



CULTURES & CIVILISATIONS DIALOGUE



## 9<sup>th</sup> Talks on the Hill

# Pressing Freedoms: Managing Creative Liberties in a multi-faith and multi-cultural context

## FINAL REPORT

This is the report of the **9<sup>th</sup> Talks on the Hill meeting** organised under the Cultures & Civilisations Dialogue programme developed by the Intellectual Exchange department of the Asia Europe Foundation. This meeting was entitled “**Pressing Freedoms: Managing Creative Liberties in a multi-faith and multi-cultural context**,” and began on the evening of the 29<sup>th</sup> of June 2006 and ended on the 1<sup>st</sup> of July.

The 4<sup>th</sup> Asia Europe Meeting (ASEM) Summit in Copenhagen (2002) stressed the need to promote “Unity in Diversity” among the various cultures represented among ASEM countries. ASEF was asked to accompany this initiative through its own “Civil Society” architecture. The Cultures & Civilisations Dialogue Programme was established with this realisation, and primarily to promote understanding between the two regions of Asia and Europe, and also facilitate leaders of civil society meeting, interacting and engaging with one another and with audiences in the opposite regions. Within this programme, ASEF initiated the “Talks on the Hill” series to allow for frank and open discussion on issues of pertinence to the two regions in a small closed-door setting.

This report highlights the major themes that arose out of the discussions during this meeting. In keeping with the ground rules of the meeting, this report does not quote nor attribute remarks, comments or ideas to specific individuals.



## INTRODUCTION AND FOREWORD:

The 9<sup>th</sup> ASEF “Talks on the Hill” meeting, entitled “**Pressing Freedoms: Managing Creative liberties in a Multi-faith and Multi-ethnic context**” was convened by the Asia-Europe Foundation from the 29<sup>th</sup> of June to the 1<sup>st</sup> of July 2006 at the Kykkos Monastery in Cyprus. Organised and timed, to immediately precede the 2<sup>nd</sup> ASEM Interfaith Dialogue Conference (3<sup>rd</sup>-5<sup>th</sup> July, Larnaca Cyprus), some of the major points of this “Talks on the Hill” meeting were presented during a working group of the conference, and these outcomes contributed to much of the discussions and debate.

The 9<sup>th</sup> ASEF “Talks on the Hill” meeting brought together 12 high-level participants from diverse backgrounds, nationalities and areas of expertise. Established in 2003, the ASEF Talks on the Hill meeting series utilises a **think-tank style brainstorming retreat format**, comprising a small number of individuals with the **express purpose of tackling specific and sensitive issues in an open and frank manner**. The aim is to forge policy recommendations from civil society that are addressed to the governments of the Asia-Europe Meeting (ASEM).

The choice of focusing this meeting on the broad topic of managing freedom of expression in multi-cultural societies was clearly in reaction to the controversy that surrounded the publication of caricatures of the (Muslim) Prophet Muhammad in late 2005. There was a clear need for dialogue on this topic which was impacting communities across ASEM countries.

It is important to reinforce that while this meeting was organised on a timely topic, there was no intention on the part of the organisers to discuss any specific incidents. On that note, there is no mention in this report of the positions of the various members of the group on the Danish Cartoon controversy or any other similar incidents.

The following briefly presents the sub-topics, main points and major themes that were raised during this “Talks on the Hill” meeting. This report is not an attempt to cover the entire substance of the very rich debate, but instead is meant to serve as an introduction to the major strands and sub-themes of the discussion and should introduce the reader to the main insights and ideas of the group.

Several particularly salient points were highlighted during this meeting:

- The topic of freedom of expression is broad and can apply to speech, publications, editorials, art, music and many other types of expression. There was a need to define and discuss these various aspects, and in general, **participants were of the opinion that a distinction had to be made between creative expression and factual reporting**. It was highlighted that artistic or creative expression has always been intrinsically linked to the pushing of boundaries. Further most participants pointed out that regulation of creative expression would be counterproductive. On the other hand, there was widespread agreement on the need for regulation and control on reporting that is presented as factual. This argument and suggestions are further elaborated in the report.
- This meeting unveiled many common priorities that participants from both Asia and Europe share. There was a tendency at the beginning to expect that the

Asians would be in favour of catering to religious sensitivities over the freedom of expression, while the Europeans would prioritise the freedom of expression over regulation. Neither stereotype held during the meeting, and all in the group emphasised their support for a balance between the two principles.

