
CANADIAN BROADCAST STANDARDS COUNCIL

NATIONAL SPECIALTY SERVICES PANEL

VisionTV re *Dil Dil Pakistan*

(CBSC Decision 06/07-1426)

Decided November 29, 2007

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M. Hogarth, V. Houle, G. Phelan

THE FACTS

VisionTV is a multi-faith and multi-cultural specialty service whose broadcasts are of one of two kinds; they are either Cornerstone programming (programming of various types produced by VisionTV or licensed by VisionTV from independent producers and distributors, including drama, documentaries, sitcoms, music programs, and lifestyle series) or Mosaic programming (programming provided to VisionTV by various faith groups that have either produced or acquired that programming and purchase time on VisionTV to broadcast it, the programming often being in the form of sermons, readings from scripture, talk shows, or short form documentaries). *Dil Dil Pakistan* was, at material times, a weekly English-language religious program of the Mosaic variety that included Arabic-language elements in its broadcasts. The foregoing being said, it should be noted that VisionTV is responsible for the broadcast content of both Cornerstone and Mosaic programming in the same way that any broadcaster is responsible for every moment of content it broadcasts.

The Challenged Episodes

On the July 14, 2007 episode, which aired from 3:00 pm to 4:00 pm, VisionTV broadcast an imam named Israr Ahmad giving a lesson or sermon that dealt with Sura 2 of the Qur'an, which is entitled Al-Baqara (it appears, from the Islamic, or Hijri, calendar year provided by the imam during the broadcast, namely, 1421, that the lesson was originally recorded, and possibly broadcast, in 2000, being the approximately equivalent Gregorian calendar year). Al-Baqara means "the cow" or "the calf"; it derives its name

from the story of the sacrifice of a cow in a parable about Prophet Musa (Moses) and the Israelites.

Ahmad presented his interpretation of the Sura in a manner and tone typical of a religious sermon. He spoke of the oneness of religions by providing the historical context of the Qur'an and that of preceding scriptures, including the Torah, and the early links and divergences between the Jewish and the Muslim peoples. He underscored the importance in the Qur'anic context of Sura 2 both on the basis of its length and its substance; it encapsulates many of the other messages found throughout the Muslim Holy Book. He spoke about receiving guidance from prayer and patience, including abiding by the rules set out in the Qur'an. Ahmad explained that, on the day of judgment, each person would be judged on his deeds, including whether he had tried to convey Allah's message. As a part of his didactic message, he explained that a section of the Sura has multiple "strands" or themes, including Sharia (Islamic law), human interactions, and *jihad*. He addressed each of these in turn, but the complainant's concerns relate only to the discussion of *jihad*, which Ahmad discussed in the following terms (a fuller transcription of the lesson of the episode can be found in Appendix A; the Arabic phrases he used are italicized and their translation is given in brackets) (note that, although there may be some grammatical inconsistencies in the following transcript, no *sic* has been added; it may be assumed that the paragraph was spoken as it is transcribed):

Now the other two strands are that is *jihad fi sabili-Allah* [sacrifice for the sake of Allah]. But *jihad* can be divided again into two: *qital fi sabili-Allah* [fighting for the sake of Allah]; *infaq fi sabili-Allah* [spending for the sake of Allah]. Because whenever you find *jahadu fi sabili-Allah bi amwalikum wa anfusikum* [sacrifice for the sake of Allah with your resources/wealth and your lives]. So *jihad* in this way of Allah, for the order of Allah, can be pursued either with your financial resources or your bodily strength when you go to fight the enemies of Allah (*subhanahu wa ta'alla* [glory and exultation be to Him]) on the battlefield. So *jihad bi-nafsi* [sacrificing oneself], the highest form is: fighting in the cause of Allah. *Yuqatiluna fi sabili-Allah, qaatiluuhum hataa la takuunana fitnatun wa yakuna diinu Allah* [And fight them until there is no more Fitnah (variously translated as disbelief, persecution or tumult) and worshipping of others along with Allah]. And to give your contribution so as the requirements of *tabligh* [propagation], the propagation of the Islamic message and the requirements of the struggle to establish the *diin* [faith] of Allah that can be fulfilled. You need money for that. And for that is *infaq fi sabili-Allah* [spending for the sake of Allah]. Spend for the cause of Allah. Spend for the cause of Allah. So these two subjects are also, they come after, you know, these four strands are interwoven. One issue comes, then the other comes, then again the third issue is addressed. Maybe then the third comes forward. Then the fourth one. So these are, are intermittently. These four subjects are repeated in the second half of the Sura Baqara.

Ahmad went on to reiterate that one must make both physical and financial sacrifices in the exercise of one's responsibility to spread the word of Allah and live a virtuous life. The imam suggested that one way to ascertain if someone is truly faithful is to observe whether he makes such sacrifices. He concluded by emphasizing the need to believe in and follow the message of Muhammad.

Another episode of *Dil Dil Pakistan* aired the following week, on July 21; it again featured Israr Ahmad giving a sermon. At the beginning of that episode, VisionTV aired a viewer advisory which stated

The opinions expressed on the following program are not necessarily those of VisionTV.

In the second episode, Ahmad talked about how the Suras of the Qur'an are grouped together; how the Qur'an is part of a series of Books from Allah which provide guidance to humanity and therefore must be obeyed; how Allah administers the universe with justice; how Muslims must make a pilgrimage to Mecca; and how there is a difference between people who seriously practise Islam and those who identify as Muslim in name only. He also again mentioned how one must "spend for the cause of Allah." Both episodes carried a G rating. As noted above (in analogous circumstances) in the context of the Cornerstone/Mosaic programming discussion, the presence of the advisory does not relieve the broadcaster of responsibility for the program content, although the Panel does support the utility of its presence in assisting audiences to make informed viewing selection choices.

THE COMPLAINTS

The CBSC received a total of 29 complaints about *Dil Dil Pakistan*; only 14, however, provided sufficient information for the CBSC to pursue them. The complainants' primary concern was the encouragement of *jihad* made on the July 14 episode and the very presence of Israr Ahmad on the program. According to some complainants, Ahmad had previously written works that had been deemed anti-Semitic. Some complainants also objected to the fact that Ahmad was permitted to appear on the July 21 episode *after* VisionTV had already received complaints about the contentious appearance of the imam on the previous week's episode.

Only one of the 14 eligible complainants filed a Ruling Request. His initial complaint, dated July 21 and originally sent to the CRTC, read in part (the full text of his and the broadcaster's correspondence can be found in Appendix B):

Given as your mandate includes the protection of the Canadian public from the electronic transmission of hate messages via the media you regulate, I ask that you either significantly and publicly discipline VisionTV or revoke its licence, as the result of broadcasting the speech of Israr Ahmad on the afternoon of July 14/07.

VisionTV's representative, [M.P.]'s rationalization that the preacher's remarks were acceptable due to their historical context is incorrect and irrelevant. VisionTV bypassed its own code of ethics and its social responsibility and has stooped to the propaganda messaging of hate and violence. [...]

This is not an issue requiring an examination of sensitivities or political correctness. It is one that requires recognition of brainwashing efforts in our midst and the courage to exercise the responsibility that has been given to CRTC.

THE BROADCASTER'S CORRESPONDENCE

VisionTV responded to all complainants in the following terms:

On behalf of VisionTV, please accept our sincere apologies for the delay in responding in detail to your complaint regarding the program *Dil Dil Pakistan* and the appearance of Israr Ahmad on that program on July 14 and July 21, 2007. We have received a large volume of correspondence following the stories in the *National Post* and are working to reply to each and every letter, phone call, or email.

It is important for us to emphasize that the hateful comments attributed to Israr Ahmad were not broadcast on VisionTV. He did appear on the program *Dil Dil Pakistan* and in reading from the Qur'an made passing reference to the concept of *Jihad*. Many readers of the *National Post* were under the impression that hateful comments targeting Jewish people and comments questioning the Holocaust were broadcast on VisionTV. That is not the case.

[...]

In addition, we have initiated a Task Force including representatives of the Canadian Jewish Congress, the Canadian Council of Imams and other faith institutions to review our ethical standards and procedures for reviewing program content.

We have also broadcast on-air apologies for any offence caused and have suspended broadcast of the *Dil Dil Pakistan* program while we work to resolve the issues that gave rise to this incident.

For almost 20 years VisionTV has been celebrating the diversity of faiths and cultures that are fundamental to Canadian society. We take our responsibilities as a broadcaster very seriously and will continue to strive to maintain the highest standards of religious broadcasting in Canada.

VisionTV also sent a letter to the CBSC on September 5:

We are writing in response to various complaints about two episodes of the program *Dil Dil Pakistan* broadcast by VisionTV on consecutive Saturdays July 14 and July 21 at 3 p.m. EST. The complaints follow coverage in the *National Post* regarding the appearance of Israr Ahmad in the two episodes of the program. Mr. Ahmad is alleged to have made hateful comments about Jewish peoples in past writings and other published works. It is important to note that no such comments were broadcast on VisionTV.

