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The Muhammad cartoons and multicultural democracies

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ABSTRACT The Danish cartoon affair presents a vehicle for rethinking some of our longstanding assumptions about liberal democracy and its capacity to accommodate cultural difference. The public and academic debates have tended to frame the affair as either a clash between liberal-democratic and illiberal religious values or as a question of whose position is most consistent with liberal-democratic values. We begin, instead, from the assumption that liberal-democratic values conflict, not only between liberalism and democracy, but also within liberalism and democracy. We argue that cases such as the Muhammad cartoons controversy present liberal democracies with choices about which liberal-democratic principles and conceptions of these principles they emphasize and when. Guiding these choices should also be the pragmatic question of how best to make multicultural democracies work. We suggest that the Muhammad cartoons encompass not one, but three distinct problem areas: the violation of a religious norm in the representation of Muhammad, attacks on Islam as a religion, and attacks on Muslims as a group. We examine how liberal democratic values and multicultural citizenship relate to each of these cases, and argue that attacks on Muslims as a group are a form of racism.

KEYWORDS anti-Semitism ● equality ● fraternity ● liberty ● multicultural democracy ● racism ● respect

In this article, we propose to examine the Muhammad cartoons controversy as a vehicle for rethinking and perhaps reconfiguring some of our longstanding assumptions about liberal democracy and its capacities to accommodate cultural difference. The public and academic debates have tended

to frame the Muhammad cartoons controversy in one of two ways: as a clash between liberal-democratic and pre-liberal or illiberal religious values, or, alternatively, as a question of whose position in the debate is most consistent with liberal-democratic values. We begin, instead, from the unremarkable assumption (albeit one curiously missing in the debate) that in principle and especially in practice, liberal-democratic values conflict, not only *between* liberalism and democracy, but also *within* liberalism and democracy. We will argue that cases such as the Muhammad cartoons controversy present liberal democracies with choices not only about whether to invite or permit, or censor or censure, certain kinds of provocative images but also, more fundamentally, about which liberal-democratic principles and conceptions of these principles they emphasize and when. In making such choices, appeals are typically made to considerations beyond 'mere' fidelity to liberal-democratic norms. In cases such as the Danish cartoon controversy, the choice, we shall argue, is also about whether and how best to make multicultural democracies work.

We take it as given that the violence exhibited in the aftermath of the cartoons at some of the demonstrations, the burning of churches and the attacks on Danish embassies, and so on, are unacceptable. We also acknowledge that some groups may have embellished or exploited the cartoons saga for political purposes. However, unlike some, we think the fact that it took some time and various organized campaigns by some activists before Muslim publics were made aware of the publications is neither here nor there, for that is generally how matters are publicized and protests mobilized. What is clear is that the real cartoons and their reproduction in numerous western newspapers offended many Muslims. For us, then, the case poses two key questions of interest. First, should the Muhammad cartoons have been commissioned and published by *Jyllands-Posten* (or any responsible outlet)? Second, what response does their publication warrant, if any?

In addressing these questions, it is necessary, we suggest, to distinguish between three problematic aspects of the cartoons. Each of these aspects is contained in the image of Muhammad with a lit bomb in his turban and the *shahadah* (Islamic creed) inscribed on the bomb. For convenience, our discussion will mainly focus on this image. The first problematic aspect that this cartoon emblematically contains is the representation of Muhammad. Such representation *per se* involves neither the vilification of, nor incitement against, Islam or Muslims; rather it involves a perceived breach of a well-known Islamic injunction. It raises the questions of the appropriate jurisdiction of religious law in liberal democracies and of the respect that may be owed those who abide by them. The second problematic aspect in the cartoon is the suggestion that *Islam* is violent and dangerous. We do not claim that the cartoonist intended this image to target Islam as opposed to Muslims, only that the two targets are analytically separate and separable,

and that different implications attend each situation. The third problematic aspect presented in the cartoon is thus precisely the targeting of Muslims as violent and dangerous. In our view, this aspect is the most serious among the three; we shall argue that it constitutes a form of racism.

It is well to note a fourth possible interpretation of the Muhammad and bomb cartoon; namely, as meaning to depict how Islam has been hijacked by extremists, who have become a violent force in the world today. This, indeed, is how *Jyllands-Posten's* cultural editor Flemming Rose says he interpreted this cartoon when it first reached his desk (Rose, 2006). The trouble with this gloss is that if a picture paints a thousand words, then a cartoon such as the one being considered is bound to be reduced to a few predictable sentences. Even if Rose correctly caught the cartoonist's meaning, the associations in the image are so obviously open to being misinterpreted as an attack on either Islam or Muslims, or both, that neither the cartoonist nor, especially, the editor is much let off the hook. Accordingly, we shall not pursue this alternative interpretation here.

LIBERTY, EQUALITY AND FRATERNITY

The Tricolour values of liberty, equality and fraternity present a convenient way to explore how liberal-democratic principles variously apply and conflict in the cartoons controversy. On one side, 'liberty' sanctions maximally free and unfettered speech. Even allowing for the usual hedges of excluding incitement to violence, treason and vilification, those who defend the in-principle right to publish even offensive material and who reject its subsequent censure do so first and foremost in the name of liberty. On the other side, 'fraternity' would seem to prioritize instead the welcoming acceptance, consideration and inclusion of others. 'Equality', as we see it, is a more relative value. Following Dworkin (1978: 125), it can be understood as 'equal treatment', involving equal measures of a particular good, or 'treatment as an equal', where all parties are shown equal concern and respect. Understood as equal treatment, the principle of equality can figure in support of either or both liberty and fraternity: one can test it according to how other religious creeds, individuals and groups must endure the 'rough and tumble' of democratic politics in the name of liberty; one can also test it according to how consideration is granted to particular parties, sparing them some of the barbs of 'liberty as usual'. Understood as treatment as an equal, equality may well sanction *disparate* treatment out of consideration for pressing background circumstances and other social goals.

