

**Tensions between freedom of expression and religious sensitivity –
An analysis of Danish Cartoons**

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Executive Summary

Freedom of expression is not only one of the basic elements of democracy but a precondition to the process itself. Under the name of freedom of expression a Danish newspaper in 2005 publishes 12 caricatures depicting the Prophet Muhammad. These cartoons enraged the Muslim World, who consider the cartoons as racist and demand limits to freedom of speech. Denmark and some other European countries stand up to protect their freedom of expression, while Muslims raise up to defend themselves against this new wave of prejudice and xenophobia. European intellectuals find themselves divided into two; the left wing sees the publication as outrageous for the marginalized minorities, while the right wing sees minorities as threatening to the liberal democracy. This paper attempts to look at the political, social and economic consequences of Danish cartoons. It concludes that the cartoon publication was a mistake, and therefore recommends that freedom of speech be used responsibly, especially when it targets vulnerable minorities.

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Introduction

The publication of 12 cartoons of Prophet Muhammad by *Jyllads-Posten* in 2005 was considered offensive for the Muslim World at large and racist for Danish Muslim minority in particular. The aim of this paper is to analyze the Danish Cartoon case from the political, social and economic perspective. However, this research is mainly focused in one particular issue, the different stand that European politicians took while interpreting this crisis. In this paper I attempt to answer the following question: if the case occurred in Europe, why then European leaders were divided into those who protected the right to free expression and those who protected the right of Muslim minority not to be offended and hence considered the cartoons racist? By using the literature on Danish Cartoons, I am going to analyze whether Left - wing and Right - wing politicians were influenced by their political ideologies in interpreting this event. At the end I subscribe to the Leftist interpretation that Danish Cartoons were used by the Danish rightist government to reinforce its xenophobic and anti-immigration policies. Therefore, this paper recommends that the right to freedom of expression should be used in a responsible way, and vulnerable minorities should be integrated rather than ridiculed.

One of the main reason for considering the Danish Cartoons affair as a serious case study is the magnitude of events that emerged from this case, the debate it created and the lessons that could be learned from it. Hence, my hypothesis says that the Danish Cartoons case was not merely an incident that brought revolts, protests and even victims, rather it is the cause of disputes between defenders of freedom of expression and defenders of minority rights. The effect of this was the division created in terms of opinions between liberals and conservative intellectuals within the Western democracy. Another reason for engaging into this case is because it shows the very thin line between absolute freedom of expression and religious sensitivity of people. Considering the

consequences of this event, the social context where it happened and those involved, I will try to justify the assumption that religious hate speech is no different from race speech. This assumption is based on the notion of democracy where the integrity of people is one of its main principles, just like the freedom of expression.

This research employs a qualitative method. Selected literature will be used to look at the case study from different angles. As for the theory, principles and interpretations on freedom of expression as well as the definitions given for hate speech, I will mainly refer to books and academic journal articles. As for the case study, my main reference will be newspapers and magazines accessed by online database as well as other reliable websites. Taking into consideration that this case is quite sensitive, I'll try to be more selective and avoid general interpretations of the events and website sources.

This paper aims to fulfill the lack of academic literature on the Danish Cartoons case in particular, and enrich the literature on the religious hate speech in general. Despite newspaper articles which mainly interpret the Cartoons affair and despite a few articles that touch on this issue mostly defending the freedom of expression, this paper will provide a different view to this issue; it will show that when freedom of expression is not used responsibly it may have a counter effect towards the society. In addition, this paper could be considered as an additional source to the religious hate speech literature, which compared to racial hate speech literature has gained less attention among academics. This is because, I assume, religious hate speech was considered of having less social consequences than racial hate speech. This paper shows that religious hate speech too could have grave consequences if not controlled properly.

This paper is limited into the religious hate speech only and despite many cases where religious hate speech has had bad consequences, I will limit my research only to the Danish Cartoon case. The research question is also limited on the way politicians interpreted the crisis, therefore minimal coverage will be given on how Muslim scholars interpreted the event or how the media outside Europe interpreted the case. Furthermore, I limit my research only in the impact of cartoons on the Danish Muslim minority, hence the impact on other Muslim minorities across Europe could be a case for future research.

The structure of this thesis is built on three chapters, each consisting of two separate headings. The first chapter is a literature review. In this part I start the discussion with the main principles of the Universal Declaration of Human Rights, Article 19 and Article 20, which deal directly with the freedom (limits) of speech. Further, I try to give a background of the importance of freedom of speech, and by listing the main arguments in favor of freedom of speech, I create grounds to also mention main arguments against religious hate speech. Speaking of hate, I will also provide a definition of ‘hate’ and ‘hate speech’. In this part, I also try to explain how religious hate speech is very close to racial hate speech, though not the same.

The second chapter is about the case study. The aim here is to look at the event itself. A thorough description of the publication of cartoons will follow; a narrative explanation of the events, the initial reactions and then the protests and casualties. It will be very essential to clarify the initial intention of the cartoons as a means to illustrate a children’s book to the final message that people drew out of cartoons. Here I will attempt to explain what is wrong with the cartoons. I

look into this issue from two angles, first the political gap it created between the West and the Muslim World and the economic losses Denmark experienced due to boycott of its products by the Muslim countries and second we identify two main reasons why these cartoons were considered offensive by Muslims: a) violation of Islamic norms in drawing the Prophet, and b) reinforcing Islamophobia in Europe and the fear for socio-economic consequences for the Muslim minority in Denmark.

In the third chapter I will analyze the reactions towards the cartoons affair. Here I will look into two different interpretations that followed the cartoon publication; on the one hand there is the left wing dominant view of politicians who consider the publication very offensive towards a minority and on the other hand there is the right wing interpretation that seeks to protect the right to freedom of expression no matter how offensive it is. This is where I answer my research question that the Danish cartoon case was not simply a matter of freedom of expression, but it was a battle between two views concerning Muslim minorities in Europe. Here I also take the case of media selectivity in republishing the cartoons, which I consider as self-censorship and editorial responsibility.

