



YUCOM

Komitet pravika za ljudska prava / Lawyers' Committee for Human Rights
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980
e-mail yucomoffice@gmail.com
www.yucom.org.yu

Human Rights and Democracy Violation Early Warning *Weekly Newsletter* No. 24

After what was presented as “voluntary” withdrawal of **Sherry Jones’** novel ‘The Jewel of Medina’ from bookstores throughout Serbia by its publisher -- a small publisher *BeoBook* – as demanded by the *Meshihat* of the *Islamic Community in Serbia*¹, there surfaced a whole range of moral and legal issues related to the essence of secularism; safety, security and human rights; where freedom of expression cedes to hate speech, discrimination and intolerance; as well as to the role of State authorities in this respect.

The dispute emerged when *BeoBook* published ‘The Jewel of Medina’ -- a novel featuring **Aysha**, Prophet **Muhammad’s** seventh wife. The fact that the Prophet is depicted as a novel character was allegedly the main reason for the renowned US publisher *Random House* to refrain from publishing the book “for reasons of national security”, thus enabling Belgrade to become the venue of its world *premiere*.

As the book appeared on bookshelves in Serbia, the *Meshihat*² of the *Islamic Community in Serbia* condemned its publishing as “tendentious and malicious” and underlined that it “disgraces the personality of the last prophet Muhammad and his family in a most disgusting way”. Under the leadership of Chief Mufti **Muamer Zukorlić**, the *Meshihat* adopted a plan of measures to be taken in reaction to the book by all *Islamic Community in Serbia’s* bodies, clergy and believers. The book’s publisher voiced himself immediately upon learning from the media of the ICS’s reaction, and ordered all bookstores to

¹ *Islamic Community in Serbia as opposed to the Islamic Community of Serbia*, inception early 2007 after a feud which has political rather than doctrinary background: while the former relies on Sarajevo as the center of Islamic confession in the Balkans, the latter argues that Muslims in Serbia (including the region of Sanjak) should be answerable to the Belgrade-based *Riyaset* (presidency).

² In the absence of a known English term for *Mešihat* -- regional leadership of an Islamic community – the term *Meshihat* is used here.





YUCOM

Komitet pravnik za ljudska prava / Lawyers' Committee for Human Rights
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980
e-mail yucomoffice@gmail.com
www.yucom.org.yu

withdraw 'The Jewel of Medina' from their shelves. He also apologized to «the islamic community and all those who felt insulted in any way».

The *Meshihat* declared itself permanently in session since the appearance of the book, expressed its discontent with *BeoBook* owner's apology and reiterated its intention to list a "plan of ICS's reactions". It went on to stress that "the Publisher's apology is too mild whereas the consequences of the disputed book's publishing cannot be erased just like that; therefore the *Meshihat* demanded from [the Publisher **Aleksandar**] **Jasić** another apology accompanied by repentance, as well the deliverance of all unsold copies of the book within a specified deadline. Should he sincerely demonstrates the will to alleviate the adverse consequences, the reactions planned by us will be milder. They embrace media reactions, ICS officials' activities, an appeal of the *Meshihat* to muslims and islamic clergy in the world and protest gatherings".

The publisher turns to the public again on the following day: "Both personally and on behalf of *BeoBook* Publishers I wish to take this opportunity to express my deepest apology and remorse because of the insult you have suffered after the publishing of 'The Jewel of Medina'. I wish to reiterate that we have ordered all unsold copies thereof to be withdrawn, and all distributors and vendors have notified us that they accepted our decision and the book is no more available. "

Since Chief Mufti **Zukorlić** had also requested all unsold copies of the book to be handed to ICS, the publisher informed him that the delivery was due the following day, asking him to «please accept the fact that delivery of these books is not an operation which can easily be fully controlled, but we shall do all in our power to carry it out in the shortest time possible».

At a new press conference called immediately thereupon, Chief Mufti **Zukorlić** declares: «*A book containing insults aimed at the person and family of Prophet Muhammad, s.a.a.w., was published in Belgrade last week. It caused unrest among the Muslim public, ulemas and all those who cherish religious sanctities and specifics. ICS Meshihat held a session on Saturday, deliberated this issue, resolutely condemned this gesture and announced a range of measures-reactions to be taken so as to condemn this act adequately.*

It was followed by publisher's apology and repentance addressed in writing to the ICS meshihat and the public. Following a consultation with the Reis-ul-ulema in sarajevo, ICS Meshihat decided to accept the publisher's apology and





YUCOM

Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980
e-mail yucomoffice@gmail.com
www.yucom.org.yu

make future steps toward affirmation of Prophet Muhammad s.a.a.w.'s person and his work, his family and all the values related to Prophet Muhammad s.a.a.w. That means that there will be no harsh reactions, i. e. our activities will be aimed at calming emotions down, since we consider it prudent on the publisher's part to apologize and repent, although we are conscious that such a gesture can not heal everything, and a single apology cannot eliminate all the consequences.»

