

## **Accumulated Fuel And Dangerous Sparks:** **Reflections On The Cartoons Controversy**

by

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The recent cartoon controversy that engaged the world showed that there was a profound gulf of misunderstanding between the Muslim world and the west. To many in the west, the publication of some offensive cartoons about the Prophet Muhammad in a Danish newspaper, and their subsequent reprinting in other western papers, was just a matter of free expression and did not justify the anger that swept the Muslim world and which resulted in violence, death and destruction of properties and attacks on the embassies of countries traditionally friendly to the Arab and Muslim worlds, not to mention a boycott of Danish goods.

I believe that this sad affair shows several major misunderstandings – on both sides – that need to be clarified.

### **Accumulated fuel and dangerous sparks**

First, the enormous resentment that Muslims feel towards the west generally, and the US particularly, is not fully understood or appreciated in the west. Even though this particular incident did not involve the US, and that by and large the American Media response to the cartoons controversy was very balanced, there is much in current US policies that feeds this resentment towards the west. However, that resentment runs deep, and it is accompanied by a feeling of victimization that calls on memories from the crusades to colonialism. That feeling is exacerbated by perceived western double standards in treating human rights issues in Palestine and the continued Israeli occupation of territories conquered in 1967. In addition, there is in some Arab and Muslim countries a deep sense of frustration at what they perceive to be the inability of their governments to respond to their aspirations or to stand up to the west. This resentment and deep sense of grievance has been accumulating like a dangerous store of combustible fuels. The Cartoons provided a spark that triggered the explosion of anger and the ensuing fires, literally and metaphorically, on a global scale. There were also those who actively fanned the flames to advance their own political agendas. But on the whole, it is a misunderstanding by the west to try to measure the result to the size of the spark, without trying to understand the accumulation of fuel.

Indeed, just a few months ago, the explosions in the French suburbs that resulted in 18 days of rioting and curfews, did not have a spark that justified this reaction. But the accumulated sense of marginalization, of the unfulfilled promise of the western lifestyle, distinct feelings of being second class citizens, unaddressed grievances and other issues all provided an accumulating stock of fuel, waiting for the right spark to ignite it into a roaring blaze.

In the US in the 1960s, starting with the Watts riots and subsequently affecting many urban centers, blacks revolted and burned down entire areas of major cities, again with minimal sparks but with vast reservoirs of resentment and unmet demands for justice and equality.

So, the first misunderstanding is that it is the accumulation of fuels and not the spark that must be addressed. What is essential is to drain away those fuels and air out the receptacles that held them. That is exactly what the long and arduous work of those who promote the *Dialogue Of Cultures* and the *Alliance Of Civilizations* is all about. It is not just to confront a thesis of the clash of civilizations with another thesis that we are committed to these tasks. Rather, we work at it because of a genuine belief that we must work together to address the real grievances and dispel the misunderstandings and build a real basis for our collaboration between the west and the Muslim world.

There is no other way. The west is the rich, powerful part of the world population that controls the bulk of the world's wealth, and Muslims constitute over a billion people on this planet. Neither can afford to ignore the other. Furthermore, Islam is rapidly growing into the second religion in many western countries, and the growing communities of Muslims in these countries cannot be turned into targeted minorities. Far from showing that there is no possibility of dialogue between cultures or of alliance between civilizations, this episode highlighted the very real and urgent need to address the stock of grievances, and dispel the misunderstandings and change the policies that are contributing to this gulf of suspicion and to build a coherent framework of mutual respect and constructive collaboration for the construction of a better world for all.

The second misunderstanding is about the centrality of the Prophet in the Muslim consciousness. It is difficult to communicate to non-Muslims the sensitivity of this issue. Indeed, there is a reverence for the prophet particularly, and more generally for all prophets mentioned in the Bible and the Quran, a reverence that does not allow for jesting. Indeed, in discussions with some of my co-religionists, when I pointed to some cartoons in the Arab and Muslim press that would be considered frankly anti-Semitic, the response was telling: these were cartoons of people, whether Israelis or Jews more generally, but there would be no cartoon about the prophet Moses.

