

# The Rudi Carrell Affair and its significance for the tension between theaterism and religious satire

by Paul Cliteur

## Abstract

*This article treats a largely forgotten or unknown episode in recent German and Dutch history, namely the intimidation of the Dutch-German showmaster Rudi Carrell by representatives of the Iranian spiritual leader Ayatollah Khomeini in 1987. The author tries to analyze some of the moral and political dilemmas involved in this affair and makes some comparisons with later events, such as the fatwa on Salman Rushdie or the Cartoon Affair as featured in the latest satirical film by the Coptic Christian Nakoula Basseley Nakoula.*

(...) victories of the mind have to be won afresh in every age.  
(C.E.M. Joad)<sup>1</sup>

On New Year's Eve in 1987, German television broadcasted some highlights from Rudi Carrell's comedy show<sup>2</sup>. Carrell (1934–2006) was a Dutch-born television personality who became one of the most beloved show masters on German television. Successes in his homeland led him to seek new challenges and in 1965 he moved to Germany where he mastered the German language although speaking with a heavy Dutch accent for the rest of his life. The *Rudi Carrell Show* (1965–1972) and *Rudi's Tagesshow* (1981–1987) were huge successes. This was remarkable because after the Second World War the relationship between the two countries had been strained. Against this background it may be considered a surprise that Carrell's audiences numbered up to two-thirds of all German TV viewers. On at least one occasion, in 1987, he drew a viewership of twenty million people.<sup>3</sup>

The 1987 highlights from *Rudi's Tagesshow* contained fragments of Willy Brandt walking on bare feet; Nancy Reagan who had a small accident falling from a podium; pope John II, Helmut Kohl and Margareth Thatcher and other prominent politicians and world leaders in more or less compromising situations. *Rudi's Tagesshow* was Carrell's most notorious program, a takeoff on ARD's main evening news, the German "Tagesschau".<sup>4</sup>

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1 C.E.M. Joad, Shaw, Victor Gollancz LTD, London 1949, p. 64.

2 "Risqué spoof on Khomeini sparks Iranian uproar", in: Associated Press, 17 February 1987.

3 "Rudi Carrell", in: Britannica Online Encyclopedia.

4 Nesha Starcevic, "Spoof of Khomeini Causes Diplomatic Flap", in: Associated Press, 16 February 1987. Also called a "mock news program", see: James M. Markham, "Iran Chokes on German Joke: Lingerie heaped on Khomeini", in: The New York Times, 19 February 1987.

In 1987, Carrell, born in the Dutch town of Alkmaar,<sup>5</sup> had been working in West Germany for twenty-three years and acquired a reputation as one of the most popular TV personalities. He was especially notorious for poking fun at German politicians using photo-montage tricks,<sup>6</sup> or, as the Germans say “Bildwitze” (jokes with pictures): a combination of pictures, texts and spoken commentary.<sup>7</sup>

One particular fragment was remarkably lacking from the 1987 highlights of Carrell’s Tagesshow: a televised spoof, broadcast on Sunday 15 February 1987 and seen by 20.5 million viewers<sup>8</sup>, in which he used film tricks to make women appear to throw their underwear at the feet of Iran’s Ayatollah Ruollah Khomeini.<sup>9</sup>

### I. *Carrell v. Khomeini*

Ayatollah Ruollah Khomeini (1900–1989) was a Shiite cleric and the supreme leader of Iran from 1979 to 1989. After religious training he became one of the most important critics of the rule of Reza Shah Pahlavi (1878–1944) who was the president of Iran from 1929 to 1941, and of his son, Mohammad Reza Shah Pahlavi (1919–1980) who ruled Iran from 1941–1979.<sup>10</sup> Khomeini was first imprisoned and later exiled for his criticism of the government. He developed a theory of government of his own, known as the “government of the jurist” or “mandate of the jurist” (*velayat-e faqih*),<sup>11</sup> meaning that the Shiite clergy would have to rule Iran. The central idea was that in the absence of the twelfth Imam, his authority devolved on the clergy. For that reason all secular government was illegitimate.<sup>12</sup> At the very least, it should be supervised by the clergy.

Under Islamic government there would be no need for a parliament in the Western sense of the word. Only some sort of assembly could “assist” government. Parliament is not necessary because there are no laws that have to be made: Islam provides all the relevant answers regarding the content of law. “If laws are needed, Islam has established them all”, Khomeini said.<sup>13</sup> And further: after establishing a government there is no need “to sit down and draw up laws”.<sup>14</sup>

5 He was generally considered to be a “Dutch comedian” in Germany, and perhaps he cherished and cultivated his heavy Dutch accent. See: “Tehran expels two W. Germans”, in: The Washington Post, 18 February 1987.

6 “Risqué spoof on Khomeini sparks Iranian uproar”, in: Associated Press, 17 February 1987.

7 *Hannjost Lixfeld*, “Witz und soziale Wirklichkeit: Bemerkungen zur interdisziplinären Witzforschung”, in: *Fabula*, Vol. 25, nr. 3–4, September 2009, pp. 183–213, p. 185.

8 “Tehran expels two W. Germans”, in: The Washington Post, 18 February 1987.

9 See for an analysis of Carrell’s humor: *Hannjost Lixfeld*, “Witz und soziale Wirklichkeit: Bemerkungen zur interdisziplinären Witzforschung”, in: *Fabula*, Vol. 25, nr. 3–4, September 2009, pp. 183–213.

