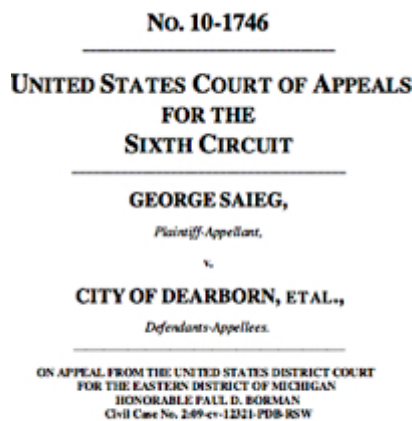




## Mich. Christian Pastor Defeats Sharia Anti-Free Speech Injunction

A Christian pastor who ministers to Muslims has ended the latest attempt of officials to outlaw free speech in “Dearbornistan,” as Dearborn, Michigan, has been labeled because of its high Muslim population. George Saieg took the city and its police chief to court after they told him he could not pass out leaflets on city streets during the annual Arab-American Festival. Last week, the U.S. Court of Appeals for the Sixth District ruled in the pastor’s favor. The city may not, it said, prohibit Saieg from attempting to proselytize among “Dearbornistan’s” Muslims.



### Sharia in Effect

In 2009, the city told Saieg, an American of Sudanese descent, that he could not distribute his Christian leaflets by hand on certain streets at the festival. Though the festival is open to anyone brave enough to wade into the sea of Muslims, city officials reasoned that, like a state fair, they could confine the pastor to a booth, where people interested in his literature could visit him. They forbade him from passing out leaflets on streets near the the Arab affair, even though the streets were open to sidewalk vendors.

Saieg went to the [Thomas More Law Center, which sued](#) the city on his behalf. The pastor claimed the city trespassed his free speech rights. The city, of course, argued that its restrictions were reasonable, given that it hadn’t prohibited Saieg from distributing literature but merely restricted where he could do so. The city argued that its restrictions served a compelling government interest because Saieg and others might clog the streets and pose a “public safety” hazard.

A lower court agreed with the city, which prompted Saieg to seek redress with the Sixth Circuit. Last week, the court issued its decision. The pastor did not win on all counts, but the court’s opinion shows that it understood the chilling effect of the restriction, particularly given that Saieg wished to convert Muslims.

The restriction was, observers said, an instance of Sharia or Muslim law, which forbids religious proselytization by anyone but Muslims.

### What the Court Said

The [Court explained](#) its decision in favor of Saieg thusly:

On the free speech claim, we **REVERSE** the district court’s grant of summary judgment to the defendants and its denial of summary judgment to the plaintiffs. We thereby invalidate the leafleting restriction within both the inner and outer perimeters of the Festival. The restriction on the sidewalks that are directly adjacent to the Festival attractions does not serve a substantial government interest. The City keeps those same sidewalks open for public traffic and permits



Written by [R. Cort Kirkwood](#) on June 1, 2011

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sidewalk vendors, whose activity is more obstructive to sidewalk traffic flow than pedestrian leafleting is. Moreover, the prohibition of pedestrian leafleting in the outer perimeter is not narrowly tailored to the goal of isolating inner areas from vehicular traffic. [Emphasis in original.]

The [court attacked](#) the city's argument that it could, like a state fair, confine to a booth those who wish to distribute literature. The court noted that attending a state fair requires an admission fee, which effectively closes the fair to members of the public who do not pay to attend. Dearborn's Arab Fair, on the other hand, is open to all. Thus, the court reasoned, it could not justly restrict Saieg's activities.

As well, the city also allowed sidewalk vendors to ply their trades, perhaps peddling Korans or prayer rugs, while simultaneously shutting out Saieg. That too, the court noted, was unacceptable.

The defendants admitted at oral argument that leafleters have never posed any problems of public safety or breach of the peace at the Festival that could make leafleters more obtrusive than sidewalk vendors. By permitting the more obstructive sidewalk tables in the same place where Saieg wishes to leaflet by foot, the defendants have undercut the credibility of the asserted government interests.

Upshot is, Dearborn could not show a compelling government interest in restricting Pastor Saieg's First Amendment right to pass out literature.

### **A Defeat for Sharia**

Blogger Andrew Bostom observed that the court stopped a *sub-rosa* attempt to impose a key dictate of [Sharia law](#) that forbids proselytization by non-Islamic religions.

#### [Wrote Bostom:](#)

Most remarkably, the [majority opinion](#) of Justices Moore and Clay included a salient observation revealing how these judges understood the Sharia-based objections to non-Muslim proselytization which motivated Dearborn's attempt to abrogate Pastor Saieg's freedom of speech — mainstream Islam's continued rejection of freedom of conscience.

Saieg also faces a more basic problem with booth-based evangelism: "The penalty of leaving Islam according to Islamic books is death," which makes Muslims reluctant to approach a booth that is publicly "labeled as ... Christian." Saieg believes that evangelism is more effective when he can roam the Festival and speak to Muslims more discreetly. The ACP distributed 37,000 packets of religious materials in 2007 and 20,000 packets in 2008, but only 500 packets in 2009 due to the remote, fixed location. Numbers from 2010 are not in the record.

[Bostom cites](#) a law professor, [who explains](#) Islam's dictates on the distribution of non-Islamic religious material:

Islamic States have always strongly opposed this specific freedom [i.e., freedom of conscience as per the first amendment of the US Bill of Rights, or more specifically article 18 of the Universal Declaration of Human Rights], claiming that it contravenes Islamic Law. ... Moreover they express fear that proselytism represents a kind of foreign interference in their internal affairs.

Consistently, Islamic States do not favor proselytism; they sometimes tend to restrict it even in its lightest forms, such as the simple expression of one's intimate beliefs ... Proselytism is perceived as a major threat to the coherence and cohesion of the umma [i.e., the global Muslim community]: it can lead to ridda [apostasy from Islam], the paradigm of political treason, or fitna, the temptation, the civil war involving doctrinal dissensions.



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[Boston avers](#) that Dearborn's Muslims attempted "to enforce Sharia-based injunctions" against Saieg, recalling a [poll taken](#) among them to discover their attitudes about Sharia:

Mosque participants were asked, whether they agree or disagree with the statement, "Shari'ah should be the law of the land in Muslim countries?"

Apply Islamic Law in Muslim Lands

Strongly Agree — 59%

Somewhat Agree — 22% (i.e., collectively = 81%)

Somewhat Disagree — 8%

Strongly Disagree — 3%

Don't Know — 8%

Analyzing these data, [Boston concludes](#) thusly:

Such data supposedly reflected the Detroit area [read Dearborn] Muslims['] views of "Islamic countries" only. But given the intrinsic, universally supremacist nature of Islam and the global umma (i.e., as stated in Koran 3:110, and the Orwellian-named Universal Declaration of Human Rights in Islam, "Ye are the best community that hath been raised up for mankind. Ye enjoin right conduct and forbid indecency; and ye believe in Allah"), once an area has a Muslim majority it is assumed by Muslims that Islamic Law should prevail — hence the "enclave" phenomenon, now evident in the United States.

If Muslims think Islamic countries must live under Sharia, then they likely think the same thing of non-Islamic countries in which they live. A prime example of the "enclave phenomenon" is Britain, where Muslim troublemakers never rest. As *The New American* has repeatedly reported, Muslims frequently [flood the streets in the UK to march](#) for Sharia, and forthrightly claim Islamic law is [will soon rule](#) Britain.



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