

## **The Danish Cartoons and Modern Iconoclasm in the Cosmopolitan Muslim Diaspora**

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Twelve caricatures or cartoons of the Prophet Muhammad were published in *Jyllands-Posten*, a Danish newspaper, on September 30, 2005. Two weeks later, the Danish prime minister, Anders Fogh Rasmussen, was presented with two letters. One was a letter of complaint from a group of ambassadors representing eleven Islamic countries in Denmark. A nearly identical letter arrived from the Organization of the Islamic Conference (OIC), an intergovernmental organization of fifty-seven Muslim countries, which coordinated the diplomatic protests against the cartoons. Coinciding with the arrival of the letters, three thousand Danish Muslims demonstrated in Copenhagen, demanding an apology from the newspaper for insulting Muslims by printing images of the Prophet. Four months later, violent demonstrations were held from Nepal to Nigeria.

The cartoons commanded global attention. Nearly 80 percent of the individuals included in a thirteen-country public-opinion survey conducted by the Pew Global Attitudes Project in 2006 had heard about the cartoons, a number that rose to 90 percent in Jordan and Egypt and in the four European countries surveyed. The survey also showed an overwhelming inclination to attribute fault to the other side. Muslims thought that Western arrogance was at fault; non-Muslim Westerners thought that Muslims were at fault.<sup>1</sup> The cartoons are still available on many Internet sites.<sup>2</sup>

During the conflict, writers in the Western press often argued that Muslims are pious iconoclasts who have their own religious and political reasons for wanting to restrict non-Muslims' use of images. As evidence, they noted that Muslims have engaged in pictorial representation of the Prophet in paintings, posters, and other images and that Christians and nonreligious people cannot be expected to observe norms that

Muslims do not observe. Muslims complained about double standards in how the press treats Muslims compared to Christians and Jews and decried the cartoons as another instance of spreading Islamophobia, an irrational fear of Muslims and Islam. The charge of double standards has merit. Blasphemy laws are common in Europe, and in countries where no such laws exist, the media often refrain from printing things that are perceived as objectionable to religious people. Advocates of the double-standard view argued that Christian sensitivities are readily recognized whereas Muslims' feelings are ignored and derided. The charge gained credibility when *The Guardian*, a British paper, revealed that a few years earlier *Jyllands-Posten* had refused to publish defamatory cartoons portraying Jesus on the grounds that the images would offend readers. At that time, a different *Jyllands-Posten* editor wrote a letter to the cartoonist, Christoffer Zieler, in which he said, "I don't think *Jyllands-Posten's* readers will enjoy the drawings. As a matter of fact, I think that they will provoke an outcry. Therefore, I will not use them."<sup>3</sup> Zieler made this letter available to *The Guardian*.

What follows is a study of political behavior—of what Muslims *say* was the problem with the cartoons. What people thought the problem was relates to their demands to the Danish paper, the Danish government, and Western governments in general for remedial action. Three positions can be discerned among the diplomats, government officials, and religious leaders and activists who tried to shape the protests. One is that representation of the Prophet is forbidden in Islam and that this prohibition should be universally respected. A second position is that religious law is context specific and if Christians want to draw respectful pictures of Muhammad, it is of no concern to Muslims. The cartoons were unacceptable because they defamed Islam and God's messenger, Muhammad. In legal terms, they were blasphemous. The third position is that most of the cartoons were of no real consequence but that the slanderous implication of one cartoon that Islam is a violent faith constituted incitement to hatred of Muslims. In this view, the cartoons were discriminatory against Muslims and the offense a secular matter. Other claims were made, but these three are of interest because they raise questions about the prospects for accommodating religious Muslims in Western democracies and the capacity of civil law to provide equal protections to Christians and Muslims.

Islam is not a church, and no unified religious authority exists to tell the believers what to think. No canonical agreement exists about why

the cartoons were a problem. For this reason, the cartoons were an occasion for Muslims to consider the boundaries between the sacred and the secular and the relationship between religious law and public norms, legal as well as private. The Qur'an is the constitutive scripture for Islamic religious law, but it is ambiguous with respect to figurative representation. Religious scholars were reluctant to issue edicts about the sins of a newspaper in a small Western country that had a generally positive and tolerant reputation. The escalation of the conflict eventually provoked respected scholars to issue fatwas (religious statements explicating religious law), but by that time the scholars were more concerned about ending the spreading violence than explaining why the cartoons were offensive to Muslims.

I begin with what Muslim leaders and activists said were the problems with the cartoons and end with an examination of the meaning of blasphemy in secular law and practice. In between, I report on my personal survey of Islamic art collections.

## **The Cartoons and the Protests against Them**

The twelve cartoons were published with a commentary that was written by *Jyllands-Posten's* culture editor, Flemming Rose. The newspaper had asked members of an association of Danish illustrators to draw the Prophet "as they saw him." The association had forty-two members, and twelve submitted drawings. All twelve were published. The cartoons were solicited as an exercise in investigative journalism to explore whether Danish illustrators feared aggressive or even violent reprisals from Muslims and therefore exercised voluntary self-censorship by failing to treat Muslims as they treated other religious groups.

A number of assumptions went into the experiment, among them the assumption that a refusal to participate in *Jyllands-Posten's* experiment was evidence of self-censorship. Fear is not the only reason that an illustrator might be reluctant to draw Muhammad. Illustrators who did not contribute drawings cited respect for Muslims' feelings, dislike for *Jyllands-Posten's* general editorial stance, and other reasons for not participating.

On the other hand, *Jyllands-Posten* had good reasons to throw light on this issue. Angry radicals had physically attacked a lecturer in Islamic studies at an institute at the University of Copenhagen for reading

aloud from the Qur'an. Men accosted him on the street, denounced him as an infidel, and explained that as such he was not allowed to read from the Qur'an. In another event, a group of imams had recently met with the Danish prime minister, Anders Fogh Rasmussen, and asked him to persuade the press to moderate its criticisms of Muslims. A number of other reasons were mentioned to justify the experiment, but when the results of the test were inconclusive, the newspaper shifted its justification to making a stand for free speech and against fear and religious taboos.

Muslims' insistence on special regard for their religious feelings is incompatible, said Rose, with free speech and secular democracy, "where everybody must be willing to put up with sarcasm, mockery, and ridicule."<sup>4</sup> American readers are likely to be more familiar with the argument that civility is a basic requirement of democracy, but in northern Europe rudeness is sometimes regarded as a mark of political virtue.<sup>5</sup>

The cartoons are an eclectic mix of illustrations in various styles. In some, the style is similar to that used in Christian bible-study books (Muhammad in the desert wearing hippie sandals and holding a walking stick), and in others the style is racist caricature (Muhammad with a Semitic nose and a blood-dripping sword). They were pictorial editorials and reflect present-day Danish preoccupations with Islamic radicalism.

The cartoon that most newspapers and magazines reproduced shows the Prophet wearing a turban wrapped around a bomb and exaggerates what are presumed to be the physiognomic features of an Arab. These are essentially Semitic features, which explains why many people felt that the cartoon was anti-Semitic. The turban was imprinted with the Shahada, the Muslim declaration of faith: "There is no god except God, Muhammad is the messenger of God." The other cartoons used different stylistic reference terms, and several mocked the newspaper and took the side of Muslims against the barrage of negative commentary.

## **The Early Protests**

Contrary to the common misperception that nothing happened between the publication of the cartoons on September 30, 2005, and the outbreak of violent demonstrations across the world in February 2006, diplomats from the Islamic countries (Egypt in particular), the OIC, and the Arab

League carried out a coordinated effort to persuade the Danish government to engage in intergovernmental conflict resolution. The Danish government refused to recognize the legitimacy of the complaints and did not disclose the existence of the mid-October 2005 letters from the OIC and the eleven ambassadors residing in Copenhagen until March 2006, five months after publication.

The two complaint letters also mentioned other recent incidents of what were described as anti-Muslim statements that had been made by Danish elected officials. They asked the government to meet with the ambassadors and “pursue those responsible under the letter of the law.” The government did neither. It accused the Muslim countries of wanting to interfere with free speech, argued that the newspaper had exercised its rights, and said that there was nothing that the government could or would do about it. Danish Muslim associations have since filed suits against the editors using statutes prohibiting blasphemy, defamation, and hate speech. All failed.

The diplomatic protests aimed to use international disapproval to sanction the newspaper—and the Danes—for Islamophobia, a term that here connotes hateful stereotyping of Muslims. Human-rights law recognizes the rights of individual believers but not faiths or religions, and the diplomatic protests resulted in a dead-end, muddled appeal for “responsible” speech. The conflict over the cartoons lives on in an effort to add “respect for religious figures” to the United Nations’ catalog of human rights.