10 More secular than Khomeini’s regime, of course, but not as secular as Mustafa Kemal Atatürk’s modern Turkey. The Pahlavi’s wanted to link their family to Persia’s pre-Islamic imperial legacy. See: *Phyllis Chesler*, “Ban the Burqa? The Argument in Favor”, in: *The Middle East Quarterly*, Fall 2010, pp. 33–45, p. 35.

11 *Khomeini*, “Islamic Government”, in: *Islam and Revolution, Writings and Declarations of Imam Khomeini*, Translated and annotated by Hamid Algar, Mizan Press, Contemporary Islamic Thought, Persian Series 1981, pp. 27–150.

12 *H.E. Chehabi*, “Religion and Politics in Iran: How Theocratic is the Islamic Republic?”, in: *Daedalus*, Vol. 120, No. 3, Summer, 1991, pp. 69–91, p. 73.

13 Khomeini cited in: *Chehabi*, *Ibid.*, p. 75.

14 Khomeini cited in: *Chehabi*, *Ibid.*, p. 75.

Shortly before the flight of the Shah in 1979, Khomeini turned to Iran and was welcomed as the new political and religious leader. His convictions could, perhaps, best be described as “theocratic” in the sense that he advocated that the clergy should dominate the government. Although the clergy is very powerful in Iran, it does not, strictly speaking, constitute a church in the sociological sense.<sup>15</sup> There is *e.g.* no strict hierarchy with centrally ordained promotion procedures. Yet, the clergy is also not an institution one should poke fun at. Making jokes about people with divine authority is considered to be a sacrilege, comparable to making jokes about God himself.

Khomeini had been politically active since the 1940s, in particular to undermine the secularist regime of the Shah and others. In 1963 he was arrested, which led to riots all around the country. In his foreign policy Khomeini was both anti-Western as anticommunist.<sup>16</sup> In 1964 he opposed granting diplomatic immunity to all American military experts in Iran. This highly enhanced his stature as an opponent of the Shah. People admired him because he dared to speak when everybody else was cowed into silence.<sup>17</sup> As H.E. Chehabi writes: “Khomeini’s popularity grew as the Shah’s legitimacy declined”.<sup>18</sup> When the revolution began in 1978, Khomeini not only soon eclipsed secular political leaders but also his fellow clerics.

## II. Khomeini’s letter to Gorbachev

Since Khomeini’s attitude toward the Americans was decidedly hostile, this did mean that he sought an alliance with America’s classic foe: the Soviet Union. The Soviet Union was, of course, atheistic, and atheism, like all Western ideas, was anathema to Khomeini and his acolytes.<sup>19</sup> In denouncing communism, in particular communist atheism, Khomeini spoke and acted with a self-assurance that does not find many equivalents in world history. One of the rare examples is the ecstatic Jewish mystic Abraham Abulafia (1240–c.1300). In 1280, Abulafia, prompted by a “voice”, went to Rome to convert Pope Nicholas III (c. 1210/20–1280), in Joseph McCabe’s estimate “a vigorous, handsome, and very wealthy man of noble birth who loved comfort, and was the most scandalous nepotist that Rome had yet known”.<sup>20</sup> Dante, who lived in the next generation, had put him in hell (Canto XIX).<sup>21</sup> As Norman Solomon (*b.* 1933) relates, the pope was not amused about Abulafia’s action, and gave orders to burn him at the stake. Fortunately this did not occur because the pope was struck by an apoplectic fit.<sup>22</sup> The story is interesting in this context because it raises the question: who is self-assured enough to think you can convert the pope to another creed? Apparently, there are some people who have such firm beliefs that they think they can.

15 Chehabi, *Ibid.*, p. 69.

16 See on Khomeini’s Iran: Amir Taheri, *The Persian Night: Iran under the Khomeinist Revolution*, Encounter Books, New York and London 2009.

17 Chehabi, *Ibid.*, p. 72.

18 Chehabi, *Ibid.*, p. 74.

19 See on the Soviet model with regard to religion: Sonja Luehrmann, *Secularism Soviet Style: Teaching Atheism and Religion in a Volga Republic*, Indiana University Press, Bloomington and Indianapolis 2011; Paul Froese, “Forced Secularization in Soviet Russia: Why an Atheistic Monopoly Failed”, in: *Journal for the Scientific Study of Religion*, 43:1 (2004), pp. 35–40; Paul Froese, *The Plot to Kill God: Findings from the Soviet Experiment on Secularization*, University of California Press, Berkeley, Los Angeles and London 2008.

20 Joseph McCabe, *A History of the Popes*, Watts & Co., London 1939, p. 367; Peter de Rosa, *Vicars of Christ*, Corgi Books, London 1988, p. 230: “Some popes, like Nicholas III (1277–80), amassed a fortune”.

