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Freedom of Speech, Controversies and Muslims: A Review Essay

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Abstract

Muslims remain as conspicuous minorities in the West where they encountered numerous challenges; one of the key ones is the maintenance of their religious identities amidst a predominantly secular society. Whilst some succeeded to overcome the challenges, others found themselves absorbed into the secular environment and as a result they abandoned their identities as Muslims. From among the latter group there are those such as Salman Rushdie and Hirsi Ali who not only rejected their identities but who began to write against the traditions within which they were nurtured and grew up. As they articulated their ideas in publications and through other means, they were countered by an array of Muslim representative organizations that touched upon the question of the 'Freedom of Speech' and the 'Freedom of Religion.' As expected these critical voices of Muslims and Islam were given full support by Islamophobic individuals such as Theo van Gogh and others. In this review essay the focus is Anshuman Mondal's *Islam and Controversy* that critically evaluated the ideas of a few of these individuals and their works (i.e. novels, films and cartoons).

Key words: Free Speech, Controversy, Politics, Islam, Muslims

REVIEW ESSAY

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Freedom of Speech, Controversies and Muslims: A Review Essay

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Introduction

Although the 'Freedom of Speech'¹ debate has occupied communities in different ways for ages, it was given greater attention during this modern democratic period. It is indeed an era in which Ayatollah Khomeini (d.1989) issued his legendary *fatwa* (1989) against Salman Rushdie's (b.1947) infamous *The Satanic Verses* (1988)². From that period onwards up – one that coincided with the post-Cold War era (c.1990-2015) - until this day this particular dispute deepened discussions and sparked several debates that surround the status of 'freedom of speech' as a fundamental human right; a right that has been enshrined in, among others, the Universal Declaration of Human Rights, the European Convention of Human Rights, and African Charter on Human and People's Rights. Now the respective Khomeini and Rushdie texts (i.e. the legal edict and the creative novel) have time and again been studied and cited by many in the academic, legal, media and cultural circles; the reason for this may be attributed to the fact that these two texts along with other legal documents and media reports have brought into sharp focus, *inter alia*, (a) the threat of freedom, (b) the implementation of (self-)censorship, (c) the question of blasphemy, (d) the restrictions of hate speech, (e) the limits of religious hatred, and (f) the observation of ethics in democratically constructed environments.

Book's Focus

As these issues began to clutter the agendas of academic dons and media pundits during the post-Cold War period that was also given added importance by Samuel Huntington's seminal *Clash of Civilization* article (1993)³ that pitted the proverbial 'West' and against the rest, it appeared that much – if not all - of these were connected to Islam and Muslims. Taking into account the various developments that took place during the past twenty five years, it may thus be argued that the Rushdie and Khomeini texts have alongside a catalogue of other texts and items certainly caused scholars to intimately inspect the conjoined terms, namely 'Islam and Controversy;' this is the title that Anshuman Mondal, who is a Brunel University professor of English literature, consciously chose as the main theme for his text under review.⁴ On the note of the theme, one would prefer Mondal to have used the term 'Muslim' rather than 'Islam'⁵; the basic reason for pushing for this replacement is based upon the fact that though Islam is the religious system that Muslims devoutly follow, they are the ones who interpret it and as a consequence find themselves entangled and embroiled in disputes that eventually lead to lasting controversies such as the Rushdie affair.

The main theme was, however, further explored by its sub-title: 'The Politics of Free Speech after Rushdie.' Even though Mondal's text tackled some aspects of Rushdie's *The Satanic*

Verses, he cautioned the reader that his book was not about the controversy that Rushdie's novel generated but that it was about the application of the 'Freedom of Speech' act as a means to achieve a mutual understanding in multicultural environments that have been constructed in countries such as the UK and the USA. That aside, both Mondal's title and subtitle underlined the fact that Muslims and Islam – besides being viewed by Muslims as a divinely inspired system - have overwhelmingly been associated with various types of controversies; whether it was related to the banning of the *hijab* in France⁶ or a set of Danish cartoons lampooning Prophet Muhammad⁷.

Question of 'The Freedom of Speech'

When undertaking a careful reading of Mondal's noteworthy densely written seven chapter text, one observed the author's profound engagement with post-colonial theoretical issues that came to the fore in the very first part of his text⁸. Mondal divided the text into three parts that essentially discoursed about the question of 'Free Speech' as related to Muslims but that may effortlessly be applied to any other religious community. In the text's introduction Mondal emphatically pointed out that 'Freedom of Speech', which should be employed to accomplish common cause, should be dislodged from arguable ideas that are tied to the liberal discourse; he further stated that it should be reconceptualized in such a manner that 'moral restraint' and 'legal restrictions' should not be regarded as opposed to it but as *constitutive* of liberty (Mondal's emphasis p.2). This revised understanding is thus inextricably linked to it as has been highlighted by scholars such as Amina Wadud (b.1952) the author of *Qur'an and woman rereading the sacred text from a woman's perspective*.