VisionTV is very sorry for any offence the appearance of Mr. Ahmad caused to Canadian viewers. Our goal as Canada's multi-faith network is to build bridges of understanding and to encourage dialogue among people of different faiths. Shows like *Dil Dil Pakistan* and others contribute to the achievement of those objectives by providing windows into a diversity of cultures and religions. It is our hope to enlighten and entertain, and certainly not to offend, the VisionTV audience.

[...]

Dil Dil Pakistan was a one-hour Mosaic Program on VisionTV exploring Islam and sharing insights into the Muslim faith. As with many Mosaic programs, *Dil Dil Pakistan*

was produced and submitted to VisionTV on a weekly basis. [...] The format of each episode of *Dil Dil Pakistan* was a blend of hosted segments, readings from the Quran, and often included guest presenters offering their perspectives on Islam. *Dil Dil Pakistan* was broadcast weekly on VisionTV for a number of years without incident and offers what could generally be described as a moderate view of the Muslim faith experience.

It is the broadcaster, however, that has ultimate responsibility for all content that goes to air. VisionTV has a long history of maintaining the highest standards of religious broadcasting and strives at all times to adhere to its own Code of Ethics that is more substantive than the ethical requirements set out in the Religious Broadcasting Policy of the CRTC. [...] Since 2002, there has not been a single complaint about programming on VisionTV that has required a Ruling from the CBSC. Given the controversial nature of religious content, VisionTV's success in maintaining high standards of programming is exemplary.

All Mosaic Programs on VisionTV are screened by VisionTV staff prior to broadcast to ensure compliance with our Code of Ethics. While it is not always easy to maintain an appropriate balance between the fundamental rights of all Canadians and our ethical standards, we appreciate that there must be reasonable limits on the freedom of expression and the freedom of religion to avoid the broadcast of hate speech and other content that offends Canadian broadcasting standards. But, the existing focus of the VisionTV Code of Ethics and our screening procedures is to evaluate the message of the program proposed for broadcast. It has not been our practice to judge the messenger based largely on the premise that each individual in Canada has the right to express their religious beliefs openly and the right to do so on VisionTV so long as that expression occurs within a framework of respect and understanding.

[...]

The July 14 Broadcast of *Dil Dil Pakistan*

The July 14 broadcast of *Dil Dil Pakistan* was comprised almost entirely of a presentation by Israr Ahmad offering interpretations from the Qur'an. Mr. Ahmad is a citizen of Pakistan and the rights to the Canadian broadcast of his readings of the Qur'an were acquired by the producer of *Dil Dil Pakistan*. In the July 14 episode, the visual presentation is almost exclusively of Mr. Ahmad sitting behind a desk with the Qur'an open in front of him as Ahmad speaks to the camera. The tone of the presentation is similar to an educational lecture and is relatively moderate and steady throughout.

There is no derogatory comment about Jewish people and no comment targeting people of Jewish heritage. The only controversial commentary we have been able to discern, both from viewing the program and from the complaints received, is a passing reference to the concept of *Jihad*. [...]

We appreciate that *Jihad* is a sensitive subject, as it has been used by extremists as a call to arms and a justification or rationale for violent acts. But, not all references to *Jihad* fall within this category. For the majority of the more than one billion Muslim people around the world and the hundreds of thousands of Muslims in Canada, *Jihad* is about being faithful and living a life that is true to the lessons of Allah and to propagating the Islamic faith. A reasoned discussion of the Qur'an might well include reference to *Jihad* as it is raised in the Qur'an to be a central component of Islamic history and the Muslim faith. Indeed, an argument can be made that Canadian broadcasters, and religious channels in particular, have an obligation to explore concepts such as *Jihad* in an effort to educate viewers and to promote a better understanding of different faiths.

During the July 14 episode of *Dil Dil Pakistan*, after reviewing the historical connection of the Abrahamic faiths, the presentation emphasizes the importance of family values and strong families being the foundation of society. *Jihad* is then noted as another strand “in the way of Allah for the cause of Allah” as part of the propagation of the Muslim faith. The program then points out that there are different forms of *Jihad*, and that it can be pursued “when you go to fight the enemy in the battlefield” or “with your financial resources”. The section then concludes by stressing “the most profound part” being the importance for followers of Islam to propagate the faith.

In reviewing the tone of the presentation and reading the text, the July 14 broadcast of *Dil Dil Pakistan* does not appear to offend current broadcast standards. It does not target any group or individual and does not promote violence or conflict. There does not appear to be a “call to arms” or an attempt to incite viewers to cause harm to others. In the context of the overall presentation, the references to *Jihad* relate to the passages from Holy Scripture being discussed in the program and are fair comment in a society that upholds the freedom of religion and freedom of expression.

The July 21 Broadcast of Dil Dil Pakistan

The only apparent issue in the July 21 broadcast of *Dil Dil Pakistan* was the inclusion of Israr Ahmad in a brief segment of the show. Again, there was no derogatory comment about an individual or group, the program did not promote violence or incite religious conflict, and in this episode there was no reference to *Jihad*.

The Appearance of Israr Ahmad in the Dil Dil Pakistan Program

The appearances of Israr Ahmad in the episodes of *Dil Dil Pakistan*, in and of themselves, offended a number of complainants. Ahmad is alleged to be the leader of an organization that strives to make Pakistan into a fundamentalist Islamic state. As noted previously, other published works of Ahmad make derogatory and arguably hateful comments about people of Jewish heritage.

An argument has been advanced that the appearance of Israr Ahmad on VisionTV added an “air of legitimacy” to these other views of Ahmad and that Ahmad, because of his radical view of Islam, when referencing *Jihad* was encouraging the use of violence by Muslims to propagate their faith.

If we accept this line of reasoning, then the appearance of Israr Ahmad, as part of the content of the programs, may be viewed as having provoked violence against non-Muslims and incited discrimination or hatred against Jews, contrary to the VisionTV Code of Ethics. And, on the same premise, the programming may have failed to demonstrate the “tolerance, integrity, and social responsibility” required by the CRTC’s Religious Broadcasting Policy and failed to promote “spiritual harmony” set out in the *CAB Code of Ethics*. Although an assessment of the transcript and tone of the presentations on *Dil Dil Pakistan* may not lead to such conclusions, a review of Israr Ahmad as the messenger may prompt a different evaluation.

Response of VisionTV to this Issue

VisionTV, with the support of the producer of *Dil Dil Pakistan*, has already broadcast on-air apologies for any offence caused by the appearance of Israr Ahmad [...]. Neither VisionTV nor the producer of *Dil Dil Pakistan* intended to encourage or promote, directly or indirectly, violence, hatred, or discrimination.

We have also established a Task Force, including representatives of the Canadian Jewish Congress, the Canadian Council of Imams, and other faith institutions, to review VisionTV's Code of Ethics and procedures for reviewing programs, as current broadcast standards do not address the issue of giving "legitimacy" to individual viewpoints not expressed on-air. Our screening of the programs in question, which focused on the tone and message conveyed in the broadcast, did not identify an issue with the content. To what extent the viewpoints of individuals held or expressed outside the program should influence our review of the content to be broadcast on-air is the subject of ongoing discussion with the Task Force.

VisionTV welcomes a review by the CBSC of these episodes to help guide our analysis of similar shows in the future.

Subsequent VisionTV Steps

At the beginning of the *Dil Dil Pakistan* episodes of July 28 and August 4, VisionTV aired the following statement:

During our program, Dr. Israr Ahmad appeared as a presenter on *Dil Dil Pakistan* to offer his interpretation of excerpts from the Quran. The *National Post* subsequently reported that Dr. Ahmad had made offensive remarks about people of the Jewish community in past speeches and writings. His appearance on this program deeply troubled a number of people and we apologize for any offence that was unknowingly caused.

Dil Dil Pakistan has a long history of promoting the teachings of the Quran and celebrating the many positive aspects of Islam. It is our Mission to share the beauty and lessons of the Holy Quran with Muslims and non-Muslim members of our audience. It was never our intention to offend viewers or to suggest in any way that hatred or violence towards people of other faiths is acceptable.

Each week *Dil Dil Pakistan* strives to inform the viewing audience about the message of the Holy Quran. Our program is not affiliated with, nor does it intend, to promote any individual, organization, sect or particular school of thought in Islam. We will strive in future to ensure that individuals appearing on *Dil Dil Pakistan* have demonstrated, through their writings and public statements, that they share our peaceful interpretation of the message of the Quran and the teachings of the Prophet.

We have therefore voluntarily removed Mr. Ahmad as a speaker on any future broadcast of *Dil Dil Pakistan*, and will make alternate arrangements with other speakers to continue to present explanations relating to the Quran in the very near future.

Please pray with us that God Almighty guide us all on the straight path and we cherish our short presence on this earth as true truth seekers, and not be enjoined by hatred, malice or evil in our beautiful homeland we call Canada.