21 McCabe, *Ibid.*, p. 367.

22 Norman Solomon, *Judaism: A Very Short Introduction*, Oxford University Press, Oxford 2000 (1996), p. 44.

Khomeini is of the same sort. In 1989 he wrote two remarkable documents. The first is well-known: his fatwa to “inform all zealous Muslims of the world that the author of the book entitled *The Satanic Verses* – which has been compiled, printed and published in opposition to Islam, the Prophet and the Qur’an – and all those involved in its publication who were aware of its contents, are sentenced to death”.<sup>23</sup> But as Daniel Pipes informs us in *The Rushdie Affair* (2003), there is another document Khomeini presented in that same year.<sup>24</sup> In 1989 Khomeini directed a personal letter to Mikhail Gorbachev. In that letter he pontificated on the failure of communism. This atheist creed would, no doubt, soon belong to the “museums of world political history”, Khomeini said. He lectured Gorbachev on communism and said that Gorbachev would no doubt pretend that he was still convinced of the truth of communism but that anyone could see this would be all in vain. But where should Gorbachev look for an alternative creed? Not to the West, Khomeini stated. The West was empty. Gorbachev should look to the South, to Iran and to Islam.

*I strongly urge that in breaking down the walls of Marxist fantasies you do not fall into the prison of the West and the Great Satan (...). I call upon you seriously to study and conduct research into Islam (...). I openly announce that the Islamic Republic of Iran, as the greatest and most powerful base of the Islamic world, can easily help fill up the ideological vacuum of your system.*<sup>25</sup>

Norman Solomon wrote about Abulafia: “What sort of Jew, in the thirteenth century, would consider the pope fair game for conversion? Perhaps only one who thought of himself as a prophet”.<sup>26</sup> A similar question one may ask about Khomeini. What sort of Muslim would consider the president of an atheist empire fair game for conversion to Islam? Only one who thinks of himself as a prophet. And although the epithet “prophet” was for understandable reasons not likely to be used by Khomeini himself or by any other believing Muslim,<sup>27</sup> he certainly did not lack the self-confidence that he would be the *faqih* who could supervise all actions of government. Yet he also had the shrewdness to show a liberal side to the West, if necessary.<sup>28</sup> In the West he sometimes seemed to endorse liberal democracy, as was the case in Paris when he tried to gain international sympathy for his anti-Shah movement. In the autumn of 1978 he told a French newspaper interviewer: “We are for a regime of total liberty. The future regime of Iran has to be one of liberty. Its only limits will be, as in any other state, the general interest of society, but also considerations of dignity”.<sup>29</sup> Gullible Western intellec-

23 Kenan Malik, *From Fatwa to Jihad: The Rushdie Affair and Its Legacy*, Atlantic Books, London 2009, p. 8. See also: Paul Weller, *A Mirror for our Times: “The Rushdie Affair” and the Future of Multiculturalism*, Continuum, London, New York 2009, p. 37.

24 Daniel Pipes, *The Rushdie Affair: The Novel, the Ayatollah, and the West*, Second Edition with a postscript by Koenraad Elst, Transaction Publishers, New Brunswick (USA) and London (UK) 2003, p. 191; *Ibn Warraq*, *Virgins? What Virgins? And Other Essays*, Prometheus Books, Amherst, New York 2010, p. 32

25 Radio Tehran, 8 January 1989. Quoted in: Pipes, *Ibid.*, p. 192.

26 Solomon, *Ibid.*, p. 44.

27 A revealing portrait of the “court” of Khomeini in Qom is painted by Oriana Fallaci in her famous interview with the supreme commander in: Oriana Fallaci, “Ayatollah Khomeini”, September 1979, in: Oriana Fallaci, *Interviews with History and Conversations with Power*, Rizzoli, New York 2011, pp. 172–262.

28 In this respect, he did not differ very much from his notorious adversary Mohammed Riza Pahlavi, as it is apparent from Fallaci’s interview with the Shah in: Oriana Fallaci, “Mohammed Riza Pahlavi”, October 1973, in: Oriana Fallaci, *Interviews with History and Conversations with Power*, Rizzoli, New York 2011, pp. 151–172.

29 Khomeini in *Le Figaro*, 15 October 1978, also in: Chehabi, *Ibid.*, p. 76.

tuals like Michel Foucault (1926–1984) believed him,<sup>30</sup> as Jean-Paul Sartre (1905–1980) had believed the Soviets a generation earlier.<sup>31</sup> His announcement that he expected to create a “100 percent Islamic constitution” did not raise eyebrows, nor did criticism of “secularism” as a Western imperialist plot to weaken Muslim societies<sup>32</sup> or the idea that in the new constitution the judiciary was to function under the exclusive control of clerics chosen by the religious leader.<sup>33</sup> The Italian journalist Oriana Fallaci (1929–2006), in her famous interview with Khomeini, quotes some of his other convictions: “A man who has had sexual relations with an animal, for example, a sheep, may not eat that animal’s meat, for to eat it would be a mortal sin. The same applies if the sheep has drunk sow’s milk; in that case, the man may not have sexual relations with a sow, either”.<sup>34</sup> Another remark by Khomeini is about the age of marriage for girls: “If a man marries a girl who has not yet reached nine years of age and has relations with her, he must not break her hymen, or he could not continue relations with her”.<sup>35</sup>

### III. The Iran-Iraq war

Between 1980 and 1988, there was a devastating war between Iran and Iraq. Initially Iraq was successful (1980–1982), but it began to lose ground and sought to negotiate peace. This was refused by Iran and the battle developed into a bloody stalemate. In 1988 Iran agreed to a cease-fire after Iraqi advances. In 1990 a formal peace agreement was signed.<sup>36</sup>

During the Iran-Iraq war Ayatollah Khomeini imported 500,000 small plastic keys from Taiwan. The reason was that Iran’s forces were no match for Saddam Hussein’s professionally trained army. Iran had to think about its strategy. What they did was recruit Iranian children, some of them no more than twelve years old. They had the Taiwanese keys hung around their neck before marching in formation across the minefields of the enemy, clearing a path with their bodies.<sup>37</sup> Those keys were supposed to open the gates of paradise for them.

