

Hate Crime Vs. Free Speech: A Case Study of Danish Cartoons in Pakistan

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Abstract

This paper of first impression studied the reaction of public and police to Danish cartoons crisis (2006, 2008) in Pakistan. The paper addresses four issues: (1) How did the Danish cartoons incident developed? (2) Why did it attracted so much resentment and caused so much damage in Pakistan? (3) How did the Pakistan government and police react to the cartoon crisis? (4) What need to be done in the future to avoid such “cartoon crisis”? The research finds that: (1) The Danish cartoons crises have a devastating impact on Pakistan's society. It is brought on by pre-existing anti-foreignism and religious intolerance. (2) The Danish cartoon crisis was inflamed by political rhetoric during an election season. (3) The police were ill prepared and not equipped to deal with the crisis. (3) Comparative speaking the first “cartoon crisis” (2006) was more violent and less orderly than second “cartoon crisis” (2008). The politics of “cartoon crisis” making has matured. (4) The best way to avoid future “cartoon crisis” is by open communication and hate crime legislation.

Keywords

Hate Crime, Agitation, Demonstration, Protest, Danish Cartoon.

Introduction

Religion is an integral part of our lives. Religion fulfills a person's psychological needs. The publication of controversial cartoons in September 2005 by a Danish local newspaper and subsequently redistributed by other European countries, registered religious intolerance as it ushered in a “clash of civilization.” The whole Muslim world felt betrayed by Western 'free speech.' A worldwide protest ensued, mostly by Muslim followers. Pakistan was particularly hard hit.

The “carton crisis” was kidnapped by other disgruntled and opportunistic political elements. They capitalized on the highly charged crisis to advance their own personal, e.g., anti-foreignism and political agenda, e.g., nationalism. They attacked multi-national companies and foreign establishments.

Between February and March of 2006, there were violent riots in many big cities in Pakistan. There was a total disregard for law and order. There was a complete breakdown of government machinery. The nation was paralyzed. The disturbance costs millions and harmed thousands.

The Danish cartoons were reproduced in February 2008. This time, besides insulting images, an anti Quran documentary film 'Fitna' was produced and released by a Dutch parliamentarian. The sacrilegious cartoons and documentary led to yet another round of protests and demonstrations in the Muslim world, including Pakistan. However, the severity and extent of the agitation were unexpectedly lower than that of 2006.

This paper examines the impact and implications of Danish cartoons on Pakistan society. The paper addresses the following issues: (1) How did the Danish cartoons incident developed? (2) Why did it attracted so much resentment and caused so much damage in Pakistan? (3) How did the Pakistan government and police react to the cartoon crisis? (4) What need to be done in the future to avoid such “cartoon crisis”?

This paper is organized in the following way. Section I sets forth the facts and circumstances giving rise to the “Danish 'Cartoon Crisis' in the World Stage.” Section II “Danish 'Cartoon Crisis' in Pakistan” describes in detail the public reaction to Danish cartoon crisis, as illuminated by a personal (police) account of how the disturbances were pacified in one city by one of the co-author (Annexure A). Section III: “Police Reaction” describes how ill prepared and under resourced the Pakistan police were in facing up to the “cartoon crisis” of a historical proportion. Section IV “The Second Danish Cartoon Crisis” follows the development of the second “cartoon crisis” in 2008. Section V compares “Cartoon Crisis 2006 vs. 2008.” It observes that public reaction to 2008 “cartoon crisis” while still agitated and virile, was much more subdued, reasonable and orderly. Section VI reports on the “Findings of Survey” conducted to ascertain students' opinions disposition towards “cartoon crisis” and its handling. Finally, Section VII is on “Legislating Hate.” It discussed how hate crime can be brought under control through legislation. Section VIII “Conclusion” provides for a brief “Reflection” and a few “Recommendations.” The most important learned is that hate crime and free speech advocates had to learn to live with each other, through open communication and selfless accommodation.

1. Danish 'Cartoon Crisis' in The World Stage

In 2005, Flemming Rose, culture editor of Denmark's newspaper Jyllands-Posten invited illustrators to submit drawings of Prophet Muhammad (PBUH). The images were commissioned for a forthcoming biography of Prophet Muhammad. The expected readership was children.

On September 30th 2005, Rose printed twelve of these images. The images drew instant, visceral and violent reactions from Muslims all over the world. They also created heated debates worldwide over religious intolerance (hate crime) and

free speech. Some, like Bruce Bawer, regards them 'innocuous', and part of 'free speech.' Others termed them 'Islamophobic', 'sacrilegious', 'blasphemous', 'a conspiracy' and symbolic of 'anti-Muslim hate crimes.' Some scholars condemned the cartoons as acts of hate crime. Others justified their publication on free speech grounds. A few went so far as to announce the beginning of a 'clash of civilization' and the starting of 'new crusades.'

The general public in the Muslim world were all up in arms. Their violent protestations resulted in deaths of hundreds of innocent people around the world. The emotionally charged atmosphere was manipulated by many to settle deep rooted grievances and allay long held frustrations between people, communities and nations. Unfortunately, the crisis generated by these cartoons was preceded by other ugly ethnic religious incidents. In 2002 a Dutch politician was killed for his criticism of Islam. In October 2004 another Dutchman, Theo Von Goh, a filmmaker was killed for releasing '*Submission*', an anti-Muslim film.

The cartoons at issue associated the Holy Prophet (PBUH) with terrorism. One showed Muhammad in a bomb-shaped turban. Another depicted him wielding a cutlass. A third had him saying that paradise was running short of virgins for suicide-bombers (The Economist: January 7th, 2006).

On October 12, 2005, with disapproving e-mails to Danish embassies and Muslim protesting in the streets of Copenhagen, ambassadors from ten Muslim countries demanded a meeting with Prime Minister Anders Fog Rasmussen to resolve the case. The PM regarded the incident as one of the most serious international crisis of Denmark after World War II. Yet, the PM refused to acknowledge the Muslim's grievances: "It is self-evidently clear what principles Danish Society is based upon ...that there is nothing to have a meeting about"(Bawer, 2006).

Mr. Fog Rasmussen cultural ignorance, religious insensitivity and personal arrogance was roundly deployed by 22 former Danish ambassadors to the Muslim world. In order to make amend, the PM in his New Year speech condemned any attempts to demonize people on the basis of their religion or ethnic background. For many Muslims this was a bit too little, too late. (The Economist: January 7th, 2006).

Soon after the protests, the cartoons were reprinted in many other European countries, especially Norway and Sweden.

A group of Muslims associated with Denmark's Islamic Society traveled to the Middle East to study the situation. Some think that drawings of this kind have never appeared in any Danish publication, concluding that they were meant to be inflammatory.

Others, noticeably the famous Richard Dawkins, were of the opinion that:

“indignation was carefully and systematically nurtured throughout the Islamic world by a small group of Muslims living in Denmark, led by two imams who had been granted sanctuary there in late 2005. These malevolent exiles traveled from Denmark to Egypt spreading a dossier to the whole Islamic World, including, importantly Indonesia, which contained falsehoods about alleged maltreatment of Muslims in Denmark, and the tendentious lie that Jyllands-Posten was a government run newspaper. It also contained the twelve cartoons which certainly, the imams had supplemented with three additional images whose origin was mysterious” (Dawkins, 2006).

In the meantime, Muslims wanted to express their displeasure with the boycott of Danish goods and services. Newspapers' websites were blocked. Other Muslims showed their frustration by torching the Danish embassies in Damascus and Beirut.