In addition, at various times during the week commencing July 24, VisionTV broadcast the following statement:

Recently, Dr. Israr Ahmad appeared as a presenter on the program *Dil Dil Pakistan*, broadcast on Saturdays on VisionTV. The *National Post* subsequently reported that Dr. Ahmad had made offensive remarks about people of the Jewish community in past speeches and writings. His appearance on this program deeply troubled a number of people and we apologize for any offence that was unknowingly caused.

The producer of *Dil Dil Pakistan* has voluntarily removed Mr. Ahmad as a speaker on any future broadcast of *Dil Dil Pakistan*. It was never the intention of the producer, or of VisionTV, to offend viewers or to suggest in any way that hatred or violence towards people of other faiths or cultures is acceptable under any circumstances.

VisionTV's goal - one which we have been successfully pursuing for decades - is to build bridges of understanding amongst Canadians of different faith and cultural backgrounds. *Dil Dil Pakistan* and programs like it provide windows into other cultures and religions. Dialogue is the best solution. We may from time to time make mistakes but we will not waver from this focus.

The Ruling Request

When the complainant filed his Ruling Request on September 15, he accompanied it with the following note:

In my opinion, VisionTV is in breach of the CRTC codes of conduct under which it is compelled to operate and, accordingly, I request a Ruling by a CBSC Panel.

Israr Ahmad is not a benign educator, as VisionTV knew, or should have known, before broadcasting him giving a monologue, repeatedly (July 14 and July 21) and despite a negative public reaction in the meantime. This individual carries an established and highly controversial reputation as a promoter of a form of Islamic faith that is inconsistent with the stated ethics of the Broadcaster, CRTC and the values espoused within Canadian human rights. Even if Israr Ahmad was not offensive in the identified broadcast (and he was), having him appear at all is tantamount to complicity on VisionTV's part. Surely if Osama bin Laden was available to VisionTV for the same purposes and if he only discussed the weather, implicit approval would be evident by virtue of the invitation. My point is that Israr Ahmad should not have been presented in the first place.

The general tone of Mr. Ahmad's presentation is instructional. There is no attempt to place his remarks in historical context or to differentiate them from contemporary thought. He makes direct reference to Jihad (not passing references to the concept, as [VisionTV] says) as the highest form of fighting in the cause of Allah, asking viewers to give their contribution to the propagation of the Islamic message the struggle, clarifying that, "You need money for that. A heavy responsibility has come to your shoulder. This is your duty, as a means of fulfilling your responsibility when you go to fight the enemy in the battlefield." This messaging is directional and vaguely threatening. It amounts to one-sided propaganda which is in violation of the stated codes of conduct.

Further, VisionTV demonstrates an appalling lack of judgment and sensitivity regarding the need to take careful measures not to incite impressionable youth. This is a matter of national security.

THE DECISION

The National Specialty Services Panel examined the complaint under the following provisions of the Canadian Association of Broadcasters' (CAB) *Code of Ethics*.

CAB Code of Ethics, Clause 2 – Human Rights

Recognizing that every person has the right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall ensure that their programming contains no abusive or unduly discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status or physical or mental disability.

CAB Code of Ethics, Clause 7 - Controversial Public Issues

Recognizing in a democracy the necessity of presenting all sides of a public issue, it shall be the responsibility of broadcasters to treat fairly all subjects of a controversial nature. Time shall be allotted with due regard to all the other elements of balanced program schedules, and the degree of public interest in the questions presented. Recognizing that healthy controversy is essential to the maintenance of democratic institutions, broadcasters will endeavour to encourage the presentation of news and opinion on any controversy which contains an element of the public interest.

CAB Code of Ethics, Clause 8 – Religious Programming

Broadcasters should endeavour to make available to the community adequate opportunity for presentation of religious messages and should also endeavour to assist in all ways open to them the furtherance of religious activities in the community. Recognizing the purpose of the religious broadcast to be that of promoting the spiritual harmony and understanding of humanity and of administering broadly to the varied religious needs of the community, it shall be the responsibility of each broadcaster to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously, shall not be used to convey attacks upon another race or religion.

The Panel Adjudicators reviewed all of the correspondence and watched the two challenged episodes of *Dil Dil Pakistan*. The Panel concludes that the broadcasts did not violate any of the aforementioned Code provisions. One of the Adjudicators, T. Rajan, being concerned about missing nuances in the Arabic components of the monologue, abstained solely on the determination of the issue discussed under “The Substance of the Challenged Programming”.

Religious Programming

While it is accepted as a given that VisionTV is a religious broadcaster and that *Dil Dil Pakistan* is a religious broadcast, the Panel considers it useful to make certain observations regarding religious programming. The CRTC's position on this subject is laid down in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78 (3 June 1993), which is based on the fundamental principle that “the programming provided by the Canadian broadcasting system should provide a reasonable opportunity for the public to

be exposed to the expression of differing views on matters of public concern.” Without touching on issues that are basic to that policy but not to this decision, such as balance, discretionary services, solicitation of funding and so on, the Panel notes that the section of the P.N. establishing “Guidelines on Ethics for Religious Programming” declares their purpose, in part, “to protect viewers and listeners against intolerance and exploitation.” They add:

These guidelines recognize and support the freedom and rights of individuals and groups to state their beliefs freely and clearly, and are intended to enable individuals and groups to communicate these beliefs in an appropriate and meaningful manner. The Commission, however, expects that programming of a religious nature, like any programming, must demonstrate tolerance, integrity and social responsibility.

Finally, under “Programming Practices”, the Guidelines require that licensees who broadcast religious programs shall ensure that “No programs shall have the effect of abusing or misrepresenting any individual or group.” Reflecting those precepts, the religious programming clause of the *CAB Code of Ethics* provides in part that

it shall be the responsibility of each broadcaster to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously, shall not be used to convey attacks upon another race or religion.

The foregoing principles provide the Panel with the context for its appreciation of the challenged program.

The Appearance of Israr Ahmad

Complaints treated by the CBSC almost invariably relate to *what* was said or shown on radio or television, rarely, if ever, by *whom* the content was uttered. This complaint is conceptually a step beyond that point. It focuses on the mere *presence* of a person on a broadcast. That person was Israr Ahmad, who, even VisionTV acknowledged, may have had something of a controversial reputation. The broadcaster did admit that the challenged episodes of *Dil Dil Pakistan* in which he played a part generated numerous negative reactions, largely on the basis of his apparent history of anti-Semitic comments (not necessarily in a broadcast context, whether in Canada or elsewhere). In any event, from a procedural perspective, the CBSC has only been called upon to deal with the one complaint from an individual who had filed a Ruling Request. On the point related to Ahmad’s presence on *Dil Dil Pakistan*, the complainant wrote:

Israr Ahmad is not a benign educator, as VisionTV knew, or should have known, before broadcasting him giving a monologue, repeatedly (July 14 and July 21) and despite a negative public reaction in the meantime. This individual carries an established and highly controversial reputation as a promoter of a form of Islamic faith that is inconsistent with the stated ethics of the Broadcaster, CRTC and the values espoused within Canadian human rights. Even if Israr Ahmad was not offensive in the identified broadcast (and he was), having him appear at all is tantamount to complicity on VisionTV’s part. Surely if Osama bin Laden was available to VisionTV for the same purposes and if he only discussed the weather, implicit approval would be evident by

virtue of the invitation. My point is that Israr Ahmad should not have been presented in the first place.

The Specialty Services Panel does not share the complainant's perspective. Even assuming that Israr Ahmad was not a "benign educator", did have a "highly controversial reputation" as a promoter of an unethical and incompatible form of Islam, and had made hateful comments about identifiable groups in other fora (the CBSC hastens to add that it has done no research and has no opinion on these allegations), no broadcaster has an *obligation* to forbid access to its airwaves on that account. While any broadcaster may *choose* to avoid the provision of a platform to persons who are likely to make abusive or unduly discriminatory comments, that station or service is only required to ensure that such comments are *not in fact aired*.

There are many individuals who have chequered reputations, some with publicly-admitted terrorist affiliations, some with judicially-determined criminal backgrounds, some with perspectives that are overtly antithetical to democratic principles and the application of, say, the rule of law, and others likely to express different sorts of exceedingly controversial viewpoints on the airwaves. Such individuals are not thereby excommunicated from the regulated airwaves. They do not on any of those accounts forfeit the opportunity to appear on air when invited by a broadcaster. Even a notorious figure such as the complainant's facetiously suggested individual, Osama bin Laden, could be an acceptable invitee to discuss appropriate subject matter in controlled circumstances. Indeed, the CBSC Panels have always supported the fundamental notion that broadcasters have the right to determine which programming they will run, which news they will report, which guests they will invite, as a function of their programming perspectives and their perception of their audiences' tastes. Their one constraint is that, in the exercise of those choices, they may not breach the CBSC-administered codified standards.