Under the last part I conclude that the publication of cartoons by *Jyllands-Posten* was a mistake, which was smartly used by Muslim radicals on the one hand to reinforce the issue of West's prejudice towards Muslims, and Western conservatives on the other hand who used Muslims angry protests to strengthen their point that Muslims are hostile. Therefore judging by the criteria of liberty, freedom of expression, and religious sensitivity, I provide the following recommendation: a) media should not consider freedom of expression as an obligation but as a

right, b) in liberal democracies minorities should be integrated rather than ridiculed, c) media should be quick to apologize when the public order is being threatened, and d) protests should be part of democracy but violent protest should be condemned in all forms.

Chapter 1: Literature review

Freedom of expression is not only one of the basic pillars of democracy, but also one of the preconditions of the process itself. Europe is identified for its advocacy for freedom of expression. However, freedom of expression wasn't always there. Indeed, the first struggle to abolish censorship and allow freedom of expression became a primary objective for Enlightenment thinkers. The first country to abolish censorship was Sweden in 1766, followed by Denmark and Norway in 1770. Following this example, France in its Declaration of the Rights of Man in 1789 not only included the right to free expression but also the right to own a printing press (Democracy, 2009).

However, one may argue that the biggest battle for freedom of speech was won only in the 20th century, based on philosophical arguments of Mill, Voltaire, Foote etc. But the events of genocide during the Second World War, showed that freedom of expression has gone too far, and was exploited by individuals on expenses of other minorities. Nazi language¹, although not the only mean, showed that freedom of speech could bring disastrous consequences if it is used in inciting hatred of minorities. Minority rights would soon become one of the core principles of the battle for human rights.

Holocaust was a lesson for the world that persecution of minorities can have appalling consequences. What followed in the next 60 years, was a historic transformation in Western societies. In 1948 the Universal Declaration of Human Rights was signed. African Americans

¹ Here we refer to the propaganda against Jewish minorities in Europe prior to WWII. However, we do not consider language as the only mean that led to Holocaust. The aim here is to emphasize on the impact of hate speech.

were almost totally integrated in the mainstream society; the apartheid was abandoned and oppression came to an end; gays and lesbians managed to achieve semblance of equality in the western society. In short, as Bown (2006) asserts the West has become very sensitive to the rights of minorities.

Sensitiveness towards minorities is reflected on the freedom of expression laws. With the exception of the United States, virtually all countries ban or penalize some form of expression. In general such expression include opinions that are considered racist, promote religious intolerance, homophobia, sexism, Holocaust denial or other ideas considered provocative or offensive (Heinze, 2007). Laws against incitement to religious hate speech also took ground, due to the impact of religion in society. Heinze explains that with regard to religion, hate speech bans fall under two categories; a) they serve for penalizing expression that is considered offensive towards religious persons or beliefs, b) bans can be used for penalizing expression that are offensive towards other groups (condemnation of gays) made on religious grounds. Hence, the first category shows the existence of hate speech bans on religious communities who are distinguished by the religion and belief.

Generally speaking, hate speech is regulated by law across Europe. Although no two states have identical laws, all European States have hate speech laws. Certainly, one country's history, circumstances and legislature determines the content, scope and application of hate speech bans, but there are similarities as well. For example, Western European states follow the International Covenant on Civil and Political Rights (ICCPR), Article 20 (2), which provides that, 'Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination,

hostility or violence shall be prohibited by law. Furthermore, the tendency to further expand the scope of hate speech bans has also been seen from the initiative taken by the Committee of Ministers of the Council of Europe. This body has called on member states to consider of banning or limiting speeches dealing with “statements...which may reasonably be understood as hate speech, or as speech likely to produce the effect of legitimizing, spreading or promoting racial hatred, xenophobia, anti-Semitism, or other forms of discrimination or hatred based on intolerance” (Heinze, 2007, p. 297). These two documents clearly provide European states with the legitimate grounds to ban, censor any form of speech they consider offensive towards others and jeopardizes the public order. One may argue that these legal provisions for banning certain hate speeches could be applied across Europe, whenever such speech is “likely to produce...or promote racial hatred”. The case of Danish cartoons will show that such publication were indeed likely and did produce racial hatred, which one may consider as a state failure to make use of the above mentioned provisions in combating prejudice and hatred towards state minorities.

Regulating free expression is not without challenges though. Heinze (2007) considers free expression as not just another *res* of laws that are regulated according to the utility or convenience. Free expression is also not just an incident of democratic society, which are usually regulated ‘sensibly’. Speech, the author states, is itself the very link between citizens and their political society, which renders possible all the rest of the law. This shows that free expression is a necessity for the democracy, yet a very difficult task for lawmakers. Speech against religions in particular poses other challenges. Mahlmann (2007) rightly argues that any speech concerning religion, in particular speech that is critical to a particular religion, is not an easy topic due to the social, historical and individual ties. The author further asserts that criticizing religion, its system

and manifestation is “part of the most inspiring and heinous, courageous and cowardly, emancipating and suppressive, fortunate and tragic struggles in human’s crooked history of civilization and thought” (p.41). The author further argues that religious expression has been regulated by law for a long time, like blasphemy which is in many jurisdictions considered a grave mistake. When arguing on the protection of freedom of religion, Mahlmann holds that freedom of religion is protected “not because of the worth of the religious creed as such, but because of the respect for the individual who believes”. Therefore, the rational is not about preventing abuse of religion as an independent entity, but the point is to protect believes against violation of their most intimate convictions and feelings. When one considers the offense caused by the Danish cartoons, there is little doubt that cartoons meant no respect for the Muslim community which makes 5 per cent of the total Danish population. This is not because the editors were not aware of the offense that cartoons will cause since years earlier the same newspaper had declined publishing a cartoon about Jesus, justifying that such publication would offend the Christians.