A coalition of imams and Danish mosque associations took the view that there is a nonnegotiable prohibition on images of the Prophet. One of the group’s leaders was Ahmed Abu Laban, a charismatic imam for a mosque community in Copenhagen. He was born to a Palestinian family in Jaffa, Israel, and gained refugee status in Denmark in 1984 after he was expelled from the United Arab Emirates.<sup>6</sup> I saw him shortly before his unexpected death in January 2007. He regretted the violence that resulted from the cartoon protests but said (as he had said to newspapers) that his aim was to ensure that the Prophet would never again be pictured in Denmark. He felt that it would be best if it could be done by statute but that a voluntary agreement with the media would be fine. When I expressed doubts about the realism of his goal, he said that “it has been done before.” To show that he was not crazy to think that Westerners could accept such a restriction, he gave me two videos of Hollywood films from the 1970s that feature Muhammad as an off-camera lead actor.

## The Protests Spread

The street protests against the cartoons started in early 2006 when Middle Eastern religious leaders started preaching against them. The International Union for Muslim Scholars, of which Sheik Yusuf al-Qaradawi is the president, issued a statement on January 29, 2006, that expressed disappointment that diplomatic channels had failed to elicit an apology from the Danish government. He appealed to all Arab and Muslim governments to support “Muslim people’s anger at this direct insult of the Prophet (peace and blessings be upon him) by the publishing of these offensive cartoons. Arab and Muslim governments should also exercise all possible political and diplomatic pressure on the Danish and Norwegian governments so as to halt all such organized anti-Islam campaigns that aim at spreading hatred of and contempt for Islam, its sanctities, and its believers.” It concluded by recommending a trade boycott.

The following Friday, an eighty-year-old Egyptian Muslim scholar and television preacher, Al-Qaradawi, delivered a passionate sermon on Qatar TV. Al-Qaradawi is a spiritual leader of the Muslim Brotherhood, and he told Muslims across the world to stage a “day of rage”:

The *umma* [nation] must rage in anger. It is told that Imam Al-Shafi’i said: “Whoever was angered and did not rage is a jackass.” We are not a nation of jackasses. We are not jackasses for riding, but lions that roar. We are lions that zealously protect their dens, and avenge affronts to their sanctities. We are not a nation of jackasses. We are a nation that should rage for the sake of Allah, His Prophet, and His book. We are the nation of Muhammad, and we must never accept the degradation of our religion.

Al-Qaradawi wanted to turn the cartoon protests against “our feeble governments” (meaning the Islamic countries’ governments), which he accused of conceding to the United States’ demands and trying to “split from their peoples.” A second warning was directed against the Western governments for being silent about “crimes” that offend the Prophet and for causing terrorism by making Muslims take the defense of the Prophet into their own hands. The sermon was transmitted by al-Jazeera and transcribed on *IslamOnline*, a website created by al-Qaradawi in 1997.

In early February—on the weekend of al-Qaradawi’s speech and on the following weekend—demonstrations against the cartoons turned in-

creasingly violent, and Danish embassies and offices were attacked in Beirut, Damascus, Teheran, Lahore, the West Bank, and Jakarta. The protests coincided with the beginning of the Ashura, when Shi'ites mark the death of the third imam, Husein ibn Ali, the Prophet's grandson and, according to Shi'ites, his rightful successor. In Lebanon, where 500,000 people turned out for the commemoration, Sayyed Hassan Nasrallah, Hezbollah's leader, blamed George W. Bush and Zionists for the insult to the Prophet that was committed by the Danes and turned the procession into a demonstration against the cartoons.<sup>7</sup> Sunni radicals and extreme *salafis* similarly linked the cartoons to attacks by "crusader-nations" on the Muslims and their Prophet. Mohammed Yousaf Qureshi, a Pakistani religious leader from Peshawar, announced a fatwa and offered a reward of \$25,000 to anyone who killed one of the cartoonists. On March 5, al-Qaeda's Ayman al-Zawahiri issued a statement that blamed the United States for the cartoons, and Osama bin Laden released a tape with the same message in April.

The escalation of the street protests in February and March 2006 gave the extremists momentum. "The protests turned anti-Western," was how Ekmeleddin İhsanoğlu, the secretary-general of the OIC, described the shift. Discussions about the proper response to the cartoons exposed deep rifts in contemporary political Islamism. Why would radicals turn to Western legal systems and bother with lawsuits and arguments about permissible and prohibited depictions when they claim that secular societies are filled with forbidden images and that those legal systems are illegitimate?<sup>8</sup> If you reject Western democracy, why ask for legal action against cartoons?

Al-Qaradawi's speech disturbed diplomats and Muslim Brotherhood organizations in Europe. Lhaj Thami Brèze, the president of the Union des organizations islamiques de France (UOIF), which was the French Muslim Brotherhood organization that was aligned with al-Qaradawi's council, dismissed ideas that Muslims should "rage." The cartoons were blasphemous, and it was a matter for the courts: "c'est pas un problème de représentation. Moi s'ils veulent, si quelqu'un il veut représenter le prophète, si le prophète il est très beau"<sup>9</sup> ("It is not a problem of representation. It is fine with me if someone wants to draw the Prophet if he is very beautiful").

Brèze elaborated the association's position in May 2006 at the UOIF's annual meeting at the exposition center in Le Bourget. More a fair than a political congress, the meeting attracts huge crowds. The UOIF, he said, "judged that they [the cartoonists and the Danish news-

paper] went beyond the freedom of expression and constituted an aggression.” It was a matter “for the law to sort out.” He asked French Muslims to “take a responsible attitude” and leave it to the lawyers. Brèze never cited the Qur’an, the hadith, or Muslims’ religious beliefs. He cited instead Olivier Roy, a political scientist who supported Muslims’ complaints about a double standard in how Christians and Muslims were treated, and thanked the president of the Republic (Jacques Chirac) and the prime minister (Dominique de Villepin) for “condemning the caricatures and for appealing to a sense of responsibility.”<sup>10</sup>

The UOIF wanted to avoid a repetition of the street demonstrations and violence that were directed against Salman Rushdie after his novel *The Satanic Verses* was published in 1988. The director of the Paris Grand Mosque, Dalil Boubakeur, the French state’s preferred representative of domestic Islam, joined a lawsuit brought by the UOIF and other French Muslim associations against the editors of *Charlie Hebdo*, a weekly magazine. The French court agreed to hear the complaint but dismissed the charges.<sup>11</sup>

In Great Britain, a demonstration in London in early February attracted several hundred people, mostly young men who marched, shouting “Allah Akhbar,” and demanded beheadings and murders as retribution. Four participants were arrested on charges of soliciting to murder and inciting racial hatred and were sentenced to four to six years in prison.<sup>12</sup> A week later, February 11, 2006, thousands of women, old and young men, and children carried British flags as they demonstrated in London’s Trafalgar Square against both the cartoons and the previous week’s demonstrators. This demonstration was cosponsored by the Muslim Association of Britain, a Muslim Brotherhood organization that was loyal to al-Qaradawi. The demonstrators carried buttons that read “Proud to be British and Muslim” and roared with approval when one speaker, Azzam Tamimi, a former leader in the Muslim Association of Britain and spokesperson for Hamas, bellowed in the style of a union leader: “Let it be understood: don’t mess with our Prophet.”

In late February, forty Muslim scholars, including the American Hamza Yusuf Hansson, issued a fatwa on the cartoons. The list of signatories included Deobandi, Shi‘ite, and Sunni authorities and grand muftis and professors from Egypt and Saudi Arabia. The televangelist Amr Khaled, who advocates “faith-based development,” also signed. The Turkish religious establishment was conspicuously missing. The forty scholars declared that the cartoons were “an unacceptable crime” and called on “the Danish government and the Danish people” to apolo-

gize “to ensure that Denmark is not isolated from the international community.” Although presented as a religious edict on the cartoons, the statement allocated more space to Qur’anic directives to be courteous in disagreement and not react with violence to a provocation.<sup>13</sup>

The blasphemy argument was a direct response to the Islamist radicals’ attempt to link the protests to an anti-Western agenda. In a curious way, the cartoons triggered a replay within the ranks of contemporary Islamism of the old split between revolutionary Marxism and reformist socialism over what to do with the institutions of liberal democracy.<sup>14</sup> As soon as a decision is made to work within the “institutions,” claim making becomes a matter of piecemeal reform and a search for recognition. Religious recognition was transformed into a claim for protection under existing blasphemy laws, when such exists. In the United Kingdom, the blasphemy complaint was not appropriate because the British media did not publish the cartoons and because even if they had published them, any lawsuit would be complicated by existing law, which protects only the Church of England.

How can Muslims expect Christians and nonbelievers to observe Islamic religious rules? This was one of the frequent counterarguments that were made to Muslims’ complaints about the cartoons. The answer is that in most countries today, blasphemy laws are not specific to Christianity and that even in countries where only Christianity is protected by blasphemy laws, other laws exist to protect Jews and other religious groups against collective defamation. It is not unreasonable to want to test the laws but, as the courts’ dismissals of the claims showed, unlikely that the cartoons qualified for sanctioning under those laws.