Mondal argued that the liberal discourse of rights - as a 'free speech' instrument - ignored the question of ethics or ethic responsibility and as a result it fell short of being an adequate mechanism to deal with controversial cartoons such as those that appeared in *Jyllands-Posten* or notorious novels such as *The Jewel of the Medina*. Engaging intellectually with these, Mondal posed two simple questions that 'revolve(d) around the ethics of representation'; the first was: 'was the creative artist (e.g. the *Jyllands-Posten* cartoonist [2006]) - or for that matter the novelist (e.g. Salman Rushdie) - right to represent the individual/person (i.e. Prophet Muhammad in this case) in the way he did it?'⁹ And the second was: 'were the Muslims who opposed film director Theo van Gogh's *Submission* (2004) correct to have labelled it as sacrilegious and distasteful?' As one browsed through Mondal's text one had to have in the back of one's mind these two questions as well as other related ones. Nevertheless, the first part of Mondal's very discerning text consisted of three interrelated chapters; each of these provided perceptive commentaries and invaluable insights into crucial concepts and salient subjects that charted out a set of ideas that would assist in comprehending and appreciating the text's overall objectives.

The Politics of Controversy

So in the first chapter titled 'From Blasphemy to Offensiveness: the Politics of Controversy' (pp. 13-31), Mondal unpacked his theoretical frame that assisted the reader in grasping a mixture of controversies that he dealt with in the subsequent chapters. In this chapter Mondal asserted that when evaluating each of these controversies then each indisputably illustrated that the controversy was extricably coupled with that of 'politics;' hence one encountered on all fronts what he termed 'the politics of controversy.' He explained that 'giving and taking of offence is (basically) a performative gesture' and that the pivotal relationship that joins the offender to the offende is that of power. Towards the end of the chapter Mondal critiqued the manner in which Rushdie defined literature as it appeared in his 1990 *Is Nothing Sacred?* Herbert Read Memorial Lecture¹⁰. Mondal commented that not all art including literature, as Rushdie maintained, stand outside power and added that at times 'works of art and literature are complicit with dominant regimes of



representation' (p.29). Unlike others, Mondal appropriately stated, Rushdie belonged to an elite set of artists that have been granted all the necessary support by the liberal minded groups such as Penguin publishers to such an extent that he possessed the 'power to speak' that has been flatly denied to others who countered their arguments.

Mondal moved on to the second chapter in which he posed an important question: 'What is Freedom of Speech For?' (pp.32-56). He could have reformulated the question by simply asking: 'What is Freedom of Speech?' and he could thereafter have explained the phrase; he avoided doing this because he wanted to provoke more debates regarding this critical issue. Though he correctly critiqued both the liberal and Muslim absolutists for essentially making similar arguments - albeit differently, he explored further the liberal absolutists' stand and he demonstrated how disjointed they were in presenting their arguments. He, for example, showed up the contractualists for having forwarded flawed arguments and he listed three tangible objections against the liberal absolutists' position. One wonders whether liberal minded scholars would approve of Mondal's clearly articulated list of objections since they never factored religion into their equation and particularly within the multicultural arena. He wrapped up the chapter by posing the exact same question that he titled it with because it appeared that whilst the problem applied to almost everyone/everything it seemed that during this liberal age it did not apply to religion and its various religious groups!

When responding to this question in the third chapter titled 'A Difficult Freedom: Towards Mutual Understanding and the Ethics of Propriety' (pp.57-93), Mondal upheld the view that one has to factor in the multicultural and multireligious nature of societies; these are, in turn, characterized by qualities such as tolerance. So when one included these into one's writings – whether fiction or fact – about individuals or communities then, Mondal stressed, it is 'a moral act' and as a consequence it brought onto the discussion board the recognition of (maximalist and minimalist) ethics that is not a set of rules but 'a moral performance' or 'a form of conduct/behaviour.' Mondal made mention of Andrew Gibson's constructive assessment and reading of *The Satanic Verses*; the latter described the novel as being 'peculiarly ethical' (p.88) and this was an issue that Mondal found very problematic.

Mondal's judgment of Rushdie's text reached the conclusion that it was 'ethically troubling' (p.89) and that it did not display or reveal an 'ethic responsibility'. After having provided a fair insight into the theoretical frame with numerous examples that Mondal very judiciously applied in the first part, he went on to speak about the three different examples in the three chapters that followed. In each of the following chapters Mondal tied and weaved into his evaluation the question of the 'ethics of propriety.' This is a process that is dialogic and that differed markedly from the 'ethical dynamics of controversy' process that is a monologue; instead of it being in sync it is out of tune with the idea of mutual and shared responsibility towards one another.