So far we have established the significance of freedom of expression. However, religious freedom is equally important for the society. In many constitutions, as well as in other international and regional human rights instruments, freedom of expression and religious freedom are two fundamental rights that are usually found next to each other. One such important document is the International Covenant on Civil and Political Rights (ICCPR), although not universal, it is ratified by around 156 States as of May 2006 (Mendel, 2009, p. 1) representing some 75 % of the world’s states. Article 19 of the ICCPR provides the right to freedom of expression stating that “Everyone shall have the right to freedom of expression; this

right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice” However, the very next article, Article 20 (2) grants members states the right to prohibit “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence”.

A very significant document that further narrows the scope of freedom of expression is Recommendation No. R (97) 20 of the Committee of Ministers within the Council of Europe. This document aims at combating all forms of expressions that incite to racial hatred...or any form of intolerance that undermines the unity between member states. In a nutshell, this document recommends to member states to: “take necessary steps to combat hate speech, particularly hate speech disseminated through the media.” Principle 1 of this document clearly states that:

“The governments of the member states, public authorities and public institutions at the national, regional and local levels, as well as officials, have a special responsibility to refrain from statements, in particular to the media, which may reasonably be understood as hate speech, or as speech likely to produce the effect of legitimizing, spreading or promoting racial hatred, xenophobia, anti-Semitism or other forms of discrimination or hatred based on intolerance. Such statements should be prohibited and publicly disavowed whenever they occur.”

The reasons for bringing those definitions is to show that religious hate speech bans are found next to and compared to national and racial hate speech bans that limit the scope of freedom of

expression in order to preserve the integrity of the people and keep the public order on. This is also the objective of this paper that suggests that religious sensitivity should be looked at with the same lenses as racial or ethnic sensitivity.

One particular problem that I have identified during the literature review is the lack of unity among academics on the understanding of the notion of ‘hate speech’. Mendel (2009) argues that this lack of uniformity has somehow let member states to enjoy quite a lot of discretion with regard to how they formulate and apply their hate speech laws. The same problem is seen in the definition of hate speech. To Mendel, very little attention has been paid by international courts on to what actually constitutes hate speech. He considers this as a major matter that needs more precise definition as for example, compared to the definition of the Council of European Union which defines ‘hatred’ as: ‘hatred based on race, color, religion, descent or national or ethnic origin’ (Mendel, 2009, p. 8). Mendel also asserts that it is possible to come up with a better definition of hate speech, and as an example of this process he takes the definition of hatred by the Canadian Supreme Court which is defined as:

“Hatred is predicated on destruction, and hatred against identifiable groups and therefore thrives on insensitivity, bigotry and destruction of both the target group and the society. Hatred in this sense is the most extreme emotion that belies reason; an emotion that if exercised against members of an identifiable group, implies that those individuals are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation” (Mendel, 2009, p.9).

The word ‘hate’ according to Oxford English Dictionary is “an emotion of extreme dislike or aversion; detestation, abhorrence, hatred” (Post, 2009, p. 123). The same source defines ‘hate speech’ as ‘speech expressing hatred or intolerance of other social groups, especially on the basis of race or sexuality’. Therefore, Post says, prohibiting hate speech, is forbidding the expression of ‘extreme’ intolerance or ‘extreme’ dislike. The key word here is ‘extreme’, as the author suggests, and that is the prerequisite, because “intolerance and dislike are necessary human emotions which no legal order could pretend to abolish”. From a religious point of view, it is said that hatred is an extreme human emotion, part of human nature. But when the law tries to suppress hate or hate speech, it is not because hate itself should be proscribed; instead it is because the law is intolerant of hatred when it is expressed in certain circumstances.

Another notion which is very much related to hate speech is critique. Differentiating critique that is too extreme, which is considered as hatred, from mere disagreement is another challenge. For instance, Post raises the question whether it is hate speech or critique to attack the Catholic Church for its pedophiliac priests or for its position on abortion? For Post, that there are mainly two reasons that trigger the need for banning hate speech: it is because of the manner of the speech i.e. the expression of dislike or because of the likelihood that such speech will cause harm in form of violence or discrimination. Judging from this criteria one realizes that since Danish cartoons caused harm, provoked bloody protests, and enforced prejudice towards this minority, they should be deemed as offensive and therefore be censored.

When speaking about the general criteria of hate speech laws, Post says that as long as speech maintains “a descent and moderate” manner, law permits it. But, law penalizes speech that

inflicts “outrages to the general feeling of propriety among the persons amongst whom we live”. But how can law distinguish between speech that respects the decencies of controversy and speech which is outrageous and hate including? In order to distinguish speech that is outrageous from speech that is respectful, Post suggests that we look at the social norms that surround us. It is the norms, or the group attitudes, that people in any culture can tell whether any sort of speech is ‘extreme’ and violates essential standards. Perhaps in the Danish culture criticizing, allowing a diversity of opinions is part of the long tradition of freedom of expression, and therefore one may argue any sort of cartoons should be allowed, but one should also consider the context of applying such form of hate speech. In our case, the cartoons were published in a time when Muslims across Europe were facing the consequences of Madrid and London bombing, when Islamophobia had taken roots across the Western World. What cartoons did was to contribute to the already spread feeling that Islam is a violent religion and Muslims should be seen as a threat to the Western values.

The case of Muhammad caricatures is an example of the very thin line between freedom of expression and religious freedom. When these two fundamental rights come to conflict, they may steer reactions and incidents may occur. This becomes particularly worrisome when the target becomes an established religious community. Danish cartoons can also be viewed as a crisis between the West and the Muslim World. Any attack on some form of religious speech by Muslims might lead to defensive reactions by the majority of the western states, which will question even more the principle of human rights within Muslim World. The situation becomes even more worrisome when you take into consideration the background condition of war in Iraq, says Mahlmann (2007). In general, Mahlmann says that any attempt to regulate religious speech

might be difficult, but even then three conditions should be met. First, the solution must be universal, i.e. any regulations that apply to Prophet, has to equally apply to all other religious figures. Second, no legal norms should be created that aim to petrify the religious status quo, and the dignity of human thought should be preserved. Third, both expression and religious belief should be considered as part of the existential air we breathe. Since it is not the aim of this thesis to regulate religious freedom, we will not go into more elaboration on this issue.