In December 2006, Lovis Arbour, UN High Commissioner for Human Rights, promised that “action” on the cartoons would be taken, speedily. The Committee of Ministers of the Council of Europe condemned the Danish media's “intolerance” and “insensitivity.”

On February 9 2006, Franco Frattini, EU Commissioner of Justice, Freedom, and Security, urged the media to “self-regulate” to avoid giving offense; three days later Kofi Annan told Danish TV: “you don't joke about other people's religion, and you must respect what is holy for other people.” EU Trade Commissioner Peter Mandelson complained: “Every re-publication of the cartoons was adding fuel to the flames”. Ex-President Bill Clinton described the cartoons as “totally outrageous.” The State Department described them as “offensive.” Still, the Assistant Secretary of State Daniel Fried, in an interview with Jyllands-Posten, insisted that the US's posture was one of “unconditional solidarity” with Denmark. (Bawer, 2006).

The Norwegian periodical, *Magazinet*, ran the inflammatory cartoons on January 10, 2006. “According to the Danish online newspaper *ejour*, 143 newspapers in 56 countries around the globe, including Christian and Muslim ones, have republished one or more of the Muhammad cartoons, first published by the Danish daily *Jyllands-Posten* in September.....13 newspapers in 9 countries, including *Egypt*, had published one or more of the cartoons before the Norwegian Christian newspaper *Magazinet* republished them on January 10.” (*The Brussels Journal*, Page 1 of 21)

When the Norway's embassy in Syria was burnt by protestors, Prime Minister Jens Stoltenberg conceded that *Magazinet* deserved at least part of the blame.

Norway's Foreign Ministry sent Muslim embassies a statement expressing regret for *Magazinet's* actions. On February 10, 2006, in a press conference by Norway's Minister of Labor and Social Inclusion, Bjørne Arne Hanssen, *Magazinet's* editor Vebjørn Selbekki, issued an apology to Muhammad Hamdan, head of Norway's Islamic Council, who accepted his apology on behalf of all Muslim organizations. Muhammad Hamdan then asked that all threats against the editor and his family now be withdrawn.

On February 9, 2006, Swedish foreign minister Laila Freivalds closed down the right-wing Swedish Democratic Party's website because it had published a Muhammad cartoon. Laila Freivalds commented: "It is frightful that a small group of Swedish extremists can expose Swedes to a clear danger" (Bawer, 2006).

At this juncture, most of the statements and advices from public intellectuals to opinion leaders to government officials were directed at 'reconciliation' and 'appeasement.' Uffe Elleman-Jensen, a former Danish foreign minister, lamented his country's lack of manners. "We have a right to speak our minds, not an obligation to do so." (The Economist: January 7th, 2006).

In some countries, a few editors were fired and arrested for their decision to republish the cartoons. Several newspapers were closed. The University of Prince Edward Island's student newspaper *The Cadre* and *Western Standard* faced disciplinary problems in Canada. Jacques Lefranc, managing director of *France Soir* was fired in France. Lester Melany, an editor of the *Sarawak Tribune* resigned from his post in Malaysia. The Russian weekly newspaper *Nash Region* was closed by its owner, Mikhail Smirnov. Staff of the *New York Press* walked out in protest after management disallowed them to reproduce the cartoons as part of their reporting,

In Yemen, Mohammad al-Asaadi, editor-in-chief of the English-language daily *Yemen Observer*, was jailed on 4 December, 2006 until he could pay a fine of 500,000 rials (approximately \$ 2500). Kamal al-Aalafi, editor-in-chief of Arabic weekly *al-Rai al-Aam* was sentenced to a year in prison. He was later released on bail. The paper was closed for six months in Yemen (Wikipedia-Page 19-24, March, 2008).

Who is right? Tolerate protestation of the Muslims against hateful acts or defend right to free speech? Before deciding a balanced and impartial analysis need to be made. This required a thorough - systematic and comprehensive research and analysis of the facts and circumstances research attending the "cartoon crisis."

To lay the foundation, it is best to begin such a research with a critical comment of former Secretary of State, Madeline Albright:

“A wave of protests, some violent, erupted when the offensive cartoons were reprinted elsewhere in Europe and made available on the Internet. The hysteria dramatized both the divide between secular Europe and Muslims, and the eagerness of extremists on all sides to turn hate to their advantage. The publication of the cartoons, though an exercise in free speech, was also an act of bigotry. The protests were equally an exercise in free speech, except for those that turned violent. The whole sad episode, a triumph of emotion over reason, was deeply regrettable. The attitudes that gave rise to it, however, were hardly new.”(Albright, 2006)

II. Danish 'Cartoon Crisis' in Pakistan

The freedom of religious and tolerance of faith in Pakistan society is not a wholesome one. Religious fanaticism is the norm. Religious intolerance is the rule. Religious beliefs have been used to move people, support causes and do things. It was in this backdrop that the Danish cartoons were published. In the sico-political context of Pakistan, Danish cartoon is adding oil to burning fire.

The “cartoon crisis” agitation in Pakistan started in February and March of 2006. General elections were approaching. The “cartoon crisis” became a rallying cry for many local and national politicians who were looking for every opportunity to motivate and mobilize the public to their cause. Religious (political) parties also tried to divert public attention from the real issue of the day, i.e., government performance in two provinces (the NWFP and Baluchistan), to that of religious issue of the moment, i.e., “Islam is in danger” and “defend the faith of Islam at all costs.”

In the beginning, Pakistani news media depicted the 'cartoon crisis' as a religious crusade of good vs. evil. All right minded Muslims needed to vindicate the “cartoon crisis” with passion and righteousness. Protest is a noble duty of a true Muslim. In every big city the protest gained momentum by the day. Still, no one expected the situation to get out of hand.

The protesters had no identified leadership at the start. People from all walks of life joined in the spur of the moment. Criminals and bad characters joined to enrich themselves. The politicians rode the protest wave. Soon, the whole country was plunged into chaos. The mob rule the day. In the name of civil disobedience, people took to the streets. Chief Minister of the North-West-Frontier-Province (NWFP) organized a rally in one the busiest shopping markets of the city of Peshawar and demanded “the production of the wrongdoers and the cartoonists before the International Court of Justice for their unholy sketches and blasphemy.”

The President and the Prime Minister of Pakistan, while severely criticizing the 'outrageous images' called for a halt to such irrational fanaticism and all consuming emotional upheaval. But people did not take heed. The crowd grew in size and violence.

The controversial carton images were first published in September 2005 and reproduced subsequently in other European countries by a few other newspapers and magazines. In Pakistan, the violent reprisals and devastating commotions started until very late in February 2006. This delay could be explained by the ineptness of politicians who were more concerned with criticizing the philosophy of '*Enlightened Moderation*' of General Pervez Musharraf than attaching the insulting cartoons.

A. Lahore Episode: (Total Population = 06 million)

On 13th of February 2006, the second biggest city of Pakistan experienced the worst day of its history. The para-military forces were called to control the mayhem in the streets and markets. The Daily Dawn carried a glimpse of the incidents on that day as follows:

- “Two young men were killed and 20 suffered injuries when angry mobs, protesting against publication of sacrilegious caricatures of the Holy Prophet (PBUH) in a number of European newspapers turned violent.
- “The protesters ransacked and set on fire a number of buildings, including the Punjab Assembly, a number of local and foreign banks, and four restaurants of two American fast food chains, a Norwegian cell phone company's office, a five-star hotel, a theatre and a number of petrol pumps.
- “Around 500 vehicles were damaged, various shops were looted and at least 75 motorcycles and 10 cars were burnt by the rioters and protestors.” (Daily Dawn, Islamabad, 14 Feb, 2006)

Similar rampage happened in other parts of the country, though with less intensity and lesser damage. Surprisingly, the demonstrations were more severe and damaging in the more densely populated areas, even though the rural population are less educated and more religious. This is perhaps due to: (1) people conglomeration; (2) economic concentration; (3) political astuteness of city-life.