Case Studies

In the fourth chapter Mondal investigated 'The Self-Transgressions of Salman Rushdie: Re-Reading *The Satanic Verses* (pp.97-146), which also appeared in *Textual Practice* (27[3]: 419-437, 2013) with a differently worded title, namely 'Representing the very ethic he battled: secular, Islam(ism), and self-transgression in *The Satanic Verses*¹¹'. Mondal was interested in the Muslim critics' claim that Rushdie's novel, which was apparently written 'in good faith' according to Rushdie himself, was penned as a very poor and 'bad' historical work; in addition, Mondal scrutinized Rushdie's assertion that he probed Muslim belief from a purely secular perspective in the novel.

Apart from having arrived at the conclusion that the novel blatantly violated the historical record, Mondal underlined that Rushdie's professed claims were not very different from those Islamists with whom he disputed; based upon Mondal's careful review and close reading he considered Rushdie's 'in good faith' defence highly questionable and 'ethically

problematic.’ Though the cartoons and film that Mondal addressed in the fifth chapter, ‘Visualism and Violence: On the Art and Ethics of Provocation in the *Jyllands-Posten* cartoons and Theo van Gogh’s *Submission* (pp 147-166) - as well as the sixth chapter in which he evaluated ‘Romancing the Other: *The Jewel of the Medina* and the Ethics of Genre’ (pp 167-182) - fall in different artistic genres the same argument applied against these provocative and challenging works.

At the core of these creative artistic endeavours the critical question of intention that Mondal ended with in very last line in the fifth chapter (p.166) needed to have been probed in detail. This was not done and if Mondal had done so then one is certain that his well-presented text would have further uncovered these writers, film makers and artists’ unethical principles that use ‘free speech’ as a convenient cover to produce and circulate works that drive a wedge between the western minded person and those belonging to other religio-cultural groups whose ideas are considered conservative and intellectually inferior. The notion of intention would not only have raised more questions with regards to ‘ethic responsibility’ but it would also have taken the reader back to the issue of ‘power relations’ that Mondal addressed in this book.

And having pursued a very incisive study of selected creative pieces, one would like Mondal to have widened his net and to perhaps have included the works of one or two Islamophobes such as Robert Spencer¹² and Douglas Murray¹³; these are individuals who articulately and freely expressed their diatribes against Islam and Muslims without being faulted for their preposterous (mis)interpretations and (mis)readings. These two like others discussed by Mondal entered the arena of ‘politics of controversy’ through their deliberate misreadings - and of course under the guise of ‘free speech’ - in which they unashamedly displayed their writings as forms of ‘power relations that determine the ethics of free speech’ (p.9). Mondal’s samples of artistic/creative outputs and the online circulated texts by the mentioned Islamophobes who have contributed substantially towards the intensification of divisions that ‘developed into a stand-off between a putative ‘West’ defending freedom of expression’, and an ‘Islam’ seeking freedom from offense’ (p.15)¹⁴.

Towards Wrapping Up

In winding up his text, Mondal assessed various responses that included ‘Satire, Incitement and Self-Restraint: (and thereafter offered) Reflections on Freedom of Expression and Aesthetic Responsibility in Contemporary Britain’ in the seventh chapter (pp.185-211). The chapter discussed the discourses that dealt with the introduction of the ‘Racial and Religious Hatred Act of 2006.’ Before the Act came into effect during 2007, it was extensively debated by various stakeholders and religious groups were among them. Mondal mentioned that some of these groups objected to the Bill because they argued that it would effectively prohibit them from proselythizing others to their tradition and others proffered the view that it would threaten one’s freedom to preach.

Mondal referred to scholars such as Nick Cohen (b.1961), *The Spectator* blogger and *Observer* columnist who expressed the opinion that when one is offended by an act then ‘one must learn to live with it;’ and in the same breath he opined that all incitement legislation should be abolished from the Act. Despite the harm that hate speech might inflict on a person, Cohen and others seem to disregard this and appear to support the view that this type of speech be given legal protection! Well this is exactly where liberalist (insensitive and tactless) thinking takes up a *fundamentalist* liberal position (my emphasis); something that they deny but that does exist. Leaving that aside, though Mondal returned to ‘Rushdie and (the question of) responsibility’ prior to offering an assessment of two satirical films, namely Monty Python’s *Life of Brian* (1979) and Chris Morris’ *Four Lions* (2010), he ended off by referring to scholars that stressed the ‘sense of responsibility’ that one should adopt when undertaking the task of writing humorous thoughts or drawing a cartoon for satirical purposes.



