

Religious tolerance, the news media and respect for the theist – Noel Cox

Introduction

We have from time to time heard calls for greater tolerance to be shown to atheism. This is justified on the grounds of freedom of expression and speech. But it may be that the greatest threat to freedom of belief is not to the atheist or the agnostic; rather it is to the believer in God, whether they be Christian or Muslim. Sometimes it seems as though religion in general, and Christianity in particular, is under attack in the supposedly Christian west,¹ where secularism appears to reign supreme.² Though atheists and agnostics are often also proponents of secularism, secularism is not the same as either atheism or agnosticism.³ We are told that religious intolerance causes wars, and so, by extension, religious belief, and religion itself is attacked. These attacks appear to be led by an alliance (presumably unconscious rather than planned) of liberal elements in the media and of social reformers in other positions of influence. If the suggestion that religion is under attack seems exaggerated, let us examine some of the evidence. The case study we shall use is the Muhammad cartoons controversy, and the reaction of the news media to it.

The Muhammad cartoons and freedom of expression and religion

The publication in the west and elsewhere in 2005 of the so-called Muhammad cartoons, originally printed in the Danish newspaper *Jyllands-Posten*, raised a number of important – and difficult – questions.⁴ These went far beyond freedom of speech, which seemed to be the immediate justification for the republication of these cartoons in western newspapers. Most of the issues which the controversy highlighted remain with us.

In September 2005, as part of an editorial on self-censorship and Islam, *Jyllands-Posten* published twelve cartoons depicting the Prophet Muhammed. The images and representation were not flattering.

The *Qur'an* does not absolutely prohibit the depiction of the Prophet Muhammad.⁵ There is an understanding both under Shari'a, and in Islam generally, that depictions of the Prophet are prohibited. However, there is no explicit Sura in the *Qur'an* that prohibits the creation or use of imagery of the Prophet. There is a long tradition under Shari'a of prohibiting these images. The source of this prohibition can be traced back to the prohibition on idolatry that is discussed in the *Qur'an*. Sura 42:11 states "(He is) the Creator Of the heavens and The earth: He has made For you pairs From among yourselves, And pairs among cattle: By this means does He Multiply you: there is nothing whatever like unto Him, and He is the One that hears and sees (all things)".⁶ Many Muslims read this particular Sura as not permitting a human attempt to recreate Allah because there is "nothing whatever like unto Him".⁷

However, many Muslims tolerate some form of depiction, and only some condemn pictorial representations of any kind.⁸ It was the satirical intent of the

2005 cartoonists, and the association of the Prophet with terrorism, that was offensive to a large number of Muslims.⁹ Disrespect to Islam or to the Prophet Muhammad is still widely considered by Muslims to be blasphemous or sacrilegious. Islamic opinion did not generally maintain that the western media could not depict the Prophet Muhammad, but that they should not do so in an offensive or disrespectful manner. It could be argued that the right of freedom of thought and expression cannot imply the right to offend the religious sentiments of believers.¹⁰ However, neither can these sentiments be an excuse for calls to “massacre those who insult Islam”, as we saw on Muslim protestors’ banners in London and elsewhere in 2005.¹¹

The problem is more specific than a clash of religions or cultures. It is the attitude of the west reflected in its news media. Typical of this attitude is the editorial statement in the *New Zealand Herald* at the time of the Mohammed cartoon controversy, that “the press is free to give religious offence if it wishes”. Legally this may be true (for like the United Kingdom, and unlike large parts of the world, in New Zealand there is a free and independent press, subject only to certain limited restraints covered by defamation and censorship laws).

However, does the media have the moral or ethical right (without assuming that there is necessarily a distinction between morality and ethics) to publish material that they know is offensive to a significant body of people, and particularly where they know that the publication of this is liable, indeed likely, to have serious social, political or other repercussions? The answer, at least according to many in the media, appears to be yes. This suggests that rather than being tolerant of religious beliefs, they use freedom of expression and of the press, as a justification for demeaning the beliefs of religious peoples. One might be tolerant of religious belief and yet demean it, but to demean a belief system is unlikely to generate tolerance.