The Specialty Services Panel, of course, understands that not every invitee or program broadcast will make all viewers happy *or even comfortable*. That is inevitable. The Panel understands that to be an ancillary consequence of the fullest exercise of the democratic principle of freedom of expression. Moreover, the prospect of controversy with its attendant counterweights of plus and minus, positive and negative, in favour of and against, agreement and disagreement, are an anticipated and acceptable part of the broadcast firmament. Clause 7 of the *CAB Code of Ethics* recognizes "in a democracy the necessity of presenting *all sides* of a public issue [emphasis added]" and specifically provides that "healthy controversy is essential to the maintenance of democratic institutions." And this concept is consistent with the provisions of the federal *Broadcasting Act*, which, in Section 3, refers to programming that is "varied and comprehensive" and that "provides a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern."

The foregoing should not be understood as being the equivalent of a “blank cheque”. Those broadcasters that are members of the CBSC are also obliged not to contravene the Council’s codified standards. They must, in other words, respect the Human Rights Clause of the *CAB Code of Ethics*, as well as all other Code clauses. What this means is that, as a part of their determination of worthy program participants, broadcasters will wish to assess the risk of on-air disrespect of broadcast standards by those individuals. The more inevitable the problem, the less likely the invitation. But *that* is the broadcaster’s call. It may well be that an individual “with a reputation” will toe the line in order to access the air time. On the other side of that equation, a broadcaster may choose not to air a program or interview with an individual who, it considers, will offend its audience, even when there is an understanding that no Code breach will occur. The bottom line is that, absent circumstances that do not arise in the present file, a broadcaster will not find itself in breach of a codified standard as the result of the mere presence of a controversial individual on its airwaves.

The Substance of the Challenged Programming

The question for the Specialty Services Panel, then, is the nature of the statements made by Israr Ahmad. In this respect, there were, as alleged by the complainant, only two potentially contentious issues, which he characterized as “propaganda messaging of hate and violence”. As to the first, there was barely a *mention* anywhere in the episode of any other identifiable group than, of course, the Muslim community. Although there is a reference in the broadcast of July 14 to the “enemies of Allah”, nowhere has the imam directly identified any group. Consequently, there were no aggressive, much less abusive or even discriminatory, comments levelled at any identifiable group and no breach of the Human Rights Clause of the *CAB Code of Ethics* on this account. The only potentially contentious issue, therefore, is that related to the discussion of *jihad*, which, it should be noted, has no exclusive or limited meaning as a holy *war*. It is at least as understandable as referring to struggle or strife, with no necessary implication of battle or hostility.

In the view of the Panel, there was no call to arms or indeed any form of incitement of violence. Indeed, the only reference to physical conflict of any kind is found in Israr Ahmad’s discussion of the strand of *jihad* when he said “either with your financial resources or your bodily strength when you go to fight the enemies of Allah (*subhanahu wa ta’alla* [glory and exultation be to Him]) on the battlefield.” The entire “lesson” was purely didactic and tonally monochromatic; Ahmad did not even raise his voice to make his point. He merely referred to the different modes of sacrifice or struggle, one of which appears to be physical. Even there, the call is not *to* violence; the sense is more of struggle in a cause, specifically in the cause of Allah, and then only “until there is no more Fitnah and worshipping of others along with Allah.” This is not to suggest that there may not be some persons who *interpret* those words in a violent way and use them as a spur to hostile acts. That is not, however, the Panel’s understanding of Israr

Ahmad's comments *in the challenged episode*. Whatever he may have said in other venues on other occasions (and the CBSC does not know what that may have been), he said nothing in either the July 14 or July 21 programs that would lead the Panel to conclude that there has been a breach of any of the foregoing codified standards. (On this issue, as noted above under The Decision, one Adjudicator has abstained.)

Broadcaster Responsiveness

Since broadcasters are required, as a part of their membership requirements, to respond in a thoughtful and fulsome way to the complainant(s), it is the practice of the CBSC to include, as a part of its decisions, an assessment of the broadcaster's responsiveness. In the matter at hand, the broadcaster took considerable initiative with respect, not only to the complainant who filed the Ruling Request, but also with respect to all others that were forwarded to VisionTV by the CBSC. In addition to explaining to each complainant that, in VisionTV's view, the hateful comments attributed to Israr Ahmad had not appeared on the service, VisionTV broadcast on-air apologies for any offence that may have been caused, suspended broadcast of the program while working on the resolution of the issues, established a Task Force to review their own standards and content verification procedures, and requested themselves that the CBSC review the broadcasts to determine conformity with codified standards. In the view of the Panel, VisionTV could not have responded more quickly or more thoroughly to the complaints they faced. The specialty service has more than fulfilled its obligation of responsiveness with respect to the complaints about the challenged broadcast.

This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, where, as in the present case, the decision is favourable, the station is under no obligation to announce the result.

APPENDIX A

CBSC Decision 06/07-1426 Vision TV re *Dil Dil Pakistan*

The following is a combination of point form paraphrasing and exact transcriptions of the most relevant portions of the broadcast of *Dil Dil Pakistan* on July 14, 2007 from 3:00 pm to 4:00 pm and then on July 21, 2007.

July 14, 2007

Imam Israr Ahmad gave a sermon on Sura 2 of the Qur'an which is entitled Al-Baqara.

- Sura 2 Baqara is the "peak" (most significant) of the Qur'an, due to both its length and its substance.

15:02:42

There are two ummahs: the present Muslim *ummah* [community/nation] that is the *ummah* of Mohammed (*sallalaahu alayhi wasallam* [peace be upon Him]). And thank god we belong to this *ummah*. But there is another *ummah*: the Jews. They were also the former Muslim *ummah*. Before the *ummah* of Mohammed (*sallalaahu alayhi wasallam*), the Muslim *ummah* was *bani Israel* [the children of Israel], the Jews. They were the *ummah* of Moses (*musa alayhi salaam* [peace be upon Him]). We have been given Qur'an; they were given Torah.

- Our state is only 1421 years old [*sic*, the original recording of this lesson, and possibly its first broadcast, took place in Islamic (Hijri) calendar year 1421, the approximate equivalent of 2000 in the Gregorian calendar]; Torah given to Moses in 1400 B.C. & revelations to Mohammed which became the Qur'an started in 610 A.D., so there were 2010 years between the Torah & the Qur'an

[quotation addressed to former ummah, i.e. the children of Israel]

Just recall the bounties that we bestowed upon you and we wear [*sic*] you supreme and superior to all the nations of the world.

- When an ummah is the bearer of the Book of Allah and abiding correctly by the rules of Allah, things are well; when an ummah turns its back on the word of Allah, it indulges in all sorts of sins, such as lust, love of wealth

- Wrath of Allah will fall upon them; this is what happened to the *bani* of Israel [children of Israel]

- They were deposed from their position and a new ummah was created on the basis of the message of Mohammed & replaced by a new ummah after 2010 years

- Sura 2 Baqara can be divided into two equal halves; the first half is comprised of 18 sections

- In first half, the addressee is the former Muslim ummah, in the second half the addressee

is the present ummah

- To the former ummah, 10 sections (5-15) lists what it did: “you did this, you did this” & we forgave you repeatedly, but you continued to turn your back on the Book; you gave up on the mission we gave you so you are now deposed
- We told that you have a chance to believe in the Qur’an & we will forgive all your misdeeds; if you don’t accept Mohammed, you are doomed forever
- That is the essence of the 18 sections

- The second half of Sura Baqara has 4 introductory sections
- First section talks about the three categories of people: the believers, the non-believers & the hypocrites
- Last category is those who pretend to believe but don’t really, especially those in Medina who said they believed Mohammed but only because he had power
- Second section explains how to figure out who is a hypocrite
- The 4 sections present the transition from the former ummah to the present ummah, such as how the *qibla* [direction of prayer] changed
- Abraham constructed the *ka’ba* [cubical building in Mecca towards which Muslims face when praying]; he was the father of Isaac, Jacob and Ishmael & asked for a prophet to come with Allah’s message through the progeny of Ishmael to teach the Book and purify their souls
- Second part is addressed to the present ummah & contains 4 strands within 22 sections
- First is sharia or law; blueprint for sharia is laid out in Sura Baqara; sharia is the rules of worship, such as prayers, fasting, etc.
- Second is human interactions, including marriage where man & woman come together as husband & wife to form a family which is the foundation of society; when the family is healthy, society is healthy; when the family is not strong & healthy, society becomes disrupted

15:21:28-15:23:03

Now the other two strands are that is *jihad fi sabili-Allah* [sacrifice for the sake of Allah]. But *jihad* can be divided again into two: *qital fi sabili-Allah* [fighting for the sake of Allah]; *infaq fi sabili-Allah* [spending for the sake of Allah]. Because whenever you find *jahadu fi sabili-Allah bi amwalikum wa anfusikum* [sacrifice for the sake of Allah with your resources/wealth and your lives]. So *jihad* in this way of Allah, for the order of Allah, can be pursued either with your financial resources or your bodily strength when you go to fight the enemies of Allah (*subhanahu wa ta’alla* [glory and exultation be to Him]) on the battlefield. So *jihad bi-nafsi* [sacrificing oneself], the highest form is: fighting in the cause of Allah. *Yuqatiluna fi sabili-Allah, qaatiluuhum hataa la takuunana fitnatun wa yakuna diinu Allah* [And fight them until there is no more Fitnah (variously translated as disbelief, persecution or tumult) and worshipping of others along with Allah]. And to give your contribution so as the requirements of *tabligh* [propagation], the propagation of the Islamic message and the requirements of the struggle to establish the *diin* [faith] of Allah that can be fulfilled. You need money for that. And for that is *infaq fi sabili-Allah* [spending for the sake of Allah]. Spend for the cause of Allah. Spend for the cause of Allah. So these two subjects are also, they come after, you know, these four strands are interwoven. One issue comes, then the other comes, then again the third issue is addressed. Maybe then the third comes forward. Then the fourth one. So these are, are intermittently. These four subjects are repeated in the second half of the Sura Baqara.

