

Attacks on Islam: A wrong notion of the right to freedom of expression

By Tan Sri Mohamed Jawhar Hassan

The film "*Innocence of Muslims*" has become the centre of a storm between the Muslim world and the West. This film is no different from the cartoon of the Prophet Muhammad that appeared in a Danish daily in 2006, or another that was published in a Norwegian newspaper in 2010.

All three, as did the burning of the Holy Quran by American pastor Terry Jones, triggered angry street protests in many Muslim cities throughout the world. The latest film is also alleged to have led to the attack on the U.S. consulate in Benghazi that tragically caused the death of the U.S. Ambassador to Libya, Christopher Stevens, and three other American personnel.

The U.S. government has described the attack on its consulate as a "terrorist" attack.

There are other incidents of a similar nature too, like the burning of 100 copies of the Quran by six U.S. soldiers in Afghanistan earlier in February this year.

The acts against the Prophet Muhammad and the burning of the Quran have been criticised strongly by Western leaders, as have the demonstrations and the attack on the US consulate by leaders of Muslim and Muslim majority countries.

But the problem is far from resolved. The French magazine Charlie Hebdo just published obscene cartoons of the Prophet. Others are reportedly also in the works in Europe. These acts are sure to fan sentiments in the Muslim world. A small minority will take to the streets again because, in their view, the grave provocations continue unabated and Western governments are not acting to curb such blasphemy.

Speaking of blasphemies, Bernard-Henri Levy, who is hailed in the West as the ideologue who justified and championed the attack on Libya, elevated "the right to blasphemy" to nothing less than "the nuclear core of freedom" in an interview by Christiane Amanpour on CNN on 20 September.

Levy does not speak for all in the West. There are probably quite a few who disagree with this French philosopher's understanding of what freedom means. But his remark brings into sharp relief the widespread belief in the West that, however repugnant, denigrating and insulting other religions, including publishing obscene caricatures of the beloved prophet of 1.6 billion Muslims, is an exercise of free speech that is a universal value and human right that must be upheld and protected.

This notion must be challenged, not only because it is morally and hideously wrong, but also because if the present trend is allowed to continue, it will plunge Muslim-West relations to a new and even more dangerous low. The effects will be enduring,

and both the Muslim and Western worlds will pay an even heavier political, security and civilizational price.

A careful reading of the International Covenant on Civil and Political Rights will reveal that the right of freedom of expression does not come unqualified. Article 19 of the United Nations Covenant is unambiguous in declaring that the right to freedom of expression “carries with it special duties and responsibilities”. It “may therefore be subject to certain restrictions ... provided by law and are necessary ... for respect of the rights or reputations of others ... and for the protection of national security or of public order ...”

Article 20 further states that “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”.

No society on earth can function, and no international order can prevail, without responsible exercise of the right of freedom of speech.

That the West is not altogether blind to this reality can be seen in the fact that laws against anti-Semitism have been passed in countries like France, Sweden and Switzerland. Denial of the Holocaust is an offence under law in France, Germany and Italy, among others. Even the use of Nazi symbols is prohibited by law in Austria, Denmark and France.

As for the United States, then president George W. Bush signed into law a Global Anti-Semitism Review Act in 2004 that requires the State Department to monitor anti-Semitism around the world and annually rate other countries on how they treat Jews.

How is it that these Western countries can limit the freedom of expression in these instances but find it improper in the case of attacks on Islam?

Obviously, it is not only attacks on Islam that require curtailment. Attacks on things that are held dear by all faiths are repugnant and merit restraint by law. All countries, including Muslim countries that do not have them, need urgently consider and introduce such laws.

The acts that we are now witnessing are certainly the work of only a few. But their consequences are global and civilizational, and only those in a deep state of denial can dismiss the profound urgency of the matter.

Nations must take responsibility. Or face the consequences that follow.

The writer is Chairman of ISIS Malaysia. The views expressed are his own.

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