1.2: Arguments for Freedom of Expression

When Jyllands-Posten was accused of insulting Muslims, and when the former Danish Prime Minister refused to apologize on behalf of the newspaper for the insult, both parties defended their stand by claiming that such apology would undermine the very notion of freedom of expression. The debate on freedom of expression is quite old, perhaps as old as the notion of democracy itself. Therefore, authors have come up with different arguments for freedom of expression. Since this paper deals with the tensions between freedom of expression and religious sensitivity, it is necessary to look at the arguments of both sides to see why each of them matters.

Mahlmann (2007) has identified six arguments that come out of from classical and modern theories of free speech. The first argument for preserving freedom of expression is the particularity of the mental fabric of expression. Expression per se is not an action with immediate harm or damage. Instead, it is a process associated with reception, understanding and thinking. So, there is no harm from expression and as such expression should be preserved. Nevertheless, there is an important exception from this rule. There are some expressions that are directly hurtful or beneficent for the receiver. These expressions can violate people's need for respect and

integrity of self-esteem. This is done through acts like defamation, vilification or insult. In such cases, limitation of free expression becomes a legitimacy.

The second argument is the functional role of free expression in pursue of the truth. To use J.S. Mill's argument, freedom is considered as a catalyst of insight, and there is equally same benefit if the opinion expressed turns out to be true or false. If the opinion is true, humankind wideness its insight and if the opinion is false, humankind will further try to ascertain truth and understand why its opposite is false. So would be the benefit of intellectual debate. To this we can add that, although there will hardly be a universal agreement which opinions are true, the freedom of expression would hence allow every individual to hold into his opinion, and what is preferable to him, without imposing his opinions into others.

The third argument is about human's existential desire to express themselves. Each human being has his inner world and this gulf between the inner and outer world could be bridged only through expression and speech is a means to reach a certain ground of a common existential human experience.

The fourth argument is about the necessity to include subjects in the intellectual progress and decision making process. This is an important principle in the modern age in which the individual counts, where legitimacy is claimed not by imposed rules but by individual consent. The fifth argument is about the effect of free expression on individual's mind. The opposite of this i.e. the lack of freedom shows a tragic scenario: individual adapts, forgets or never tastes the better alternatives. The sixth and final argument is the argument from the democracy.

Democracy has two characteristics; the ethical limits of public sovereignty and limits imposed by the constitution, the protected fundamental rights. Thus, democracy is about creating public opinions and freely exchanging opinions. So freedom of expression is not only part of democracy but also a necessary precondition of the process itself.

1.3: Protection of religious freedom

By religious freedom I mean the right to practice one's religious conviction freely and the right of not being insulted for having such religious practices. In my opinion, these rights are as important as the rights to freedom of expression and this is because religion itself is not a simple issue. Mahlmann (2007, p. 61) when speaking about the importance of religion which he considers of the same existential caliber as expression, adds:

“Religions are about the very core of human self-interpretation, about the human place in the world and the order of the world in which humans find themselves through conscious reflection. Religions are the main source for many people to provide a concept of the sense and meaning of life”. The nature of religions and their claim to have secured infallible access to Absolute Truth, makes critique of religion such a difficult task. And this does not refer only to Islam and its immunity towards critique, but to other religions as well. In the current debate, Islam is often criticized for intolerant practices towards freedom of expression, but as Mahlmann says Christianity was interpreted for a long time in a way very hostile to free thought, as well.

Mahlmann believes that despite the significance of free expression, there are cases where speech can be limited. This is “when it creates a concrete, though not immediate, danger of violation of

the rights of persons”. The content of such speech is that denies the dignity of some individual or group of people, who otherwise are equally worth, and there is a concrete, although not immediate danger that actions will follow that would harm the physical integrity or the personality rights of these people. Based on this interpretation, Muslim minority in Denmark may argue that the cartoon publication was a violation of their dignity as a community that composes the large society, claiming that cartoons tend to associate them with terrorism and hence inciting hatred of other people.

Chapter 2: The Danish Cartoon controversy

If we look at the initial aim of the publication of Prophet caricatures, we will realize that the idea was rather an innocent one. But, if the message was meant to be that non-Muslims have the right to draw Muhammad, the message that came out of was very different: the Prophet of Islam was a terrorist. These cartoons therefore did not question the integrity of one individual i.e. the Prophet, but that of the whole Muslim community per se. These cartoons created a big debate between freedom of expression and religious hate speech, and today this case is known as Danish Cartoon controversy. Before we engage into a discussion about this controversy, let us have a brief look on the development of events since the publication.

At first, a Danish writer, Kare Bluitgen cannot find an illustrator to assist him in his children's book about Islam, *The Qur'an and the life of the Prophet Muhammad*. On September 17, 2005 the Danish newspaper *Politiken* published an article entitled '*Profound anxiety about criticism of Islam*', which carries the story of Bluitgen and how he was turned down by three artists who refused to draw Muhammad's caricature for his book. One of them agreed to assist eventually, but on anonymous grounds.² Sayo (2007) asserts that illustrators rejected the assignment partly because they considered it provocation and partly because they were afraid of the consequences.

On September 30, the daily Danish newspaper *Jyllands-Posten*³ published an article entitled "*Muhammeds ansigt*" ("The face of Muhammad"). This article consisting of 12 cartoons on Prophet Muhammad had an explanatory text from Flemming Rose, cultural editor of *Jyllands-Posten*, who commented that the modern secular society is rejected by some Muslims who

² See Wikipedia for a more detailed description of the events

³ Jullands-Postem stands for 'The Jutland Post'

demand special consideration for their religious feelings. But mockery and ridicule are part of the modern democracy and freedom of speech and this is why the newspaper had invited Danish editorial cartoonists to draw Muhammad as they see him (Wikipedia). Rose, later on after the case had become a major debate, would defend his decision and make some clarification in his article 'Why I published those Cartoons'. Among other things he said that "The cartoonists treated Islam the same way they treat Christianity, Buddhism, Hinduism and other religions. And by treating Muslims in Denmark as equals they made a point: We are integrating you into the Danish tradition of satire because you are part of our society, not strangers. The cartoons are including, rather than excluding Muslims" (The Washington Post, 2006).