- There was a wide recognition among the group, that political will of governments to both safeguard liberties and maintain peace between communities was fundamental. Despite all efforts by non-state actors to promote these principles, ultimately, the level of commitment by the government is a determining factor of the success of this endeavour.

This report contains policy recommendations to governments, but it could also be a good source of information for civil society practitioners involved in this topic.

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## FRAMEWORK AND PRIORITIES

The first session of the meeting opened with participants given the opportunity to re-assess the agenda, lay out their viewpoints and priorities for the meeting as well as make changes or adaptations to the agenda if necessary. This exercise highlighted the intention for all members of the group to “own” both the processes as well as the results of this meeting.

The group reiterated the **timeliness and importance of these discussions** in light of:

- **the recent international tensions** surrounding the publication of the caricatures of the (Muslim) Prophet Muhammad in Denmark and the many other similar incidents in the recent past that may not have led to the same levels of tension and violence but have made an impact on communities nonetheless;
- **the changing demographic make-up of most countries** due to increased levels of migration (bringing ever more communities of people into close contact with each other);
- **globalisation and the rapid communication possibilities** afforded by new technologies (enabling information and images to spread rapidly);
- a growing **trend in many communities towards radicalisation and intolerance**
- **tendencies towards sensationalism** in the media and politics.

## CHALLENGES

In the course of these discussions, **several challenges** that impact discussions on this topic could be identified.

### - Emotions and Practicality

First at a **psycho-sociological level**, participants recognised the tendency for individuals to **‘fear strangers’** – in other words, to dislike or fear people that one perceives to be different, in terms of appearance, cultural or religious beliefs and practices and/or language. Linked to this is a **‘tendency to extremes,’** which happens when tensions develop between communities, and strong polarised positions are adopted by two or more groups. Finally, **frustration** that is felt often by marginalised or less advantaged communities, often very quickly leads to **aggression** thereby setting in motion a destructive cycle or vicious cycle of violence and damage. **Overall, participants noted that once communities become emotionally involved in an issue, the ability to rationalise or make a practical argument diminishes.**

### - Asymmetries in Power

A further challenge to managing inter-community relations is the **tendency for asymmetries in power and in rhetoric to develop between communities.** There is an inclination to expect fairness and sensitivity in issues that are importance to one’s own community, but not reciprocating this in issues that are important to others. These imbalances are further complicated when one group in society has a proportionally more powerful status (politically, economically) and uses this advantage unfairly.

## - Globalisation of Information

The **utilisation of the internet and other communication technologies at the global level** were also brought up in this discussion on challenges. While recognising the immense benefits that these technologies have brought with their invention, all participants in the group spoke at length about the potential for misuse of these technologies in spreading hateful or inflammatory material and violence. In particular, participants noted that images (including comics, photographs, film/video clippings) have to be dealt with especially delicately. Further complicating the matter, potentially inflammatory information coming in through these means usually interacts with the local situation, thereby morphing into a particular problem that brings in elements of conflicts elsewhere while building on existing local tensions. This phenomenon, coupled with the easy and rapid flow of information, was especially highlighted during the recent tensions and violence surrounding the publication of caricatures of the (Muslim) Prophet Muhammad in Denmark, where the interpretation of images out of context could be attributed to this phenomenon.

## - The “Responsibilities of Freedom”

In approaching this topic, there was a need to address both aspects of the question: on one hand, managing inter-community relations in multi-ethnic or multi-faith societies, as well as, on the other hand, managing freedom of expression in the context of pluralism. **The group clearly stated early on in the discussions that the aim should be to work towards solutions that demonstrate that liberties associated with the freedom of expression need not be achieved at the expense of good inter-community relations and vice versa.** In elaborating on this, several participants spoke of the need to recognise the importance of “the responsibility of freedom” a concept advocating that responsibilities are an intrinsic part of enjoying rights and freedoms.

## - The International Human Rights Framework: A key benchmark

It was also suggested that concepts such as freedom of expression and freedom of religion can be rather esoteric. Instead, some participants suggested that we approach this debate using a **Human Rights framework**, assuming that both **the right to freedom of religion** and **the right to freedom of expression** are human rights. It was pointed out, that as one would be hesitant to create a hierarchy of human rights, it would therefore clarify and strengthen any arguments if one assumes that both (rights) are inalienable. Further, it was pointed out that international standards are a good point of reference and represent key benchmarks in measuring and evaluating the local situation.