Let us now examine how these principled possibilities play out when applied to the three most problematic representations furnished by the Danish cartoon controversy identified above: the very representation of

Muhammad; the identification of Islam with violence and terrorism; and the identification of Muslims with violence and terrorism.

THE REPRESENTATION OF MUHAMMAD

Discussions of the Muhammad cartoons controversy usually acknowledge the particular hurt that representing Muhammad causes Muslims, but treat this aspect as entailing essentially the same provocation and posing the same question of acceptability as the image of Muhammad and the bomb. There is reason, however, for considering the 'representational issue' separately.

The depiction of Muhammad has long been something of a taboo in most Islamic communities, and even though it has not been universally shared by Muslims (images of the Prophet are found in western Asia, especially amongst some Shi'ites), the convention appears to have hardened in more recent times (Akram, 2006). Muslims the world over are thus genuinely shocked and affronted when they come across images that violate the taboo. Yet, unlike the cartoons of Muhammad with the bomb and some others, the representation of Muhammad does not per se involve a derogatory characterization of either Islam or Muslims; nor does it, in and of itself, constitute incitement to religious hatred. Rather, the offence is both in the perceived breach of the religious taboo, and in the insult or lack of respect shown Muslims that the breach is taken to imply. We say 'perceived' breach advisedly: several commentators have pointed out that the Islamic injunction against depicting Muhammad lacks clear Qur'anic authority (BBC, 2006a). As Islam scholar Clive Kessler (2006: 30) points out, the injunction would in any case be addressed specifically to *Muslims*: the 'Prophet Muhammad never declared that there should and could never be pictures of himself, by anybody. It was not in his power, and probably not (and could hardly have been) in his imagination, ever to issue such an edict.' Some of the shocked reaction to the cartoon images among Muslims may have been mediated by a belief that the taboo also applied to non-Muslims. But doubtless much of the upset was also mediated by the perceived insult that, though non-Muslims may not be bound by the taboo on representing Muhammad, a major Danish newspaper did not respect the Muslim community enough to refrain from engaging in an obviously provocative act.

So the representation of Muhammad presents us essentially with two issues: the breaching of religious edict, and its implied lack of respect for a particular community. Let us examine each issue in turn.

The breaching of the religious taboo raises the question of the appropriate jurisdiction of religious law. Transgressions of this taboo are seen as

blasphemous in the eyes of the faithful. On the other hand, secular liberal societies are not usually in the business of prescribing religious law, at least not without serious qualification – and for good reason. ‘Blasphemy’ is derived from the Greek meaning ‘speaking evil’. In the Judeo-Christian tradition, it includes ‘all verbal offences against sacred values’ or, as it was put in the seventeenth century, ‘treason against God’ (Hassan, 2006: 121). There is no exact equivalent in Islam of the Judeo-Christian notion of blasphemy. However, Islamic law proscribes insulting Allah, the Prophet Muhammad, or the divine revelation. As Riaz Hassan (2006: 122) explains,

From the perspective of Islamic law acts of blasphemy can be defined as any verbal expression that gives grounds for suspicion of apostasy. Blasphemy also overlaps with infidelity (*kufr*), which is the deliberate rejection of Allah/God and revelation. In this sense expressing religious opinions at variance with standard Islamic views could easily be looked upon as blasphemous.

Clearly, the compass of what people of faith might find offensive based on the dictates of their religion is comprehensive, and leaves little room for deviation and diversity in a multi-faith and multicultural society. Liberty for everyone, not least among people of faith, would be imperilled. Precisely for this reason, the legal offences of what are commonly called ‘blasphemous libel’ and, more recently, ‘religious hatred’ do not generally seek to protect religious sensibilities simply as the faithful themselves pronounce it. Rather, as we discuss in the next section, these laws tend to be much more narrowly focused on prohibiting material that aims to vilify, denigrate or incite hatred of religion or religious groups.

Thus, even *if* the edict against representing Muhammad happened also to apply to non-Muslims, it would not or, at least, should not carry legal endorsement in a free society. A free and secular society means, if it means anything, that individuals should not be made to observe religious injunctions, whether or not they are believers or members of the faith communities concerned.

Now, one test of this liberty principle is the degree to which it enjoys equal protection of the laws, as the Americans call it, or what we have called equal treatment. Suffice it to say that the secular principle of freedom from religious law is generally upheld in liberal democracies, even where religious sensibilities may be especially challenged. Western liberal democracies do not, for example, proscribe the consumption of pork or beef out of consideration for the sacred beliefs, and often deeply felt repulsion, of Jews and Hindus. And, of course, several religious practices have been outlawed in liberal democracies, including polygamy and some Kosher and Halal ritual slaughtering (e.g. in Norway, Denmark and Sweden), regardless of the sensibilities of their religious adherents. Yet there are exceptions to this side of the secular rule. In India, cows remain sacred in most places of the country, where beef is not available for consumption, even for those who

do not share Hindu belief (Kolanad, 2001: 62–4). In Israel, there are laws, requiring separate male and female seating on buses servicing Orthodox religious neighbourhoods (Harel, 2007).