The cartoons were offensive for most of Muslims residing in Denmark who took into the street in a peaceful protest. Although not all cartoons can be considered racist, two of them can fall into that category. One of them had the Prophet with a turban in the shape of a bomb and in another image the Prophet was portrayed in the entrance of heaven informing suicide bombers that Paradise has run out of virgins. The first was interpreted as an association of Islam with terrorism and the second portrays Muslims as people willing to die in suicide missions in hope for pleasure in paradise. The anger of protests was thought to be over with a few death threats, as it happened two years earlier in France, where similar cartoons were published. Except that this time, a Palestinian imam, who was enjoying asylum in Denmark adds another three cartoons, truly crude and blasphemous caricatures and went on a tour around Muslim countries in order to mobilize the Muslims to protest against Denmark interpretation of Islam. (Sajo, 2007). Protest against the newspaper started in diplomatic manner and with street demonstrations. Ambassadors of several Muslim countries made their protests to the Danish Prime Minister, while Saudi Arabia and

Syria went further, recalling their ambassadors, while Libya decided to close its entire embassy in Copenhagen. But things started to get really ugly when Hamas won the elections. On January 30, 2006 angry protesters attacked various EU consulates. On February 4, 2006, the Danish and Norwegian embassies in Syria were set on fire and so was the Danish embassy in Beirut and in Tehran. At the end, 139 people were killed in protests, most of them in countries like Nigeria, Libya, Pakistan and Afghanistan. The next day, the Danish newspaper issued a formal apology for insulted people, but the then Danish Prime Minister, Anders Fogh Rasmussen still refused to apologize, insisting that it is the government's job to speak for the newspaper and he defends the freedom of speech (Sajo, 2007). At the same time, Saudi Arabia, Kuwait and other Middle East countries announced their boycott of Danish and Norwegian products.

Before we engage into some of the possible reasons that led to such an outrage across the Muslim World, we should mention some basic information about the *Jyllands-Posten*, the newspaper that published the 12 cartoons for the first time. *Jyllands-Posten* is considered as a conservative Danish newspaper, and the largest in Denmark with a circulation of 175,000. During the period of cartoon publication, it was considered as having close ties to Anders Fogh Rasmussen, then the Prime Minister of Denmark. Rasmussen's coalition included the far-right Danish People's party. It is estimated that its main demographic consist of farmers and provincial middle class. So far it was known for respecting their cultural norms, hence never publishing anything that would offend their religious sensibilities (Hansen, 2006).

2.2: Political and Economic consequences of the cartoons

When the cartoon crisis spread out in a large scale, the Danish Government realized that the anger in Muslim World was becoming uncontrollable, the consumer boycott of Danish products started to show the negative effects in country's economy and its western allies were not on its side, Rasmussen realized that they were facing a global crisis.

Politically, the cartoons have worsened the division between East and West, a rift that former Malaysian Prime Minister Ahmed Badawi called the "huge chasm of misunderstanding" between Muslim World and the West (Ethical Corporation, 2009). On the one hand the cartoons are used by radical Muslims to capitalize the issue, hijack the protests, burn embassies and chant outrageous slogans. This is not only an anti-cartoon protest but an anti-West protest too. On the other hand, the right-wing politicians, to whom Rasmussen's government belongs, used these bloody protests to increase xenophobia and racism and show that immigrants coming from East impose a permanent danger to the western democratic social values. Protest were used to reinforce the perception in the West that Muslims are violent, although the protest were orchestrated only by a minor group of radical Muslim and opposed by the majority of moderate Muslims.

In order to bridge this gap of misunderstanding between West and Muslim World, one country could play an important mediating role, Turkey. Turkey, a country with one foot in the East and another in the West - culturally, politically and historically, found itself between the battle lines. Turkey was seen by many European leaders as an important player that could ease the tensions between West and Muslim World. The Turkish government used its unique position and wrote to the leaders of many Muslim countries for moderation while also inviting the Europeans not to exacerbate the situation (DW, 2009)

One of the worst consequences of Danish cartoons was of the economic nature. As a sign of protest against Denmark's insult to Islam, Muslim countries decided to boycott Danish products. By February 2006, this boycott cost Danish companies millions of dollars and raised fears of damage to trade ties (China Daily, 2006). The boycott began in Saudi Arabia, followed by Egypt and Syria where Danish products were put out of shelves. In Indonesia import of Danish goods a year earlier would make revenues of \$ 74 million now was boycotted. In overall the economic consequences were enormous. Danske Bank estimated that the boycott threatened Danish products worth \$ 1.6 billion annually in 20 Muslim countries (China Daily, 2006).

2.3: What was wrong with the cartoons?

1. A violation of Islamic norms that prohibit drawing the Prophet – the anger of Muslims was not entirely on the way the Prophet was depicted, but the fact that he was depicted at all. In the mainstream Islam, the drawing of Prophet is forbidden in any way. This goes back to the time when Islam was born, in 7th century Arabia where paganism and idol worshiping was a part of the culture. The new religion was based on monotheism and therefore the Prophet prohibited his followers to draw him in any way, fearing that one day they will turn to worship him and not God.

Over centuries, Muslim scholars considered a sin and a great offense to draw Prophet Muhammad in any way. This made the job of Muslim artist more challenging, and especially that of film directors. Weiner (2006) says that when Moustapha Akkad in 1976 decided to make a film about the Prophet, he was forced by the Islamic law not to show the portrait of Prophet, neither his voice. Eventually, *The Message*, was shown without the portrait of Muhammad, even though the intention was to show the Prophet in a positive aspect.