- Most profound ayah is next, which says all who believe will get help from prayer
- Duty to preach message to fellow human beings; on day of judgment you will be judged on whether you tried to convey the message
- Former ummah did not follow the Book, so they were deposed
- Allah sent the message to Mohammed for the people
- The responsibility is now on the ummah to spread the message to all of humanity

15:29:23-15:30:58

This is the grand, grand, grand responsibility which has come on the shoulders of the *ummah*. And that is why Allah said *yaa ayuhalladiina aaminuu istainuu bi sabri wa salaah inna allaaha ma' saabiriin* [O you who believe, seek strength from patience and prayer. God is with those who are patient.] And in execution of this responsibility, you might have to lay down your lives also, to sacrifice your life. *Wala taqulu liman yuqtalu fi sabililahi amwatu bal ahya'un walakin la tash'aruun* [And say not those who are killed in the way of Allah, "they are dead". Nay, they are living, but you perceive it not]. Never say about those people who are martyred in the way of Allah (*subhanahu wa ta'alla*), who lay down their lives in fighting against the enemies of Allah (*subhanahu wa ta'alla*) in order to establish the *diin* [faith] of Allah on Earth. Don't say they are dead. No, they are alive. But you can't have the feeling and understanding how alive they are. So this is the beginning of the second part, second half of Sura 2 Baqara. Then, as I've told you, all these four strands, *ibaadaat* [rules of worship], *mu'aamalaat* [human relations], social, economic, *ribaah* [usury], *haraam* [prohibitions]. All these things will come one by one. And then, you know, *infaaq* [spending] exalting. Spend and spend and spend *infaaq fi sabilil-Allah* [spending for the sake of Allah]. *Wanfiqqu fi sabilillaahi wala tulquu bi aydiyakum ilaa tahlukati* [And spend in the cause of Allah and do not throw yourselves into destruction and do good]. Spend as much as you can in the way of Allah. Don't throw yourself with your own hands into disaster. If you are keeping back your money, not spending for the cause of Allah and for the cause of *diin* [faith], you are also throwing yourself with your own hands into the fire of hell.

- Sura Baqara contains the greatest ayat of the Qur'an
- Real virtue is in the heart & its first manifestation is sympathy for one's fellow beings and willingness to spend money for the needy

15:32:53-15:33:26

And finally those who are steadfast in the way of Allah, even in the fighting, they bear all the hardships, all the pains [*sic*] and the, all the risks of war. What for? For the cause of Allah. Such a person is the *mutaqi* [faithful], *ulaa ikalladiina sadaquu wa ulaa ika huma-il-mutaqiin* [those are those who give generously, those are those who are truly faithful]. So this is the whole human character portrayed in one ayah, ayah 177.

- Other suras contain other information about nature, but this one encompasses ideas of many other ayat; the nine phenomena of nature are gathered into one ayah
- The last two ayah are about death and were given to Mohammed as a gift to the ummah
- Mohammed came to believe what was revealed to him
- One must accept & believe in all the messengers of Allah, not just accept some and discard others
- There are 20 messengers mentioned in the Qur'an, 5 of which are most prominent, but there are thousands of others not mentioned
- Animal aspect of human bodies comes from clay of Earth but souls come from Allah

- Longest prayer in the Qur'an is in this section
- This sura was revealed to Mohammed in stages after the migration to Medina; this prayer came when Muslims were facing the Battle of Badr; a trading caravan of Muslims encountered an army of the Qureish (the group that expelled Mohammed from Mecca)
- Prayer asks forgiveness from Allah for what we forget & also asks Him not to present them with such a big test, causing them to question just how much they would sacrifice for Him; they asked that Allah would give them fewer burdens than the previous ummah & also asks for His help when they are fighting those who do not believe in His message

July 21, 2007

The imam talked about how the suras of the Qur'an are grouped together; how the Qur'an is part of a series of Books from Allah which provide guidance to humanity and therefore must be obeyed; how Allah administers the universe with justice; how Muslims must make pilgrimage to Mecca; and how there is an ummah within an ummah, meaning people who seriously practise Islam and those who identify as Muslim in name only. He also again mentioned how one must "spend for the cause of Allah" and how the former ummah was deposed.

APPENDIX B

CBSC Decision 06/07-1426 VisionTV re *Dil Dil Pakistan*

The Complaint

The CBSC received the following complaint dated July 21, 2007 (originally sent to the CRTC):

Dear Sir/Madam:

Given as your mandate includes the protection of the Canadian public from the electronic transmission of hate messages via the media you regulate, I ask that you either significantly and publicly discipline VisionTV or revoke its licence, as the result of broadcasting the speech of Israr Ahmad on the afternoon of July 14/07.

VisionTV's representative, Mark Prasuhn's rationalization that the preacher's remarks were acceptable due to their historical context is incorrect and irrelevant. VisionTV bypassed its own code of ethics and its social responsibility and has stooped to the propaganda messaging of hate and violence. How ironic that Canada has many young people in our armed forces putting their lives on the line to rid this cancer from the peoples of Afghanistan, only to have hate messaging pumped into millions of homes in our heartland under the aegis of the CRTC.

This is not an issue requiring an examination of sensitivities or political correctness. It is one that requires recognition of brainwashing efforts in our midst and the courage to exercise the responsibility that has been given to CRTC. Please make it happen.

Broadcaster's Response

VisionTV sent the following letter with attachments to the CBSC on September 5:

Dear Sirs:

We are writing in response to various complaints about two episodes of the program *Dil Dil Pakistan* broadcast by VisionTV on consecutive Saturdays July 14 and July 21 at 3 p.m. EST. The complaints follow coverage in the *National Post* regarding the appearance of Israr Ahmad in the two episodes of the program. Mr. Ahmad is alleged to have made hateful comments about Jewish peoples in past writings and other published works. It is important to note that no such comments were broadcast on VisionTV.

VisionTV is very sorry for any offence the appearance of Mr. Ahmad caused to Canadian viewers. Our goal as Canada's multi-faith network is to build bridges of understanding and to encourage dialogue among people of different faiths. Shows like *Dil Dil Pakistan* and others contribute to the achievement of those objectives by providing windows into a diversity of cultures and religions. It is our hope to enlighten and entertain, and certainly not to offend, the VisionTV audience.

A copy of this submission is being provided to each of the complainants noted in Appendix A. The form of email cover letter sent to each complainant is attached as Appendix B. VisionTV appreciates the additional time granted by the Canadian Broadcast Standards Council ("CBSC") to respond to this matter. In light of the complex nature of the issues raised in these complaints, VisionTV hereby requests a Ruling from the CBSC with respect to the programs in question.

Article I. Background

First licensed by the Canadian Radio-television and Telecommunications Commission ("CRTC") in 1987, for almost 20 years VisionTV has been exploring and reflecting the diversity of faiths and cultures that are essential components of Canada's social fabric. As a national religious specialty television service, VisionTV celebrates the freedom of religion and freedom of expression that are fundamental to our society.

There are two main sections to the VisionTV program schedule: (a) Cornerstone Programming that is licensed by VisionTV from independent producers and distributors in a variety of forms including drama, documentaries, sitcoms, music programs, and lifestyle series; and (b) Mosaic Programming that is provided to VisionTV by faith groups that purchase time on VisionTV to broadcast their own programs often in the form of sermons, readings from scripture, talk shows, or short form documentaries. VisionTV broadcasts almost 4,000 hours of original Mosaic Programming each year from more than 70 different faith groups.

Dil Dil Pakistan was a one-hour Mosaic Program on VisionTV exploring Islam and sharing insights into the Muslim faith. As with many Mosaic programs, *Dil Dil Pakistan* was produced and submitted to VisionTV on a weekly basis. The producer of the program was Mr. [...] of the Islamic Academic Foundation located in Edmonton, Alberta. The format of each episode of *Dil Dil Pakistan* was a blend of hosted segments, readings from the Quran, and often included guest presenters offering their perspectives on Islam. *Dil Dil Pakistan* was broadcast weekly on VisionTV for a number of years without incident and offers what could generally be described as a moderate view of the Muslim faith experience.