The diplomats from Muslim countries preferred to speak of Islamophobia and to focus on not what Islam forbids but what international secular law says that states should do to guarantee equal treatment for Muslims. This argument shifts the burden of action away from the newspaper to the Danish government. The implied criticism of the Danes is not that they failed to allow Muslim pieties to be expressed but that they failed to observe a shared commitment to equal treatment. It is an essentially Kantian argument about reciprocal rights and equal treatment. Two inherent difficulties with proposing that all faiths are equal are that most faiths regard the others as heretical and that some faiths encourage actions that are illegal under Western laws. The best that laws that protect human rights can do is to assume a position of neutrality to all faiths and assert the right of believers but not their faiths to be treated equally under the law. It is a novel experience for Europeans to

be asked to recognize different conceptualizations of the sacred as equally deserving of protection. Put plainly, the cartoons looked ordinary to Christians but blasphemous to Muslims. I return to the blasphemy question after the following discussion of another frequently made counterargument to Muslims' complaints about the cartoons: why consider the cartoons blasphemous when Muslims have drawn images of Muhammad?

### **What Muslims Do and Do Not Do with Respect to Figurative Representation**

Was it hypocritical for Muslims to expect a Danish newspaper to observe a taboo that is not observed by Muslims? Many Muslims did not think that depiction or violation of religious law was the problem, as was assumed by those who charged hypocrisy. But many Muslims believe that a taboo—or a close equivalent—exists. So before trying to answer this question, we need to examine why there was disagreement about what often is presented as a matter of doctrine.

Islam contains religious prohibitions on various issues, but interpretations vary between the different religious schools. Many pious Muslims believe that their faith compels them to reflect self-consciously on the obligations of faith but that there are no ready-made answers to what those obligations are. Most Muslims are not particularly pious and have a casual attitude to religious law. Perhaps one in five European Muslim men attend Friday prayers with some regularity. Even so, many people who were not observant of religious law still considered the cartoons unacceptably insulting. There were religious reasons and nonreligious reasons for the protests.

Haroon Siddique, a columnist at the *Toronto Star*, writes that the lesson that Muslims drew from the cartoon episode was that in the West freedom of speech means freedom to malign Muslims. Pretty drawings of the Prophet can be seen in the Topaki Palace (the Ottoman place that is now a museum) in Istanbul, he writes, but “some centuries ago Muslims came to a consensus against depicting the Prophet, lest it lead to idolatry, a sin in Islam. That consensus holds. Non-Muslims can no more mock that belief than Muslims can question some article of Christian or Jewish or Hindu faith.”<sup>15</sup> Siddique’s pithy description of “what Muslims do” (the title of his book is *Being Muslim: A Groundwork Guide*) is interesting also for what it does not say. He describes a con-

sensus that is experienced and customary but cites no chapter and verse that denounce the forbidden behavior. If an immutable law existed, it would be written, and there would be no question of a consensus emerging soon after the revelation.

How do Muslims explain the miniature paintings in Islamic art collections and the many pictures that suddenly appeared on the Internet, where the debate over the cartoons raged?<sup>16</sup> “Only Shiites do that,” said Rachid Nekkaz, a French self-made technology millionaire who grew up poor and Muslim in one of the “banlieues.”<sup>17</sup> Nakkaz ran as a candidate in the 2007 presidential election on a multicultural platform to show young Muslims what is possible to achieve in France. He had no patience with ideas about expanding blasphemy laws or other laws to protect Muslims against cartoons. “You need not look, if they offend you.” He nonetheless knew that the cartoons would be deeply offensive to all Muslims because they violated a core religious commandment.

I asked Tim Winter, a lecturer of Islamic studies at Cambridge University, about how to reconcile the art collections with the customary view that it “is not done.”<sup>18</sup> “Yes, among the courts and the elite these things were popular, but among the common people it was hardly ever done.” The paintings that are now in museums were not public art but are examples of the conspicuous consumption, even corruption, of the royal courts. Expensive gilded works were commissioned by members of the courts and wealthy traders among the Ottoman Turks, the Safavid Persians, the Uzbeks, and Indian Muslims and were for private enjoyment. The courts sustained an artistic class of musicians, poets, and illustrators by commissioning works of poetry, music, and beautifully illustrated manuscripts. These exquisite artworks had nothing to do with what went on in mosques. Winter likens it to pornography. Siddique’s claim that a consensus emerged among ordinary Muslim not to “do that” is consistent with Winter’s view that the pictures we see in museums are examples of the suspect and conspicuous consumption of the courts.

Does it make sense to speak of “Islamic art” if these artworks were made by Muslims but were not devotional art? Artworks created in Christian countries are not necessarily Christian art. The argument has intuitive appeal, but faith matters. Artists use religious imagery to make allegoric statements about human life, pain, love, anxiety, and many other things. When Christians make pictures or sculptures of Muhammad, as has occasionally happened, the sentiments expressed are very different from those generally expressed by Muslim artists.

“It is often said,” write Sheila Blair and Jonathan Bloom, “that the depiction of living things is forbidden in Islamic art, but this is simply not true.”<sup>19</sup> It is hard to test who is right, as I discovered after many visits to European and North American Islamic art collections. Two miles away from my home, Boston’s Museum of Fine Arts has several miniatures from Persian manuscripts. One illustration is a beautiful sixteenth-century miniature of Muhammad ascending to heaven from Persia (Iran).<sup>21</sup> As is the case in Paris, London, and elsewhere, the manuscript is currently not on view. A rare exception to the general absence of public exhibitions was the British Library’s display of an illustration from the poem in fall 2007. Curators have responded to the controversy over representation of the Prophet by removing the manuscripts from public display.

Therefore, I turned to art books and online image archives to conduct an amateur art survey. Syrian Umayyad caliphs had sculptures in the Greco-Roman style adorning their palaces, including some that depicted women with naked breasts. It is hard to locate images of human figures—much less of the Prophet and his family—until the fifteenth and sixteenth centuries.

How do devout Muslims explain the existence of miniatures in Islamic art collections that represent the Prophet? (Reproductions of these artworks proliferated on the Internet as the debate over the cartoons took off.)

Most of the artwork available comes from a limited number of illustrated manuscripts. An early manuscript that portrays Muhammad is a history of the Prophet’s life, *Jami’ al-tawarikh* (*Compendium of Histories*), by Rashid al-Din, from around 1300, created by a workshop of artists in what is today western Iran for a Tartar khan in the Persian part of the Mongol Empire. Currently, it resides in the Khalili Collection in London. Another manuscript with images of the Prophet is the *Miraj-Nama* (*Journey of the Prophet Muhammad*), a fifteenth-century illustrated history from the Timurid dynasty in what is now Iran and Azerbaijan. Today it is housed in the Bibliothèque Nationale in Paris. Two other important manuscript sources of miniature paintings of the Prophet are *Siyer-i Nebi* (*The Life of the Prophet*) and *Khamseh of Nizami*. *Siyer-i Nebi* is a fourteenth-century poem. Two hundred years later, the Ottoman ruler Murad III commissioned illustrations for the poem, and the work as completed in 1595. (The manuscript is no longer intact but most of it is housed in the Topkapi Palace in Istanbul. In this book, Muhammad’s face is obscured, but it is otherwise a full-figure

representation. The *Khamseh of Nizami* is a work from the Safavid dynasty also dating from the sixteenth century, with seventeenth-century embellishment. It is housed in the British Museum.

The earliest of these illustrated manuscripts are primarily historical chronicles showing scenes from the Prophet's life. Rashid al-Din's *Jami' al-tawarikh* has a picture showing the Prophet in full-frontal figure rededicating the black stone at the Kaaba in Mecca. Later it became common practice to obscure the Prophet's face with a white veil or simply blot out his face. And in still later manuscripts, the Prophet became endowed with an aura, or flaming nimbus. Battle scenes and picnics featuring Muhammad and his family have contemporary clothing, food, and weapons, which creates an oddly anachronistic effect. In Ottoman gilded manuscripts Muhammad is depicted as a sultan. In depicting the Prophet's exploits, the miniatures show off the splendor of the courts and showcase the artists' talents and the richness of the material. The Prophet is drawn in multiple guises: as a statesman, a warrior, and a family man. Some themes in Muhammad's life are clearly favorites for depiction, among them the baby Muhammad being presented to the elders after his birth; Muhammad having a picnic with his sons; and Muhammad going to war with Ali at his side.

The Persian manuscript *Miraj-Mana* contains scenes of religious significance. Among the more common depictions are those of Muhammad riding between heaven and earth on the back of the Angel Gabriel or on his horse, al-Burqa. Another miniature, from the same period but of unknown origin, shows the Prophet flying over the Kaaba in Mecca and the rock of the Dome in Jerusalem, two significant places in the origin of Islam.

These manuscripts are clearly "religious" even if, like most European religious art until recent times, they were commissioned not by religious leaders but by secular courts and rulers. Yet although these manuscripts and miniatures contradict the notion that Muslims do not draw pictures of the Prophet, these images are not caricatures. They are idealized representations that extol the virtue or the bravery of the Prophet and his close associates.