When one considers the strict Islamic laws that prohibit the depiction of Muhammad even in a positive way, what can be said of the Danish cartoons, which went a step further of not only showing the prophet Muhammad, but did so in a very unflattering way. John Esposito, a professor of Islamic Studies at George Town University explains why Muslims react to insult of their prophet. He says: ‘To criticize the Prophet Muhammad is as direct an attack as mocking or attacking the Koran, which is seen as the word of God or the sacred Scripture. Muhammad is seen as the living Koran. His life Muslims are to emulate’ (Weiner, 2006).

2. Islamophobia and socio-economic exclusion of Danish Muslims - Despite the established democracy, to Danish Muslims the publication of Cartoons is the latest evidence of an increasingly Islamophobic country. Cartoons have worsened the situation of the Muslim minority in Denmark, which has been marginalized socially, economically and politically and has been portrayed as a threat to the Danish nation (Carens, 2006). Muslim minority makes 5 per cent of the country’s 5.4 million people. This set of cartoons, one would argue shows that racism is gaining ground and it is about the dignity of the Muslim community. Muslims are already seen as a group across Europe (Modood, 2006). They are perceived just as neighbors or citizens but as Muslims. This categorization has put them in the same line as other groups like blacks, Jews, gays, women etc. This generalization, we believe, will create more negative perception of Muslims, who should be considered as a variety of individuals and citizens but not as a group.

This is a process that Modood called as “racialization”, and the “otherness” or “groupness” that is being developed goes back to European/white people’s historical perception and treatment of other groups of different cultural and racial origin. Although Muslims are not in the same biological category as blacks, Chinese, south Asians etc, but nor were Jews once a distinctive

race. A long history of racialization turned a religious group into a race. Indeed, Jews were a religious community that had its own language, culture and faith, but at one point they ceased to be considered as a religious group but as a race that paid horrific consequences. Modood (2006) uses the analogy with the Bosnian Muslims who were the target of people who share the same culture and language as themselves, but yet they became known as a distinctive racial group. The point is that once a category of people starts to be identified as a group, then it does not matter whether all of them believe in the same ideology, they will be viewed as the “others” and bear the same social, political and economic consequences.

Chapter 3: The interpretation of Cartoon Affair

The publication of the cartoons, and the aftermath of events after its publication, was viewed from different angles and named with different terms, from ‘blasphemous’, ‘disrespectful’ to ‘victory of freedom of expression’. Many world governments had particular meeting sessions to issue statements defining their stand on this issue. Some supported Denmark’s position on protecting the freedom of expression while others were on the side of offended Muslims, who deemed cartoons as provocation and violation of minority rights.

Two sets of opinions were eventually created. The left wing politicians condemned the publication and saw it as a violation of minority’s rights. The British Foreign Minister, for instance, considered the publication of the cartoons as ‘disrespectful’ and said that “freedom of speech does not mean that open season has been declared on religious taboos” (Sajo, 2007, p. 279). The provocation was also condemned by the White House and the Vatican. The US State Department position was that the press should be practiced responsibly, although freedom of the press is inviolable (Sajo, 2007). Media’s responsibility was also discussed by other European key political figures, like the German Interior Minister and President Chirac. The Foreign Minister of Austria, whose country was holding the EU presidency, and European police and secret service leaders, also criticized media’s responsibility.

The stand of left wing politicians was that these cartoons were not only offending but they were considered racist too. Such politicians, human rights activist, public figures and other newspapers committed to anti-discriminations, all agreed that the cartoons were racist, and Denmark was accused of being insensitive towards the demand of Muslim minorities and hence tolerating open social discrimination (Sajo, 2007) One has to note that, Denmark has strictly

enforced laws prohibiting racial incitement, but one has also to remember that Denmark does not recognize Muslims as national minority. Some politicians went even further to associate the offending of religious taboos as Islamophobic abuse, and considering this situation as the Trojan horse of racism. In an international conference in Doha, former US president Bill Clinton, in regards to the cartoons said: “So now what we are going to do? Replace the anti-Semitic prejudice with anti-Islamic prejudice?”(Hansen, 2006, p. 10)

When you look at different stands from European leaders, one comes to understand that the issue of cartoons is not merely a debate of the relationship between freedom of speech and freedom of religion, nor it is entirely about the policies on sensitive speech. The problem goes deeper into the multicultural and national-European identity. It is the old battle between European Right and Left. When talking about differences between these two wings, Sajo (2007) says that in the rhetoric of the Left, which identifies itself as the defender of the sensitivities of the fallen, the Right appears as the vanguard of xenophobia. The Right who claims to be the defender of traditional European values, sees itself as champion of freedom of speech and therefore stands on the side of cartoon publishers.

3.2: Looking behind the Cartoons – disputes between Rightists and Leftists politicians

While Muslims were gathering across the Muslim world to protest the publication of cartoons and demand respect for their religious feelings, in Europe a new feeling was taking place, someone has to defend the freedom of the press. What followed next was a defense of the most valuable things; Muslim defending their identity and Europe one of its most important achievements, freedom of expression. Protest, anger, frustration, burning of embassies, death

threats, victims, firing of editors, suspension of newspapers, etc., all could have been news, but what the cartoons were more than mere news: they were the cause that Left wing and Right wing politicians would show their real stand on Europe vis-à-vis Muslim immigrants. The effect of this event was that Left wing politicians put into surface their sympathy towards Muslim immigrants and Right wing politicians by using the cartoons aftermath events tried to reinforce the idea of Europe's danger from Muslim presence.

For left wing proponents depicting the Prophet Muhammad with a bomb under his turban is provocation and abuse of freedom of speech. Such act, as Sajo (2006, p. 280) puts "serves to intimidate a defenseless minority that already suffers from prejudice". Right wing proponents wanted to justify their fears of Islam exactly by attacking on Islamic values, that of respecting the Prophet. The idea, to my understanding was, that once the majority's fear towards Islam is justified, then the presence of Islam can be condemned and will be viewed as not only culturally threatening but also as a threat to the very existence of the secular society and perhaps the democracy itself. Propagating such ideas like the Muslims' incompatibility to embrace western democratic values, or the Muslims' desire to live their own lifestyle according to shariah law in the midst of a secular society, I suspect, would give the state authorities all reasons to act against every Muslim immigrants, and later against every immigrant and maybe against every minority.