It is the broadcaster, however, that has ultimate responsibility for all content that goes to air. VisionTV has a long history of maintaining the highest standards of religious broadcasting and strives at all times to adhere to its own Code of Ethics that is more substantive than the ethical requirements set out in the Religious Broadcasting Policy of the CRTC. Copies of the VisionTV Code of Ethics and the relevant excerpt from the CRTC Religious Broadcasting Policy are attached as Appendices C and D respectively. Since 2002, there has not been a single complaint about programming on VisionTV that has required a Ruling from the CBSC. Given the controversial nature of religious content, VisionTV's success in maintaining high standards of programming is exemplary.

All Mosaic Programs on VisionTV are screened by VisionTV staff prior to broadcast to ensure compliance with our Code of Ethics. While it is not always easy to maintain an appropriate balance between the fundamental rights of all Canadians and our ethical standards, we appreciate that there must be reasonable limits on the freedom of expression and the freedom of religion to avoid the broadcast of hate speech and other content that offends Canadian broadcasting standards. But, the existing focus of the VisionTV Code of Ethics and our screening procedures is to evaluate the message of the program proposed for broadcast. It has not been our practice to judge the messenger based largely on the premise that each individual in Canada has the right to express their religious beliefs openly and the right to do so on VisionTV so long as that expression occurs within a framework of respect and understanding.

Article II. Current Broadcast Standards

VisionTV's Code of Ethics, makes the following provisions that are of particular relevance to the review of this incident:

- Religious and Faith groups who purchase time on VisionTV are entitled to state their faith and beliefs freely and clearly within a framework of responsibility.
- Programs must not have the effect of provoking or abetting domestic or international religious or political conflicts.
- The tone and content of programming must not abuse, misrepresent or incite discrimination, hatred or violence against any individual or identifiable group based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, mental/physical disability, marital / family status, or political affiliation.

Section IV of the CRTC's Religious Broadcasting Policy, setting out the ethical standards that apply to all religious broadcasters in Canada, includes the following statements:

- Canadian broadcast standards recognize the fundamental freedoms of religion and expression that are enshrined within the *Canadian Charter of Rights and Freedoms*.
- These guidelines therefore recognize and support the freedom and rights of individuals and groups to state their beliefs freely and clearly, and are intended to enable individuals and groups to communicate their beliefs in an appropriate and meaningful manner. It is expected that programming will demonstrate tolerance, integrity and social responsibility.

Clause 8 of the Canadian Association of Broadcasters *Code of Ethics* also refers to religious programming:

- Broadcasters should endeavour to make available to the community adequate opportunity for presentation of religious messages and should also endeavour to assist in all ways open to them the furtherance of religious activities in the community. Recognizing the purpose of the religious broadcast to be that of promoting the spiritual harmony and understanding of humanity and of administering broadly to the varied religious needs of the community, it shall be the responsibility of each broadcaster to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously, shall not be used to convey attacks upon another race or religion.

The July 14 Broadcast of *Dil Dil Pakistan*

The July 14 broadcast of *Dil Dil Pakistan* was comprised almost entirely of a presentation by Israr Ahmad offering interpretations from the Quran. Mr. Ahmad is a citizen of Pakistan and the rights to the Canadian broadcast of his readings of the Quran were acquired by the producer of *Dil Dil Pakistan*. In the July 14 episode, the visual presentation is almost exclusively of Mr. Ahmad sitting behind a desk with the Quran open in front of him as Ahmad speaks to the camera. The tone of the presentation is similar to an educational lecture and is relatively moderate and steady throughout.

There is no derogatory comment about Jewish people and no comment targeting people of Jewish heritage. The only controversial commentary we have been able to discern, both from viewing the program and from the complaints received, is a passing reference to the concept of Jihad. The relevant excerpt transcribed from the program is attached as Appendix E.

We appreciate that Jihad is a sensitive subject, as it has been used by extremists as a call to arms and a justification or rationale for violent acts. But, not all references to Jihad fall within this category. For the majority of the more than one billion Muslim people around the world and the hundreds of thousands of Muslims in Canada, Jihad is about being faithful and living a life that is true to the lessons of Allah and to propagating the Islamic faith. A reasoned discussion of the Quran might well include reference to Jihad as it is raised in the Quran to be a central component of Islamic history and the Muslim faith. Indeed, an argument can be made that Canadian broadcasters, and religious channels in particular, have an obligation to explore concepts such as Jihad in an effort to educate viewers and to promote a better understanding of different faiths.

During the July 14 episode of *Dil Dil Pakistan*, after reviewing the historical connection of the Abrahamic faiths, the presentation emphasizes the importance of family values and strong families being the foundation of society. Jihad is then noted as another strand “in the way of Allah for the cause of Allah” as part of the propagation of the Muslim faith. The program then points out that there are different forms of Jihad, and that it can be pursued “when you go to fight the enemy in the battlefield” or “with your financial resources”. The section then concludes by stressing “the most profound part” being the importance for followers of Islam to propagate the faith.

In reviewing the tone of the presentation and reading the text, the July 14 broadcast of *Dil Dil Pakistan* does not appear to offend current broadcast standards. It does not target any group or individual and does not promote violence or conflict. There does not appear to be a “call to arms” or an attempt to incite viewers to cause harm to others. In the context of the overall presentation, the references to Jihad relate to the passages from Holy Scripture being discussed in the program and are fair comment in a society that upholds the freedom of religion and freedom of expression.

Section 2.01 The July 21 Broadcast of *Dil Dil Pakistan*

The only apparent issue in the July 21 broadcast of *Dil Dil Pakistan* was the inclusion of Israr Ahmad in a brief segment of the show. Again, there was no derogatory comment about an individual or group, the program did not promote violence or incite religious conflict, and in this episode there was no reference to Jihad.

Article III.

Article IV. The Appearance of Israr Ahmad in the *Dil Dil Pakistan* Program

The appearances of Israr Ahmad in the episodes of *Dil Dil Pakistan*, in and of themselves, offended a number of complainants. Ahmad is alleged to be the leader of an organization that strives to make Pakistan into a fundamentalist Islamic state. As noted previously, other published works of Ahmad make derogatory and arguably hateful comments about people of Jewish heritage.

An argument has been advanced that the appearance of Israr Ahmad on VisionTV added an “air of legitimacy” to these other views of Ahmad and that Ahmad, because of his radical view of Islam, when referencing Jihad was encouraging the use of violence by Muslims to propagate their faith.

If we accept this line of reasoning, then the appearance of Israr Ahmad, as part of the content of the programs, may be viewed as having provoked violence against non-Muslims and incited discrimination or hatred against Jews, contrary to the VisionTV Code of Ethics. And, on the same premise, the programming may have failed to demonstrate the “tolerance, integrity, and social responsibility” required by the CRTC’s Religious Broadcasting Policy and failed to promote “spiritual harmony” set out in the *CAB Code of Ethics*. Although an

assessment of the transcript and tone of the presentations on *Dil Dil Pakistan* may not lead to such conclusions, a review of Israr Ahmad as the messenger may prompt a different evaluation.

Article V. Response of VisionTV to this Issue

VisionTV, with the support of the producer of *Dil Dil Pakistan*, has already broadcast on-air apologies for any offense caused by the appearance of Israr Ahmad (the text of the apologies broadcast by VisionTV are attached at Appendix F). Neither VisionTV nor the producer of *Dil Dil Pakistan* intended to encourage or promote, directly or indirectly, violence, hatred, or discrimination.

We have also established a Task Force, including representatives of the Canadian Jewish Congress, the Canadian Council of Imams, and other faith institutions, to review VisionTV's Code of Ethics and procedures for reviewing programs, as current broadcast standards do not address the issue of giving "legitimacy" to individual viewpoints not expressed on-air. Our screening of the programs in question, which focused on the tone and message conveyed in the broadcast, did not identify an issue with the content. To what extent the viewpoints of individuals held or expressed outside the program should influence our review of the content to be broadcast on-air is the subject of ongoing discussion with the Task Force.

VisionTV welcomes a review by the CBSC of these episodes to help guide our analysis of similar shows in the future. We will be pleased to provide copies of the July 14 and July 21 broadcasts of *Dil Dil Pakistan* to facilitate this process.

Please contact the undersigned if there is any additional information you require.

[Signature]

Appendix A

[This was simply a list of complainant names and file numbers]

Appendix B

VisionTV Email to Complainants

On behalf of VisionTV, please accept our sincere apologies for the delay in responding in detail to your complaint regarding the program *Dil Dil Pakistan* and the appearance of Israr Ahmad on that program on July 14 and July 21, 2007. We have received a large volume of correspondence following the stories in the *National Post* and are working to reply to each and every letter, phone call, or email.

It is important for us to emphasize that the hateful comments attributed to Israr Ahmad were not broadcast on VisionTV. He did appear on the program *Dil Dil Pakistan* and in reading from the Quran made passing reference to the concept of Jihad. Many readers of the *National Post* were under the impression that hateful comments targeting Jewish people and comments questioning the holocaust were broadcast on VisionTV. That is not the case.