## - The Role and Obligation of the Government

A final significant point reiterated at this stage (and resoundingly supported by most in the group) was the need to discuss and lay out the role and obligation of the government in both supporting and managing relations between communities, as well as between the press and the general public. At a basic level, many of the participants in the group stated that **without the right level of political will to ensure the appropriate protection of freedom of expression while ensuring a sound policy of managing intra and inter-community relations, there was little use in pursuing this debate –**

**even despite situations where these rights are protected in the constitutional or legal framework of the country.** Questions that were raised linked to this included whether it was possible to have a state religion in a democracy, whether blasphemy laws should fall within the scope of the legal system, and what should be the nature of state intervention on controversial issues? Tied into this, participants spoke of the need to recognise and take into account the realities of political life or **realpolitik, which can require governments to make decisions or take action based on practical needs rather than moral or ideological reasons.**

**In creating or encouraging this political will, many in the group pointed out the need to articulate reasoning (when lobbying or working with the government) that an increase in liberties directly or closely correlates with an increase in economic well-being for the country – thereby aligning the governments priorities to suit societies best interest.**

### **MANAGING THE FREEDOM OF EXPRESSION: PRESSURES, AGENDAS AND CONTROL**

In understanding the **pressure points** of various communities regarding sensitivities of the way certain issues are portrayed in the media, it is necessary to first identify the particular cultural nuances at play. **Different communities are driven by different ideas and emotions which are not limited to religion.** Participants spoke of their societies, and various pressure points included, respect for the monarch, state honour, language and cultural heritage among other things.

The group also recognised that media organisations can sometimes be driven by ideals or priorities other than the straightforward reporting of facts. In this regard, the issues of **sensationalism in the media**, and the related point of the **influence of the market or businesses on media organisations** were highlighted as a particularly troubling.

The specific concerns in this area are;

- **the need to remain highly profitable is likely to cause organisations to report on news and other events sensationally** – meaning in a way that creates striking or shocking impressions intended to excite interest or attention. This naturally takes away from balanced or fair reporting and usually squares the attention on extreme points of view,
- the influence of political groups or businesses on the media (usually achieved through a financial stake in the media organisation) **enables them to strongly manipulate their reporting to suit their agenda.**

The group also expressed concern at a growing trend in many countries to **utilise the media to promote some stereotypes.**

For example, one participant related a story about how public safety advertisements on television in his country instruct viewers on remaining vigilant to potential terrorist bombings, and the “bombers” portrayed on these advertisements bear a striking resemblance to persons of a certain ethnic group within the country – thereby conditioning viewers to stereotype members of that particular ethnic group as “terrorists.”

#### **Perceptions of “harm”**

A reference was made to an interesting study where a survey was taken of children in the “Eastern World” and the “Western World” about their understandings of “harm.”

In the West, physical violence was perceived to be the highest level of harm, while in the East, affronts to dignity (insults to family/ honour) were considered higher in term of severity of harm than physical violence.

Another tendency that was highlighted is the recent trends in some countries to mask methods of social control by using measures that are seemingly part of the “war on terror.” For example, in some cases, the censorship of speech (broadly interpreted to ‘glorify terror’) has been overused by the government to silence dissent and maintain social control,

At a practical level, members of the group spoke about the **naiveté and unprofessional practices that can exist within media organisations**. The point that was made was that mistakes or inadequate standards of reporting by media professionals are not necessarily indicative of a sinister agenda, but sometimes just a outcome of low standards of training and amateurship on the part of the professionals. The **training of journalists** in order to sensitise them to religious and ethnic issues was also deemed as important to include within the framework of solutions offered by this meeting.

Overall, the two major points deriving from these discussions surrounding the role of the media coalesce into:

- 1> **Calling for greater responsibility by the media** in ensuring fair and socially responsible reporting and,
- 2> Reiterating that **as much independent freedom of expression as suitably possible** should be striven for without state intervention

During a break-out session of buzz-groups, participants discussed ways to counter these problems. A main recommendation that was brought up by all buzz-groups, was the importance of government **support for public broadcasting media**. Public broadcasting media, was seen as a very effective tool for the broadcasting of responsible and important stories without the pressures that would be experienced by a commercial institution. One model was to have this initiative funded by the government, which should undertake to support public media without utilising it to push the government agenda. Another model that is feasible is to have regulation requiring commercial stations to contribute some of their profits to public broadcasting initiatives.

## **MANAGING INTER-COMMUNITY AND INTRA-COMMUNITY RELATIONS: MODERATES, ICONS AND INTERFAITH DIALOGUE**

### **Moderate vs. Mainstream**

Several participants spoke about their disagreement of the use of the term “moderate” to describe balanced and non-extreme viewpoints. It was felt that the word “moderate” was dispassionate and vague.