There is also the question of whether Islamic prohibitions – such as they are, for opinion is divided on precisely what is allowed – on the depiction of the Prophet Muhammad can, or ought to, be imposed (legally or otherwise) outside Islamic countries. Perhaps they should not. This can be seen in the other side of tolerance – the believer against the non-believer. However, is it wise, or right, to argue for the right to publish pictures that we know will cause offense, and which may have serious political or economic consequences? It could perhaps be seen as cowardice to say, “don’t publish”, for these reasons alone. But we are taught by Jesus to treat others as we would wish to be treated ourselves. The right of free speech has always been subject to reasonable limitations.¹² One of these, though it may not be enunciated in law, should be the need to avoid deliberate and undue offence and hurt – for to do otherwise is to generally be intolerant of belief, though it is possible to be legally tolerant of a belief (or a response to it: like publishing the cartoons) but morally intolerant of it. Self-interest must, however, also play a part.

To publish such cartoons played into the hands of the extremists and undermined the position of many Muslims around the world, when they saw the western media apparently deliberately attacking Islam. We encourage militants when we act in a way that can be seen as provocative. There was little western governments could do except hope that their news media would be cautious and

prudent, but to the more extreme elements of Islam such niceties might not be apparent.

We know that the actions of some elements of the news media cannot be used to condemn whole countries – or indeed the west as a whole, there was no move to attack Jordan for the publication of the cartoons by a newspaper there, but then Jordan is an Islamic country. Denmark, and the other countries that were the subject of Muslim anger, are Christian – or at least ostensibly so. This controversy tended to polarise attitudes, and widen pre-existing divides. The news media showed intolerance, or at least poor judgment, insensitivity or arrogance, in insisting on their right to cause offense.

Religious tolerance and the western news media

We return to the key moral question: whether the news media is free to give religious offence if it wishes to do so, and whether a decision to do so shows a deliberate policy to attack religious beliefs.

Clearly the news media has, in fact, given offence many times in the past, and will doubtless continue to do so in the future. They have published pictures which have been highly offensive to Christians, but have generally managed to justify their actions (or at least avoid serious legal consequences) on the grounds of freedom of the press. This concept has become so entrenched in the west that we don't look beyond the bland assertion of "free speech". Nevertheless, with freedom comes responsibility.¹³ Most of the news media is aware of this, but regrettably not all elements are always as scrupulous as they might be to exercise their freedom responsibly. We should ask why these elements of the news media have chosen to "publish and be damned".¹⁴ Is it because they genuinely believe that "the press is free to give religious offence if it wishes", or is it that they wish to attack religious beliefs in particular?

At a time when the Christian roots of western civilisation are under attack in the west we fail to perceive that many in the non-Christian world, and especially the Islamic world, sees us differently from how we see ourselves. To many in the Islamic world the Christian west both fears Islam and is hostile to it.¹⁵ The irony that many, if not most people in the west, are neither Christian nor care whether offence is felt by Christians or Muslims, so long as their comfortable lives are not affected, may escape them. Worse, that very dominance of secularity is likely to further fuel Islamic contempt for the secular (atheist or neo-pagan) west. It has been suggested that modern Christian inclusivity and tolerance is less tolerant than was anciently the case,¹⁶ but whether this is correct or not, the perception of the Christian as being marginalised in a predominantly secular may serve to heightened the real or perceived differences between the Christian and the atheist or agnostic population, and likewise the perceived or real inflexibility of the Christian in the face of opposition from their "natural" allies.

No longer predominantly Christian, the west has adopted a secular ideology of freedom which now seems to assert that nothing is sacrosanct, nothing immune from attack,¹⁷ and for that reason alone, to some people, Christianity and Islam ought to be the target of attacks.¹⁸ It is little wonder that many in Islamic societies see the west as decadent and corrupt.¹⁹

To the Islamic commentators who asked whether we would accept offensive depictions of Christ, we would answer yes, as we have done so in the not so distant past – and continue to do so.²⁰ That is not to say that we have been right to do so. Freedom of speech may have gone too far, when we can stand back and attempt to justify offensive depictions of the Prophet Muhammad, or condone offensive depictions of religious figures of our own majority religion.