In light of the complexity of this issue and the large number of complaints filed, the CBSC kindly extended the time for VisionTV to respond to September 7, 2007. Please note that VisionTV is taking the unusual step of requesting as a broadcaster that the CBSC conduct a hearing to evaluate this incident and issue a Ruling. Our submission to the CBSC regarding this matter is attached.

In addition, we have initiated a Task Force including representatives of the Canadian Jewish Congress, the Canadian Council of Imams and other faith institutions to review our ethical standards and procedures for reviewing program content.

We have also broadcast on-air apologies for any offence caused and have suspended broadcast of the *Dil Dil Pakistan* program while we work to resolve the issues that gave rise to this incident.

For almost 20 years VisionTV has been celebrating the diversity of faiths and cultures that are fundamental to Canadian society. We take our responsibilities as a broadcaster very seriously and will continue to strive to maintain the highest standards of religious broadcasting in Canada.

Again, we are sorry that we did not respond in detail to your complaint until today. Please do not hesitate to contact me directly if you have any questions.

Appendix C

VisionTV Code of Ethics

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A. Preamble

VisionTV affirms that all eligible religious and faith communities have the right of access to its broadcast services. This right includes both the guarantee of freedom of expression and protection against comments that may incite or contribute to discrimination, hatred or violence.

VisionTV upholds the following principles and practices:

1. VisionTV upholds the rights and principles set out in *The Canadian Charter of Rights and Freedoms*, *The Canadian Broadcasting Act*, the Conditions of Licence established by the Canadian Radio-television and Telecommunications Commission (CRTC) as part of our broadcast licence, including the Specialty Services Regulations and other rulings of the CRTC; and all other Canadian laws guaranteeing freedom of expression and prohibiting discrimination, abusive comment and hate propaganda.
2. Religious and Faith groups who purchase time on VisionTV are entitled to state their faith and beliefs freely and clearly within a framework of responsibility.
3. While faith and religious groups, including broadcast ministries, are free to

express their views about beliefs or behaviour they consider to be wrong or contradictory to their own values, such comments must only be expressed within the context of religious belief.

4. If a religious broadcast refers to the beliefs, practices, liturgy or behaviour of adherents of another faith, the references must be accurate and fair and must not take words or phrases out of context. VisionTV is required by its licence to guarantee that the programs it broadcasts meet high standards of accuracy and fairness.

5. The tone and content of programming must not abuse, misrepresent or incite hatred against any individual or identifiable group. It must not call into question the human rights, equality rights or dignity of any individual or group.

6. The tone of programming must not expose or incite individuals or groups to hatred, contempt, malice, bigotry or violence based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, mental/physical disability, marital/family status, or political affiliation.

7. Identifiable groups must not be targeted for conversion, indoctrination or proselytizing.

8. Programs must not have the effect of provoking or abetting domestic or international religious or political conflicts.

9. Religious and Faith organizations that purchase broadcast time on VisionTV must ensure that their programs uphold the highest standards of integrity. These include:

- (i) Adherence to VisionTV's Conditions of Licence governing the duration, nature and content of advertising, give-aways, and/or merchandising as well as solicitation of funds;
- (ii) Ensuring that appeals for funds are responsible and do not place undue pressure on viewers; and
- (iii) Avoiding deceptive or misleading business practices.

10. Contravention of this Code by any group purchasing time to broadcast programs on VisionTV will result in a series of penalties leading to indefinite suspension of the program.

B. Definitions

The VisionTV schedule consists of two main divisions:

1. “**Cornerstone**” – programs produced by VisionTV, or coproductions in which VISION is a partner, or programs that VisionTV acquires. Cornerstone programming will constitute no less than fifty percent (50%) of the VISION broadcast schedule; and

2. “**Mosaic**” – programs produced and/or provided by faith communities, broadcast ministries, religious societies and associations, faith-related accredited educational institutions, and their designated producers; Mosaic airtime is purchased from VISION.

C. General Principles

1. Balance

All VISION programs – Cornerstone and Mosaic – will maintain an appropriate balance within the following areas:

- a) The rights and needs of a general audience, and the interests of specific faith groups;
- b) The needs and interests of all faith groups;
- c) National and regional needs and interests;

- d) The exposition of all relevant and significant points of view;
- e) Over time, and where appropriate or necessary, VISION will seek out a diversity of interests and voices;
- f) Personal and/or institutional opinions offered will be clearly labeled and understood as such;

2. Journalistic Standards and Practice.

The highest journalistic standards apply for every producer of programming for VISIONTV. These include:

- a) Telling subjects why they are being interviewed, and ensuring they know when they are speaking "on the record";
- b) Ensuring accurate attribution of statements;
- c) The equitable reflection of relevant facts and significant points of view, including adequate research and context;
- d) Equitable treatment of persons on various sides of issues;
- e) Editing that maintains the context of questions and statements, and accurately reflects significance, reality and truth;
- f) Ensuring the presence of production staff, cameras and microphones is not a provocation;
- g) Ensuring that the presentation of participants' points of view generally reflect their current opinions;
- h) Persons selected as commentators and participants in programs will have a background which qualifies them to provide expert opinion based on accurate information and experience. Their background, qualifications and affiliations must be made clear to enable the audience to place their comments in perspective;
- i) Every effort should be made to include relevant points of view. Refusal to participate in a program, whatever the reason, or for no stated reason, must be respected. No dramatic devices or comments shall be employed to underline such a refusal;
- j) When persons are telephoned from a program, they shall be informed of the purpose and context of the interview, and their permission will be obtained before the call is broadcast;
- k) VISIONTV is solely responsible for the programs it transmits. The Senior VicePresident, Programming or his/her designate will have the authority and the right to withhold from broadcast all or any portion of any program.

3. Open Line Programming

'Open Line' programming will be subject to the following provisions:

- a) When accepting telephone calls to be aired on a program, care will be taken to ensure principles of fairness, integrity, balance and diversity of individual expression;
- b) Suitable technical and screening procedures will be employed to preclude abusive comment which may violate the law;
- c) A record will be kept of the names and telephone numbers of callers whose voices are heard on air;
- d) Persons whose voices are to be broadcast shall be so advised before they are on air.

D. Mosaic Programming

In addition to the General Principles described above, Mosaic Programming shall adhere to the following provisions:

1. Religious Programming

Religious programming is defined by the CRTC as "anything directly relating to, inspired by, or arising from an individual's relationship to divinity, including related moral or ethical issues." A religious program "deals with a religious theme, including programs that examine or expound religious practices and beliefs or present a religious ceremony, service or other similar event."

2. Religious Groups and Organizations

To purchase airtime on VISION, Faith communities must meet with all of the conditions herein:

- a) Faith Communities must meet all of the conditions herein:

- i) Permanency: Existence for a minimum of 75 years;
 - ii) National Identity: Adherents in at least five of the 12 provinces and territories;
 - iii) Entitlement to Perform Marriage: The legal right to solemnize marriages; and
 - iv) Charitable Status: Registered charitable status in Canada.
- b) Broadcast Ministries – must meet the following criteria:
 - i) Charitable Status: Registered charitable status in Canada;
 - ii) Legitimacy: If the broadcast ministry is newly established, recognition by a major faith group. or
 - iii) Permanency: A minimum of two years broadcasting on television prior to their application to VISIONTV.
- c) Religious Societies and Associations - must meet the following criteria:
 - i) Recognition by a major faith group in Canada; and
 - ii) Registered charity status.
- d) Faith related Accredited Educational Institutions - must meet the following criterion:
 - i) Accreditation from a North American or world religious educational association; and
 - ii) All eligible organizations shall adhere to the highest standards of financial accountability in accordance with Revenue Canada requirements.

3. Viewer Complaint Process

Upon receiving a complaint about a specific MOSAIC program, VISIONTV will follow the following procedure:

- a) A staff person will view and evaluate the program and, if appropriate, notify the producer. This may lead to a warning (see Section C - "General Principles - subsection 4). The complainant will be contacted by VISIONTV, and where appropriate the producer will offer an explanation or an apology;
- b) If further action is required, the Chair of VISION's Mosaic Program Management Group may be notified and asked to form a subgroup to screen the program and assess whether the program contravenes this Code;
- c) The producer, the complainant and the Mosaic Program Management Group are informed of the results of the assessment;
- d) For any complaint regarded by VISION staff or the Mosaic Program Management Group as frivolous or vexatious VISIONTV will retain the right to not respond to the complaint; and
- e) VISIONTV will respond in a timely and responsible manner to all complaints referred to it by the Canadian Radiotelevision and Telecommunications Commission.

4. Enforcement of the Code

For Mosaic Programming, VISIONTV will enforce its Code of Ethics as follows:

- a) A first infraction of the Code will result in a communication from VISIONTV warning the program producer. The program in question will either be replaced or edited, at the producer's expense, to conform to the Code;
- b) A second infraction of the Code will result in a formal warning; and
- c) A third infraction will lead to suspension of the program from the broadcast schedule. Reinstatement will be at the discretion of VISIONTV Management, who may seek the advice of the Mosaic Program Management Group.