### **On lessons of history and double standards**

In the west, given the specificities of the history of the different countries there, it is probably easier for people to make cartoons of Moses, Jesus or even an anthropomorphic God, rather than make anti-Semitic cartoons showing Jews with crooked noses and bent backs, and promoting once again the stereotypes that led to the monstrosities of pogroms and the Holocaust.

To Muslims that is another example of double standards. Why is it possible to pass legislation that would ban attacks against Jews and forbid denial of the Holocaust and consider that this is compatible with free speech, but defend offense to Islam and Muslims in the name of free speech? Why is there a blasphemy statute on the books in the UK that tends to be extended to other non-Christian faiths but not to Islam? Or why the ban against hate-mongering is extended to some communities but not to Muslims?

It is difficult for many Muslims, whose history has not brought them into contact with the darker aspects of the second world war, to understand the depth of the Nazi horror and the feelings of profound revulsion, fear and guilt that many European countries feel towards that sinister chapter of human history. To some, as in Egypt, the face of Germany in the second world war was that of Erwin Rommel, the dashing leader of the Africa Corps, who was, and still is, widely respected as a soldier among the allies themselves. He is the one who was pushing the British back, at a time that the British occupation of Egypt continued. It becomes easier for some to dismiss as propaganda by the victors the crimes of the Nazis. But no person of conscience who has seen the evidence and studied the facts can react with anything but revulsion and horror at the atrocities committed by the Nazis. One can understand that European societies can and perhaps should limit free speech in some areas out of fear that it resurrect past specters, and lead once again to a repetition of the violence and monstrosities against the Jews. Such stereotyping and derogatory hate-mongering has also been used to justify horrors to other minorities in Europe such as the gypsies, or more recently the Muslims in the Balkans. Similar stereotyping and derogatory hate-mongering has also been used as a prelude to genocide in Rwanda and to sectarian violence and mass murders in many places from Africa to Indonesia. So what should our reactions be when stereotyping and derogatory hate-mongering is addressed to the Muslim minorities in European countries?

Even then, one does not argue easily to limit the freedom of expression. For without it, there can be no transparency, no accountability and no social progress. I consider freedom of expression to be “the first freedom”, and have so named an essay devoted to it. All other freedoms devolve from it. But, freedom is not chaos and liberty is not license. Let’s review a few facts, drawing on the US experience, where the freedom of expression and first amendment rights play a very big role. It is noteworthy that the US press refrained from reprinting the offensive cartoons, covering the unfolding story with text descriptions only.

### **The US Experience**

On the surface, one finds that the US does indeed allow unlimited freedom of expression, even allowing the burning of the American flag as a form of political expression. Not only is there a legal right for the formal existence of an American Nazi Party, but its right to assemble and march was defended by the ACLU in a famous case in Skokie, Illinois. This seems in striking contrast to the legislation in some European countries, where, for example, the Nazi party is not allowed in Germany. Again, it is legal in the US to trade in Nazi paraphernalia, but not in several European countries. This last fact created a problem a few years back for internet trade in such items, as to whose laws should prevail, those in the selling country or those in the buying country.

But the US, like most societies, legislates to strike a balance between the interests of the community and the rights of the individual. That boundary is never absolute. Recall the words of American Justice Holmes: “The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic” [Oliver Wendell Holmes, Jr. (1841–1935), Supreme Court opinion. *Schenk v. United States*, *Baer v. United States*, 249 U.S. 52 (1919)]. However, most cases are seldom as clear-cut as falsely crying fire in a crowded theater. In general, the “freedom of speech” protected by the Constitution is not absolute at all times and under all circumstances, and there are well-defined and narrowly limited classes of speech, the

prevention and punishment of which does not raise any constitutional problem, including the lewd and obscene, the profane, the libelous, and the insulting or "fighting words" which by their very utterance inflict injury or tend to incite an immediate breach of the peace [Source: Black's Law Dictionary, Sixth Edition].