Such claim is also supported by Bill Clinton's statement on this issue. The former US president with regards to the cartoons stated: "So now what are we going to do?...Replace the anti-Semitic prejudice with anti-Islamic prejudice?". In his opinion the cartoons were racist, reinforcing the prejudice against Islam and following the same propaganda way as against Jews years earlier.

Similar reactions came from non-Muslim religious fundamentalists, and other church representatives. Although they restrained from calling the cartoons racist, in this group's opinion the publication of Danish cartoons is the newest sign of religious insensitivity (Sajo, 2006).

In addition to minority problems, the cartoon crises emerged an old debate of limits of freedom of speech in Europe. The proponents of freedom of speech were even accused of hypocrisy due to Europe's treatment of holocaust which made the denial of holocaust illegal while allowing Muslims to be mocked, criticized and ridiculed (Hansen, 2006). But the accusation for hypocrisy was also addressed towards liberal intellectuals. Within weeks since the protests started, major world politicians like Tony Blair, George Bush, Jack Strew and as mentioned above Bill Clinton, and other liberal intellectuals, were quick in denouncing the cartoon publication. They expressed sympathy with offended Muslims and urged the press to consider self censorship in order to keep the public order. The wing of liberal intellectuals were accused for hypocrisy, after years of denouncing Christian fundamentalists' demands for limits on abortion, stop teaching evolution in schools etc., but they decided to respect Muslims' demands for respect for their religious norms by the whole society.

The cartoon crisis also brought to surface another stand of conservative intellectuals; their overall attitude towards minorities in Europe. For Professor Randal Hansen (2006, p.15) it is up to each group whether they would like to adjust to the culture and rules of the liberal society, it is them who decide whether would like to live in a liberal democratic society. What they will hear and see may offend them, but they have to accept it. It is an offence, that Hansen considers as the price of living in a liberal democratic society, one that has been paid by many groups before.

Hansen concludes his argument by stating that free speech “is part of the liberal democratic framework, not a negotiable addition to it”. This interpretation creates the understanding that other groups have integrated themselves into the new European’s society by following some rigid terms. The other understanding is that Muslims are demanding something more, more than what others have been given, an exception to Muslims.

From a right wing perspective, the publication of the cartoons by the Danish newspaper was also considered some kind of victory over Muslim. The republication of cartoons by other European newspapers was seen as an action that would “teach Muslims a lesson” (Bleich, 2009). From this statement supported by the right wing politicians we can draw the following points: first, that there is a lack of sympathy for Muslims in Europe, and second, religious people are not worthy of protection. Both this assumption can have negative consequences. If Muslim minority does not enjoy any sympathy, there is a great risk that they will gradually start to be identified as a race, and hence become a target to racism. If religious groups are seen as not worthy of being protected but as a target of mockery and ridicule, religious communities may face existential threats.

If we look back at the integration of minorities into western societies, we may realize that it is precisely in a liberal democracy where minorities can negotiate and demand for better treatment. Bleich (2006) looks on how ethno-racial, religious and linguistic groups have negotiated their integration into liberal societies. He even refers to this kind of negotiations as politics-as-usual, part of integration process. In the early 1960s, Jews groups were demanding provisions against incitement to racial hatred. What many politicians might have considered as a threat to free

speech back then, today such anti-incitement laws are common across Europe. Turkish groups, too, demanded easier access to German citizenship in the 1990s, and managed to change long-standing rule that citizenship was given based on blood not soil. These examples illustrate that lobbying whether is done by ethnic, racial or religious groups has brought cultural and legal changes in liberal democracies.

3.3: European media decline republication

Jyllands-Posten, the newspaper who published the 12 cartoons defended itself from harsh critiques by claiming that freedom of expression is at stake here. Soon, many other newspapers around the world would publish the cartoons, fully or partially. The aim was to show solidarity for editors of *Jyllands-Posten* and protect the freedom of speech. In 2006, cartoons were also published in a Norwegian newspaper, *Magazinet*, in the French daily *France-Soir*, while another French satirical weekly *Charlie Hebdo* published twelve cartoons and added some more of their own related to the subject. Although the Danish newspaper apologized (China Post, 2008) in January 2006 for the insult caused, the Norwegian, French and Canadian newspapers refused to do so and instead reprinted the cartoons. But not all newspapers decided to republish the cartoons. The cartoons were not published in any newspaper in the United Kingdom as a respect to its Muslim minority. The fact that the majority of the European media declined to reprint the cartoons, could be an argument that the cartoons did not determine whether the freedom of expression was at stake here; many leading world newspapers used the so called self-censorship, which is an exercise of the right to speak. Newspapers always have to decide what to publish and no reputable newspaper in Europe or USA would like to publish racist or anti-Semitic cartoons. True, in some specific cases they are prohibited by law, but another reason may be the respect

for such groups, since the cartoons will not treat racial minorities with the respect that they deserve in a democratic society. This, we believe, is the advantage of self-censorship.

Chapter 4: Conclusion and recommendations

The Danish Cartoon crisis should not be considered as an isolated case. 12 cartoons of Prophet Muhammad published by the Danish newspaper *Jyllands-Posten* created unprecedented consequences. At least they were considered offensive to world Muslims, while two cartoons in particular were considered as racist too, jeopardizing the very existence of the Danish Muslim minority. The protection of freedom of expression was not an acceptable excuse for the Danish politicians, neither was a clear apology by the newspaper editors. Those who published the cartoons and those who defended such action had to face critiques not only by the Muslim world, but from their European politicians as well. The caricatures created a troublesome situation for European countries too.