Finally, he provided the reader with a well-presented publication that was logically structured with each chapter flowing seamlessly from the one into the other. He dealt with an important subject and injected fresh ideas as to, among others, how (a) one should understand the consequences of issues that involve religion and its adherents, (b) one should observe ethical principles at all times and in all instances, (c) the reader should critically and perceptively engage with a text, and how (d) the creative writer or artist should adopt a reasonably sensitive approach when writing or presenting a piece of art. On the whole, he adopted a clinical approach throughout the text and this is quite evident from the very first to the last chapter. Whilst scholars in literature would find his analyses informative, social scientists will also benefit from Mondal's instructive insights.



Notes

1. Volokh, E., "Freedom of Speech, Religious Harassment Law, and Religious Accommodation Law", *Loyola University Chicago Law Journal*. Vol. 33, 2001, pp.57-69; Chelini-Pont, B., "Freedom of Religion and Freedom of Expression", *International Consortium for Law and Religion Studies*, 2010, see this text online: http://www.iclars.org/media/pdf/abstract/Abstract_workshopsabato_mattina.pdf; Agnes Callamard. Freedom of Speech and Offense: Why Blasphemy Laws are not the appropriate response. Online: <https://www.article19.org/data/files/pdfs/publications/blasphemy-hate-speech-article.pdf>.
2. Ayatollah Khomeini issued his legendary *fatwa* (1989) against Salman Rushdie's infamous *The Satanic Verses* (1988).
3. Huntington, S., "Clash of Civilization", *Foreign Affairs*, Vol.72, No.3, 1993, pp.22-49, Summer.
4. See the review essay "Dangerous Controversies" by B. King that appeared in *Journal of Postcolonial Writing* 2016.
5. Consult Shahan Ahmad, *What Is Islam?, The Importance of being Islamic*, Princeton, Princeton University Press, 2016.
6. Grillo, R., & Shah, P., *Reasons to Ban? The Anti-Burqa Movement in Western Europe*, Max Plank Institute for the Study of Religious and Ethnic Diversity, MMG Working Paper 12-5, 2012; Dunlap, B., "Protecting the Space to be Unveiled: Why France's Full Veil Ban Does not Violate The European Convention of Human Rights", *Fordham International Law Journal*, Vol.35, 2012, pp.968-1025; Winter, B., *Hijab and the Republic: Uncovering the French Headscarf Debate*, New York, Syracuse University Press, 2008.
7. Sturges, P., "Limits to Freedom of Expression? Considerations Arising from the Danish Cartoons Affair", *IFLA Journal*, Vol.32, 2006, pp.181-188; Keane, D., "Cartoon Violence and Freedom of Expression", *Human Rights Quarterly*, Vol.30 No.4, 2008, pp.845-875, November; Tonder, L., "Freedom of Expression in the age of Cartoon Wars", *Contemporary Political Theory*, Vol.10 No.2, 2011, pp.255-272; an also Bleich, E., "Free Speech or Hate Speech? The Danish Cartoon Controversy in The European Legal Context", *Global Migrations: Challenges in the Twenty First Century*, New York, Palgrave MacMillan, Ch. 5 pp.113-128, 2012.
8. See footnote 4; King seems to take a different position on this matter as well as the other works that he reviewed in his essay.
9. Danchin, P. "Defaming Muhammad: Dignity, Harm and Incitement to Religious Hatred", *Duke Forum for Law & Social Change*. Vol.2, No.5, 2010, pp.5-38.
10. Rushdie, R. *Is Nothing Sacred?* Herbert Read Memorial Lecture, London, Penguin Books, 1990.
11. Mondal, A., "Representing the very ethic he battled: secular, Islam(ism), and self-transgression in *The Satanic Verses*", *Textual Practice*, Vol.27, No.3, 2013, pp.419-437.
12. Spencer, R., *The Truth About Muhammad: Founder of the World's Most Intolerant Religion*, Lanham Maryland, Regnery Publishing Inc. 2006.
13. Murray, D., *Islamophilia: A Very Metropolitan Malady*, emBooks, 2013; and also see Murray, D., & Verwey, J.P., "Victims of Intimidation: Freedom of Speech within Europe's Muslim Communities", London, The Centre for Social Cohesion, 2008, and reprint Online: <http://henryjacksonsociety.org/wp-content/uploads/2013/01/victims.pdf>.
14. See Tinnes, J. "Bibliography: Muslims and the West", *Perspective on Terrorism*, Vol.9, No.5, 2015, pp.73-108.



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