What, then, of blasphemy laws? For many people, the fundamental problem with such laws is their abridgement of free speech and thus that they exist. However, given their persisting enactment in many democracies, there is no doubting that a major problem with these laws is their often-discriminatory protection of only Christianity. In some places, such as the UK, this discrimination is expressly defined in the laws; in other places, it is a function of how a 'generic' blasphemy law is interpreted and applied by the courts. In either case, such privileging scarcely serves equal protection of the laws, especially where the beneficiary is the dominant faith in the society, as against vulnerable, minority faith communities.

Overall, then, the weight of liberal-democratic practice is against legally prescribing the observance of religious injunctions, although exceptions remain, while, in the case of blasphemy, the laws rarely coincide with the religious definitions of it. This much, of course, is unsurprising, because liberalism emerged precisely in opposition to the church or religion dictating politics. However, it does serve to underscore that the principle of equality as equal treatment is not really at issue regarding the *legality* of acts that depict Muhammad. Even given the exceptions to the rule of the non-enforcement of religious injunctions, legal recourse or remedy is not an appropriate response to acts such as those of *Jyllands-Posten* in depicting Muhammad. The act of merely representing Muhammad in cartoon form displays rather a lack of sensitivity, respect and civic consideration; it is not a case of demeaning a religious community, hate speech or incitement to violence. Still, context is everything. One can imagine cases where the mere depiction of Muhammad might constitute hate speech: for example, if streets in a Muslim neighbourhood were adorned with posters of Muhammad's image under cover of darkness. The *Jyllands-Posten* case is different. If the editors erred and are deserving of rebuke for representing Muhammad in their paper, then it is for what they did or failed to do at the level of respect.

In relation to this, the first point worth making concerns liberty and fraternity. A sense of fraternity might well temper the value on liberty, and thus the willingness to engage in acts that one knows to be an affront to the religious sensibilities of some among one's neighbours or fellow citizens. There is nothing in the store of liberal-democratic values that precludes such consideration, and much in them that would encourage it. To this extent, *Jyllands-Posten* seems to have assumed that the self-censorship of some publications and artists in refraining from reproducing Muhammad's image was a failure to stand up for liberal-democratic values, when such restraint was just as likely to have been a working expression of them.

Our second point concerns equality in the sense of treatment as an equal. On this account, equality is honoured by showing equal respect and concern to all parties involved. Doing so may recommend equal treatment, but it also may recommend disparate or special treatment once the background circumstances of the parties and broader social goals are taken into account. It is worth noting that something like this version of equality can be glimpsed at work even in *Jyllands-Posten's* justification for publishing the Muhammad cartoons. Rose argued not, or not only, that Danish Muslims should be treated the same for the sake of the principles of equal treatment and liberal democracy, but also for the sake of Danish Muslims themselves:

The cartoonists treated Islam the same way they treat Christianity, Buddhism, Hinduism and other religions. And by treating Muslims in Denmark *as equals* they made a point: We are integrating you into the Danish tradition of satire because you are part of our society, not strangers. The cartoons are including, rather than excluding, Muslims. (Rose, 2006; emphasis added)

We don't wish to make too much of this implied sense of concern for Muslims in *Jyllands-Posten's* actions, since so much else in their public statements on why they did what they did emphasizes the incompatibility of special consideration with 'contemporary democracy and freedom of speech' (Rose, 2005).¹ We simply note that this version of liberal equality (and a rather coercive version of integration) makes an appearance in their defence, and underscores again how the newspaper and everyone else has a choice in how they understand and apply liberal-democratic values.

The newspaper, after all, *could* have taken into account the well-being of Danish Muslims and reached diametrically opposite conclusions regarding what action best served their interests and integration. It *could* have shown equal respect and concern by noting that the prevailing situation is one in which Muslims in general are being marginalized, disproportionately targeted and made vulnerable. It *might* have considered showing solidarity with the Muslim community. At the very least, it *could* have concluded that, in such circumstances, insisting on a lesson in free speech and equal treatment by going out of one's way to cause offence is likely to be received as another poke in the eye rather than as a kind invitation to integrate.

So on the question of representing Muhammad given Muslim sensitivities, there is a range of possible and competing ways of interpreting, applying and thus defending liberal-democratic values. In assessing *Jyllands-Posten's* actions, we have tended to stress the force of 'equality' and 'fraternity', but one could consistently invoke 'liberty' and 'equal treatment' in support of robust free speech. Nevertheless, insofar as the newspaper believed that liberal-democratic values, *as such*, warranted publication of the images, we hope we have said enough to show why this belief is mistaken (cf. Hansen, 2006a; O'Leary, 2006). We also want to suggest that other considerations and commitments, beyond liberal-democratic values,

also play a decisive part in shaping people's positions on the representational issue.

Jyllands-Posten seems to hold the view that culturally diverse immigrants are fine as long as all the onus of adjustment falls on the immigrants and none on Danish society and its political institutions. Jutland has long been a culturally homogeneous and religiously fervent region, comparatively, and the newspaper has 'always minded the religious and political sensitivities of its readership, the Lutheran farmers and the provincial middle class' (Klausen, 2006a). In contrast, our view is that multicultural democracies can only work, or work well, where there is some mutual adjustment between immigrants and the host society. A great deal of the adjustment does and will inevitably fall on the immigrants. And some of the practices they may bring – such as forced marriages, female genital mutilation and honour killings – will rightly be deemed non-negotiable and subject to the law. Yet, there are many aspects of immigrant and minority cultures to which the host society could adjust itself that would genuinely assist the integration process. Often these adjustments need only be made at an informal level, beyond the purview of the law. Taking into account the well-known sensitivities of Muslims by refraining from producing deliberately provocative images of Muhammad seems, to us, like a perfect example of just such an informal adjustment in the interests of multicultural integration.