B. Peshawar Episode: (Total Population = 02 million)

After the 13th February incident, all the religious parties and traders of the country announced a countrywide protest. People from all walks of life - workers, trade, religious organizers, seminary students, public-private schools, colleges and universities, traders, general public - gathered for a one day nationwide protest in one of the biggest city of North-West-Frontier-Province (NWFP) on February 15. The city of Peshawar was turned into a 'bloody battle-field' with rampant looting, killing and arson. According to one report: “40 to 60 thousands protesters attacked the city like an alien army and conquered the streets and markets by killing three

persons and inflicting injuries to 124 persons including 18 policemen.” As documented in an official local intelligence agency report:

- “At 1140 hours the protesters started looting and plundering Bata Shoes Store at Peshawar Cantt.
- At 1155 hours, the protesters from various sides of the city resorted to violence at the office of 'Telenor' at Grand Trunk (G.T) Road and damaged the signboards of Novelty and Pictures House cinemas.
- At 1200 hours, Karkhano Market, Hayatabad was forcibly closed down by the agitators.
- Two persons have reportedly been injured due to firing of the security guard of Daewoo bus stand.
- Police mobile was put on fire and torched in Gulbahar Peshawar.
- One hundred injured persons were brought to Lady Reading Hospital (LRH). They received injuries due to police shelling and beating.
- Two persons including a child succumbed to the injuries in Lady Reading Hospital.
- Telenor booster at Bakshoo Pull (Bridge), Charsadda road, Peshawar was ransacked and burnt.
- Prince Agha Khan's Jamaat Khana in the area of Faqirabad Police Station was burnt.
- The protesters set on fire St Michel School in Peshawar Saddar.
- Agitators smashed and broke the signboards of Allied Bank at Board of Intermediate and Secondary School Education (B.I.S.E), Peshawar.
- Peshawar Police Post at Choke Yadgar was burnt to ashes. Protesters pitted stones on police at Qisa Khawani Bazar, Peshawar.
- At 1230 hours, Daewoo bus stand was set on fire. 12/15 big vehicles (Buses) and 3/4 pick ups parked in the stand were burnt and heavy losses caused to the private transport system.
- A 1240 hours, the mob attacked the building of K.F.C and smashed its windowpanes at Arbab Road, Peshawar.”

The civil disturbance continued throughout the months of February and March of 2006. The disturbance paralyzed public life, e.g., schools and colleges were closed by the Provincial Government for more than two weeks period. Though there

is no data available on the financial impact the disturbance, they estimated to be in the tens of millions of dollars in every city. There were injuries to and loss of human lives as well.

The protests continued, but with declining frequency, intensity and vigor. There were to be some occasional and sudden outburst and resurgence like the nation-wide shutter-down strike by the All-Parties Conference on March 13, 2006.

Slogans and Demands of the Protestors

The protests and demonstrations were loosely organized. They have no unifying theme and centralized leadership. Most of the demonstrators were disgruntled politicians and jilted business adventurers. Besides looting, plundering, burning, killing and stampede, the mob made a number of slogans and demands:

- Say 'No' to American and European commodities.
- Boycott and destruction of Telenor- Communication system/offices/boosters.
- Cutting diplomatic relations with Europe, especially Denmark and Norway.
- Calling Ambassadors back from the countries who published these insulting images.
- Boycott of fast food, KFC, Mc Donald and multi-national companies (MNCs).
- No financial transaction through foreign banks.
- The Government machinery has failed and therefore the present regime should resign immediately.
- The 'Clash of Civilization' has begun, so join hands with religious parties.
- We should be ready to sacrifice lives for the honour of our religion.
- Europeans should be ashamed of blasphemy.
- Friends of the Jews should be driven out of the country.

A review of the slogans shows that they are more animated by a hatred for foreigners, i.e., anti-foreignism than driven by support of religion.

III Police Reaction

Failure of Police in Big-Cities

The police in Pakistan are ill equipped, under-staffed, under-paid, over-burdened and ill-trained. They were not prepared to respond to such a serious crisis. For a start, there was a dismal failure of intelligence. The intelligence agencies and policy-analysts did not predict or forewarn the looming crisis. They were certainly not able to chart their constitution, capacity, motive and plan.

The demonstrators took the police by surprise, until it was too late to effectual an effective response. The police did not cope well with the situation. They have little resource. They worked under legal and political constrains. Few responsible officers were able to reach to the disturbance area or crime scene in a timely fashion. Police staff was over-stretched in responding to crisis, one after another.

The junior officers cried for clear-cut orders from the higher-officials on the proper use of force, The Peshawar police ran out of teargas and rubber bullets. Many policemen were holding wiping sticks instead of lethal weapons. The frontline constables were a little hesitant to take any serious action against the protestors. They thought they were religiously bound not to attack such *pious and righteous protestors*.

In many places, small and young children were arrested for joining the protests. The children were encouraged by their elders and teachers to join the protest because that it is their *divine duty* to do so. All told, in Islamabad alone, one hundred and fifty young boys were arrested.

The Federal Minister for Interior estimated the number of demonstrating people, mostly students, as six thousand (6000). The students attacked highly protected areas in Islamabad.

The Diplomatic Enclave and the Secretary Interior publicly expressed his displeasure over lax security and slow response of the local police administration. Since then, all the important and sensitive government buildings in Islamabad were provided with military protection from Army troops of 111-Brigade.

In Peshawar, there were five thousand police officers. They could not be expected to manage and control an extremely violent mob of 40 to 60 thousands. On top of that, the police suffered from lack of strategic intelligence and contingency planning for such large scale protests.

In terms of disposition of offenders, the court treated all children and student agitators as minors and released. As against the young offenders, the police failed to prove their involvement in any plundering and/or theft. In this regard, the police have conducted no scientific investigations to indentify unknown miscreants and rioters. Even the analysis of photos and video by the media/reporters could not lead to a single identification and arrest.

IV The Second Danish Cartoon Crisis

In February 2008, The Danish police said that they had arrested three people, a Dane of Moroccan origin and two Tunisian nationals, suspected of plotting to kill the cartoonist of the most controversial cartoon, Kurt Westergaard. Following the arrest, more than a dozen of Danish newspapers reprinted the original cartoons as 'a stand against self-censorship.'

In a poll by Ranboell Management, published in Jyllands-Posten, more than 58 percent of those questioned said it was wrong to reprint the cartoon.

Newspapers in France (like *France Soir*) and Germany (like *Diet Welt*) reprinted the cartoons on February 27, 2008. Again this sparked controversy, agitation and resentment around the world, mostly affecting the Muslim community in Europe. There is a large Muslim population in Europe, e.g., 5 million in France, and 3 million in Germany.

Roger Koppel, editor-in-chief of *Diet Welt*, said he had no regrets. He told the *Guardian*: "It's at the very core of our culture that the most sacred things can be subjected to criticism, laughter and satire."

On the contrary, Carsten Juste, the editor of Jyllands-Posten, said "his only regret was that his enemies had "won". Asked whether he made a mistake in publishing the cartoons, he said, "Had we known that it would lead to boycotts and Danish lives being endangered as we have seen, then the answer is no" (*The Hindu*, March, 2008).