Politically speaking, the cartoons became such a big issue that put the European leaders in uncomfortable situation demanding their political stand. Cartoons were condemned by the Council of Europe, the European Commission and the European Parliament who advised that “freedom of expression must be used in a responsible way”. Former Danish Prime Minister Poul Nyrup Rasmussen regarded the controversial drawing as a “big mistake” (Turk, 2007). Austrian minister for European Affairs Hans Winkler said that limits must not be exceeded when dealing with the religious feelings, adding that the cartoon crisis shook the foundation of the mutual confidence that existed between EU and the Muslim world. The President of European Commission Jose Manuel Barroso reminded that freedom of expression is not a disputable right yet it is based on the individual using it in a responsible way (Turk, 2007). Other high profile politicians also commented on this debate. Javier Solana said the respect for different religions will not be violated. Furthermore, Bill Clinton considered the cartoons as “outrageous” and an incitement towards enforcing the prejudice against Muslims.

The Danish cartoon became not only a debating point between freedom of expression and religious sensitivity, but also a political issue between the West and the Muslim World. Hence, this paper has shown the political, social and economic consequences of Danish cartoons. Politically speaking, Muslim World saw the cartoons as a new wave of Denmark's and the West's hatred actions towards Muslims and Islam. From Denmark's perspective, Muslim's hostile protests proved the fear that Muslims are violent and therefore threaten the democratic values of the West. From a sociological perspective, Danish cartoon turned to be considered as racist and thereof deemed offensive by left wing politicians. For the right wing intellectuals cartoons were just an exercise of the freedom of expression, which is of paramount importance in liberal democracies. However, as this paper has argued, left and right wing intellectuals used the cartoon crisis to show their stand vis-à-vis Muslim minorities in European states; leftist being sympathetic towards minorities, and rightist considering minorities as a social threat. From an economical point of view, Danish cartoons resulted in major losses for Danish companies. Danish products were boycotted in 20 countries across the Muslim World, costing Denmark losses of \$ 1. 6 billion and threatening long established trade ties.

This paper in a broader sense contributes to the literature on hate speech and religious sensitivity. While most of the academic literature is concentrated in race and ethnic hate speech, not much have been written on religious hate speech. Since religion holds a significant position with society, and especially in contemporary world where ideas like 'clash of civilization' have divided the world based on religious convictions, this paper contributes to the academic literature suggesting that religious hate speech should be taken seriously, just like the racial hate speech.

The main disputes identified in this paper as elaborated in the third chapter, are about the way Danish cartoons were interpreted. Our main point was to show that Danish cartoons were not merely an incident involving the newspaper and the offended Danish Muslims. Rather, we tried to show the cause and effects of this event, i.e. the Danish cartoons as a caused for letting the left and wing intellectuals to interpret the event based on their ideological views. The effect was a division in opinions with regard to Muslim minorities living within western society.

We conclude by saying that the Danish cartoons were indeed offensive and they should not have been published due to the widespread prejudices against Muslim minorities in Europe. We also conclude that the point of publishing the Danish cartoons was a provocation rather than a victory of freedom of expression. We consider that the cartoons were abused both by radical Muslims and conservative Europeans. Therefore, we suggest that freedom of expression be considered as a right and not an obligation, minorities should rather be integrated than ridiculed, protests should be peaceful rather than violent.

Recommendations

Taking into consideration the magnitude of the reaction that followed after the publication of the cartoons, we consider that Danish cartoons controversy should serve as a case that triggers the need for having different approaches in dealing with similar cases. Therefore, based on the criteria of ‘liberty’, ‘freedom of speech’, and ‘minority rights’ we suggest the following recommendation:

1. Media should not consider freedom of expression as an obligation but as a right – the majority of liberal democrats, who commented the publication of cartoons, consider that freedom of

speech is indeed one of the fundamental principles of democracy, nevertheless such freedom should be exercised with a great responsibility. This responsibility should be used also according to the context. In situations where hate speech would bring physical or social harm towards the target, it would be better to use self-censorship in order to preserve the public order.

2. Protection of vulnerable minorities should be given priority to the right to ridicule them – protection of minority groups, regardless of race, ethnicity and religion is another important principle of democracy. In countries like Denmark and other European countries where minorities compose to at least 5 per cent of the population, it should be a state priority to integrate them in the main stream society. Although xenophobia and prejudice towards others cannot be completely erased from people's mind, vilification of such groups will make their integration harder. Social and political exclusion can be manifested in job denials, unsuccessful political campaigns, school kids abuses, inferiority complex etc. Danish cartoons, or any other similar cartoons that makes distinction of vulnerable groups due to their biological differences, is disrespect for such groups who are members of a democratic society. Similar cartoons offend minority groups, and the publishers knew or should have known they would feel offended. Offending others is a violation of the norm of civility. There are cases where offense is justifiable, but not in the case where the target is already facing marginalization. Hate speech towards the majority does not have the same impact as when it is directed towards minorities.

3. Apology should be quick – in cases where minorities are offended and that is manifested in enraged protests, an appropriate apology should be issued right away. Once again, the Danish cartoons could serve as an illustration when a late apology could simply be too late. When asked to apologies the editor in chief Carsten Juste refused to do so considering that an apology would mean going against the freedom of speech that generations before have struggles for. Then the

Prime Minister Andres Fogh Rasmussen also declined to meet eleven ambassadors from Muslim countries who wanted to complain the insult on Islam, saying that these are principles that Danish democracy is built upon and actions against the media will not be taken. A different stand could have saved hundreds of lives lost in protests that followed. A quick apology would not undermine the principles of freedom of speech and democracy, rather would reinforce the presence of democracy. Refusing to apology leaves doubts on the very intention of such publications and creates fears for the abuse of freedom of expression.

4. Protests are part of democracy too – minorities often see protest as the only mean to express their dissatisfaction, request better protection or other demands. For as long as the protest are peaceful and carried out in legal ways, they should be seen with a positive view since different opinions contribute to the diversity of the society. However, volente protests manifested with victims, property damage, and death threats, are not justifiable, no matter how badly that group was offended. Such actions should be condemned.

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