These depictions are not what are usually thought of as religious or devotional representations. There are battle scenes and picnics featuring Muhammad and his family. The clothing, the scenery, the food and the weapons, are drawn in contemporary styles, which creates an anachronistic effect. The Muhammad depicted in Ottoman gilded manuscripts is depicted as a sixteenth-century sultan. The miniatures narrate Muhammad's exploits, but they also show off the splendor of the courts,

showcase the abilities of the courts' artists, and display the richness of the artists' materials. The Prophet is drawn as a statesman, a warrior, and a family man.

What, then, can we say about the posters and wall hangings for sale in the bazaars of Teheran and Istanbul? Shi'ites are avid consumers of religious souvenirs that depict the Imam Ali, Fatima, and other members of the Prophet's family.<sup>22</sup> Unlike the Ottoman and Persian miniatures that can be found in Islamic art collections, Shi'a religious representational art resembles Catholic folk art and Protestant bible-study illustrations. The colors are livid or pastel. Fatima is beautiful. Imam Ali, too, is handsome and wears a groomed beard and bravely clasps a sword that suggests courage and strength. An aura sometimes illuminates the body from behind. We need not go far to find such things for sale. An American website catering, I imagine, to college students sells inexpensive posters for decorating dorm rooms.<sup>23</sup>

Shi'a and Sunni differences are evident, but the Shi'as are not the only ones that "do it." The many Ottoman (Sunni) manuscripts speak against the claim. The claim is also misleading because there is no schism in Islam that is comparable to the creation of separate churches in Christianity. Sunni and Shi'a Muslims share the same living space, intermarry, and have generally coexisted across the Middle East and the Caucasus. In European cities where migration has led them to the same low-income neighborhoods, Shi'as and Sunnis mingle in mosques. Today Sunni radicals denounce Shi'as as infidels, but their denunciations are a battle cry to make true what is today not true.

Are attitudes toward images of the Prophet instead matters of class and division within Sunni Islam, as is implied by Winter and Siddiqui? If so, did the high culture of the extended Ottoman court practice one set of values and Muslims everywhere else practice a more severe set of rules that looked askance at image making as idolatry? I searched the art catalogs for representations that might have been in the possession of commoners but found nothing.

Let us be clear about one thing: The Taliban's absolutist injunction against film, music, family snapshots, paintings, and sculptures, even against non-Islamic art, exemplifies the excessive iconoclasm of a reform movement with political ambitions. Eighth-century Umayyad caliphs, fifteenth-century Afghan sheikhs and Mughal rulers, and sixteenth-century Ottoman sultans all commissioned great paintings, illustrated books, and occasionally even sculptures that were populated by people, animals, and sometimes even Muhammad and his family.

When it comes to the image of the Prophet, practices were tradition-

ally more restricted, but it was “done.” The Persian and Ottoman miniatures were not well known. All exist in unique manuscripts. They are expensive, precious works of art and have never been subjected to the printing press and made for sale, the way Gustave Doré’s prints of *The Divine Comedy* were commercialized.

The Danish caricatures did not violate a generalized prohibition on figurative representation. They—or one drawing that showed Muhammad with a bomb in his turban—violated a specific prohibition against the depicting of belief and made matters worse by depicting the belief as violent and the messenger as ugly.

## **Muhammad in the Western Imagination**

Christians have drawn pictures and made sculptures of Muhammad for centuries. Medieval paintings that can be found in churches show Christianity’s triumph over Islam in the wake of the expulsion of Muslims from Spain. The Victorians depicted the Prophet as a “Mohammedan” wearing Turkish-style clothing. Books and instructional material for contemporary bible study tend to portray Muhammad as an exotic-looking Prophet. Mormons have produced many respectful illustrations because Joseph Smith, the founder of the Church of Jesus Christ of Latter-day Saints, presented himself as a prophet in the tradition of Muhammad.<sup>24</sup> Other Christian books portray Muhammad as a religious figure in the biblical tradition.

The long reach of the Crusades of the eleventh, twelfth, and thirteen centuries into later secular art and literature is illustrated in Dante’s *The Divine Comedy* (1321). Dante confined Muhammad to the eighth circle of hell in the “Inferno” section of his long poem, and a 1491 illustrated version of the book features a picture of a tormented Muhammad.<sup>25</sup> *The Divine Comedy* has been frequently illustrated, and artists including William Blake (1757–1827) and Salvador Dali (1904–1989) revisited Mohammad’s torment as God’s punishment of sinners. It is unlikely that Dali ever read the Qur’an (I cannot say whether Blake did), but Dali’s otherworldly painting of the suffering Muhammad stands apart from any particular religion as a moving rendering of human physical and mental pain. These two artists might not have known much about Islam, but they did know a lot about Dante. As for the argument that the Western press should feel free to display pictures of Muhammad today because Muslims made pictures of him in the past and did not mind

when Christians made pictures of him in the past, it is difficult to see how depictions of Muslims' Prophet as a sinner writhing in a Christian hell can be a reasonable precedent for the right to make images of Muhammad today.

The meaning of images is constructed through memory and overt or covert references to other familiar images. The Danish cartoons were accompanied by interpretative texts: Rose's essay; an op-ed by the paper's chief editor, which also complained about censorship; and most of the cartoons had a short caption providing clues to the interpretation of the image, but these were never translated into other languages. And when they later were translated, they had little meaning to non-Danish viewers. One cartoon had no interpretative text, and its iconographic meaning appeared to be universal to its creator but was not. Kurt Westergaard, who drew the bomb in the turban caricature, says that he did not for a minute consider that Muslims would interpret his drawing to mean that Islam is the source of extremist violence and instead meant to show that violent radicals wrap themselves in Muhammad's clothing to justify their agenda. The distinction is conceptual and cannot be inferred from the drawing. Danish readers who are used to Protestant criticisms of the Roman Catholic church's conflating of clerical law with God's judgment would recognize the drawing as a classical anticlerical statement. Ironically, Muslims also argue that God's judgment alone is absolute and resist efforts to put God's message to the service of political agendas, but they saw the cartoons as an effort to drag God down to the level of humankind's squabbles.

## **Can Popular Culture Become Religiously Correct?**

We speak today of Islamophobia as the negative stereotyping of Muslims in the media, but an earlier conceptual framework was proposed by Edward Said, who introduced the concept of orientalism to describe the creation of a unitary and alien picture of Muslims and Islam in the Western public's imagination. In response to Huntington's "clash of civilization," which followed later, Said wrote, "Why do you pinion civilizations into so unyielding an embrace, and why do you then go on to describe their relationship as one of basic conflict, as if the borrowing and overlappings between them were not a much more interesting and significant feature?"<sup>26</sup>

Said has been evoked to explain the cartoon crisis, but the descrip-

tion of the cartoons as exercises in orientalism simply transposes Huntington's paradigm of a culture war with Islam by attributing the aggressive intent to the West. It is true that in the cartoonists' universe and in some Hollywood films, the diversity and complexity of Muslim life and history are compressed and staged as a morality play whose subtext is the Western fear and loathing of Islamist radicalism. Women, Jews, and blacks have taken turns in the pictorial history of stereotyping. The dramatic exploitation of stereotypes is the raw material for popular culture, and fortunately tastes are as fickle as concentration spans are short.

Prior to the wave of anti-Muslim sentiment that washed over the West after the Rushdie affair in 1988, the Western media had settled into a curious state of nonengagement with Islam. When Muslims appeared in films, they were mostly drawn in the image of heroic freedom fighters (as in *Lawrence of Arabia* in 1962) or anticolonialists (as in Franz Fanon's third worldism). *The Battle of Algiers* (1966) was made by an Italian director to excoriate French colonialism in Algeria. In the film, Islamists visit with pretty women who wear burqas when they bomb the French, and when they pray, they might as well have been reciting from *Das Kapital*.

One of the two films given to me by Imam Abu Laban to convince me that he was not so naive as to think that Danes might be persuaded not to draw pictures of Muhammad is *Lion of the Desert* (1981), a World War II movie featuring Omar Mukhtar (played by Anthony Quinn)<sup>27</sup> as a brave Jihadi fighting the bad fascist Italians. Omar Mukhtar is now a Jihadi role model, which may prove only that the Jihadis are as concerned about popular culture as is Hollywood.

The other is a Hollywood movie titled *Muhammad, Messenger of God* (1976) with Anthony Quinn playing the role of Hamza, one of The Prophet's Companions. It was produced and directed by Moustapha Akkad, who went to film school in California and worked and lived in Hollywood. Akkad's murder illustrates the insufficiently appreciated fact that Muslims are frequent victims of Muslims' political violence. He died on November 11, 2005, of injuries sustained from a car-bomb attack on the Grand Hyatt hotel in Amman, Jordan, carried out by Musab al-Zarqawi's branch of al-Qaeda. Akkad's daughter also died in the attack. The University of Al-Azhar in Cairo and the High Islamic Congress of the Shiat in Lebanon were involved in approving the accuracy of the film. At its initial release, the movie was banned in a number

of Arab countries, and to appease censors the title was changed from *Muhammad, Messenger of God* to *The Message*.

