

Dr. Khaled Abou El Fadl And His Orwellian Experience (Part I)

by Hugh Fitzgerald



Wondering how the heightened scrutiny at our borders was affecting some of the most brilliant minds in Islamic studies, I naturally googled the name of Professor Khaled Abou El Fadl. I've been admiring him for years, ever since I first came across his website, www.scholarofthehouse.org, and I wanted to see just how he was faring in our nascent police state. He did not disappoint. Professor Khaled Abou El Fadl, who stands very high in Professor Khaled Abou El Fadl's opinion, had endured an experience that was – I was pretty sure it would be either “Kafkaesque” or “Orwellian” (these being the only two possibilities for someone like Dr. Abou El Fadl), and “Orwellian” it turned out to be. For Dr. Abou El Fadl has indeed been among the victims – possibly the most illustrious of all the Muslim victims, in Dr. Abou El Fadl's opinion – of the hysterical Islamophobia that now stalks the land that used

to belong to the free and the brave.

This is Dr. Abou El Fadl's disheartening experience. He had flown from Los Angeles to Edmonton, Canada, to deliver a lecture at the University of Alberta, and then, on his return trip, he found the American agents of the Customs and Border Protection service, today's *Obersturmbannführer*, waiting for him at the airport in Edmonton as he made ready to fly back to Los Angeles. Apparently these agents did not know who Dr. Khaled Abou El Fadl was, even though, as Dr. Abou El Fadl's website – www.scholarofthehouse.org – firmly states, he is "one of the world's leading authorities on Islamic law and Islam," if he does say so – repeatedly – himself, and what's more, he has made clear, he is "most noted for his scholarly approach to Islam from a moral point of view." Furthermore, he "writes extensively on universal themes of humanity, morality, human rights, justice, and mercy, and is well known for his writings on beauty as a core moral value of Islam." (That's from his website, yet again.) Indeed, his latest book, *The Search for Beauty in Islam: A Conference of the Books*, has been described by Dr. Khaled Abou El Fadl – and why would he lie? – as "a landmark work in modern Muslim literature." Yet apparently the American *Staatspolizei* were unaware and therefore unimpressed with all that Dr. Abou El Fadl has accomplished. Instead of clicking their Gestapo heels, no doubt fitting as they were "only following orders" in their handling of Dr. Abou El Fadl, they might better have clicked on the website entirely devoted to the works and days of Professor Abou El Fadl, and they would have discovered therein not only that he is "one of the world's leading authorities on Islamic law and Islam," but that he is also "one of the most important and influential Islamic thinkers in the modern age" and "a world renowned expert in Islamic law and an American lawyer, offering a unique and seasoned perspective on the current state of Islam and the West." Furthermore, the same website reveals that Dr. Khaled Abou El Fadl has been recognized as "one of the fifty smartest people of faith" in

the whole world. Indeed, had those agents spent even ten minutes at the airport in Edmonton, they were in the numinous presence of one of the world's most brilliant thinkers.

Dutiful citizen as he is, Dr.Khaled Abou El Fadl did as he was told, following the orders of those who were sinisterly "only following orders" themselves. He inserted his passport into a scanning machine, filled out basic information on a touchscreen, waited for the scanning machine to eject the form so that he could be on his way, but to his amazement, "I was rather surprised and somewhat amused when the form in my case came out of the machine with a large and jarring X all over it. When I handed it over, my American passport was placed in a red folder and I was asked to follow the officer to a side area." Instead of immediately being allowed to embark on the plane, he was kept waiting, as the Border Protection agents waited for more information about him.

Is that really so hard to fathom? Given his name, and the fact that there are others with similar names who are definitely *persona non grata*, isn't there a prima facie case here for not simply waving him through? Could it be that his having devoted his entire life to the study and defense and promotion of Islam might explain the reason he was briefly detained until other information came in, and he could then be waved on his way? Was the behavior of the agent really incomprehensible, given the more than 30,000 terrorist attacks carried out by Muslims since 9/11/2001? Besides, it was a computer that generated the telltale X, not a human agent, based on the information it possessed about Dr. Khaled Abou El Fadl that he had himself given, first by scanning his passport, and then by inputting information on a touch screen – the agent had nothing to do with either.

Here is the melodramatic telling, by Dr. Abou El Fadl, of his nightmarish experience at the hands of the *Geheime Staatspolizei*:

Although my wife and son were free to board the plane for home, they followed me to the side area. We were the only passengers in a large, ominous-looking

Why “ominous”? Wherefore “ominous”?

room with rows of empty seats. A lone officer sat behind a service window, eyeing us with suspicion

Objection, your honor – this is mere opinion.

as we sat down. He preceded to stare at his computer as the time for boarding our plane was quickly running out. I was not asked a single question, or told a single thing about the reason for the delay.

But why should he – Khaled Abou El Fadl – have been told anything? Would it make sense for these agents to reveal to anyone, innocent or guilty, what it was that raised suspicion? Besides, Khaled Abou El Fadl has a quarrel not so much with that human agent, but with the machine-that generated the “X” that indicated something was not quite right.