Because the mines completely destroyed the children without leaving a trace of their bodies, they could not be properly buried. Another device was developed. The children wrapped themselves in blankets and rolled on the ground. This meant that their body parts stayed together after the explosion of the mine so the body parts could be buried together. These children were called *Basiji*, a movement created by Ayatollah Khomeini in 1979, for which Mahmoud Ahmadinejad (b. 1956) reportedly served as an instructor.<sup>38</sup>

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30 On Foucault, see: *Janet Afary/Kevin B. Anderson*, *Foucault and the Iranian Revolution: Gender and the Seductions of Islamism*, The University of Chicago Press, Chicago and London 2005; *Patrick West*, “The philosopher as dangerous liar”, in: *The New Statesman*, 28 June 2004, pp. 24–25.

31 *Michel-Antoine Burnier*, *Le Testament de Sartre*, Olivier Orban, Paris 1982; *Bernard-Henri Lévy*, *Le siècle de Sartre: Enquête philosophique*, Grasset, Paris 2000; *Jean Sévilla*, *Le terrorisme intellectuel de 1945 à nos jours*, Perrin, Paris 2004 (2000).

32 *Chehabi*, *Ibid.*, p. 76.

33 *Chehabi*, *Ibid.*, p. 77.

34 *Fallaci*, “Ayatollah Khomeini”, p. 172.

35 *Fallaci*, *Ibid.*, p. 172.

36 “Iran-Iraq War”, in: *Britannica Concise Encyclopedia*.

37 *Matthias Küntzel*, “Ahmadinejad’s Demons”, in: *The New Republic*, 24 April 2006, pp. 15–23, p. 15.

38 *Küntzel*, *Ibid.*, p. 15. See on his theological convictions: *Rupert Shortt*, *Christianophobia: A Faith under Attack*, Rider, London 2012, p. 47.

What these examples meant for many people in the West was that they made clear to what lengths religious extremism would go to achieve its goals. Can you win a conflict with people who have so little respect and relish for life? Is Khomeini's children's army not a fearful premonition of Osama Bin Laden's (1957–2011) notorious expression "We love death as you love life"?<sup>39</sup> Since the advent of religious terrorism in the West this has become a pertinent question.<sup>40</sup>

So it would be an understatement to say that when Carrell's show was aired in 1987 it was a hectic time in Iran. In that fragment, original footage of Tehran's celebrations marking the eighth anniversary of Khomeini's republic was combined with slapstick close-ups of the women. The omission of Carrell's spoof from the 1987 highlights was remarkable because precisely this fragment was the cause of a diplomatic row between Germany and Iran whose consequences reverberate to the present day. The fourteen seconds of film were broadcast on the national network ARD on 15 February 1987 and, as indicated previously, in one of West Germany's most popular programs. Original footage of Tehran celebrations marking the eighth anniversary of Khomeini's Republic were used in combination with slapstick close-ups of women taking off their underwear and tossing it. This created the illusion that the women were in front of Khomeini while throwing their underwear at his feet. This was a severe criticism of the Iranian government which in 1983, four years after the revolution, and on behest of Khomeini, instituted a ban on women showing their hair and the shape of their bodies.<sup>41</sup> The Iranian regime beats, arrests, and jails women if they are improperly garbed. They are supposed not to move around like "walking mannequins" or being sun-tanned.<sup>42</sup>

Carrell was not the first to lampoon Khomeini. In November 1986, Iran expelled three Italian diplomats to protest a spoof of Khomeini on Italian state television.<sup>43</sup> But Carrell's spoof made a deeper impression, more than previous jokes by Carrell about Khomeini. On 24 November 1979, the year the Iranian revolution broke out, Carrell showed in his program *Am laufenden Band* German Muslims kneeling while engaged in prayer. Carrell commented: "They are looking for Khomeini's contact lenses".<sup>44</sup> This solicited protests from the evangelical Church in Bremen and the Islamic Ahmadiyya community in Frankfurt am Main. Carrell's comments were criticized as "cheap jokes about the believers in Islam" ("billige Witze-macherei auf Kosten der Gläubigen des Islam").<sup>45</sup> But Carrell's spoof in February 1987 was

39 See: Raffaello Pantucci, "We love death as you love life": Britain's Suburban Mujahideen, Columbia University Press, New York 2012.

40 On this: Daniel Pipes, *Militant Islam Reaches America*, W.W. Norton & Company, New York, London 2002; Bruce Hoffman, *Inside Terrorism*, Revised and Expanded Version, Columbia University Press, New York Chichester, West Sussex 2006; Amos N. Guiora, *Fundamentals of Counterterrorism*, Wolters Kluwer, Austin/Boston/Chicago/New York/The Netherlands 2008.

41 Phyllis Chesler, "Ban the Burqa? The Argument in Favor", in: *The Middle East Quarterly*, Fall 2010, pp. 33–45, p. 39.