Unfortunately, the second episode of blasphemous cartoons was accompanied by another very highly volatile and provocative issue of the desecration of the Holy Book of Islam, the Quran. Greet Wilder, a Dutch member parliament and leader of a strong anti-immigrant party, revealed in November 2007 his plan to air on television a documentary on the wickedness of Koran, which he calls an '*Islamic Mein Kamps*'. After being declined by Dutch state television, Mr. Wilder decided to broadcast privately and put it on internet.

The film 'Fitna' went on air and sparked a synergy for the Danish cartoon protests. '*The Netherlands is going a considerable crisis*,' said the Prime Minister. (*The Economist*: Feb, 2008). Indeed it did so. The agitation against the Netherlands became as much violent and forceful as was against Denmark. It added salt to injury and fuel to fire.

The first glimpse of the crisis was that the Netherlands embassy was temporarily moved to a local hotel in Islamabad, due to fear of reprisals.

At the international level, the condemnation continued as was earlier but with relatively less emphasis and interest this time. More importantly, the newly installed government in Pakistan after the general election in Feb 18, 2008, which is a coalition government of liberal and democratic secular parties both at provincial and federal level, adopted resolutions against the blasphemous cartoons and Dutch film 'Fitna.'

The North-West Frontier Province (NWFP) Assembly in its first session on March 28 2008 (Resolution No. 1) adopted a unanimous resolution of condemnation

and a demand of boycott of Danish commodities and a review of diplomatic ties with Denmark. The National Assembly of Pakistan adopted a similar but more comprehensive and unanimous resolution on April 15, 2008. It reads,

“The act of defamation and incitement of hatred not only deeply hurt sentiments of muslims but also threatened stability amongst societies.....The House demands of the Dutch and Denmark governments to prosecute the violators under the domestic laws of these countries. Freedom of expression doesn't confer licence to injure sentiments of others or defame religion..... The United Nations should take necessary legal, political and administrative actions to curb these trends and ensure respect for all religious.....The House calls on the UN to take all necessary legal, political and administrative steps to curb this trend and ensure the respect for all religions in these societies. In this context , the House takes note of the recently adopted resolution on the mandate of Special Rapporteur of the UN Human Rights Council on freedom of expression which has mandated the Rapporteur to report on instance where abuse for the right of freedom of expression constitute the act of religious discrimination.”

Similarly the Senate (Upper House) also adopted a unanimous resolution to this effect on April 25, 2008. The language, style and contents of the Senate resolution are almost similar to the resolution of the National Assembly (Lower House).

On his visit to Pakistan, the European Union (EU) Foreign and Security Policy chief, Javier Solana, strongly condemned the publication of these blasphemous cartoons and the anti-Islamic film 'Fitna' and said, “The EU Constitution protects free speech but abhors insulting religions. I don't believe in the so-called theory of clash of civilization, he said in an interview.” (*Daily Times*, April, 2008)

V Cartoon Crisis 2006 vs. 2008

A More Subdued Affair

The agitation against blasphemous Danish cartoons was augmented by the Dutch film 'Fitna' (Persecution/Terrorism) in February till April, 2008. Most of the agitation in the second episode was limited to protest demonstrations, placard raising, banners weaving, posters pasting, and statements and speeches, essays and editorials and, sometime colourful signboards to the effect that “we are ready to die for our Prophet's honour.”

Interestingly, the demands of the agitators were less offensive than the first episode and mostly directed towards Denmark, Norway and the Netherlands. Gatherings and demonstrations were rarely thickly participated. Vociferous announcements of 'head money' for the assassination of the 'culprit cartoonists' were

noticed more than once this time. The demonstration mostly remained peaceful and no noticeable violence, arson, looting, disruption or killing are reported in the second round of agitation.

Unlike the agitation in 2006, no mainstream political party took out general mass rallies this time, notwithstanding the fact that most of the 2006 activists and politicians are still active in their political life. Jamat-i-Islami, a radical Islamic political party, which boycotted the 2008 general elections, remained on the top in leading processions and holding protests across the country.

There was also no call for a 'country-wide strike' was given as most of the opposition and religious parties did in 2006. Jamiat-ulama-i-Islam (Fazlur Rahman Group) also held some demonstrations but its top leadership didn't take part in any of the protest. JUI (F) has also suffered in the general elections of 2008. Pakistan Peoples Party (Sherpao Group) took out unprecedented processions under their provincial leadership. The party was relatively silent in the 2006 agitation.

Reason and Politics Not Violence and Demonstration

Some critics observe that all such parties, like the above mentioned JI, JUI (F) and PPP (SG), tried to mobilize their workers and supporters for the coming by-elections, despite their boycott or defeat in the general elections, 2008. Pakistan People's Party (PPP), Pakistan Muslim League-Nawaz Group (PML-N) and Awami National Party (ANP) stayed away from street agitation this time. However, their coalition governments at the federal and provincial level passed resolutions against the blasphemous acts of 'Danish cartoons' and 'Fitna'.

This is a change in strategy and tactics in registering displeasure. Reason has to take over rashness and dialogue has to replace violence. The trend must continue. It is not an appropriate for opposing party to stir up public resentment into violent demonstrations.

The demands of the agitators were also very selective this time. Instead of complaining against all western countries, only a few egregious nations were selected as targets, namely Denmark, and the Netherlands. A leaflet, from some unknown writer and publisher was distributed in the markets, demanding that "before buying stuff in a superstore, look for these codes: Israel, 729, Norway, 708-709, and Denmark, 578-279. If these codes are there, don't buy it because they have disrespected our Prophet (PBUH); it is our divine duty."

The most interesting thing of the leaflet is that it is 'anonymous', whereas in all such cases the Muslim groups clearly indicate their names and organizations. The economic consideration is above all other considerations. The nature and extent of the 2008 agitation remained at an ebb which is a sharp contrast to 2006 whereas the publications in 2008 were enormous.

VI Findings of Survey

A survey was conducted to conduct the opinion of students on their opinion about Danish cartoon crisis.

A total of 120 respondents were chosen. Sixty were from an Islamic school (Madrassah), Jama-i-Usmania, Nauthia, Peshawar. Sixty were from previous and final years MA, Political Science, University of Peshawar. The later included twenty female students. All students (respondents) were from-masters program. Their age group was from 21 to 30 years.

Being relatively better educated and mature, the MA students were expected to know more about the cartoons crisis and its associated developments. The response of the female respondents were almost identical to their male counterparts. Thus their responses are shown collectively as respondents of the University of Peshawar.

There are two limitations to this study. The sample is relatively small. The questionnaire is semi-structured. However, as a preliminary exploratory study, the trend, aptitude, public perception, awareness and response of the general masses can be easily discern. Some of the interesting findings are:

On knowledge about Danish cartoons

Table I shows that 6.66% of madrassah students claimed that they know the name of the cartoonist(s) whereas none of the university students claimed to know any name.

13.33% of madrassah students claimed to have seen these cartoons themselves and 20% of the university students have searched or come across them accidentally on internet.

All have seen it through net, especially 'Google-search' which shows that computer/net browsing is almost similar in both categories of the students, whereas the general belief is that the madrassah students are lagging behind in use of modern technologies than the other regular /English-medium modern schools and colleges.

A respondent from madrassah said, "I have seen them but I have forgotten them and I am thankful to God that they have slipped from my mind". Another said, "No, Never, I should never see them."