There is a model worth building on here, to which Rose himself alludes. As he puts it: 'When I visit a mosque, I show my respect by taking off my shoes. I follow the customs, just as I do in a church, synagogue or other holy place' (Rose, 2006). Yet Rose misunderstands the force of this example. He is right that believers cannot simply expect non-believers to observe such customs, beyond the holy places, also in 'the public domain', and can certainly not expect this as a matter of legal enforcement or from political intimidation. But he is wrong to think that beyond the mosque or church or synagogue we are – or should treat each other as – *only* liberal democrats. First, such an assumption is unlikely to produce a successful and harmonious multicultural democracy, as the Danish cartoon case well illustrates. Second, the assumption is manifestly false. Most people *do* take into account the values and sensitivities of their neighbours where these may be affected by one's actions. *Jyllands-Posten* itself endorsed this sentiment when, on an earlier occasion, it declined to publish (unsolicited) cartoons of Jesus Christ, on the grounds that they might offend some of their readers (*Spiegel Online*, 2006). As in the holy places, relations of respect in the public spaces turn on knowing who one's fellow citizens are and what they value, and of taking this into account. As Anas Osman, an American Muslim and investment banker, reminded Flemming Rose, 'It's not censorship to be considerate of others' (*International Herald Tribune*, 2006).

ISLAM AS A VIOLENT CREED

What, then, of the cartoon read as an attack on Islam as a creed? As before, we are not suggesting that the cartoon depicting Muhammad with a fused bomb for a turban *was* meant to target Islam as a faith rather than Muslims as a group, only that it should be considered as a possibility. The inscription of the *shahadah* on the bomb lends this interpretation some credence. Some may object that an attack on Islam just is an attack on Muslims as well. Doubtless those who strongly identify with the faith are likely to feel as if they themselves are being maligned. Nevertheless, targeting a faith should not be automatically conflated with targeting its adherents. Denunciation of Israel and Zionism, core sites of contemporary Jewish identity, need not be anti-Semitic or attacks on Jews, as such (Klug, 2003, 2004a). Neither is denunciation or pillorying of Islam necessarily an attack on Muslims. Of course, in both cases the targeting of the doctrine or the state may well be a veiled or even overt attempt to target their adherents. But this is an empirical question that requires careful sifting of the details of the case; analytically, it is imperative not to define one as the other a priori.

So what follows, regarding liberal-democratic values, *had* the cartoon of Muhammad and the bomb been meant as a statement about Islam?

It should be clear that ‘liberty’ sanctions criticism of religion, religions, and specific religious practices. That the cartoon’s association of Islam as sanctioning violence or terrorism, on this reading, may be ill informed and false does not, by itself, count as an argument why printing such material should not be permitted or be subject to penalties if it is. Assaults on sacred beliefs and practices – whether from rival theologies, artistic licence, simple misinformation or the deliberately satirical – are part and parcel of free speech in liberal democracies. That is why the musicals and film versions of *Jesus Christ Superstar* (1970, 1973) and *Godspell* (1971, 1973), Martin Scorsese’s film *The Last Temptation of Christ* (1988) (based on Nikos Kazantzakis’s 1960 novel), and Mel Gibson’s *The Passion of Christ* (2004) were rightly allowed to see the light of day unfettered by law, despite upsetting and being vigorously opposed by various religious groups. That is why Monty Python’s *The Life of Brian* (1979) and the novel and film adaptation *The Da Vinci Code* (2003, 2006) were also rightly aired despite presenting parodies or false accounts of church history and upsetting particular groups.

The nature of the attack is, however, of critical importance. The progression from the blasphemous libel provisions of old to the religious hatred provisions enacted by some liberal democracies today is instructive here. As recognized by English law, the criminal offence of blasphemous libel protects against the publication of material that subjects ‘God or Christ, the Christian religion, the Bible, or some sacred subject’ to scurrility, vilification or abuse and thus ‘lead[s] to a breach of the peace’ (Law Commission,

1985). The first recorded case of blasphemous libel was in 1676, and involved material calling Jesus Christ a bastard and whoremaster (Gilchrist, 1997). From this point, the state increasingly took over from the church as the chief prosecutor of charges of blasphemy. As previously noted, blasphemy laws are often problematic in their discriminatory privileging of Christianity. However, such laws are scarcely improved by extending them to include other faiths.

Even confined to Christianity, the crime of blasphemous libel has waned to the point of near universally recognized obsolescence. Where once it was the church that sought to prosecute against blasphemy and then the state, in the twentieth century, the cases increasingly involved individuals or groups bringing action against other individuals or groups, and few of these succeeded. The last successful prosecution for blasphemy in England was in 1977, while there have been no prosecutions, successful or otherwise, in the USA since 1969 (Hassan, 2006: 121). In Australia, where blasphemous libel is generally treated as a common law offence, its status is uneven across jurisdictions. In the state of Victoria, for example, prior to the 1990s, the last attempt to prosecute blasphemy as a common law offence in the state was in 1919. In 1997, the Roman Catholic Archbishop of Melbourne brought action under the blasphemy provisions to suppress the National Gallery of Victoria exhibiting the controversial artwork *Piss Christ* (discussed below). In that case, Justice Harper ventured the view that blasphemous libel was an anachronism (Gilchrist, 1997). Another state, Queensland, excised blasphemy from its criminal code as far back as 1899, arguing that these provisions of English law were 'manifestly obsolete or inapplicable to Australia' (quoted in Law Reform Commission of New South Wales, 1992). In short, blasphemy has 'become almost impossible to prove, and it is not clear what it is protecting' (Coleman and White, 2006: 4).