42 Chesler, *Ibid.*, p. 39. See also the hilarious adventures of Oriana Fallaci, trying to find a place to dress up in a burqa before appearing to Ayatollah Khomeini in: Oriana Fallaci, "Ayatollah Khomeini", September 1979, in: Oriana Fallaci, *Interviews with History and Conversations with Power*, Rizzoli, New York 2011, pp. 172–262.

43 "Iran expels two German diplomats in retaliation for TV spoof", in: Associated Press, 17 February 1987. Furthermore, in 1980, *Death of a Princess*, a TV documentary hostile to the Saudi Arabians, was never shown on British TV. See: Kenan Malik, *From Fatwa to Jihad: The Rushdie Affair and Its Legacy*, Atlantic Books, London 2009, p. 3.

44 Hannjost Lixfeld, "Witz und soziale Wirklichkeit: Bemerkungen zur interdisziplinären Witzforschung", in: *Fabula*, Vol. 25, nr. 3–4, September 2009, pp. 183–213, p. 183.

45 Lixfeld, *Ibid.*, p. 183.

quite different. This was a national affair in the sense that the whole Federal Republic of Germany was involved. Only seconds after Carrell's show was broadcast, Reinhard Schlagintweit (b. 1928), the civil servant responsible for contacts with the Middle East, was called.<sup>46</sup> On the phone was Mohammad Djavad Salari (b. 1945), since 1984 the Iranian ambassador in Bonn. He was very angry. Was Schlagintweit aware that the "highest supervisor of all Muslims" ("das geistliche Oberhaupt aller Muslime") had just been insulted? Not only the religious feelings of the Iranian people had been offended but those of Muslims "all over the world".<sup>47</sup> In the Iranian culture it was "unthinkable" to mock Ayatollah Khomeini, Salari indicated.<sup>48</sup> And most importantly, he threatened with consequences he did not specify.

One of those consequences proved to be the closure of the Iranian consulates in West Berlin and Hamburg. Another consequence was that a Frankfurt-Tehran flight from Iran Air Flight was delayed for six and a half hours because Iran Air personnel organized a strike to protest against the show.<sup>49</sup> This strike was organized on instructions from Tehran, as Saeed Kamyak, the airline's operations director for West Germany, indicated. Yet another consequence of Carrell's perceived insult was that on 18 February Iran ordered two West German diplomats to leave Iran in retaliation for Carrell's spoof of Khomeini.<sup>50</sup> Furthermore: Germany's ambassador Armin Freitag was summoned to the Foreign Ministry to be handed a "strongly worded protest note on the insulting program".<sup>51</sup> On 18 February, Iranian students staged a protest at the West German Embassy, chanting anti-U.S. and anti-West German slogans. The students demanded an official apology from Bonn over Carrell's spoof.<sup>52</sup> The Goethe Cultural Institute in Tehran was closed in retaliation for the broadcast of Carrell's "Tagesschau".<sup>53</sup> Last but not least: Carrell was threatened<sup>54</sup> and he got police protection from the German government.

#### IV. Apologies to Iran

The German Foreign Ministry reacted to the whole affair in a way that we come across regularly in similar affairs. It (1) expressed regret that Carrell's show had made fun of Khomeini and (2) stressed that the government guarantees freedom of the press and artistic freedom.<sup>55</sup> Friedrich Wilhelm Ost, the Government spokesman, said on 19 February that Bonn regretted the incident. At a news conference, Ost declared:

*We hope that we can smooth matters out somewhat by explaining that West Germany has free television, press and radio over which the state has no control.*<sup>56</sup>

46 "Carrell-Affäre: nicht klug", in: Der Spiegel, Nr. 9, 23 February 1987, pp. 25–27, p. 25.

47 Der Spiegel, Ibid., p. 25.

48 Der Spiegel, Ibid., p. 26.

49 "West German spoof of Khomeini sparks Iranian protests", in: Associated Press, 17 February 1987.

50 "Tehran expels two W. Germans", in: The Washington Post, 18 February 1987; "Iran expels two German diplomats in retaliation for TV spoof", in: Associated Press, 17 February 1987.

51 Associated Press, 17 February 1987.

52 "Iran miffed over Khomeini spoof on German TV", in: Tampa Bay Times, 19 February 1987.

53 "Iran angered by ayatollah under undies", in: The Globe and Mail, 21 February 1987.

54 Religious fanatics threatened to launch attacks ("Religiöse Fanatiker drohten mit Anschlägen"). See: "Größtes Witz-Archiv Deutschlands – Aufgewärmte Slips", in: Der Spiegel, 27 October 1997.

55 Associated Press, 17 February 1987; "West German spoof of Khomeini sparks Iranian protests", in: Associated Press, 17 February 1987; "Knicker skit just too much to bear", in: The Sydney Herald, 18 February 1987.

56 Cited in: James M. Markham, "Iran Chokes on German Joke: Lingerie heaped on Khomeini", in: The New York Times, 19 February 1987.

On 19 February Carrell also personally called Iran's Ambassador, Mohammed Djavad Salari, to apologize. As Carrell later said:

*If my gag about Ayatollah Khomeini has created anger in Iran, I regret it very much and wish to be pardoned by the Iranian people.*<sup>57</sup>

Carrell also made a public apology in his program *Tagesschau*.<sup>58</sup> Now the question is: was this a sensible thing to do? Under the circumstances there was, perhaps, little choice. Especially for Carrell himself, the situation was precarious, if not scary. But what were the long-term effects of this apology? And *for what* exactly did he have to apologize?