*Muhammad, Messenger of God* was conceptualized to be a part of the respectful, big-budget religious movies that started with *The Ten Commandments* and *Ben Hur*, which may explain why the fighting Muslims in the film dress and act like the Jews and early Christians. The film starts with spectacular footage of pilgrims circling the Kaba on the Hajj, but it goes downhill from there. It focuses on the struggle between Muhammad's early followers and the tribesmen and traders who control the Kaba.<sup>28</sup> The iconoclastic prohibition is explained when one of Muhammad's followers says, "Real God is unseen and is not made of clay." One young man goes through a tormented breakup with his family, breaks the family's little household religious figures, and suddenly starts proclaiming that no man should starve, the rich should not defraud the poor, the strong should not oppress the weak, and girls should not be forced into marriage but choose their husbands. Tariq Ramadan argues that this is still Muhammad's message, but many movie audiences did not agree.<sup>29</sup>

In Europe, secular values collided with the assertion of Islamic values that dominates the current political discourse in many Muslim countries. Samuel P. Huntington's remark about Islam's "bloody borders"—a reference to the idea that Islam and Christendom are separate civilizations that perpetually rub against each other—was invoked also in the cartoon conflict to explain Muslims' angry demonstrations and the avalanche of death threats that they delivered by email and fax.

The eagerness for simple explanations overlooked that contemporary Western media were used for the delivery of obscurant threats and also that the bloodiness put Muslim against Muslims. The proper balance between religious feelings and free speech is a universal source of disagreement and negotiation. These cartoons were republished in Arab and South Asian papers, where the editors often faced stiff penalties,<sup>30</sup> and yet in Russia and South Africa the courts banned the cartoons, and few British and American papers and weeklies published the cartoons.<sup>31</sup>

Fatima Mernissi, a Moroccan feminist and sociology professor, writes that the progress of Islamicism (her translator's choice of word) has obscured the secularization of Muslim societies that was promoted by Arab nationalism in the 1930s and 1940s.<sup>32</sup> At that time, Arab nationalism was "proudly modernistic" and pushed an intellectual renaissance that was linked to rather than separate from Western political

thought. So it is today. “We do not live in separate worlds, but in highly interconnected ones,” she writes with reference to the decline of Arab modernism and the ascendancy of fundamentalism, which she defines as a political project that “sacralizes hierarchy and denies pluralism.”

There is a stark contrast between pre- and post-9/11 Hollywood representations of who Muslims are and what they say and do. In *The Grid* (2004), a television miniseries co-produced by the BBC and Fox TV, the good guys arrest an Arab would-be terrorist who has killed an FBI agent. The plot illustrates the “ticking bomb” scenario that has made the rounds among legal philosophers who debate the legitimacy of using torture: if a terrorist has information that will enable us to save many lives, what may we do to get it out of him?<sup>33</sup> A current television series, *24* (which began in November 2001), features “Jack Bauer” (played by Kiefer Sutherland), a fictional US government agent, was described by its producers as “a heightened drama about antiterrorism.” In one episode, Islamic terrorists (who, conveniently for the cast, live in Los Angeles) steal a nuclear missile and intend to use it locally.<sup>34</sup> American Muslim associations have understandably been more upset about these film depictions of Muslims as murderers than about the Danish cartoons.

### **“Nothing Can Be Compared with Him”**

Europeans widely think that the Qur’an forbids depiction of the Prophet and that Muslims have to “throw half of the book away” (to use a phrase used by a Dutch politician, Geert Wilders) to live peacefully with Western values. But the Qur’an is ambiguous on the question of the permissibility of figurative representation and has only a few passages that are relevant to the issue.

This verse is sometimes interpreted to contain an injunction against figurative representations: “Creator of the Heavens the earth, he has given you spouses from among yourselves, and cattle male and female; by this means He multiplies His creatures. Nothing can be compared with Him. He alone hears and sees all” (42: 11, N. J. Dawood’s translation). This verse and another that prohibits worship of false gods (21: 52–54) are similar to the Jewish and Christian prohibition against idol worship that is contained in the Hebrew Bible’s ten commandments: “Thou shalt not make unto thee any graven image, or any likeness of

any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth.”

Iconoclasm prohibits the display of icons, and it derives from prohibitions against the worship of false gods or idols. Placing icons in front of worshippers implies that an image of a god can be worshipped in place of the idea of God. The Protestant Reformation gave birth to iconoclastic movements, and some of the moderate Danish Lutherans that I knew in my childhood painted over the rich decorations of their pre-Reformation village churches.

Fatwas are religious edicts that detail the how Islamic religious law pertains to a particular situation. The *fiqh*, the corpus of religious opinion, is concerned primarily with matters of personal behavior and has little to say about public ethic and even less guidance for the affairs of Muslim minorities. The twelve Danish cartoons elicited strong emotions, and the Muslim religious establishments felt compelled to act against them. But what could they say? The scholarly statements were condemnatory or invoked a religious duty to boycott Danish goods as a religious duty. The statements provided little guidance for what religious law had to say in cases such as the cartoons.<sup>35</sup>

We may turn instead to a fatwa that was produced in 2000 and concerned a sixty-year-old carved frieze in the United States Supreme Court as a source for how Islamic law regards figurative depiction of the Prophet in a nonsacred and non-Muslim contemporary context. The author of the fatwa is Taha Jaber al-Alwani, a professor at al-Azhar University, a member of the OIC's Fiqh Council, chair of the Fiqh Council of North America, and a respected authority on Islamic law.<sup>36</sup> The edict notes that the problem at hand is a sculpture that praises the Prophet for his contributions to humanity and is placed in a location of great authority outside the Islamic realm. Al-Alwani observes that the Qur'an is ambiguous on the issue of figurative depiction in general and that it is necessary to turn to the hadith (the Prophetic sayings of Muhammad as narrated by his followers) for guidance. There are thirteen relevant hadith. One relates the story of Aisha, the Prophet's wife, who told how the Prophet one day tore a curtain that she had put up, which she then made into pillows. Another says, "Angels do not enter the house in which there are portrayals or pictures." A hadith that says "The people who will receive the severest punishment from Allah will be the picture makers" has been used by the Taliban and other groups to support an absolute prohibition of figurative representations (even forbidding movies and cameras), but it is generally regarded as referring to the tribal

idol worshippers that Muhammad fought against and not as being pertinent to the question of representation.

The interpretation of legal propriety, al-Alwani argues, invariably is tied to the intention of the image making. Figurative representation that aims to depict God is disallowed when it aims to emulate divine power or God directly or alternatively is done in the worship of other gods. Islam looks askance at lavish decoration, but figurative representation for ordinary decorative purposes, such as Aisha's cushions, are a different matter and not relevant to questions about the permissibility of the U.S. Supreme Court frieze (or to the Danish newspaper cartoons). The question of angels entering into houses with pictures are also not relevant because angels would not enter into the Supreme Court because it is not a house of revelation. Worship aims to contemplate the abstractness of God, and the interference of images with worship is clearly prohibited. The frieze does not attempt to emulate divine power but praises Muhammad as a statesman.

Caricatures are suspect. Al-Alwani notes that Islam has revered the Prophet for his physical beauty, and some of these descriptions have inspired Persian and Ottoman artists, who came from cultures that were more prone to image making than the original Arab tribes. The tradition for hagiography lives on in popular culture in the preference for posters and wall hangings depicting the Prophet, Fatima, and Imam Ali as supernaturally beautiful. The Prophet's personal biography is a model for all Muslims. The emphasis on biography, al-Alwani argues, helps "believers achieve a balance between his Prophethood and message, which belongs to the transcendental, and his humanity and human-ness, which belongs to this world."<sup>37</sup>

Al-Alwani concludes that Muslims should be proud to have their Prophet pictured among other lawmakers on the walls of the United States Supreme Courts. For Muslims, Muhammad is not just one lawmaker among others, but in an age that is "replete with disdainful images of the Prophet Muhammad (SAAS), it is comforting to note that those in the highest Court in the United States were able to surmount these prejudices."

This fatwa statement preceded the cartoons by five years but speaks clearly to the problem with the cartoons. Unlike the frieze, the cartoons did not intend to honor the Prophet's contributions to humanity. They did not extol the Prophet's magnificence, as did the Ottoman artists and contemporary posters for sale in bazaars. They aimed to make the abstract concrete and likened the message to petty or violent politics. They

made ugly what to Muslims is beautiful. The reasons that the Supreme Court frieze is a matter to be proud of are the reasons that many Muslims reacted angrily to the cartoons.

## **Blasphemy in Civil Law**

Many European countries have laws against blasphemy and racist speech (often referred to as “hate speech” laws) that in theory should be applicable to all faiths. Westerners may think (as I do) that blasphemy laws are not a good idea, but it is hardly contestable that in countries with such laws an obligation exists to treat Muslims and Christians equitably. An attendant duty exists on the part of courts and legal experts to develop enforcement criteria that encompass different traditions and beliefs.