Does this mean that the forces of political correctness should prevail, and that we should impose censorship for fear of offending religious groups – though strangely there seemed to have been little inclination to do so when Christianity was the target? It is arguable that the answer should be no.

It is suggested that the news media, and anyone in a position to influence opinion for good or ill, should exercise judgment based on the ideals of decency and good taste, as well as freedom of the press and of speech. The desire to raise readership (or viewer) figures, or the wish to cause offence because certain groups (Christian or Muslim) are seen as “soft targets”, should be avoided. There is no excuse for gratuitous insults of any belief or group. Equally, the temptation to assign guilt for the actions of a few individuals to entire religions, cultures or countries should be resisted, whether we are considering offensive cartoons, wars or terrorism. Tolerance of religious views ought to include tolerance for the believer in God just as much for the non-believer. Legislation throughout the western world would generally provide for freedom of religion – but seems more effective in protecting the atheist than the theist.

For us in the west the question must be broader than simply how we show tolerance of the religious beliefs of people and communities – it goes to the core of how we see ourselves. One aspect of twenty-first century culture which is most remarkable is the intellectual dominance of secularism. Society is undergoing, in the west at least, a rapid and seemingly irreversible secularisation. This evolution has not been without its effects on the constitutions of states, despite the oft-quoted (though not necessarily very accurate) principle of the separation of church and state.²¹ A state is not without some elements of an ethos, or an underlying philosophical or moral identity.

But a widespread disillusionment with liberal democratic or communist models of government, with capitalism and socialism, and with materialism in its many forms, has left the state, in many societies, unable to provide the degree of conceptual unity of focus which it might be expected to do. This has been exasperated by declining homogeneity and increased political, social, cultural and economic polarisation and marginalisation. Prior to the nineteenth century Christianity was dominant in the west, so the focus of religious tolerance laws was minority Christian denominations. The beneficiaries were assumed to be theists. Now, although law still assumes this, there is greater emphasis on freedom of expression. This is coupled with an apparent belief that theists are “fair game”. It is assumed that Christians are unwilling actively to defend their beliefs – but it is a mistake to assume this of Islam also.

Increased diversity in a pluralist society is said to bring strength, but it perhaps it cannot do so if it means there is little or no sense of common identity or unity in the state.²² Iraq, which is riven by religious and ethnic division, is a case in point. Only when diversity becomes the underlying principle of the State – as arguably

it has in several countries including the United Kingdom and the United States of America – can it strengthen the state, rather than weaken it. This is because the state which enjoins diversity, applauds difference, is not riven by differences; rather it welcomes this. But even in those countries which do celebrate difference and diversity it is unclear that this actually leads to greater social cohesion.

All is not yet lost. Even those polls that suggest that the majority of people in the United Kingdom don't believe in God also show that a larger proportion of the population regards Christmas as a Christian festival, and want the religious element preserved. This is also true of the Christian elements of state life – the title of the Sovereign as Defender of the Faith, and their constitutional role in the Church of England (and even of the Presbyterian Church of Scotland), are generally approved as socially beneficial. Most polls actually suggest that a majority of people do believe in God, even if they have rather unformed views as to who God may be. Fortunately we are still able, in the United Kingdom, to wish someone a “merry Christmas” without fear of prosecution for causing religious offence. Long may that continue. Religious tolerance must include tolerance for religious believers of both Christian and non-Christian persuasions.

Conclusion

Attacks on religious belief, justified on the basis of freedom of speech or of expression, are a challenge to organised religions. Islam and Christianity alike are subject to attacks which appear inspired more by a desire to cause offense, or to “test the boundaries” of what is acceptable, than by any desire to promote informed debate. This situation, if true, presents a potentially serious threat to the freedom of belief of the theist.

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¹ Contrary to Locke: John Locke, *A Letter Concerning Toleration*, ed. Tom Crawford (New York: Dover Thrift, 2002) (1689), p. 145.