These questions may seem trivial. Why bother so much about the way you apologize? An apology cannot make things worse, can it? It clears the air a little and makes it possible that both parties engage in contact with each other.

Or is this all too optimistic and can an apology make things worse indeed? If the apology heightens expectations, for instance, that the party apologizing can never meet? And if you apologize, to whom should you do this?

Apparently Carrell took the feelings of the Ayatollah for the feelings of the "Iranian people". But can the two unequivocally be identified? Did Carrell not apologize to the Iranian people for humorous criticism of their dictator?

Although it was a minority viewpoint, there were some voices which objected to apologizing. *The Boston Globe* was less eager to reach out to the Iranian government than the German government was. In its editorial it commented: "The Iranian people have suffered unspeakable horrors at the hands of Khomeini and his henchmen. The mullahs who extract abject apologies from Germany, making it seem as though their regime were synonymous with Islam, are the same holy men who torture and rape Iranian women in their prisons. They are the ones who owe an apology to Moslems in Iran and around the world".<sup>59</sup> This newspaper article is remarkable for several reasons. First, it speaks of "horrors" and "henchmen". Second, a distinction is being made between the regime and the religion of Islam. The regime tries to establish that an insult of the regime is *eo ipso* an insult to Islam. But why should that be the case? One may also advance that a murderous regime cannot be "Islamic" per definition. Third, the newspaper article draws our attention to the plight of women in Iran. This makes clear that Carrell's choice for women to mock the regime was not only done for the sake of its comic effect but had a more principled background. As we will see in the subsequent pages of my analysis of the affair, these points are certainly not self-evident. If the editors of the *The Boston Globe* are right, Carrell's spoof may have been less tasteless and insignificant than some people may think. There was something at stake here: the position of women in theocracies, and the "right to ridicule" totalitarian theocracies.<sup>60</sup> Is this something free countries should give away without a fight?

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57 James M. Markham, "Iran Chokes on German Joke: Lingerie heaped on Khomeini", in: *The New York Times*, 19 February 1987; "Iran miffed over Khomeini spoof on German TV", in: *Tampa Bay Times*, 19 February 1987.

58 "Größtes Witz-Archiv Deutschlands – Aufgewärmte Slips", in: *Der Spiegel*, 27 October 1997.

59 "Mullahs and muzzling", in: *The Boston Globe*, 22 February 1987.

60 See on this: Ronald Dworkin, "Foreword", in: Ivan Hare/James Weinstein (eds.), *Extreme Speech and Democracy*, Oxford University Press, Oxford 2009, pp. v–ix; Ronald Dworkin, "The Right to Ridicule", in: *New York Review of Books*, 12 March 2006.

The German television station also offered apologies. The director of Westdeutscher Rundfunk, which put on the show, declared that they regretted that “a political-satirical attempt had been put in a religious context”.<sup>61</sup> The director explained: “No one wanted to offend the feelings of believers”.<sup>62</sup> Apparently the German television adopts the view that one may satirize politics but not religion, which is an interesting position, but something that has to be substantiated. Another important development that we here see is that the focus of interest shifts from the supreme leader to “believers” in general. Carrell was supposed to have insulted “believers”.

## V. More apologies

Although apologies were offered, they were considered to be insufficient in the eyes of the Iranian ambassador to Bonn. On Friday, 20 February, Mohammed Djavad Salari declared that he wanted a formal apology from West Germany for Carrell’s television show. Friedrich Ost, the German government spokesman, said the West German government had already made it clear it regretted the spoof. So what else was there to say? And Carrell himself had already apologized, as well. Furthermore, Ost repeated that the German government has no control over the media and was therefore not responsible for what the media did. But Salary was not satisfied yet. He declared during a news conference:

*Our people and our government expect the West German government to take more concrete measures. An apology would make things easier.*<sup>63</sup>

In the meantime there was more to apologize for. The Iranian ambassador also demanded apologies for a remark made by one of Chancellor Helmut Kohl’s senior aides. The person referred to, Horst Teltschik (b. 1940), had said in a magazine interview that among his most despised historical figures were “slave-drivers like Hitler, Stalin, Khomeini” (sic).<sup>64</sup>

What these remarks by Teltschik make clear is that there is at least reason to consider whether the way liberal democracies deal with dictatorships should be according to the same norms as the way we deal with other liberal democracies.

Another important question is whether the Carrell Affair teaches us something about our contemporary world where the right to free speech, the right to satirize, is a much more contested issue than was the case in 1987.

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61 The apologies were expressed by Friedrich Nowottny, the director of the Westdeutscher Rundfunk. See: James M. Markham, “Iran Chokes on German Joke: Lingerie heaped on Khomeini”, in: The New York Times, 19 February 1987.