Blasphemy laws are secular expressions of a prohibition that appears in the New Testament in Mark 3: 29: “But whoever blasphemes against the Holy Spirit never has forgiveness, but is guilty of an eternal sin.” Prohibition against blasphemy remains entrenched in the penal code in many European countries, but these laws are rarely enforced and when efforts have been made to have the laws enforced, the courts have found it difficult to decide which forms of expression are punishable under the law. Among the countries with laws against blasphemy are Austria, Denmark, Finland, Germany, Ireland, the Netherlands, Spain, Switzerland, Poland, and the United Kingdom. Blasphemy protection was successfully invoked in Germany in 1994 against a musical comedy that crucified pigs to ridicule the doctrine of Mary’s immaculate conception. In the United Kingdom, only the Anglican Church is protected against blasphemy, but most countries have in recent years amended the laws to include Judaism.

The First Amendment to the U.S. Constitution is widely interpreted to disallow blasphemy protection as a violation of freedom of expression, but some states have laws against blasphemy.<sup>38</sup> In Europe, blasphemy cases are often unsuccessful, but prosecutors and courts continue to enforce the laws. Local governments also have the authority to ban performances. Monty Python’s *Life of Brian* was banned in the United Kingdom in several cities by local councils and was banned for some years in Ireland, Norway, and Italy, where it remained banned for eleven years.

Christian newspapers in Europe generally applied the reciprocity

principle and concluded that the cartoons were a bad idea. The French paper *La Croix* defended the rights of religious people and criticized the decision of some other papers to reprint the cartoons.

During the cartoon crisis, the British philosopher Roger Scruton complained that nothing was sacred anymore and articulated a religious argument: “If we mock the religious taboos of Muslims, we pour scorn on the icons of Christianity.” He viewed the cartoons as emblematic of Europe’s excessive secularism:

The condition of the public discussion that we need is respect. That means that we must respect the icons of the Muslim faith, even if we think them ridiculous, indeed especially if we think them ridiculous. The cartoons that have precipitated the current crisis were worse than a mistake: they were an act of sacrilege, like trampling on the crucifix or spitting on the Torah. This is not a contribution to free speech but an obstacle to it.<sup>39</sup>

For Abdul Haqq Baker, the manager of a *salafi* mosque in London, the problem with the cartoons was not discrimination but was blasphemy: “Secularization has gone too far, when the doors are broken down to insult people’s faith and nothing is sacred any more.”<sup>40</sup> Blasphemy laws should be resurrected, he argued, and broadened to include all the Abrahamic faiths. He said that he was happy to include other faiths but did not know what constituted blasphemy in Buddhism and Hinduism.

Section 140 of the Danish criminal code allows for fines and up to four months in prison for someone who publicly mocks or scorns the beliefs of a recognized Danish religious community or its faith. The law was last successfully used in 1938 to convict a Nazi group that had distributed leaflets accusing Talmudic law of sanctioning the rape of non-Jewish women.

The law also was used in 1973 in a series of cases against a filmmaker who was never convicted but nonetheless was unable to work on his film project for more than fifteen years. The artist was Jens Jørgen Thorsen, who had a history of insulting Christianity, including depicting Jesus on the cross with an erection. In 1973, when he received public funding to make a film about Jesus’s sex life, a predictable uproar ensued. After fifteen years of court cases, Thorsen finally had his funding restored and was allowed to produce his movie. It was a flop. At the time, the newspaper *Jyllands-Posten* took the side of the Christian pro-

testers against the secular prankster. The newspaper would probably be on Thorsen's side today. The case is instructional because it shows that religious minorities that invoked section 140 throughout the twentieth century had little success.

Catholics have complained that a supermarket was selling sandals with pictures of Jesus printed on the soles. Evangelical Christians have complained about a rock band that was broadcast on national TV playing before a banner that said "Kill Christians". Muslims have complained that a public TV station broadcast *Submission*, a controversial short film about violence against women in Islamic countries that was produced by Ayaan Hirsi Ali and Theo van Gogh (the Dutch filmmaker who was riding his bicycle when he was murdered by a Muslim man). It is fair to conclude that although the charge of double standards may appropriately be flung at European newspapers, which freely insult Muslims while pulling their punches against members of other religions, the courts have been consistent in dismissing suits.

When blasphemy cases have succeeded, we may wish that they had not. Blasphemy protection was successfully invoked in Germany in 1994 against a musical comedy that crucified pigs to ridicule the doctrine of the Mary's immaculate conception of Jesus. Attempts by Muslims to use neutral-sounding blasphemy laws against Salman Rushdie's *The Satanic Verses* and against the Danish cartoons have been unsuccessful. In March 2007, an Italian court convicted sociologist Stefano Allievi to six months in prison and a fine of 3,000 euros in response to a blasphemy claim. Allievi is a well-known expert on European Muslim affairs. The claim was made by Adel Smith, an Italian convert to Islam who achieved notoriety in Italy for successfully filing suit to remove crucifixes from public school classrooms. Allievi has appealed the conviction and has avoided prison so far.<sup>41</sup>

In the Danish legal system, public prosecutors rule on the merits of a complaint in a semijudicial manner before a case goes to court. The national prosecutor reviewed the twelve cartoons and decided that it was unlikely that, following previous rulings, the courts would consider criminal prosecution to be justified.<sup>42</sup> This was a complicated way of saying that the cartoons were not criminally offensive in Danish eyes. In contrast to the regional prosecutor, who did not consider Muslims' special understanding of what might constitute blasphemy, the national prosecutor made an effort to paraphrase what he thought that Islam said about the matter.

The prosecutor noted that hadith prohibit the depiction of humans, a

prohibition that includes the Prophet. Because there are many ancient as well as recent depictions of the Prophet made by Muslims, it is evident that Muslims do not observe the prohibition. Those depictions are always respectful, but their existence implies that drawing the Prophet does not constitute a violation of Danish civil code's prohibition on mockery of the central tenets of recognized faiths.

The problem, the prosecutor reasoned, is that the drawings in question were caricatures. The only potentially offensive cartoon is the one that depicts the Prophet with a bomb in his turban. The prosecutor allowed that this cartoon misrepresents historical fact, but since it contributed to a debate about terrorism, free-speech principles outweighed legal sanction. Additionally, he observed, Rose's essay and another opinion piece written by the chief editor, Carsten Juste, that accompanied the cartoons did not blame all Muslims but only "some" Muslims for harboring these views. The conclusion was that no grounds existed for considering the cartoon to be slanderous to all Muslims. The prosecutor concluded nonetheless that *Jyllands-Posten's* editors did not correctly portray existing laws when they claimed that free speech does not allow for consideration of religious feelings and that Muslims (or any other religious group) must put up with "mockery, ridicule, and sarcasm" (Rose's words) in the name of free speech.

The prosecutor treated the cartoons as speech, but images and representation are widely recognized as different from speech. Things can be said in writing and through oral communication that are protected as speech but that would be disallowed as an image.

One part of the cartoon crisis can be explained by the fact that *Jyllands-Posten* used to be sensitive to Christians' concerns but shifted its position on the general issue of the role of religion in society when the religious feelings that were most likely to be injured belonged to Muslims. This is an epistemological shift that most Europeans have undergone in the past twenty years. During this same time, Muslims have dismissed the myth of return and decided that Europe must recognize Islam as one of the "Abrahamic faiths" and provide equal public and legal space for Muslims. Europe now faces a clash of agendas rather than a clash of civilizations. In fact, Christians have long demanded and been given the considerations that Muslims are demanding, except that the particulars are different. In his intellectual history of iconoclasm, Alain Besançon points out that the Abrahamic faiths—Judaism, Christianity, and Islam—have shared histories of "forbidden images," but they differ

in exactly what is forbidden and how forbidden it is: “Different religious regimes do not favor the image in equal measure.”<sup>43</sup> A Christian editor (or a non-Christian editor who understands Christian beliefs) readily recognizes that Jesus on the cross with an erection is a “forbidden” image but does not see Muhammad with a bomb in his turban and the *Shahada* imprinted on the turban as anything more than an image of an angry radical.

Carsten Juste, the editor in chief at *Jyllands-Posten*, has complained that religion has too much space in society today. Still, he and Flemming Rose, the culture editor, agree that there are limits to free speech and that they are responsible for negotiating a balance between responsible speech and free speech. Juste describes the editorial process as a process of self-censorship. Editors choose what to put in the newspaper, what not to use, which photo to use, and whether to print bad words. In a recent interview, Juste insisted that the cartoons were fully within the paper’s ethical guidelines and that he “found nothing contrary to what we have always done.” When I asked him if he had changed his view of the decision to publish the cartoons, he said, “Would we do it [print the cartoons] again? No, of course not. Not given what we now know. We now have new information and that leads to new ethical considerations.”<sup>44</sup> He added, “I also still believe that it is true what we wrote: Everyone has to accept being subject to satire.”

