is using the airwaves to spread hatred among the Canadian society. Please also check his broadcast of today, February 13th, 2008 (CFRA station, Lowell Green Show) at around 10:51 am.

The CBSC replied on February 14:

This is further to your request for an update on the status of your complaint (CBSC File C07/08-0916). We have received the logger tapes from the broadcasters and we will have a look at them to prepare your ruling. Is your most recent email to us, from Feb. 13th, a new complaint?

The complainant wrote back the same day:

Thank you for the update. Yes, the most recent email is a new complaint or at least a supportive argument for the previous complaint.

The CBSC thus considered his February 13 e-mail to be “a supportive argument for the previous complaint” to demonstrate his point that this program repeatedly contains problematic content about Muslims. It did not order tapes of the February 13 episode. CFRA included the following cover letter when it sent the requested tapes to the CBSC on July 16:

I am enclosing the six audio copies of the *Lowell Green* program at the centre of the above-mentioned complaint.

I am also enclosing a published “Letter to the Editor” from last weekend in which a Muslim writer poses exactly the same questions as Lowell about Islam and its followers. The same questions which have been posed about Catholicism, Jehovah’s Witnesses, Mormons, Jews and other faiths cannot be considered out of bounds simply because there are tensions between Western and Islamic cultures.

If you need anything more from us, please contact me at your convenience.