62 Ibid.

63 Cited in: “Iran angered by ayatollah under undies”, in: The Globe and Mail, 21 February 1987.

64 See: “Carrell-Affäre: nicht klug”, in: Der Spiegel, Nr. 9, 23 February 1987, pp. 25–27, p. 26: “Menschenschinder wie Hitler, Stalin, Chomeini”; “Iran angered by ayatollah under undies”, in: The Globe and Mail, 21 February 1987. ”

Two years later (in 1989) Salman Rushdie published his controversial novel *The Satanic Verses* and received a similar kind of reaction, although more fierce, to the one Carrell had elicited from Khomeini. Eight years later (in 2005) the Cartoon Affair occurred, and the Danish cartoonist Kurt Westergaard, like Rushdie (and, to a lesser extent, Carrell,) before him, attracted the same violent reactions.<sup>65</sup>

In 2012, another film, this time the trailer of a film posted on the Internet, caused diplomatic tension between the United States of America (where the trailer had been posted on Google's YouTube) and several countries in the Middle-East<sup>66</sup>, while a controversial burning of the Quran by an American pastor caused deaths in Afghanistan. What in 1987 seemed an "incident" slowly emerged as a pattern. World leaders like Helmut Kohl (Carrell), the pope (his own lecture in Regensburg in 2006)<sup>67</sup>, Margaret Thatcher (Rushdie), Rasmussen (Westergaard), and Obama (Nakoula Basseley Nakoula, Terry Jones) – they all dealt with the issue. But the problem seems to be: they all dealt with the issue as if it was something new. Every single political leader made the same deliberations again, as if the matter was totally unconnected to previous events. And they all underestimated the significance, so it seems.

In December 2012, an Egyptian court convicted in absentia seven Egyptian Coptic Christians as well as the Florida-based American pastor Terry Jones. They were sentenced to death on charges linked to the satirical film *Innocence of Muslims* which sparked riots in some parts of the world.<sup>68</sup> Most of the accused live in the United States of America and they are, for understandable reasons, not going to Egypt to be present at the trial. In that sense, those cases are symbolic. Nevertheless, those verdicts have a certain influence on theoterrorists, as one may assume who sees in those verdicts a legitimating factor for the violence they perpetrate towards supposed offenders of religious law. The Egyptian state and the Iranian state will, of course, claim that theoterrorists are not agents of the state, but in court this is more difficult to maintain. Egypt's official news agency said the court found the defendants guilty of "harming national unity, insulting and publicly attacking Islam and spreading false information".<sup>69</sup> And for these charges the death penalty is deemed to be the appropriate sentence. Among the convicted was, apart from Terry Jones, also Nakoula Basseley Nakoula (or Mark Bassely Youssef – Nakoula operates under many pseudonyms), who was sentenced in a California court in November 2012 for matters unrelated to his film.

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65 See: Jytte Klausen, *The Cartoons that Shook the World*, Yale University Press, New Haven and London 2009; Mohamed Sifaoui, *L'affaire des caricatures de Mahomet: dessins et manipulations*, Editions Privé, Paris 2006; François Boespflug, *Caricaturer Dieu? Pouvoirs et dangers de l'image*, Bayard, Paris 2006. The most controversial and outspoken cartoonist, Kurt Westergaard, gives his view on the affair in: *Kurt Westergaard/John Lykkegaard, Kurt Westergaard: The Man behind the Mohammed Cartoon*, Mine Erindringer, Tilst, Denmark 2012.

66 Edward Tabash, "The First Amendment provides full protection to *Innocence of Muslims*", in: *Free Inquiry*, December 2012/January 2013, pp. 11–13; "Rushdie: The Response to 'Innocence of Muslims' is Ludicrous", in: *International Business Times*, 29 September 2012; Kia Makarechi, "Anna Gurij & 'Innocence of Muslims': Horrified Actress Writes Letter Explaining Her Role", in: *Huffpost*, 17 September 2012.

67 Knut Welzel (ed.), *Die Religionen und die Vernunft: Die Debatte um die Regensburger Vorlesung des Papstes*, Herder, Freiburg im Breisgau 2007.

68 Sarah El Deeb, "Terry Jones, Florida pastor, sentenced to death in Egypt over anti-Islam film along with 7 Coptic Christians", in: *HuffPost*, 28 November 2012.

69 *HuffPost*, *Ibid*.

Jones commented on the verdict by stating that this shows the “true face of Islam”. He further said: “We can speak out here in America. That freedom means that we criticize government leadership, religion even at times. Islam is not a religion that tolerates any type of criticism”.<sup>70</sup>

Another man convicted in the ruling by the Egyptian court is Morris Sadek, a Coptic Christian living in Chantilly, Virginia. He was convicted for having posted the video clip on the website. Sadek denies all involvement in the creation, production and financing of the film. Yet all the persons convicted in the verdict fear consequences. Another one of the persons condemned, Fikry Zaklama, said: “Of course, I am worried about this death penalty. Who will give me guarantees that the Egyptian government will not try to kidnap me, to take me to Egypt?”<sup>71</sup>

It seems we are on the track of something bigger than a commotion about an insignificant incident. The central question may be framed like this: what to do when a foreign power threatens one of your citizens with violence who has done something which is not a violation of national law (and even protected by the nation’s most fundamental law), i.e. satirize religion and religious leaders? Is there room for compromise in these circumstances? And to what extent? Who has a role to play here?

These central questions, although seemingly trivial, may prove dauntingly difficult to handle. There are some important ideals and institutions involved. National sovereignty, civil liberties, religious criticism, safety of citizens within the national borders – the moral, political and strategic conundrums are legion.