The move to religious hatred laws in some jurisdictions reflects a wish to avoid the inefficacy (and Christian-centricity) of blasphemy laws. They do this by substantially narrowing the definition of the offence. In particular, such laws seek to extend the widely supported need in contemporary democracies for an offence of incitement to racial hatred, to an offence that covers incitement to religious hatred and group defamation as well. The UK's Racial and Religious Hatred Act 2006 is a case in point. The religious hatred provisions of the Act provide that: 'A person who uses threatening words or behaviour, or displays any written material which is threatening, is guilty of an offence if he intends thereby to stir up religious hatred.' Freedom of speech concerns have been protected in two ways: first, by outlawing only 'threatening' words and behaviour and not those that are merely critical, abusive or insulting; and, second, by requiring that persons can be prosecuted only if they intend to stir up hatred, and not if they are merely reckless (BBC, 2006b). Many people, including one of us (Modood), believe that the 'intention' requirement – which is very difficult to prove

and not part of the racial hatred legislation – is unfortunate in overly diluting the protection afforded religious groups. Yet even without this condition, it would not be a simple matter for religious hatred laws to prohibit an ambiguous image such as that of Muhammad and the turban/bomb, which some will seek to defend as political criticism or satire of a religion or a particular interpretation of a religion, and not of Muslims as a group.²

It is clear, then, that short of incitement to hatred, religion will remain subject to the ‘rough and tumble’ of life in liberal democracies. The record suggests that whatever the historical demonization of Islam and Muhammad in medieval Christianity, today Islam is being subjected to forms of irreverence that have been honed on Christian targets, usually by ex-Christians. The Messiah, the Last Supper, the Resurrection, the Ten Commandments, the Pope, and God Himself, among many other sacred images, have been variously mocked, maligned, and misrepresented in legions of cartoons, songs, shows and other media. While some regret this trend and think it has gone too far, it is fair say that what we have today is ‘blasphemy’ as an art form, and not merely blasphemy as minority dissent from a powerful, authoritarian Christianity. Perhaps the most celebrated and pertinent case is, of course, Salman Rushdie’s unflattering portrait of Islam in his 1988 novel, *The Satanic Verses*. But Islam is far from being singled out in this respect, even if the mocking of Islam brings into play distinctive and powerful contexts.

Take pop diva Madonna, for example, who is something of a serial and equal opportunity offender in religious affairs. In 1989, she had Catholic leaders crying ‘blasphemy’ over her video for the hit song ‘Like a Prayer’, which featured burning crosses, religious icons crying blood and her seducing a black Jesus (CBC, 2006). More recently, her album *Confessions on a Dance Floor* (2005) had some observant Jews upset. It included a song titled ‘Isaac’, which referred to the sixteenth-century Jewish mystic and founder of Kabbalah, Isaac Luria. For some time, Madonna, a lapsed Catholic, has been a devotee of Kabbalah. But that scarcely mattered to the custodians of Luria’s tomb and seminary in the northern Israeli town of Safed, who accused her of breaking a taboo. ‘There is a prohibition in Jewish law against using the holy name of our Master, the Sage Isaac, for profit’, the seminary’s director, Rabbi Rafael Cohen, was reported as saying in the Israeli newspaper, *Ma’ariv* (*Sydney Morning Herald*, 2005). A year later and Madonna was in the news for staging a mock crucifixion during her ‘Confessions Tour’ performance in Rome, a stone’s throw from the Vatican. ‘It is disrespectful, in bad taste and provocative’, Father Manfredo Leone from Rome’s Santa Maria Liberatrice church said. ‘Doing it in the cradle of Christianity comes close to blasphemy’ (CBC, 2006). As it happens, on this occasion Muslim and Jewish leaders showed their religious solidarity by also publicly condemning Madonna for her poor taste and judgment.

Even more provocative than artists and entertainers exploiting or parodying religious themes are the attempts to portray religious images in base and confronting ways. Andreas Serrano's *Piss Christ* (1987), a photograph of a crucifix submerged in the artist's own urine, is perhaps the best-known example. Understandably, it offended many Christians. When the item was exhibited at the National Gallery of Victoria in Australia in 1997, the exhibit had to be closed prematurely after two youths vandalized the glass display by taking a hammer to it (Gilchrist, 1997). Another modern art exhibition, 'Sensation: Young British Artists from the Saatchi Collection', caused controversy when it debuted at New York's Brooklyn Museum. The exhibition included an image of the Virgin Mary smeared in elephant dung. Then New York Mayor Rudolph Giuliani considered this to be an obscenity and sought to have the exhibition closed on pain of withdrawing public funding. Such an attempt at censorship in liberal New York itself became controversial; however, many New Yorkers demonstrably shared his point of view (Artsjournal.com, 2009).

