

Dear Ross

I was horrified to hear on your show today of the plight of the Australian woman who was raped in Dubai and then sentenced for the crime. Horrified, because this is indeed a tragic story and a great miscarriage of justice for a country assumed to base its legal system on Shariah law. No woman should have to suffer the pain and indignity this young victim of rape had to endure.

However, I was also perturbed by the fact that the nature of the story seemed to have clouded your view and journalistic integrity. I would've thought that your program would take some effort to ensure its complete correctness, particularly in light of the comments made about Shariah law. Your claim that "it was Islamic Shariah law that would now determine her fate and the fate of the men who had raped her" is grossly misleading for two reasons;

1. The first is that Islamic Shariah law is a vast legal framework and is adapted to suit different contexts and conditions. It is not a monolithic system that defines every aspect of a legal system. The Shariah defers judgement to a country's legal system in many cases depending on whether the case can be prosecuted under Shariah conditions or not.
2. And secondly, It is most definitely not Shariah law to refuse to prosecute a rape case in the absence of 4 witnesses. In fact it is against Shariah law to fail to bring the known perpetrators to account. Moreover, to punish a victim of rape as was the case here, is most certainly not Shariah law as it contradicts all unanimous juristic opinions on the matter.

This claim, aside from being incorrect and false is denigrating to Muslims. It's allegation is monumental and divisive, asserting that Muslims are backward chauvinistic misogynists and our religion a cult that encourages raping women with virtually no recourse. Your segment did not care to clarify, confirm or get an opinion about the exact position under

Islamic law (Shariah) with an expert on the matter as compared to what is practiced in the UAE, thereby severely misrepresenting its position.

I am not writing to defend the actions of the judicial system of the UAE, which if what you say is true, is appalling to say the least and in gross violation of the human rights of the victim. But I am here to defend the inaccurate, ignorant statements made about Shariah law. It is unequivocal that Islamic Shariah does NOT treat rape in this way ! Furthermore as with any legal system, a burden of proof rests with the victim and/or the state to prove the case.

I sincerely hope you will correct this deeply offensive misrepresentation of Islamic law and make the distinction between it and what is practiced in the UAE. I am happy to furnish you with names of scholars of Shariah if you so wish.

Thank you

Kemal Omar