Table I: Findings of the Survey on Danish Cartoons Agitation in Pakistan

S.No.	Question?	Respondents from Islamic School (Madrassah) (60)		Respondents from University of Peshawar (40 male + 20 female)	
		Yes	No.	Yes	No.
1	Do you know the Name (s) of the Cartoonist (s)?	4 (6.66%)	56 (93.33%)	0 (0%)	60 (100%)
2	Do you know the Name (s) of newspaper (s) which published?	14 (23.33%)	46 (76.66%)	12 (20 %)	48 (80%)
3	Have you seen these cartoons?	8★ (13.33%)	52 (86.66%)	12 (20%)	48 (80%)

★Almost all respondents have watched these cartoons through Google browsing in various website s or some European newspapers on internet. No one has seen any hard copy of the publication and no one has received it through e-mails or letters.

Table II shows that 93.33% of madrassah students recommend a boycott of Danish items and 90.00% are of the opinion that diplomatic relations with Denmark, Norway and the Netherlands should be cut off. On the contrary, only 40% of the university respondents oppose the idea of boycott and 46.66% did not approve of diplomatic disconnect.

Some think that the boycott should be for a limited time and others say that it should be at government level and the public should not interfere directly in the diplomatic/foreign affairs. Some think it as a pressuring technique, and some say that there is no other option, the only way left till the time they apologize for their misbehaviour.

A respondent remarked that “we are an underdeveloped country, we should not do it”; another said, “for warning to the non-believers, we should do it”; a few replied that, if we produce these items then we should boycott them and if we don't, then we should continue with their supply”. However, majority of the respondents replied that “it is absolutely right to boycott and do away with diplomatic ties with the culprit nations”. Most of these respondents think such actions as a 'demand from Allah', a pre-requisite to the love of Prophet (PBUH)', 'a divine responsibility', and 'those who don't express such deep feelings of love for Islam and its Prophet (PBUH) will be questioned for their behaviour on the Day of Judgment.'

With all such profound sentiments, 60% of the madrassah and 43.33% of the university students approve of the ongoing street agitation and protests whereas 40% of the madrassah and 56.66% of university respondents don't favour this kind of agitation.

Those who favour, mostly are of the opinion that, “the agitation and protests should be peaceful and there should be no damage to public or private property or person.”

Those who oppose agitation explain their view point with the justification that, “the agitation will harm our won economy; only media and national leadership should register their protest through the UN, OIC and other forums; and instead of street processions there should be some intellectual answers to and dialogue with the perpetrators of these actions.”

The interesting phenomenon is that despite enormous support for the agitation only 6.66% of the madrassah respondents have taken part in any of the protest demonstration and despite the 56.66% disapproval of the agitation 25.00% of the university respondents have taken part in the agitation themselves. Only one respondent said that “he participated in the agitation of 2006 but now he thinks it is not good to take part in the agitation”. Some said that “they wanted to do so but they are busy in their studies”; some replied, “Sorry, I don't have time”.

Table II: Findings of the Survey on Danish Cartoon's Agitation in Pakistan

S.No.	Question?	Respondents from Islamic School (Madrassah) (60)		Respondents from University of Peshawar (40 male + 20 female)	
		Yes	No.	Yes	No.
1	Is boycott of Danish items a right demand by the agitators ?	56 (93.3%)	4 (6.66%)	36 (60%)	24 (40%)
2	Should Pakistan cut off diplomatic relations with Denmark, Norway and the Netherlands?	54 (90%)	6 (10%)	32 (53%)	28 (46.66%)
3	Do you approve the continuous agitation and protests?	36 (60%)	24 (40%)	26 (43.33%)	34 (56.66%)
4	Did you take parting any of the demonstrations?	4 (6.66%)	56 (93.33%)	15 (25%)	45 (75%)

Table III also depicts the same level of idiosyncrasies and preconceived notions that only 3.33% of madrassah and 25.00% of university respondents held Denmark responsible for the crisis.

3.33% of the madrassah and 8.33% of the university respondents held 'Israel' responsible for the 'whole mess' it has made in this issue.

Some think the US is behind the issue alone but US and Israel got prominent position in the list of responsible countries.

No one mentions 'Germany'; and France is mentioned in combination with Denmark, Norway and the Netherlands only by the madrassah respondents.

France is not mentioned by any of the university respondents. More important is the belief of the majority of the madrassah respondents (30.00%) that all non-believer/western countries are responsible as “they are one force against the Muslim world.” Only 10% of the university respondents have the same idea.

A few respondents, equally in number for both the respondents i.e., 3.33% , are annoyed with the Muslim world and think that “it is because of the weakness of Muslim leadership and nations that our Prophet (PBUH) and our religion are made targets of their jokes.”

A few, despite their affirmation to other questions of boycott, agitation, etc, expressed their ignorance of which one country is responsible for publishing these cartoons. The question was posed to identify only one country but the respondents identified a kind of combination than a single country.

The data gathered from this small survey can be further analysed for more interesting findings, patterns and trends.

Table III: Which one country in your opinion is responsible for publishing these cartoons? (USA, Israel, UK, Denmark, Norway, Netherlands, or any other)

S. No.	Name of Country	Respondents from Islamic School	Respondents from MA Political Science
1	Denmark	2 (3.33%)	15 (25 %)
2	Israel	2(3.33%)	5(8.33%)
3	USA	2(3.33%)	3 (5%)
4	Israel + Denmark	4(6.66%)	-
5	Israel + Norway	-	4 (6.66%)
6	Israel + USA	-	1 (1.66%)
7	Denmark + USA	4(6.66%)	1(1.66%)
8	Denmark + Norway	-	3(5%)
9	Denmark + Norway + Netherlands	6(10 %)	4(6.66%)
10	Israel + Denmark + USA + UK + Norway + Netherlands	2(3.33%)	1(1.66%)
11	USA + Israel + Denmark	-	6(10%)
12	Denmark + Norway + Netherlands + France	12(20 %)	-
13	Israel + France + Like Minded European Countries	2(2.33%)	-
14	Israel + Jewish lobby in USA	-	1((1.66%)
15	Denmark + Israel + Norway	-	3(5%)
16	USA + UK	-	1(1.66%)

S. No.	Name of Country	Respondents from Islamic School	Respondents from MA Political Science
17	Denmark + USA + Norway + Israel	2 (3.33%)	-
18	All Non-believers/All Western countries	18 (30 %)	6 (10%)
19	Muslim nations/leaders responsible for weakness	2 (3.33%)	2 (3.33%)
20	Don't Know	2 (3.33%)	4 (6.66%)
Total		60	60

VII Legislating Hate

A Hate Crime-Definition and Nature

'Hate crime' is a notoriously difficult concept to define. There are numerous academic, professional and official definitions around the world. Hate crime has been defined by scholars as:

“Hate Crimes are committed against individuals or groups or their property (destruction and theft) because of their race, ethnicity, religion, national origin, disability, or sexual orientation. The key factor distinguishing hate crime from 'normal' violent crime is the motive of the offenders if the offender's motivation includes prejudice or hostility based on the victim's race, religion, and the like, then it is a hate crime” (Barkan, 2006).

The US Hate Crime Statistics Bill, proposed in 1985 and enacted in 1990, gives the first official federal definition of hate crimes as:

“Crimes that manifest evidence of prejudice based on race, religion, sexual orientation or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter, forcible rape, aggravated assault, simple assault, intimidation, arson, and destruction, damage or vandalism of property. (Public Law: 101-275)” (Hall, 2005)

B Hate Crime Vs. Freedom of Speech

The legislation against hate crime is basically now a debate between two contrasting views:

The libertarian view is that expressing all dissenting, unpopular and even anti-religion ideas are protected by freedom of speech.

The egalitarian view is that hate speech against minority groups is offensive.