All religions, not only Islam, are thus subject to provocations thrown up by life in liberal democracies. Indeed, it could be said that what has happened in the West is that the viciousness we associate with political satire has been extended to bring religion to the level of profane politics. In such cases, the appropriate response can only be more free speech. As Bleich (2006) observes, it is curious that some liberals who defended the free speech rights of *Jyllands-Posten* to publish material such as the Muhammad cartoons should also condemn the demonstrations that erupted around the world in protest against them. As we argued earlier in relation to the representational issue, a sense of fraternity or solidarity with those offended, or likely to be, would clearly recommend that one refrain from engaging in or patronising acts that are disrespectful, or else voice one's dismay where they do occur. And if one is not ordinarily inclined toward such feelings of solidarity, then showing equal respect and concern by allowing for the present vulnerabilities of Muslims and a need to smooth their integration, might lend the inclination encouragement.

As for the religious, short of remonstrating and demonstrating, the only other suitable response to such perceived offences is to be found within religion itself. As Rabbi Cohen of the Isaac Luria seminary in Israel wisely recognized, beyond registering his complaint against Madonna, there was nothing further for him or political authorities to do about the matter: 'This is an inappropriate act, and one can only feel pity at the punishment that she [Madonna] will receive from Heaven' (*Sydney Morning Herald*, 2005).

MUSLIMS AS TERRORISTS AND DANGEROUS

The previous discussion assumed for the sake of argument that the cartoon of Muhammad and the turban/bomb was intended or may reasonably be read as a comment on Islam as a faith rather than on Muslims. Yet, the cartoon can also plausibly be read as a comment on Muslims (and no doubt was). Since we argue that this difference matters regarding how the decision to publish such a cartoon should be judged, let us now turn to the more serious offence of targeting Muslims rather than Islam.

Jytte Klausen (2006b) suggests that another of the cartoons in the series is clearly 'anti-Semitic' in the following terms:

For brevity's sake, let's do a 'veil of ignorance' test and consider the cartoon depicting the Prophet as an old man with a blood-dripping sword and two pretty and young women in face-veils standing behind. We know they are pretty because of their big eyes and the form of their bodies suggested by the cartoonist. And please note the bushy eyebrows and the Semitic nose attributed to Mohamed. Then replace the sword with a trunk full of money and replace the turban with skullcap. What do you get? You get a classic Nordic or German anti-Semitic cartoon of Jews from the 1930s.

We view this cartoon differently from Klausen in some of the details. For one thing, we are at a loss to see any blood dripping from the old Prophet's sword. Second, we read the big eyes of the veiled women as signifying awareness and a ready openness to the world in contrast to their Prophet-master, who keeps them in veils and who is portrayed with a blindfold. Still, Klausen has a point about the phenotyping of Muhammad with a bulbous nose and bushy eyebrows, and the stereotyping implicit in the sword vis-à-vis the women. While the overall image and message may not come close to the crude anti-Semitic, *Der Stürmer* cartoons of the Nazi-era (see Rosenthal, 2006), the representation is strongly suggestive of a comment on Muslims as much as Islam.³ As noted, we think the same might be said also of the turban/bomb cartoon, notwithstanding the inclusion of the Islamic creed in that image. The main point is that, in our view, an attack on Muslims as a group marks a brush with racism. It invites, in a way that the previously discussed cases of the 'mere' representation of Muhammad and an attack on Islam as a creed do not, the possible justification of legal action under religious and/or racial hatred laws.⁴

The laws proscribing Holocaust denial, as found in many European countries, are instructive in this respect. Some people suggest that such laws show that religious sensibilities, in general, and Muslim sensibilities, in particular, are not treated as seriously as Jewish sensibilities. One can argue the merits and demerits of proscribing free speech in the case of Holocaust denial, a debate that became even more pressing with the conviction and imprisonment in Austria of the British writer David Irving in early 2006.

The stated complaints about the privileged legal treatment of Holocaust denial, however, need to be disentangled.

It is true, as canvassed in the previous section, that religion is not protected in the way that the facticity of the Holocaust is. However, this applies to Judaism as much as to any other religion. Holocaust denial and the laws proscribing it have nothing to do with religion. Nor do they have anything to do with the protection of Jews' feelings or sensibilities, as such. The laws are silent on cartoonists who liken the Israelis to the Nazis, for example. Nor do such laws exist for the sake of protecting historical truth; there are no laws against people claiming that the Second World War did not happen, for example, or that France beat Italy in the 2006 World Cup Final. Holocaust denial laws can only be understood and justified, we suggest, as an act of fraternity and solidarity with groups, principally Jews, who were mercilessly murdered by the Nazis, and whose remnants today face the added trauma of being told by neo-Nazis and others that they either imagined this horror or invented it for material gain. Such laws say: 'Your people were mass murdered then; we will take measures, even at the cost of some of our liberty, to ensure that you are not assailed, of all things, with your own people's murder now.' Holocaust denial laws thus protect a group or groups from hatred and incitement that exploit a particular historical travesty; they do not protect a religion or a culture or even those groups' broader sensibilities. While they have little relevance to the protection of religions, they are akin to religious and racial hatred laws that aim to protect *groups* from hatred and incitement against them.

The first challenge to our contention that a few of the Muhammad cartoons are suggestive of stereotyping and demonization of Muslims is that we fail to allow for the medium of cartoonery. The stock-in-trade of cartoons is, after all, caricature. The features of subjects are invariably exaggerated in ridiculous ways and associations are graphically and necessarily stretched to make a point in the space of a picture. We readily concede these points about the craft of cartooning, but suggest that cartooning, no less than other forms of speech and expression, is governed by appropriate limits. We think caricature is one thing, and stereotyping quite another. Caricaturing football hooligans, for example, carries no implication – and no chance of implying – that all football fans are hooligans. The contrary perception is too widely appreciated and entrenched.