After Juste talked to Muslims who called from around the world to lodge their protests, he became convinced the newspaper had hurt the feelings of many Muslims by printing the cartoons. He learned something that he had previously not understood, and that was why he decided to issue a letter of apology on January 28, 2006.

Flemming Rose, the culture editor who wrote a paean to mockery, sarcasm, and ridicule as the foundation stones of the free society, also acknowledged that there are limits. “We do not ridicule particular people, only ideas,” he explained. This seemingly innocuous view might have led Muslims to be more tolerant if they thought the cartoons were mocking the mullahs rather than Islam. Rose saw nothing wrong with printing the cartoons and still does not. The cartoons were all very different, he points out, and they “sent different messages” about how the illustrators approached the issue of the (unproven) taboo against drawing Muhammad. He added nonetheless, “If I had received twelve drawings that all were like Kurt Westergaard’s [the cartoon that showed the bomb in the turban], I might have given the idea another thought.”<sup>45</sup>

## False Dualisms and the Problem of Religious Neutrality

In the contrast to the United States, Europe has many laws against hate speech, Holocaust denial, incitement to political violence or hatred, and blasphemy. Arguably, Europe is already overly committed to the regulation of speech, and more regulation is not the way go. The Council of Europe recommended in 2007 that blasphemy should not be regarded as a criminal offense out of consideration for religious freedom and stressed instead the importance of penalizing expressions about religious matters that intentionally aim to disturb the public peace.<sup>46</sup> European Muslims increasingly agree that more restrictions are not needed. They note that four people who demonstrated against the cartoons in London were sentenced to four to six years in prison (for soliciting to murder and using words to stir up racial hatred) while all the blasphemy suits against newspapers that printed the cartoons failed, including the Danish suits against *Jyllands-Posten*.

In *Islam and the West* (1993), Bernard Lewis puzzled over the irreconcilable pulls on Europe's Muslim migrants. Describing his encounter with a young French Muslim, he reports how the young man described his father as "a Muslim" and himself as "a Parisian." Because Islam is not a place and Paris is not a religion, Lewis implies that the man made a category mistaken but then retracts and concludes that for Muslims it is an appropriate summary—"not only because they profess a different religion but also because they hold a radically different conception of what religion means, demands, and defines." Some Muslims cannot conceive of law apart from religion.<sup>47</sup>

Over the past fifty years, Muslim minorities have faced difficult dilemmas as they established mosque communities in societies with no supporting Islamic traditions. Most of the challenges have been pedestrian (protracted fights over religious slaughter, mosque construction, and prayer rooms in schools and places of employment). But Lewis's description of the dilemma caused by role of law can be misread to mean that Muslims are not happy until the *Shari'a* has been made into civil code. In Huntington's version, Lewis's dilemma turned into a struggle over the secular state. Political groups whose political project is to make the *Shari'a* into the law of the land have further aided misconceptions.

The Christian church has not shied away from using legal code to safeguard its religious precepts. Since the 1960s, the church has been in retreat, but enough traces of religion remain in the civic code that one

should be careful not to overdraw arguments about the secular nature of European states. Meanwhile, Muslim countries' efforts to make Islam the basis of their legal codes have succeeded in recent decades. The 1980 Egyptian constitution reintroduced quasi-religious jurisprudence. The 1992 Saudi Arabian Basic Law reinforced the reliance on religious law as the source of jurisprudence. The present Pakistani constitution is the most Islamic that the country has ever had.<sup>48</sup>

Historically, political and Islamic religious authorities have been territorially divided since the faith's expansion in the tenth century (some would argue earlier) beyond the Arab tribes. Prior to the modern state, religious law was society-based customary law, addressed the problems at hand, and therefore often was expressed in utilitarian ways as guides for what to do and not to do under specific circumstances. The decentralized nature of religious authority meant that Islam has been law-based yet endlessly flexible and variable.

Haroon Siddiqui's description of "a consensus" against making pictures of Muhammad harks back to the idea of Islam as a society-based faith and presents religious law as customary law. It builds logically from the Qur'an's injunction against worship of false gods and references in a practical fashion the biographical accounts of the Prophet's struggle against the idol-worshipping tribes that had taken control of the Kaba. Just as the cartoons were "things to think with" for Danes accustomed to anticlerical derision of the proponents of religious public morals, Muslims call on the Prophet and his life as a model of life. The increased social stratification of European Muslims and the growth of a successful Muslim middle class support self-assertion in religious matters and a moving beyond poverty and the myth of return to the "real home."

The anger against the cartoons drew fuel from this mix of increased consumer power, political assertiveness, and ideational reconstruction from migrants to European Muslims. The Hajj (the annual pilgrimage) and the Kaba are symbols of the universal faith that have successfully survived in the diaspora. The Muslim migrant minority in Europe has taken up with vigor the obligation to join the Hajj as it has become wealthier. Millions of worshippers go to Saudi Arabia every year, but many more aspire to go or know people who have gone. Olivier Roy has described the renewed interest in "deciding for yourself" as a project of "identity reconstruction." It is not just identity that is reconstructed. The tenants of belief are also subject to adjustment to accommodate upward mobility and minority status. The biography of the Prophet is also sub-

ject to a reconstruction of meaning. The subtitle of Karen Armstrong's biography *Muhammad: A Prophet for Our Time* provides a strong clue to the book's purpose. Tariq Ramadan's title more subtly hints at *Lessons* for following in the footsteps of Muhammad.<sup>49</sup>

We are so accustomed to the radical Islamist invocation of the *umma* as a political ploy that it is hard to believe that the community of believers can actually act with a measure of ideational cohesion. The cartoon conflict threw up all the usual divisions between terrorist jihadists, the merely authoritarian neofundamentalists, the reformist Islamists, and the governments and diplomats of various political coloring, but it also activated a groundswell of middle-class discontent with the increasingly hostile depictions of Islam and Muslims by those in the Western media, by populist politicians, and by xenophobic publics. There were Muslims who wanted nothing to do with the charges of blasphemy and thought that the clerics who occasioned the cartoons deserved what they got. All Danes are not xenophobes, and the editors and cartoonists who produced the offending cartoons do not merit many of the labels that have been thrown at them.

"So where have all the beautiful miniatures and watercolors of the Prophet and his family gone?" I asked a curator of one of Europe's largest private collections. "Put away," he said. The cartoons brought along a secondary wave of cartoon-related controversies that led risk-averse managers, editors, and curators to remove pictures, cancel operas, and pixilate pictures in textbooks. These fears are based on a misreading of the objections to the Danish cartoons.

That leaves us with a final question: why now? The question can be taken to apply mutually: why did the Danish newspaper decide to publish such caricatures now, and why did Muslims protest now? We do not know if any newspapers have published such cartoons before. Before the omnipresence of the Internet, *Jyllands-Posten's* exercise would have been seen by the 150,000 daily readers and perhaps the only protests would have been the local Muslim kiosk owners who that day might refuse to sell the paper. The newspaper posted the cartoons on its Internet site, where they were available long after the printed paper had gone into the recycling bins. Foreign readers could not read the accompanying editorials, but they could see the cartoons.

We need only to turn to the words of the protesters to realize how dependent the protests were on the ability of protesters to see the images that they denounced as offensive and "forbidden." A hacker by the name of DarkblooD, one of many who attacked and defaced thousands of

websites in February 2006, including *Jyllands-Posten's* site and several belonging to the government, wrote this message: "On Sept 29th, 2005 issue of *Jyllands-Posten*, I saw and read dreadful news and cartoons. The news and the cartoons were horrifying and extremely disturbing to me." His incorrect attribution of the day of publication gives away that he saw the cartoons online and evidently not until February 2006. A similar sequence of events would have been implausible without the Internet.

## Notes

I am grateful to Tim Winter and Joseph Lumbard for their critical reading and comments.

1. Pew Global Attitudes Project, "Europe's Muslims More Moderate: The Great Divide—How Westerners and Muslims View Each Other," Survey released June 22, 2006. The report is available at <http://pewglobal.org/reports/display.php?ReportID=253>

2. The *Brussels Journal* copied the cartoons from a Danish website, and many of the captions are poorly translated. They can be seen at <http://www.brusselsjournal.com/node/382>.

3. The editor in that case was Jens Kaiser, who was not one of the editors responsible for publishing the cartoons. When confronted with the old rejection letter, Kaiser said, "It is ridiculous to bring this forward now. It has nothing to do with the Muhammad cartoons. In the Muhammad drawings case, we asked the illustrators to do it. I did not ask for these cartoons. That's the difference." Few people were persuaded by his explanation. See Gwladys Fouché, "Danish paper rejected Jesus cartoons," *The Guardian*, February 6, 2006. Available at, <http://www.guardian.co.uk/cartoonprotests/story/0,,1703552,00.html>.

4. A copy of the letter that was sent to solicit the illustrations can be found in John Hansen and Kim Hundevadt, *Provoen og Profeten* (Aarhus: Jyllands-Postens forlag, 2006), 15.