What is meant by the so-called "fighting words" doctrine? These are words which, by their very utterance, inflict injury or tend to incite an immediate breach of the peace, having direct tendency to cause acts of violence by the persons to whom the remark is addressed [Chaplinsky v. New Hampshire, 315 U.S. 568, 62 S.Ct. 766, 86 L.Ed. 1031]. The test is what persons of common intelligence would understand to be words likely to cause an average addressee to fight. [City of Seattle v. Camby, 104 Wash.2d 49, 701 P.2d 499, 500]. Subsequent narrowing of the doctrine by the Supreme Court held that the utterance must be likely to lead to violence. Being abusive and insulting was not enough. The utterances are not constitutionally protected as free speech if they are inherently likely to provoke a violent response from the audience. [N.A.A.C.P. v. Clairborne Hardware Co., Miss., 458 U.S. 886, 102 S.Ct. 3409, 73 L.Ed.2d 1215 (1982).]

In the case of the Cartoons controversy, the cartoons did lead to violence, destruction of property and loss of life. So it is not a question of likelihood anymore. But whether or not such legal reasoning applies to the case of the cartoons, is moot. I simply wanted to show that even in the United States, where freedom of expression and first amendment rights are central to the functioning of society, there have been debates about placing limits on how it is practiced.

As Martin Luther King Jr. said about civil rights legislation:

"Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart but they can restrain the heartless."

So we are now up against subtle and not so subtle behavior that needs changing.

Where do we go from here?

### **Social Consciousness and Acceptable Behavior**

I do not seek legislation, but social consciousness. For it is social consciousness that establishes the norms of acceptable behavior. Freedom of expression remains our most precious right, and how we practice it tends to be conditioned more by social consciousness than by legislation. In the US, where stereotypes were widespread, and epithets for the various ethnic groups that make up the American population were commonplace, it is no longer admissible to mock the Jews or to make racist remarks about the blacks, or to show native Americans as bloodthirsty savages. Movies and shows that featured "Steppin Fetchit" and "Amos and Andy" have given way to shows like "Roots" and to films that show blacks as well-rounded human beings. Gradually, every group is allowed to keep its dignity, and children are taught to exercise mutual respect when talking of or to others. Stereotyping and derogatory remarks based on race, religion, or national origin are rejected by society as unacceptable.... when will the norm of unacceptability of such behavior towards Arabs and Muslims become widespread in Western societies?

In the presence of such norms, of such societal rejection of the abusive epithets of the Islamophobes, the occasional trespass would not matter. It would be dismissed as the action of marginal extremists, the price we all end up paying for ensuring that free speech, with all the benefits it brings, endures.

This brings me back to the cartoons... If indeed the overwhelming majority of western society, including its political leaders, would have condemned the cartoons, without necessarily having restricted the right of the newspaper to publish them, the same way as they would have condemned an anti-Semitic paper for its attacks against Jews or a racist paper for its attack against blacks or Orientals... if that had been the reaction, then it is likely that this would have gone a long way towards healing past wounds, establishing trust and diffusing the issue. It might even have been a first step towards draining or at least lowering the level of the combustible fuel I started with..

### Conclusions

Looking back at the months of controversy, it is clear that extremists on both sides have benefited from this episode. There are those who would fan the embers into flames again. We must work doubly hard to set it behind us and move on. Move on by addressing the root causes, not the symptoms. The fuel, not the sparks.

Some have used this episode to reinforce their negative stereotypes of Islam and Muslims. Some have used it to argue against free speech. Some have used it to stoke the fires of hatred and fear of the other, to build upon the cumulative distrust and suspicion that has built up over the decades between the Muslims and the west.

Let us, instead, use this episode as a call to action. A call to all of us who believe in building bridges of understanding and of promoting dialogue and peace, a call to redouble our efforts to assert our common humanity and the universal values which we all share. Let us build that *Alliance of Civilizations* that will advance the cause of freedom as it promotes mutual respect and common understanding.

In these redoubled efforts, as we drain the cumulated combustible fuel, we should be wary of the sparks, especially when they have no socially redeeming value commensurate with the harm that they do ... We should look at those who initiate the sparks, those who would light the fires, recognize them for what they are and use the words of the Prophet Muhammad when he was being stoned and insulted by the non-believers, "God guide them to the right path, for they know not what they do"... almost the same words that Jesus used before him.

We should move from confrontation to dialogue, and from dialogue to understanding, and from understanding to a working alliance for the common good of all humanity. Let the constraints on our speech be those of self-imposed civility and honesty. Let us dismiss and ignore those who will not adhere to that minimum of decency that all societies demand towards their minorities. Let us together "fashion those wise constraints that make people free".