Stereotyping, however, trades on and reinforces prejudice. It can work in two ways: via a process of induction and a process of deduction. Brian Klug (2004b) nicely captures the difference in describing anti-Semitism:

The logic of anti-Semitism does not work like this: 'The Rothschilds are powerful and exploitive, hence Jews in general are.' But more like this: 'Jews are powerful and exploitive, just look at the Rothschilds.' In other words, anti-Semites do not generalize from instances. They are disposed to see Jews in a certain negative light, which is why I call their prejudice 'a priori'.

What we are now witnessing in the treatment of Muslims in the West is the shift from inductive to deductive generalizations about them. Inductive stereotyping can be seen clearly in the security policies of 'racial profiling', where security services concentrate their attention on people who look or behave a certain way based on the activities of Islamists. Deductive stereotyping is evident or at least strongly suggested in the two Muhammad cartoons under consideration. Klug's (2003: 6) definition of anti-Semitism on this score applies with equal force to these images of Muslims:

It would be more accurate (if cumbersome) to define the word along these lines: a form of hostility towards Jews as Jews, in which Jews are perceived as something other than what they are. Or more succinctly: hostility towards Jews as *not* Jews. For the 'Jew' towards whom the antisemite feels hostile is not a *real* Jew at all. Thinking that Jews are really 'Jews' is precisely the core of anti-Semitism.

Thinking of or picturing Muslims as really 'Muslims' is similarly the core of Islamophobia.

There is, however, a second challenge to our claim that some of the cartoons are racist: Muslims are a religious group, not a race; *ergo* they cannot be the victims of racism. For example, political scientists Russell Hansen (2006a, 2006b) and Brendan O'Leary (2006) argue, in the context of the Muhammad cartoons controversy, that talk of Muslims as suffering racism is inappropriate, for insofar as they suffer racism, it is not *qua* Muslims. Similarly, in the aftermath of the Christmas 2005 beach riots in Sydney – images of which were beamed around the world – many commentators claimed that the attack by 'Anglo-Australians' on Muslim Australians could not be racism because the spur was a perception that Muslims were not adequately abiding by Australian norms, not the colour of their skin or their physical appearance (see Levey and Moses, forthcoming).

There is no question that there is a complex of issues currently defining the Muslim experience. How Muslims are perceived today is both connected to how they have been perceived and treated by European empires and their racial hierarchies, as well as by Christian Islamophobia and the Crusades in earlier centuries. The images, generalizations and fears have both continuity and newness to them. Moreover, these perceptions and treatments overlap with contemporary European/white peoples' attitudes and behaviour towards blacks, Asians, immigrants and so on. The perception and treatment clearly have a religious and cultural dimension, but equally clearly they have a phenotypical dimension. Given a number of images – cartoons – of people and asked to pick out a Muslim, most people would have a go and not reply 'but I do not know what any of these people believe', just as if they were asked to identify Jews they would have a go (though perhaps less so today than in the past given that Jews are becoming de-racialized or normalized as 'white' in many parts of the West). In the

Sydney riots, 'Anglo-Australians' attacked as presumptively Muslim anyone who was of 'Middle-Eastern appearance', not simply those who wore Islamic clothing.

It is true that 'Muslim' is not a (putative) biological category in the way that 'black' or 'south Asian' (aka 'Paki'), or Chinese is. Nor does 'Muslim' carry the same kind of ethno-national marker of identity as does 'Jew'. Yet focusing on these differences misses what is common to the process of racialization of any group. Consider, first, the Jewish case. The centuries-long Christian persecution of the Jews was grounded in their religious beliefs and distinctive customs; acceptance of Christ could put an end to their misery. Traditional Judeo-phobia became 'anti-Semitism' – a virulent and lethal biologically based prejudice – only in the 19th century as Jews sought fully to integrate in western Europe. Jews were racialized as outsiders precisely when they sought to become insiders or full members. The prejudice against them transmuted from a damning theological disputation to the blood in their veins, where what they believed or did or how they looked was immaterial. In understanding racism, what is key, here, is not that 'blood' was invoked to exclude or condemn all Jews, but the targeting of all members of the Jewish group simply in virtue of their membership. It should not be forgotten that Bosnian Muslims were 'ethnically cleansed' by people who were phenotypically, linguistically and culturally the same as themselves. The ethnic cleanser, unlike an Inquisitor, wasted no time in finding out what people believed, if and how often they went to a mosque and so on: rather, their victims were simply 'ethnically' identified as Muslims.

Or take the case of people of south Asian origin, locally called 'Asians' (and less pleasant monikers), who comprise the most numerous non-whites in the UK. It has been argued that even before the rise of a distinct anti-Muslim racism there was an anti-Asian racism and that it was distinct from anti-black racism in having distinct stereotypes (if one was unintelligent, aggressive, happy-go-lucky and lazy, the other was 'too clever by half', passive, worked too hard and did not know how to have fun) (Modood, 1997). Moreover, if in the case of black people the stereotypes appealed to some (implicit) biology, to IQ, physical prowess, sense of rhythm, sexual drive and so on, none of the main stereotypes about Asians even implicitly referred to a scientific or folk biology. The stereotypes all referred to Asian cultural norms and community structures – to gender roles and norms, patriarchy, family authority and obligations, arranged marriages, religion, work ethic, and so on. Notwithstanding the phenotypical appearances, anti-Asian racism is predominantly a form of cultural racism.