Belgrade-based *Islamic Community of Serbia* Riyaset's reaction was to accuse **Muamer Zukorlić** of using the case for "personal promotion and manipulation". In a communique issued by the Belgrade *Riyaset*, **Zukorlić** is accused of intending to impose himself as the sole protector of Islam, whereas the manner in which he voiced himself in relation to the book which is disputable from the Islamic point of view, he "only contributed to an increased demand" for the book.

ICS's *Riyaset* also considers that **Sherry Jones'** accounts of divine prophets, their wives and families is unacceptable as an act of interference with basic postulates of the teachings of Islam. It goes on to say that *BeoBook* had made several omissions in the process of the book's publishing, since he had not contacted the Islamic Community of Serbia and sought its opinion "which was indispensable".

"The publishing house should have observed all procedures stipulated by law, so as to fulfill all the conditions necessary to print a book. Had the publisher contacted and consulted ICS bodies prior to publishing the book, we would not have had a problem", the *Riyaset's* communique says and points out that the *National Library* of Serbia should not have catalogized the book without ICS's prior consent.

A range of reactions -- mostly by liberal intellectuals and human rights activists who deem ICS's stance to be a kind of pressure to impose self-censorship impermissible in a democratic society -- argued that the case has to do with a viewpoint that can be approvable or disapprovable, but cannot be banned as unagreeable for representatives of a religious denomination, rather than an indication of intolerance towards or insult of anyone's religious beliefs.

It is noteworthy that State authorities -- most notably the Ministry for Minority and Human Rights and Ministry of Religions, as well as the Ministry of Culture





YUCOM

Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980
e-mail yucomoffice@gmail.com
www.yucom.org.yu

-- did not not deem it necessary to express a view on this case. All political parties and representatives of the Serbian Orthodox Church and other „traditional religious communities“ kept silent. Ombudsman -- Protector of Human Rights -- said he would comment on the case after studying it.

Eight NGOs³ condemned ICS's pressure and demanded that 'The Jewel of Medina' be returned to the readers: „We expect the Meshihat to apologize to all citizens of Serbia (and beyond) because of its attempt to curb freedom of thought and freedom of expression“. The NGOs remind that certain limitations on these rights could be contemplated in cases of calls for violence, discrimination, racism or war crimes – an extremely limited list of exceptions to be specified by law. In this case, it is argued by the NGOs, the ICS *Meshihat* appoints itself as an arbiter to decide what one is permitted to read, which represent an act of violation of any citizen's right to form his/her own opinion. The ICS *Meshihat* reacted to this with a belligerent press release accusing the eight NGOs of conducting an anti-Islam campaign in Serbia.

Guided by the conviction that this has to do with a global problem, as well as by the awareness that an American publisher postponed the book's launch because it might represent a threat for national security, *Helsinki Committee for Human Rights in Serbia* and YUCOM issued yet another communique and underlined the sensitivity of the attitude towards Islam, as well as negative stereotypes and prejudices toward Muslims. However, that should not mean that bans on books should be accepted as a means of resisting these prejudices, since it only reinforces them.

The 'Jewel of Medina' case represents perhaps the best illustration of the confusion dominating the public discourse in Serbia in relation to the comprehension and observance of fundamental human rights, as well as of freedom of expression and limitations imposed to that freedom in cases of calls for violence, lynch, discrimination, hate speech or hate crime. The core of the problem is that ICS is not a state authority, nor is it authorized to introduce censorship or use the levers of power reserved for the state. However, ISC *Meshihat's* negative reaction and the reference to a “plan of reactions“ of the Islamic Community provoked unpleasant associations to the

³ *Women in Black, Center for Cultural Decontamination, YUCOM, Belgrade Center for Human Rights, Youth Initiative for Human Rights, Civic Initiatives, Coalition for Tolerance and Against Hate Crime, and Humanitarian Law Center.*





YUCOM

Komitet pravnika za ljudska prava / Lawyers' Committee for Human Rights
17 Svetogorska Street, 11000 Belgrade, Republic of Serbia Tel/Fax: +381 11 33 44 235; 33 444 25; 3238 980
e-mail yucomoffice@gmail.com
www.yucom.org.yu

protests after those cartoons in a Danish newspaper, or of the *Fatwa* on **Salman Rushdie**, ICS thus made the publisher apologize, repent and “voluntarily” give up on his business, silenced the public opinion, and numbed the authorities.

This peculiar gambit played in Serbia -- who still refuses to admit that her participation in the war in Bosnia and Herzegovina represented a part of the genocide on Bosniaks, and where anti-Bosniak and anti-Muslim attitude is widespread -- represents yet another testimony that the necessary line of discontinuity with the recent past has not been drawn. Omnipresent silence -- even when public opinion has the duty and obligation to stand up to undemocratic practices and *diktat* in the public discourse -- is a consequence.

Outlook:

This series of events testifies to the urgent need to embark on a broad, serious and comprehensive debate related to the role of religion, churches and religious communities in social and political developments in Serbia. Such a debate should be initiated and conducted by civil society organizations and institutions.