Appendix D

CRTC Religious Broadcasting Policy (Excerpt)
Public Notice CRTC 1993-78

IV. GUIDELINES ON ETHICS FOR RELIGIOUS PROGRAMMING

All licensees who broadcast religious programs will be expected to adhere to the following guidelines on ethics.

The purpose of these guidelines is to serve as an effective guide to program development, production, acquisition and scheduling, and to protect viewers and listeners against intolerance and exploitation, particularly those vulnerable to religious solicitations.

These guidelines recognize and support the freedom and rights of individuals and groups to state their beliefs freely and clearly, and are intended to enable individuals and groups to communicate these beliefs in an appropriate and meaningful manner. The Commission, however, expects that programming of a religious nature, like any programming, must demonstrate tolerance, integrity and social responsibility.

These guidelines apply to all Canadian and non-Canadian religious programs broadcast by Canadian licensees.

The Commission expects all licensees to comply with strict provisions regarding the solicitation of funds. In particular, the Commission expects that the wording and tone of any solicitations for funds shall not:

- place an undue responsibility on the viewer or listener to respond to the appeal;
- be alarmist in suggesting that the program may be discontinued in the absence of such a response;
- predict divine consequences of not responding, or exaggerate positive results of responding;
- intimidate the viewer or listener in any way.

The same guidelines apply when printed materials soliciting funds are presented to viewers or listeners.

Programming Practices

Licensees who broadcast religious programs should ensure that the following practices are observed:

1. No programs shall have the effect of abusing or misrepresenting any individual or group.
2. No group shall be targeted for the purpose of conversion or proselytism.
3. While groups and ministries are free to express their views about activities that they deem to be "sinful", they shall not call into question the human rights or dignity of any individual or group.
4. When programs are planned that deal with or comment on the beliefs, practices, liturgy or

behaviour of another religious group, the licensee shall ensure the accuracy and appropriate context of such content.

The Commission may impose the above guidelines on ethics as a condition of licence, particularly if it receives complaints concerning a licensee's religious programs.

Appendix E

Article VI. *DIL DIL PAKISTAN*: Broadcast date July 14, 2007 on Vision TV

Time Code Start: 10:19:55:00

Section 6.01 Time Code End: 10:24:16:00

(During the first ten minutes of the program, Ahmad speaks about the historical connection between the three Abrahamic faiths and, immediately prior to this section, marriage)

(visually, Ahmad references and points to the Qu'ran, open on the table in front of him, repeatedly throughout this section)

"...Now, if somehow or the other it has to be disbanded, how, what are the rules of Divorce? How this divorce should be given, etc., etc., etc. So two strands of subjects discussed in this part, one sharia and the other ibbadat, the modes of worship and salah and Haj, etc.. The other is of human dealings either in trading or in some other form, especially the family laws, because this is the basis of all social order. What is this country? American society, it is a collection of families. We in Pakistan, if we are 14 million, what does this mean? If every family has 7 members we have 2 million families. These 2 million families go to make the Pakistan society. So if a family is strong, and the family institution you know is healthy, then the whole society is healthy and strong. If this is corrupted, this becomes weak, if its foundation –you know gives way – then the whole society is disrupted. So very detailed rules about marriage and divorce and so forth, so forth are given in this sura.

Now the other two strands are that is Jihad for Allah. But Jihad can be divided again into two, because whenever you find, so Jihad in the way of Allah for the cause of Allah can be pursued either with your financial resources or your bodily strength, when you go to fight the enemy in the battlefield. So Jihad, the highest form is fighting in the cause of Allah. And to give your contribution so as the requirements of the propagation of the Islamic message and the requirements of the requirements of the struggle to establish the message of Allah that can be fulfilled. You need money for that. And that is spent for the cause of Allah.

These four strands are inter woven. One issue comes, then the other comes, then again the first issue is addressed, maybe then the third comes forward, then the fourth one.

These four subjects are repeated in the second half of the sura. And now this part, the second half begins. The most profound part begins with, oh you believer; you should get help from prayer and patience, because a very heavy load, a very heavy responsibility has come to your shoulder. The former Muslim ummah was deposed, why? They didn't fulfill their duties, so they have been rejected. They have been deposed. Now you have been given this position, this position of very great responsibility, because you will be asked on the day of judgment, did you preach and convey my message to your fellow human beings? This is your duty."

Appendix F

Apology aired at the beginning of the Saturday July 28 and August 4 broadcasts of *Dil Dil Pakistan*.

"During our program, Dr. Israr Ahmad appeared as a presenter on *Dil Dil Pakistan* to offer his interpretation of excerpts from the Quran. The *National Post* subsequently reported that Dr. Ahmad had made offensive remarks about people of the Jewish community in past speeches and writings. His appearance on this program deeply troubled a number of people and we apologize for any offence that was unknowingly caused.

Dil Dil Pakistan has a long history of promoting the teachings of the Quran and celebrating the many positive aspects of Islam. It is our Mission to share the beauty and lessons of the Holy Quran with Muslims and non-Muslim members of our audience. It was never our intention to offend viewers or to suggest in any way that hatred or violence towards people of other faiths is acceptable.

Each week *Dil Dil Pakistan* strives to inform the viewing audience about the message of the Holy Quran. Our program is not affiliated with, nor does it intend, to promote any individual, organization, sect or particular school of thought in Islam. We will strive in future to ensure that individuals appearing on *Dil Dil Pakistan* have demonstrated, through their writings and public statements, that they share our peaceful interpretation of the message of the Quran and the teachings of the Prophet.

We have therefore voluntarily removed Mr. Ahmad as a speaker on any future broadcast of *Dil Dil Pakistan*, and will make alternate arrangements with other speakers to continue to present explanations relating to the Quran in the very near future.

Please pray with us that God Almighty guide us all on the straight path and we cherish our short presence on this earth as true truth seekers, and not be enjoined by hatred, malice or evil in our beautiful homeland we call Canada."

Apology aired at various times on VisionTV during the one-week period commencing July 24.

"Recently, Dr. Israr Ahmad appeared as a presenter on the program *Dil Dil Pakistan*, broadcast on Saturdays on VisionTV. The *National Post* subsequently reported that Dr. Ahmad had made offensive remarks about people of the Jewish community in past speeches and writings. His appearance on this program deeply troubled a number of people and we apologize for any offence that was unknowingly caused.

The producer of *Dil Dil Pakistan* has voluntarily removed Mr. Ahmad as a speaker on any future broadcast of *Dil Dil Pakistan*. It was never the intention of the producer, or of VisionTV, to offend viewers or to suggest in any way that hatred or violence towards people of other faiths or cultures is acceptable under any circumstances.

VisionTV's goal - one which we have been successfully pursuing for decades - is to build bridges of understanding amongst Canadians of different faith and cultural backgrounds. *Dil Dil Pakistan* and programs like it provide windows into other cultures and religions. Dialogue is the best solution. We may from time to time make mistakes but we will not waver from this focus."

Additional Correspondence

The complainant filed a Ruling Request on September 15 with the following note:

I received a response to my complaint of July 21/07 from Mr. [...], General Counsel to VisionTV written on September 5/07, which fails to address my concerns. In my opinion, VisionTV is in breach of the CRTC codes of conduct under which it is compelled to operate and, accordingly, I request a Ruling by a CBSC Panel.

Israr Ahmad is not a benign educator, as VisionTV knew, or should have known, before broadcasting him giving a monologue, repeatedly (July 14 and July 21) and despite a negative public reaction in the meantime. This individual carries an established and highly controversial reputation as a promoter of a form of Islamic faith that is inconsistent with the stated ethics of the Broadcaster, CRTC and the values espoused within Canadian human rights. Even if Israr Ahmad was not offensive in the identified broadcast (and he was), having him appear at all is tantamount to complicity on VisionTV's part. Surely if Osama bin Laden was available to VisionTV for the same purposes and if he only discussed the weather, implicit approval would be evident by virtue of the invitation. My point is that Israr Ahmad should not have been presented in the first place.

The general tone of Mr. Ahmad's presentation is instructional. There is no attempt to place his remarks in historical context or to differentiate them from contemporary thought. He makes direct reference to Jihad (not passing references to the concept, as Mr. [...] says) as the highest form of fighting in the cause of Allah, asking viewers to give their contribution to the propagation of the Islamic message the struggle, clarifying that, "You need money for that. A heavy responsibility has come to your shoulder. This is your duty, as a means of fulfilling your responsibility when you go to fight the enemy in the battlefield." This messaging is directional and vaguely threatening. It amounts to one-sided propaganda which is in violation of the stated codes of conduct.

Further, VisionTV demonstrates an appalling lack of judgment and sensitivity regarding the need to take careful measures not to incite impressionable youth. This is a matter of national security.

Thank you for your attention to this important matter.