The most violent form of racism that Asians in the UK have experienced is random physical attacks in public places, 'Paki-bashing'. We have not seen any analysis of this phenomenon that refers to any biological beliefs held by the perpetrators. Interviews with the pool of people from which the

perpetrators come – young working-class white males, especially ‘skin-heads’ – and others in their neighbourhoods accuse Asians not of a deficient biology but of being aliens, of not belonging in ‘our country’, of ‘taking over the country’ and so on (Back, 1993; Bonnett, 1993; Cohen, 1988; Modood, 2005). That is, things of which the Nazis accused the Jews (in addition to not having the right blood).

Once we break with the idea that (contemporary) racism is only about biology, then we should be able to see that cultural and religious groups also can be racialized; that Muslims can be the victims of racism *qua* Muslims as well as *qua* Asians or Arabs or Bosnians. We suggest that precisely this process of racialization – albeit so far at a much lower level of violence – is taking place in western Europe and indeed most parts of the West. The stereotypical targeting of Muslims in cartoons qualifies as a part of it.⁵

CONCLUSION

The Muhammad cartoons controversy is typically construed as a clash between Muslim sensibilities, on the one hand, and liberal-democratic values, on the other. We have suggested that the affair has many more sides to it than that; it includes also a conflict within the value set of liberal democracy. We have argued that the publication of the Muhammad cartoon series entails three different possible types of offence: the deliberate depiction of Muhammad despite a well-known Muslim objection to such representation; the criticizing or mocking of Islam as a creed; and the stereotypical targeting of Muslims. Regarding the first two cases, we have observed that the principle of liberty does not require deliberately causing offence to people, while equality and fraternity might actually work to check any such inclination. However, we acknowledge that honouring liberty and a version of equality also means that people are entitled to cause offence in these ways without legal restriction or penalty. We have argued that the third type of offence – the targeting of Muslims through hostile stereotypes – is different. The attempt to target, denigrate and thus exclude members of a cultural group simply in virtue of their membership is a form of racism. It breaches the liberal-democratic values of liberty, equality and fraternity. It legitimately falls – or should fall – within the terms of racial or religious hatred legislation. In sport, ‘playing the person and not the ball’ is considered a foul that warrants a penalty. So also should it be in the relations among liberal-democratic citizens.

Episodes such as the Danish cartoon affair present liberals with choices. There are choices to be made about what liberty, equality and fraternity mean. There are choices about which meaning and which value should assume priority, and under what conditions. And there are choices about

how these meanings and values apply to the details of specific cases. Making these kinds of choices will necessarily be informed by a host of considerations beyond the values in question. A key consideration in this respect should be the pragmatic question of how best to make multicultural democracies work.

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Notes

- 1 'The modern, secular society is rejected by some Muslims. They demand a special position, insisting on special consideration of their own religious feelings. It is incompatible with contemporary democracy and freedom of speech, where you must be ready to put up with insults, mockery and ridicule' (Rose, 2005).
- 2 The first case heard under the Australian state of Victoria's Racial and Religious Tolerance Act 2001 is very interesting, in this respect. The Islamic Council of Victoria brought an action in a representative capacity, under the Act, against two pastors from Catch the Fire Ministries for allegedly inciting religious hatred against Victorian Muslims. The Act states that 'A person must not, on the ground of the religious belief or activity of another person or class of persons engage in conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons.' The Act excludes a person's motive in engaging in such conduct as irrelevant. It also deems 'irrelevant whether or not the race or religious belief or activity of another person or class of persons is the only or dominant ground for the conduct, so long as it is a substantial ground'. However, the Act also provides that no contravention occurs where a person is engaged, 'reasonably and in good faith', in publication, discussion or debate for 'any genuine academic, artistic, religious or scientific purpose' or 'in the public interest.' In December 2004, in a controversial decision, the Victorian Civil and Administrative Tribunal found the two pastors guilty of inciting religious hatred against Muslims. In December 2006, the Victorian Supreme Court upheld the appeal against the tribunal's decision. A key finding of the appellate court was that the tribunal had failed to draw a distinction between hatred of the beliefs of a particular religion and the hatred of persons holding those beliefs. Earlier in 2006, Equal Opportunity Victoria Chief Executive, Dr Helen Szoke, suggested that it would be unlikely that the state's Racial and Religious Tolerance Act would prohibit the *Jyllands-Posten* cartoons (*The Age*, 2006).
- 3 A third cartoon – of a thin and quizzical-looking Muhammad figure with short horns emerging from his turban – is also ambiguous. On the one hand, the horns might be taken as a sign of demonization following the widespread medieval Christian representation of Moses with horns, typically used to signify the

ignominy and dishonour of the Jews for rejecting Jesus Christ the Messiah. On the other hand, the horns from a turban might be suggestive of honour and integration, since there is an ancient Egyptian tradition, and Hebrew biblical suggestion, in which a horned Moses signifies rays of light and nobility, a tradition that finds its echo among the Vikings, where helmeted horns represent men of high rank. On the multiple meanings of the horned Moses in history, see Mellinkoff (1970).

- 4 Again, we are aware that the very ambiguity of the image does not make prohibition easy, either as a matter of principle or in practice.
- 5 For an extended discussion on the racialization of Muslims, see Modood (2006a, 2006b).

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