Participants wanted to emphasise that often, these views were mainstream, and should be presented as such. Some therefore suggested that the word moderate only be used when carefully qualified to reflect the appropriate proportion of society that is being referred to.

**The subject of blasphemy** was brought up several times, with participants debating whether or not expressions that may be deemed to be blasphemous should fall within the legislative power of the state. **In general, the group was of the view that this should not be subject to the penal code**, but accepting that this has to be managed carefully due to the sensitive nature of this subject. The whole group agreed that violence would clearly represent a boundary at which state intervention is required, Some in the group suggested that any prosecution based loosely on an argument of blasphemy would be better suited to be tried under more general anti-racist or anti-discriminatory laws. Rather than blasphemy, some participants suggested “incitement to hatred” as more appropriate ground upon which legislation should be framed. **However, the group strongly reiterated that individuals should be protected against violence or threat to violence.**

Given that extreme or radical ideas are likely to always exist within a small faction in society, the group called for **increased emphasis on moderate views and the need for the media and government to support and increase the coverage of these views**. As the general consensus was that extreme elements in society often are more effective than moderate voices in promoting their views, the group was challenged during a buzz-group session to think of alternative ways to publicise moderate views. Discussions thus yielded several ideas on how the management of relations within and between communities could be enhanced, and in doing so, the group focused primarily on the promotion of moderate voices.

Linked to this, the group agreed that it is important to educate children and adults about the different religions and cultures so that they get a better understanding of the other side(s) and reduce prejudice and hatred. They also agreed that it is even more important to promote the common moral values and shared ethical norms of humankind in education, media and art.

**The establishment of interfaith commissions** was discussed, with several participants in the group strongly supporting this idea, while others dismissed the effectiveness of such commissions. Problems with interfaith commissions that were discussed included the fact that they seldom represented the population, they were often high-level debate clubs that had little real contact with the grassroots level, and that they lacked the will to speak strongly in favour of moderate views. On a positive side, interfaith commissions were seen as important symbolic bodies promoting equality and dialogue – especially in countries where one ethnic or religious group is clearly advantaged over others.

The group also spoke about the **importance of the identification of iconic or famous personalities who would be willing to espouse and campaign for moderate views**. It is a reality that the use of famous people to speak about social issues creates much more impact, than declarations by other well-meaning institutions or more low-keyed individuals. Some participants, who had worked with “Goodwill Ambassadors” in the past, pointed out that the identification of the right people to do this work is important, and in particular, well-known individuals working on this should be proactive and willing to use their own time and circuits to promote these ideas.

Some participants pointed out also the **deep impact and effectiveness of utilising pop culture** to promote messages of moderation, especially among the young – for example through concerts. Some in the group suggested that international cultural centres should play an increased role in financially supporting the promotion of these activities – particularly in some countries that are at risk of being affected by extremist groups.

At a practical level, participants in the group noted that those individuals brave enough to stand up against radical views and actions often run the risk of being threatened, intimidated or even harmed. This meeting called on **governments in the various countries to work to protect both these individuals safety, and in doing so, to safeguard their right to continue their work**. Participants from Asia were of the opinion that this was especially necessary in their countries, where the necessary level of commitment by the government is often lacking.

## REGULATORY FRAMEWORKS: INSTITUTIONS, COUNCILS, EMINENT PERSONS AND CODES OF CONDUCT

In combining the priorities of ensuring the liberties of expression with the need for sensitivity in managing inter-community relations, **the idea of the creation of a body that will serve as a regulator of the press and a mediator between the public, the press establishment and the government was a strong and consistent point of discussion in the group.**

This idea first came about in the form of **a panel** consisting of representatives from various cultural and religious groups who could advise media organisations on responsibly reporting on controversial religious matters in order to minimise tensions. In deeper discussions, many in the group disagreed with this model, insisting that this will likely tend towards censorship and control of the media by the involved religious groups. Further, as significant proportions of the population are secular or not followers of mainstream religion, it would be unrealistic to expect any adherence on their part to such guidance.

Going deeper into the train of thought, some participants suggested that the **composition of the body be made up of representatives from a wide range of sectors, including religious leaders but also trade union representatives, members of various political parties etc.**

Another idea was to incorporate this body into already existing Human Rights commissions with an extended mandate. This was not viewed as feasible by some others in the group who thought that this body should be focused primarily on managing the dynamic between the media and communities.