5. Stephen L. Carter, *Civility: Manners, Morals, and the Etiquette of Democracy* (New York: Basic Books, 1998).

6. At some point, Abu Laban may also have been expelled from Egypt. He did not participate in the coalition's delegation to Cairo in early December 2005, which was arranged by the Egyptian ambassador to Copenhagen, Denmark. The delegation has been vilified as responsible for starting the cartoon protests in Islamic countries, a charge that some members fueled by bragging about their success.

7. "Massive Cartoon Protest in Beirut. Iran, Syria Deny U.S. Claim They Are Inciting Violence," *CNN World*, February 9, 2006.

8. Olivier Roy, *Globalized Islam: The Search for a New Ummah* (New York: Columbia University Press, 2004).

9. Interview with Lhaj Thami Brèze, Paris, December 12, 2006.

10. L'UOIF, Réalisations et orientations présenté par Lhaj Thami Breze, Président de l'UOIF Lors de la 23ème Rencontre Annuelle des Musulmans de France, au Parc d'Expositions Paris, *Le Bourget*, May 7, 2006.

11. Stefan Simons, "Danish Caricatures on Trial in France. Cartoons 1: Muhammad

0,” *Spiegel International*, February 17, 2007, <http://www.spiegel.de/international/spiegel/0,1518,466403,00.html>.

12. “Four Men Jailed over Cartoon Demo,” *BBC News*, July 18, 2007, <http://news.bbc.co.uk/1/hi/uk/6904622.stm>.

13. “Declaration of Fatwa by World Islamic Scholars about Danish Cartoons,” February 20, 2006, available at the website of The American Muslims as part of a collection titled *Muslim Voices against Extremism and Terrorism*, Part 1, *Fatwas*, compiled by Sheila Musaji, <http://www.theamericanmuslim.org>.

14. Roy, *Globalized Islam*.

15. Haroon Siddique, *Being Muslim: A Groundwork Guide* (Toronto: Groundwork Books, House of Anansi Press, 2006), 50.

16. The Zombie Image Archive started collecting images of Muhammad and posting them. Michelle Malkin, a blogger, picked up the argument that was suggested by the pictures; the mainstream media reported on her response.

17. Interview with Rachid Nekkaz, Paris, December 13, 2006.

18. Personal conversation, London, October 29, 2007.

19. Sheila S. Blair and Jonathan M. Bloom, “Art and Architecture,” in *The Oxford History of Islam* (New York: Oxford University Press, 1999), ed. John L. Esposito, 230.

20. It can be viewed on the exhibit’s website at <http://www.bl.uk/onlinegallery/sacredtexts/nizami.html>.

21. Manuscript of the *Mihr va Mushtari* (Sun and Jupiter) of Muhammed ‘Assar of Tabriz by the scribe Muridi al-Asta-rabadi, Museum of Fine Arts, Boston, Denman Waldo Ross Collection, 1906.

22. Reza Aslan, “Depicting Mohammed: Why I’m Offended by the Danish Cartoons of the Prophet,” *Slate*, February 8, 2006, <http://www.slate.com/id/2135661>.

23. See <http://www.allposters.com/gallery.asp?startat=/getposter.asp&APNum=1874068&CID=AA6B0D3E17D64F06A474F82AB9BF7914&PPID=1&search=Muhammad&f=t&FindID=0&P=1&PP=4&sortby=RD&cname=&SearchID=>.

24. Mormons refer to Smith and Muhammad in the same way as prophets. Joseph Smith is reported to have compared himself to Muhammad in a speech from 1838: “I will be to this generation a second Mohammed, whose motto in treating for peace was ‘the Alcoran [Qur’an] or the Sword.’ So shall it eventually be with us—‘Joseph Smith or the Sword!’” Fawn M. Brodie, *No Man Knows My History* (New York: Knopf, 1971), 230–31.

25. Anonymous, Canto XXVIII, Circle 8, Bolgia 9, *The Sowers of Religious Discord, Punished by Mutilation (Mahomet)* (woodcut), 1491.

26. Edward W. Said, “The Clash of Definitions,” in *The New Crusaders: Constructing the Muslim Enemy*, ed. Emran Quereshi and Michael A. Shells (New York: Columbia University Press, 2003), 82.

27. Anthony Quinn, who was best known as “the Greek” from his success in *Zorba the Greek* (1964), was in fact Irish American and Mexican American and grew up as a Roman Catholic.

28. *The Message* (1976), directed by Moustapha Akkad. It is a popular clip on YouTube and can be viewed at <http://www.youtube.com/watch?v=iV7wRcQcD5k>.

29. See Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford: Oxford University Press, 2004).

30. An Egyptian newspaper, *El Farg*, printed one of the cartoons on its front page on October 17, 2005. This issue is now missing from the paper’s website, but otherwise the editors apparently faced no reprisals. Jordanian, Moroccan, Yemini, and even a Saudi paper also reprinted the cartoons. The Saudi paper was shut down; the Jordanian editors were arrested.

31. *Ejour*, a Danish website that covers journalism news, found that by the end of

February 2006 one or more of the cartoons had been reprinted in at least 143 newspapers in 56 countries. See <http://www.djh.dk/ejour/52/52Tegninger1.html>. The Associated Press declined to distribute the cartoons to its U.S. subscribers. I counted five regional newspapers and about 20 student newspapers and street papers that republished the cartoons. *Harper's* magazine printed them all in its June 2006 issue and included a critical essay by the graphic novelist Art Spiegelman.

32. Fatema Mernissi, "Place Fundamentalism and Liberal Democracy," in *The New Crusaders*, ed. Quereshi and Shells, 51–67.

33. On the "ticking bomb" scenario, see Stephen Holmes, "Is Defiance of Law a Proof of Success? Magical Thinking in the War on Terror," in *The Torture Debate in America*, ed. Karen J. Greenberg, 118–35, (New York: Cambridge University Press, 2006).

34. "Muslims Rip 24 for Renewed Terror Role," Associated Press, January 18, 2007.

35. Echoing statements that were made by other religious authorities in Egypt and Saudi Arabia, Abdel-Moeti Bayoumi, a member of Al-Azhar's Islamic Research Academy, said that "the boycott is the least Muslims could do to defend their Prophet after the majority of Danish people supported their government for not apologizing for the offensive drawings." See "Cartoon Battle Turns Uglier," *Al-Ahram Weekly*, February 2–8, 2006.

36. Taha Jaber al-Alwani, "'Fatwa' Concerning the United States Supreme Courtroom Frieze," *Journal of Law and Religion* 15–1/2 (2000–2001): 1–18. I am grateful to my colleague Joseph Lumbard for bringing this article to my attention.

37. *Ibid.*, 25.

38. Chapter 272 of the Penal Code of the Commonwealth of Massachusetts proscribes "Crimes against chastity, decency, morality, and good order" and includes in section 36 the following injunction: "Whoever willfully blasphemes the holy name of God by denying, cursing or contumeliously reproaching God, his creation, government or final judging of the world, or by cursing or contumeliously reproaching Jesus Christ or the Holy Ghost, or by cursing or contumeliously reproaching or exposing to contempt and ridicule, the holy word of God contained in the holy scriptures shall be punished by imprisonment in jail for not more than one year or by a fine of not more than three hundred dollars, and may also be bound to good behavior." See <http://www.mass.gov/legis/laws/mgl/272-36.htm>.

39. See [http://www.opendemocracy.net/democracy-europe\\_islam/muslim\\_cartoons\\_3244.jsp#one](http://www.opendemocracy.net/democracy-europe_islam/muslim_cartoons_3244.jsp#one).

40. Telephone interview, Abdul Haqqq Baker, Jeddah, Saudi Arabia, July 12, 2006.

41. An Italian magazine has taken up Allievi's cause. See *Dialogues on Civilization. ResetDoc*, <http://www.resetdoc.org/EN/Allievi-Freedom.php>.

42. Rigsadvokaten. Afgørelse on eventual strafforfølgning i sagen om *Jyllands-Postens* artikel "Muhammeds ansigt," March 15, 2006.

43. Alain Besançon, *The Forbidden Image: An Intellectual History of Iconoclasm* (Chicago: University of Chicago press, 2000), 378.

44. Interview with Carsten Juste, Århus, Denmark, October 23, 2007.

45. Interview with Flemming Rose, Copenhagen, Denmark, October 22, 2007.

46. The Council of Europe, Recommendation 1805 (2007): "Blasphemy, religious insults and hate speech against persons on grounds of their religion." See <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta07/EREC1805.htm>.

47. Bernard Lewis, "Legal and Historical Reflections on the Position of Muslim Populations under Non-Muslim Rule" in his *Islam and the West* (Oxford: Oxford University Press, 1993), 43, 57.

48. Section 227 reads, "All existing laws shall be brought in conformity with the In-

junctions of Islam as laid down in the Holy Quran and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.”

49. Karen Armstrong, *Muhammad: A Prophet for Our Time* (New York: Harper Collins, 2006); Tariq Ramadan, *In the Footsteps of the Prophet: Lessons from the Life of Muhammad* (Oxford: Oxford University Press, 2006).