² Stephen Mansfield, *Ten Tortured Words: How the Founding Fathers Tried to Protect Religion in America and What's Happened Since* (New York: Thomas Nelson, 2007)

³ See Henri Pena-Ruiz, *Histoire de la laïcité: Genèse d'un idéal* (Gallimard: collection Découvertes, 2005)

⁴ See Flemming Rose, Muhammeds ansigt [The Face of Mohammed], *Jyllands-Posten* (Denmark), 30 September 2005, reprinted in Anders Jerikow and Mille Rode, eds., *Profet-Affæren [The Prophet Affair]* (Copenhagen: Dansk PEN, 2006), pp. 14-15.

⁵ Stéphanie Lagoutte, 'The cartoon controversy in context: Analyzing the decision not to prosecute under Danish law', *Brooklyn Journal of International Law*, 33 (2008): 379-403, at 389.

⁶ Qur'an 42:11.

⁷ Ibid.

⁸ In art, for instance, the staunch attitude of most jurists is often infringed. See Titus Burkhardt, *Art of Islam: Language and Meaning* (London: World of Islam Festival Publishing Co. Ltd, 1976), p.33

⁹ Rachel Saloom, 'You dropped a bomb on me, Denmark – A legal examination of the cartoon controversy and response as it relates to the Prophet Muhammad and Islamic law', *Rutgers Journal of Law and Religion*, 8 (Fall 2006), pp.1-37.

¹⁰ The origins of freedom of religion can be traced in John C. Laursen, Cary J. Nederman, eds., *Beyond the Persecuting Society. Religious Toleration Before the Enlightenment* (Philadelphia, Pa.: University of Pennsylvania Press, 1998); Perez Zagorin, *How the Idea of Religious Toleration Came to the West* (Princeton, N.J.: Princeton University Press, 2003). See also Nicholas P. Miller, 'The dawn of the age of toleration: Samuel Pufendorf and the road not taken', *Journal of Church and State*, 50.2 (Spring 2008): 255-276.

¹¹ For the legal context of the cartoons, see Niraj Nathwani, 'Religious cartoons and human rights – A critical legal analysis of the case law of the European Court of Human Rights on the protection of religious feelings and its implications on the Danish affair concerning cartoons of the Prophet Muhammad', *European Human Rights Law Review*, 4 (2008): 488-507.

¹² Peter G. Danchin, 'Of Prophets and proselytes: Freedom of religion and the conflict of rights in international law', *Harvard International Law Journal*, 49 (2008): 249-321.

¹³ John Stuart Mill, *On Liberty* (4th edn, London: Longman, Roberts & Green, 1869).

¹⁴ Arthur Wellesley, Duke of Wellington, attributed; when the courtesan Harriette Wilson threatened to publish her memoirs and his letters.

¹⁵ Dr. Chandra Muzaffer, <http://www.peg.apc.org/~newdawn/misc2.htm#top>. Dominant Western Perception of Islam and The Muslims

¹⁶ Thomas C. Oden, *The Rebirth of Orthodoxy: Signs of New Life in Christianity* (New York: HarperSanFrancisco, 2003) 115.

¹⁷ Ironically, in contrast to this the duty of a Christian priest is to communicate Christian teaching in a "tolerant and gentle" yet disciplined way (2 Tim 2:23ff).

¹⁸ For examples of militant atheism, see Christopher Hitchens, *God is not great: How religion poisons everything* (Crows Nest, N.S.W.: Allen & Unwin, 2007); Richard Dawkins, *The God delusion* (Boston: Houghton Mifflin Co., 2006).

¹⁹ Policy Exchange, "Living apart together: British Muslims and the paradox of multiculturalism", www.policyexchange.org.uk/publications.aspx?id=307

²⁰ See, for instance, *Piss Christ*, which was a controversial photograph by American photographer Andres Serrano. It depicted a small plastic crucifix submerged in a glass of the artist's urine. The piece was a winner of the Southeastern Centre for Contemporary Art's "Awards in the Visual Arts" competition.

²¹ See Noel Cox, *Church and State in the Post-Colonial Era: The Anglican Church and the Constitution in New Zealand* (Auckland: Polygraphia, 2008).

²² Allan Rosas, Jan Helgesen and Diane Goodman eds., *The Strength of Diversity: Human Rights and Pluralist Democracy* (Leiden: Brill, 1992).