Others felt that it would be preferable to establish **a body of eminent persons**; possibly at an international level which could alert governments to early warning signals of conflict, and mediate in times of tension or crisis. The body should involve individuals who are widely recognised and respected for their contributions to peace and harmony and it should be ensured that these councils are representative of the various stakeholders. **This council should be empowered to advocate timely state intervention when tensions are at the risk of surfacing and should invest in capacity building, and the promotion of accountability.**

Participants differed on exactly the model that this body should be patterned after and noted that the most appropriate model would be decided by the various countries and adapted to suit their local conditions. While there is a need to adapt the nature of such a body to the national context, it should always adhere to international standards of human

### **Freedom of Expression: Fact or Fiction**

Substantial discussions took place around which types of media and expression should be subjected to regulation. In particular, an important point to note is **the distinction between artistic expression and journalistic reporting.**

It was quite widely accepted in the group that artistic creations, fictional writing and other forms of self-expression should not be subject to regulation. In general, most in the group were of the opinion that the intrinsic nature of artistic expression necessitates a free and unregulated environment in which to exist while journalistic reporting of facts should be regulated to an extent in order to ensure that such reporting is done fairly.

On the other hand, some in the group pointed out that the public should also have the right to decide their willingness to consume such artistic expression. In cases where art or other forms of media are meant to engage the public and could be considered controversial, most in the group agreed that exhibition should be confined and adequate notice should be displayed (for example outside an exhibition) giving the public the opportunity to choose whether or not they want to be exposed to it.

rights that are recognised by almost all the countries of ASEM (37 out of 38). The general idea was fairly consistently based on the same objectives:

- that regulation by a body of diverse representatives including all stakeholders is preferable over legal sanctions or government interference and,
- that respected, responsible groups such as this should take ownership over public discourse on the subject rather than leaving it to the extremists or radicals.

Linked to this was the idea **of a code of conduct for the media**. It was pointed out that most media organisations already have a code of conduct, but some participants were of the impression that more had to be done to a) make this code available to the general public and b) to hold media organizations responsible to their adherence of the code. A participant informed the group about an organisation that is now in the process of establishing an International Organization for Standardization (ISO) certification for media organisations.

In a buzz-group session, participants were asked to come up with some main guidelines or principles after which codes for the media should be fashioned. Some of the main points that emerged from this exercise included:

- **Truth Seeking** through incorporating,
  - fairness and impartiality;
  - accuracy;
  - balanced sources of information;
  - distinction between facts and opinions.
- **Non-Inflammatory reporting which is**
  - non-insulting;
  - non-degrading;
  - non-condescending;
  - non-stereotyping, non-profiling and non-discriminatory.
  - Embracing **multi-culturalism** as a cause.

**Media groups should also strive to build an organisational structure that incorporates**

- accountability;
- independence from external influences or agendas;
- knowledge and transparency;
- fair representation of various stakeholders and ethnic and religious groups in each organisation;
- the establishment of self-regulatory guidelines or bodies;
- training of journalists to sensitise them to cultural diversity as well as religious and ethnic issues;
- more efforts to represent the views of the all relevant groups (rather than just the extreme views) – in particular, of the silent majority;
- solidarity and support with other threatened media institutions/ workers.

Within the greater framework of society, participants pointed out that if the media or the general public are unable to exercise this level of social responsibility, there will likely be

a need for intervention by the government when tensions arise (but this was recognised as a natural step towards the establishment of an advanced democracy).

## **CONCLUSION**

In conclusion, it was striking that participants in this “Talks on the Hill” group from various countries in Asia and Europe, all expressed similar concerns about the issues related to managing freedom of expression in their multi-cultural societies – and were equally concerned about both principles. There was a tendency at the beginning of the meeting to expect that Asians would prioritise the sensitivities of religious groups while the Europeans would prioritise the absolute freedom of expression. **However, the main idea of balancing freedom with social responsibility, as well as ideas on how to carve out organisations and structures in our societies illustrated common concerns and priorities for all.**

Also important was the recognition by all in the group that **greater good for the society as a whole goes hand-in-hand with increased levels of freedom** (both of expression as well as of religion). Freedom leads to creativity and innovation, which leads to a richer and more prosperous and stable society.

The group also reiterated **the need for continued dialogue on this topic**, as the dynamic between the media and various communities evolves. As elaborated in the report, this dialogue should be multi-stakeholder, and **seek to create a win-win situation, where the rights of both media organisations as well as the communities are maximised.**

Finally, the group called upon governments to **display strong moral courage** in protecting these rights and the individuals involved.

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