A much braver soul than I, my wife asked the officer if we were going to make our flight, to which he dryly replied, “I don’t know.”

A perfectly sensible response.

*After around 40 minutes, we were set free with nothing more than a “you can go.” We ran to make our flight as my wife pushed my wheelchair and our son wrangled our two wheeled carry-ons. We had been welcomed with dignity as we entered Canada, **only to be dehumanized when we came home.***

“Dehumanized”? Because you were detained for 40 minutes? I’ve

been detained at airports for at least as long, and never felt “dehumanized.”

*I keep pondering the possible reasons for this **Orwellian experience**. My expertise is in national security law, human rights law and Islamic law. After Sept. 11, I assisted our government on a number of anti-terrorism projects. In fact, on many occasions I risked my safety and the well-being of my family to stand up to fanatics and extremists in public forums. Does the government believe there was a legitimate reason for the big conspicuous X that graced my form at the Edmonton airport?*

But that’s why they detained him briefly – to find out if there was a legitimate reason for that machine-generated “X.”

Why was I processed as if I was a visa holder instead of a citizen? Why was I searched as if my very skin could be a public threat? Why was I left to speculate instead of simply being informed of what was going on and given the opportunity to address the government’s concerns?

*It seems clear to me that despite my background and public identity – so easily accessible to the border guards – I was profiled. And now I wonder, **is there no limit to the alienation and marginalization that American Muslims will be made to feel by their own country?***

He says this after having been detained for all of 40 minutes, when in the course of normal events an American citizen has to wait in line for at least 30 minutes before clearing customs and being re-admitted, as an American citizen, back into the United States.

We already endure everyday bigotry and Islamophobia.

Where? When? By whom? Every such case is investigated, and

many of them, as readers of this website have reason to know, [turn out to have been committed by Muslims themselves](#).

We have grown accustomed to derisive comments and suspicious gazes. With Donald Trump's election, American Muslims live with added uncertainty and anxiety about exclusion, registration and even possible internment.

The hysterical victimhood, the bottomless self-pity, the baseless fears (of, e.g., "internment"), even if none of it any longer surprises, still ought to disgust. Let's get this straight: **Khaled Abou El Fadl was detained for 40 minutes, or exactly 10 minutes longer than he would have spent going through regular customs.** Ten minutes. Not exactly a one-way ticket to Dachau.

And the experience, he claims, was "Orwellian." No, what is Orwellian is that the abou-el-fadls of this world are now teaching, from their tenured permanent perches, our deeply impressionable young all about Islam.

But to be fair, Dr. Abou El Fadl is a true-blue American in one sense. He's an entrepreneur in the American vein, a flogger of his own wares, the mountebank at the county fair with his patent medicine, good for everything Islamic that ails you.. You should know that Dr. Abou El Fadl, aside from being the world's greatest expert, and the world's greatest authority, and one of the fifty smartest people of faith in the whole world – remember, you can find these accolades at his website, the one he claims he has nothing to do with, modestly leaving it all to adoring anonymous acolytes to sing his well-deserved praises – is also a salesman, and what he sells is always himself. Click on "How You Can Help" at Professor Abou El Fadl's website, and there you will find lots of disinterested advice from Dr. Abou El Fadl on how to:

1) "Make A Difference at the Bookstore and Ask for Dr. Abou El Fadl's Books. Go to your local bookstore and insist they

carry positive books about Islam, especially Dr. Abou El Fadl's books. Complain about the bad books. This is where people go to learn about Islam, and unfortunately, Islam-hating books dominate the bookshelves."

2) "Make your Financial Presence Felt at the Bookstore and with Book Publishers. Buy as many positive books on Islam as you can! Ask for and purchase Dr. Abou El Fadl's books."

3) "Increase knowledge and power. Buy a book for yourself and buy a book for your friend. Buy a copy of Dr. Abou El Fadl's book for yourself and buy copies for all of your friends—you can educate yourself and increase Islam's presence at the bookstore at the same time."

And don't forget the people in Washington, who need to be sent the books by none other than Dr. Khaled Abou El Fadl. Simply

"Send "The Great Theft" to your Government Representatives."

"Send a copy of "The Great Theft" to your Senator, Congressman or local politicians and insist they read it to understand what is up with Islam today. We can educate those in power, one reader at a time."

You can, of course, at the same website, browse through the lists of Dr. Abou El Fadl's 14 books (5 of them still "forthcoming"), and his more than 50 articles, many of which are 2-3 pages long, which makes for easy reading, and more than a few appear, in many cases, to be the same article under a slightly different title, which makes that reading easier still, and compilations of his fatawa ("non-binding," in case you were worried), and a selection of all the letters of praise he has received, and much, much more, including an impressive biographical note.

But lest anyone still think that I have not been entirely fair to Khaled Abou El Fadl, who is the "world's leading expert at

the intersection of Islamic and Western law” and “world’s leading authority” and “one of the fifty smartest people of faith” in the whole wide world, author most recently of a “landmark work in modern Muslim literature,” I want to remind you of [a sincere tribute I paid to Dr. Khaled Abou El Fadl several years ago](#). It does not date.

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