There are advocates and opponents to both sides, each has their reasons. However, a reasonable balance between the two is always a desired goal. As Kallen (1998:4) notes:

“From the egalitarian view, all persons and groups must be equally protected against the willful promotion of hatred and against defamatory attacks which deny their right to human dignity. Freedom of speech, from this view, does not mean the right to vilify. Insofar as hate propaganda has no redeeming social value and is inherently harmful both to target groups and the social order, restrictions on freedom of expression explicitly designed to curb hate-mongering represent “reasonable limits.” (Goff, Colin: 2004)

C Legislation on Hate Crimes and Blasphemy

Hate crimes are more serious than other crime because they deny the free exercise of civil rights by minorities and the marginal. The criminal acts tend to be more violent. They are perpetrated against groups with intent to terrorize the entire community. That why new laws with heavier punishment against hate crime. Hate crime law is also necessary to heighten awareness and off set ignorance or insensitivity:

“Several officers with whom I spoke had no idea what a hate crime was Many of the officers disliked the additional paper work required by the departments' hate crime policy, and they questioned whether hate crimes should be a special category at all..... And some officers felt that hate crimes were not real at all but simply human nature” (Gerstenfeld, 2004).

Currently, in many countries, hate crimes are not dealt with specific laws. Old laws pertaining to anti-discrimination or anti-defamation are regarded as sufficient to prosecute hate crimes. For example, Article 1 of 1945 United Nations Charter, Article 7 of the 1949 Universal Declaration of Human Rights, Article 14 of the European Convention on Human Rights and 1965 International Convention on the Elimination of All Forms of Racial Dissemination. In U.K. there is the Race Relations Acts of 1965, 1968 and 1976, Section 95 of the 1991 Criminal Justice Act, the 1998 and 1976, section 95 of the 1991 Criminal Justice Act, the 1998 Human Rights Act and the Race Relations (Amendment) Act 2000.

Canada and Germany have also expanded their hate crime legislation and enacted enhancement provisions for offences motivated by prejudice against nationality, colour, religion, sex, age, sexual orientation and disability, both mental and physical. Legislation on racial hatred to some degrees have been established in Denmark, France, Switzerland and the Netherlands, etc. More specifically, Holocaust and its denial is an offence in countries such as Austria, Belgium, France, Spain, and perhaps unsurprisingly, Germany (Hall, 2005)

A difficult problem in hate crime legislation and enforcement is the differentiation 'freedom of speech' (as guaranteed in the First Amendment in the U.S.) and hate crimes. In the U.S., the first federal hate crimes law was enacted in

1990, i.e., the Hate Crimes Statistics Act (HCSA). In 1994, Congress passed the Hate Crimes Sentencing Enhancement Act, and the Violence Against Women Act (VAWA). Another is the Church Arson Prevention Act, 1997.

In Europe, Australia, Canada, the German Penal Code (Sections 869, 130, 130a, 131, 185 and 189), the Crime and Disorder Act of UK (Section 28, 29), the Federal Racial Anti-Discrimination Act (Section 18C, 18D) of Australia, the New South Wales Anti-Discrimination Act (Section 20C, 20D) and the Criminal Code of Canada (Section 318-320 and 718.2) and the Canadian Human Rights Act 13(1) are a few examples of legislation against hate crimes. Some groups like the Anti-Defamation League (ADL) (www.adl.org) have worked a lot in dealing with hate crimes. (Gerstenfeld, 2004).

In Pakistan, Chapter XV of the Pakistan Penal Code, 1860 deals with 'Offences Relating to Religion' from Section 295 to 298-C. Section 295-C, as incorporated by the Criminal Law (Amendment) Act, III of 1986, states, "*Use of derogatory remarks, etc; in respect of the Holy Prophet*: Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (P.B.U.H) shall be punished with death, or imprisonment for life, and shall also be liable to fine" (Pakistan Penal Code, 1860)

Chapter XV of the PPC, 1860 deals with these 'blasphemous actions' as crimes and describes various punishments for them, ranging from fine and imprisonment to death. However, the word 'blasphemy' is not described in any of its provisions. Legally, we have no definition on the term 'blasphemy' or 'blasphemous.'

The Black's Law Dictionary defined "blasphemy" as: "Irreverence toward God, religion, a religious icon, or something considered sacred. Blasphemy was a crime at common law and remains so in some U.S jurisdictions, but it is rarely if ever enforced because of its questionable constitutionality under the First Amendment."

Blasphemy is the malicious revilement of God and religion. In England blasphemy is the malicious revilement of the Christian religion: "Blasphemy has been held to be a common-law crime [in the United States] because of its tendency to stir up breaches of the peace. It is expressly made punishable by some of the statutes." Rollin M. Perkins & Ronald N. Boyce, Criminal Law 474, 475 (3rd ed. 1982).

Turning to the bible, in the Old Testament, blasphemy is frequently used as involving the denial or rejection of God (Lev. xxiv: 16; Ixxiv: 18; Ezek. xx:27). In the New Testament, the Jews accused Christ of blasphemy (Matt.ix:3, xvi:65, Luke v:21; John x:36) since he assumed the attributes and prerogatives of God. But the Jew's rejection of Christ is also regarded as blasphemy (Luke xxii: 65; Acts xiii: 45, xviii:6, xxvi:11). Peculiar to the New Testament is blasphemy against the Holy Spirit (Mark iii: 28, 29), involving willful confusion of good and evil.

In some Christian countries, blasphemy has often been regarded as a civil offense, i.e., breach of the peace, public nuisance, and, when printed, equivalent to libel. In modern times, however, blasphemy has seldom been punished by law. (Kerr, T. Hugh, 1991).¹

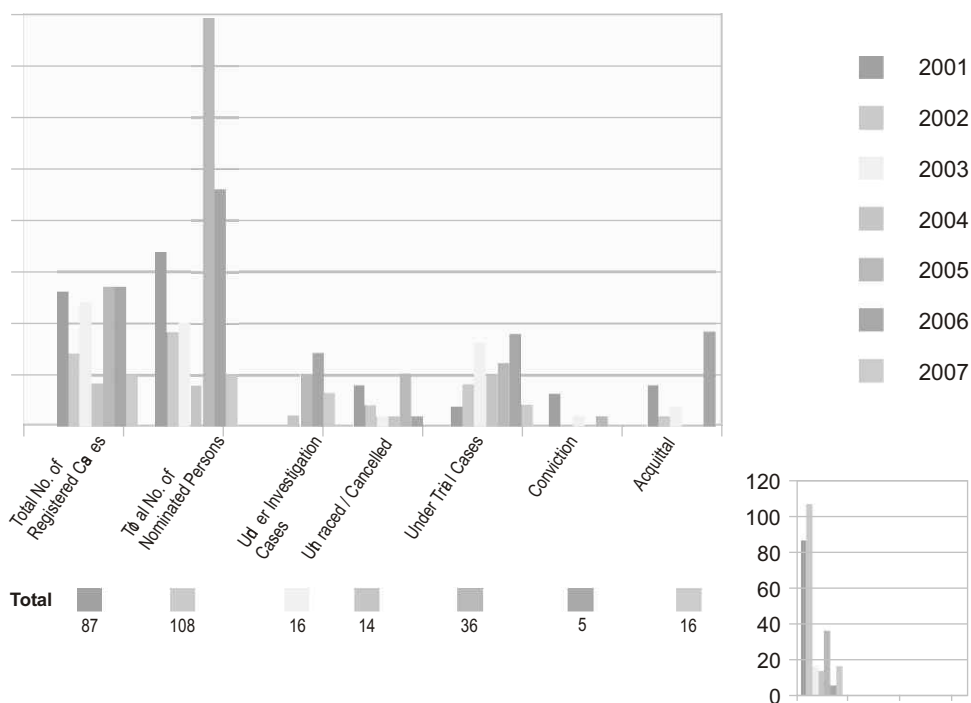
In Pakistan human rights activists and organizations have repeated charged that blasphemous offences under Section 295-A, 295-B, 295-C of Pakistan Penal Code (PPC) are used selectively against the minority religious groups, especially the Christians, the Hindus, and the Qadiyanis, (a group of disbanded Muslims). The report of the Human Rights Commission categorically mentions this every year. If some non-Muslim is punished under these law, human right activities would come to the rescue. Ishtiaq Ahmed, a professor of Political Science, is one such advocate:

“The barbaric murder of Jagdeesh Kumar, accused of blasphemy by some of his workmates at a garment factory in Karachi, brings out in sharp focus once again the exposed and vulnerable situation of non-muslims in Pakistan still wedded to the legacy of General Ziaul Haq..... Anyone who follows the news from Pakistan and reads the reports published regularly by the Human Rights Commission of Pakistan would find that violence and brutality against non-Muslims increased exponentially after the blasphemy laws was imposed in 1982 and reformulated in 1986..... All this is indicative of another type of Pakistan”. (Ishtiaq, 2008)

To be accurate in our assessment, one has to consult official crime data.. From 2001 to 2007, a total of 862 cases have been registered u/s 295,295-A, 295-B, 295-C in Pakistan, the highest number of which is in the Punjab (535) and the lowest in the capital city of Islamabad (7) and the Province of Baluchistan (12). The complete details and break-up of these figures given by the National Bureau of Police (NBP) are not known. However, for the North-West Frontier Province (total cases 87), further details have been obtained from the local police headquarters. Out of the total arrested 108 nominated/charged persons, only seven persons are non-Muslims and 101 arrested persons are Muslims. This shows that the allegations of discrimination and minority marginalization are not supported by the official statistics. The details of this data from 2001-2007 are shown in the following graph:

For a complete and detailed discussion on 'blasphemy' and 'sacrilege,' see '*The Encyclopedia of Religion*', volume 2, P-238,245 and volume 12, P-557, 563, respectively , edited by Mircea Eliade and published by Macmillan Publishing Company, NY, USA, 1987.

Total Cases of Blasphemy in NWFP (U/Ss 295A/295B/295C) (2001 - 2007)



Source: Office of the Additional Inspector General of Police (Investigation) NWFP, Peshawar

VIII Conclusion

Reflection

The respective and mutual shaping of memories from both the Islamic world and the western hemisphere is embedded in a complex and violent history structured mainly around conflicts, but this does not mean that collaboration and common interests never occur, and in time converge. Islam can now be legitimately considered as established more than 'transplanted' faith in most of the western European countries (Valérie Amiraux: 2004). At the present, there is observed a tremendous interest in understanding and studying of religion in general and Islam in particularly. The scholarly discourse, conferences and debates at all level have gained serious momentum after the events of 9/11 in New York. The Danish cartoons crisis has now added another catalyst to the dialogue. An opportunity has arisen amid the worst and bleak pictures of Danish images.

Europeans have never entered into a dialogue with the Muslims as they did after 7/7 London bombing, Madrid bombing, Von Goh's murder, and now Danish and Swedish cartoons and an anti-Islamic film '*Fitna*' by a Dutch parliamentarian. The outward tumults of agitation across the world should not blur our vision and commitment to search for the true causes of such irritants, and work hard for the removal of unnecessary suspicion and distrust. Debate and dialogue should begin with mutual respect and commonalties in a purposeful manner and in a harmonious environment.

The agitation of 2008 against Danish cartoons re-publication can be taken as an example of increasing maturity amongst the general masses and political leadership of Muslim societies. The western media should learn from this new found Islamic maturity. They should also learn that individual actions should not be attributed to one's religion and system of belief which, then becomes a matter of concern for many more who are not a party to the actual happenings. Human progress and development should be the ultimate good of all members of the world community. The recent growth of interest in religion should not be left to the whims of trouble-makers. Scholarly and creative thinking should prevail upon the misguided and unaware.

Recommendations

The recommendations of this paper are focused around the agitation, the blasphemy and hate crimes in Pakistan and the role of the police in dealing with these problems. Hate crime prevention ranges from early interventions of offender control and change to broader and more long-term strategies aimed at, for example, public educational and improved community relations, in order to tackle the social roots of the problem. Social 'roots' should include fundamental problems such as social exclusion or cultures which condone oppressive behaviour against particular social groups. Such an approach is interwoven in an immediate situational prevention and a community and multi-agency-based programmes. (Maquire and Fiona, 2005). In light of this discussion, we propose:

- i A comprehensive analysis of the agitation against Danish cartoons should be carried out to assess the nature, extent, severity and damages of the demonstrations and riots in 2006 and 2008. The losses to human life and property and their compensation should be thoroughly researched. The study should bring to light all the vested interests, pressure groups and their ulterior motives in engineering these violent demonstrations.
- ii New law on the pattern of laws in the developed world should be formulated and promulgated on all hate crimes. Such law should be included in the syllabus of all law enforcement agencies, especially the police.

- iii The existing 'blasphemy laws' should be reevaluated and should be incorporated into a more comprehensive law on hate crime which should speak for all religions, all groups, all classes, all nationalities and all cultures.
- iv Special unit or task force should be established in every province, comprising members from law enforcement agencies, NGOs and minorities in Pakistan who should be responsible for prevention and preliminary investigation into the allegations of hate crime before a proper report is lodged in a police station. This will minimize the chances of persecution, false allegations and will promote a victim-offender mediation before a cumbersome litigation.
- v Laws and rules should be framed for public demonstrations so as to regulate and monitor all potentially violent eruptions in future. The debate on interfaith should be taken seriously and away from street to a more intellectual level in academic institutions, public bodies, media and social organizations.

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Annexure: A

First person account of second author (FASIHUDDIN) on pacifying Charsadda.

Police Strategy in District Charsadda: (Total Population = 01 million)

Role of Local Government in Enhanced Security Arrangements:

As we received the bad news of sudden eruptions and destruction in Lahore, I (second author), being the district police chief, at once contacted the head of the District Government, known as District Nazim in our country. I apprised him of the religiously inspired mobs and the damages they caused to public property and life. We thoroughly discussed the prevailing country-situation, its repercussions, spillover effects and the expected and potential eventualities in case of violent disorderliness. The District Nazim contacted the officers of all other district departments and asked them to make effective and meaningful security arrangements for all the sensitive installations and other establishments of their respective departments. Through the District Coordination Officer (DCO) we made liaison with all other civil departments and provided them with practical suggestions on matters of security and protection. The local police provided them extra-force and security guard on sensitive spots whenever and wherever they needed. We held regular meetings with the representatives of all other departments for this purpose.

Meetings with Local and Political Representatives

A meeting with the members of the Provincial and National Assemblies, belonging to our district was called by the District Nazim. This meeting was actually called on the request of the District Police. All of us discussed and analysed the national situation and the concerns of the international community on the issue of cartoons and their generated response. None of us agreed that such irrational damages to public property were religiously or morally approved. We decided to go to the public and educate them that by such actions they are not doing any good to the nation, religion or country. But it was a very tricky and touchy issue as no one could dare to say even a single word against this 'holy protest' in the given situation of extremism, violence, fanaticism and unruly demonstrations. However we decided to call a larger gathering which would be representative of the whole district, and whereby the local councilors and elected members of the community will be requested to educate the public at their villages and street level.

After thorough and heated debate we succeeded in our plan and a huge meeting of more than 300 notables/elected members of local community/councilors was held in the district Town Hall where despite their individual differences, all

political elites and members of the national and provincial assemblies participated. Every one of these leaders spoke to this selected gathering. While criticizing the disrespectful images, none of them approved the indiscriminate damages to the national assets and public life. It was quoted from the Holy Book that no religion has ordered killing of the innocent people or looting their property/goods and putting the natural resources and man-made productions on fire. God dislikes such acts, and had any Prophet been alive, he would have never approved of this transgression, terrorism, destruction, intimidation and illegal and inhuman infliction on the life and property of innocent masses. This general meeting was told that they must tell the public about the life, mission and teachings of the divinely inspired personalities, all of whom very patiently suffered tremendous hardships in their lives. They never reacted in this way, even against their die-hard opponents. The Prophet of Islam forgave even the murderers of his close relatives. This open debate helped us a lot and I requested these representatives to be on guard whenever and wherever a mob-procession is taken out in the district. These representatives made their presence sure on such scenes of processions and gatherings, and they worked unbelievably to articulate and aggregate their demands and helped in guiding the protestors on an authorized route so to avoid any disturbance or destruction.

Public-Meetings by Police-Officials

I myself took this responsibility and delivered dozen of speeches to small gatherings in every corner of the district on the same pattern and points, which were discussed in the huge gathering at Town Hall. Similar were the mass-awareness programmes and police-to-people contact by the other staff under my command. This strategy worked well and we were able to regularize, identify and streamline the processions, their route and their time duration. We were thus successful in convincing the leadership of these processions to be organized, peaceful and nice.

Barricades to Outsiders/Tribal Miscreants

Despite our educative programmes, we put effective barricades to all outside demonstrators and rioters from the adjacent tribal areas. For example, twice the young tribal students of the Yakka Ghund College (Momand Tribal Area) came down to the city market of Shabqadar and tried to attack and bring down the booster of Telenor Company, but the security arrangements were so tight that they went back without doing any damage to the said installation. It was perhaps the only booster in the surrounding districts, which survived this hot phase of religious frenzy.

Effective Communication

I gave clear instructions to all my subordinates and made a humble request to the general public that as soon as a procession is taken out, whether instantly started or pre-programmed, they should immediately inform the police control and operational rooms by all available means of communication. They were asked to provide us all-important information about such processions e.g; who called for it? Who is the leader? Who are the supporters? Which political party is behind the protest? How many participants are expected or present at the moment? Which route will they adopt? etc, etc. The policemen on duty in that area were categorically asked to communicate, on wireless or telephone, the names of the culprits in case they indulge in looting or sabotage activities. I am happy that, unlike other big cities, our district, despite numerous processions, remained calm, and peaceful and no untoward incident took place. The number of processions and their average participants are shown in Table-I and II, which clearly show how terribly the local police remained engaged in these demonstrations in the months of March and February 2006.

Table I. Anti Cartoons Processions in District Charsadda

Name of Leading Organization / Parties	No. of Processions	
	February 2006	March 2006
Students Organizations	05	-
Religious Parties	26	22
Local Govt: Representatives	04	-
Medical / Para Medical Association	01	01
Lawyers	01	-
Traders	03	-
Political (National / Provincial)	10	04
Journalist Association	01	-
Labour Organization	-	01
Teachers Association	-	04
Total	51	32

Table II. Anti Cartoons Processions in District Charsadda

Description	February 2006	March 2006
Total No. of Procession / Gathering	051	032
Average No. of participants per procession	554	334
Average time duration per day per procession	04 hours	01 hours

Annexure B

Important Websites on Hate Crime	
American-Arab Anti-Discrimination Committee (ADC)	www.adc.org
Anti-Defamation League (ADL)	www.adl.org
Center for Democratic Renewal (CDR)	www.publiceye.org/cdr/cdr/html
FBI Hate Crime Statistics	www.fbi.gov/ucr/01hate.pdf
Hate Crime California State University, Stanislaus	www.csustan.edu/hatecrimes/
Hate Crimes Research Network	www.hatecrime.net
The Hate Directory: Hate Groups on the Internet	www.bcpl.net/~rfrankli/haterdir.html
National Asian Pacific American Legal Consortium (NAPALC)	www.napalc.org
National Center for Hate Crime Prevention (NCHCP)	www.edc.org/HHD/hatecrime/idl-homepage.htm
National Criminal Justice Reference Service (NCJRS)	www.ncjrs.org/hate-crimes/summary-html
National Gay and Lesbian Task Force (NGLTF)	www.nglftf.org
Not in Our Town	www.pbs.org/niot/
Partners against Hate (PAH)	www.partnersagainsthate.org
Political Research Associates (PRA)	www.publiceye.org
Sexual Orientation: Science, Education and Policy	www.psychology.ucdavis.edu/rainbow/index.html
Simon Wiesenthal Center (SWC)	www.wiesenthal.com
Southern Poverty Law Center (SPLC)	www.splcenter.org

Source: Gerstenfeld B. Phyllis: Hate Crimes, Causes, Controls, and Controversies, Sage Publications, UK, (2004)

Annexure C

Blasphemy Laws (Pakistan Penal Code 1860)

295

Injuring or defiling place of worship, with intent to insult the religion of any class

Whoever, destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class or persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

295-A

Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs

Whoever, with deliberate and malicious intention of outraging the religious feelings, of any class of the citizens of Pakistan, by words, either spoken or written or by visible representations insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to (Ten) years, or with fine or with both.

295-B

Defiling, etc. of copy of Holy Quran

Whoever willfully defiles, damages or desecrates a copy of the Holy Quran or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.

295-C

Use of derogatory remark etc., in respect of the Holy Prophet

Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (PBUH) shall be punished with death, or imprisonment for life, and shall also be liable to fine.*

*To constitute offence u/s 295-C, P.P.C., number of witnesses were not required and it was not necessary that such abusive language against Holy Prophet (P.B.U.H) should be made loudly in public or in a meeting or at some specific place, but *statement of single witness that some body had made utterance for the contempt of Holy Prophet (P.B.U.H) even inside the house was sufficient to award death penalty to such contemnor*. (2005 YLR 985 (April); PLD 1992 Lah. 1] Words “or imprisonment of life” have lost their efficacy w.e.f. 30.4. 1991__ “Defile”__ Means to corrupt purity or perfection of, to debase; to make ceremonially unclean; to pollute; to sully, to violate the sacredness or sanctity of; to desecrate, profane; to sully the honour of, and to dishonour. [PLD 1994 Lah 485]. Preaching against the order of Almighty Allah, said pamphlets not covered from the alleged accused or at his instance. Religious rivalry prevailing in the locality. Imperative upon prosecution to establish beyond any shadow of doubt the printing and publishing of the alleged pamphlets. Name of printing press or publisher not known. Accused not to be saddled with responsibility of getting said pamphlets printed or published from anywhere. 2003 YLR 2000. Doubt__ *Must be reasonable and not imaginary*. Evidence for conviction must under go the test of Tazkia-tul-Shahood. PLD 2002 S.C. 1048. Nothing available on record to suggest even remotely that the derogatory remarks were made by the accused as a result of an argument, a controversy, a discussion or a wrangle. Such accept sufficient to demolish the prosecution case. PLD 2002 S.C. 1048.

Source: M. Mahmood: The Major Acts Criminal, 27th Edition, Pakistan Law Times Publications, Lahore, (2006)

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