In 1714, the German philosopher Gottfried Wilhelm Leibniz (1646–1716) popularized the idea of a “monad” in his *Monadology*.<sup>72</sup> A monad (from the Greek “monas” or “unit”) is an elementary individual substance that reflects the order of the world. In each monad the universe as a whole is reflected. This image may also be used in connection with the affairs which are analyzed in this article. *Prima facie* these affairs are about “incidents”, about insignificant events that have no meaning for the great political questions of the day. On further inspection these “incidents” prove to be about the most fundamental problems of political philosophy and the organization of a liberal-democratic order: national sovereignty, the protection of citizens on the territory of the state, civil rights, the protection of the democratic order against decay and many other important issues. In an early comment on the Rushdie Affair legal, philosopher Jeremy Waldron (b. 1953) proves perfectly cognizant of the extent of the challenge it poses to liberal-democratic states in the way they have to deal with religion.

*The religions of the world make rival claims about the nature and being of God and the meaning of human life. It is not possible for me to avoid criticizing the tenets of your faith without stifling my own. So mutual respect cannot possibly require us to refrain from criticism, if only because criticism of other sects is implicit already in the affirmations of any creed.*<sup>73</sup>

<sup>70</sup> HuffPost, Ibid.

<sup>71</sup> HuffPost, Ibid.

<sup>72</sup> See: *Gottfried Wilhelm Leibniz, “Schriften zur Monadenlehre”, in: Gottfried Wilhelm Leibniz, Hauptschriften zur Grundlegung der Philosophie, Teil II, Übersetzt und mit Anmerkungen versehen von Arthur Buchenau, (Philosophische Werke in vier Bänden, ed. Cassirer), Felix Meiner Verlag, Hamburg 1996, pp. 331–649.*

<sup>73</sup> *Jeremy Waldron, “Rushdie and Religion”, in: The Times Literary Supplement, 10 March 1989, pp. 248 and 260, also in: Jeremy Waldron, Liberal Rights, Collected Papers 1981–1991, Cambridge University Press, Cambridge/New York 1993, pp. 134–143, p. 138.*

But the problems that arise from incidents such as the Rushdie Affair and the Carrell Affair have not been recognized as such. World leaders have not developed a systematic and coherent approach to these problems. To my mind this is unfortunate. Only if we succeed in doing this is there a hope to surmount these intricate difficulties.

## VI. *The Dutch minister of foreign affairs calls a TV network*

As may be expected, after the commotion in Germany the Netherlands became interested in the matter. Rudi Carrell was after all a famous Dutch showmaster. As indicated in the previous pages: his Dutch accent was always clearly noticeable, even after having lived for decades in Germany. According to some, the typical Dutch rudeness had served him well in his career in Germany. Perhaps he could say things in Germany because he was considered to be a Dutchman. Had not the Dutch been occupied during the Second World War by the Germans? Would that not give the Dutch the “privilege” to say things against Germans, and German politicians in particular, that native Germans would find unacceptable from their own comedians?

As indicated, Carrell satirized many German politicians, but also world leaders, such as the pope, Margaret Thatcher and many others. And if it was possible to lampoon leaders from Germany, the United States of America and Great Britain, why not satirize a world leader from a real dictatorship whose vicissitudes were discussed in the news media all over the world? But that turned out to be more challenging than was foreseen.

As might be expected, the Dutch took great interest in the (till then) *German Carrell Affair*, and the socialist broadcast corporation Vara wanted to show the fourteen-second fragment which had caused all the commotion in Germany. This is the ABC of journalism, is it not? Let people decide for themselves what they think about this spoof that had caused so much uproar in a neighboring country.

Although the transmission of the fragment was scheduled (and announced as such) on 23 February 1987, eight days after the controversial German transmission, something unusual happened: the Dutch minister of foreign affairs, Hans van den Broek (b. 1936), personally called the Dutch Broadcast Corporation. During this telephone call on 23 February, a few seconds before the start of the program with the contested item, the minister tried to convince the anchorman Paul Witteman (b. 1946) *not* to broadcast the item discussed. The reporter, as one might understand, surprised to have the minister of foreign affairs on the phone, took a rare step in this dilemma: he invited the minister to call again, a few minutes later, *i.e.* live, and expound his reasons for this act of self-censorship. To the surprise of many, the minister agreed. That meant that all the considerations about giving in to the pressure from Iran (or not) was aired openly. Delicate discussions on what to do in tricky dilemmas usually held behind closed doors were now completely transparent.

Here is a transcript of the five minutes of conversation that was conducted between Paul Witteman and the Dutch minister of foreign affairs, as it was transmitted, live, on Dutch television on 23 February 1987.<sup>74</sup>

*Witteman: One second ago, or ten seconds ago, we received a phone call from the minister of foreign affairs, our minister of foreign affairs, Hans van den Broek. Good evening, Mr. van den Broek.*

*Van den Broek: Hello Mr. Witteman.*

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<sup>74</sup> Translated by Sarah Strous.

*Witteman: You called us one minute before this broadcast.*

*Van den Broek: Yes.*

*Witteman: Why?*

*Van den Broek: Well, because I have received clear indications that the re-airing of such a broadcast on Dutch television might have consequences for Dutch people in Teheran that I would not like to see happen. I am, of course, faced with the dilemma that I certainly don't want to participate in any kind of pressure on public media in the Netherlands. On the other hand, it is clear, after what happened in Germany, that such a broadcast is perceived as a grave insult by the Iranian authorities and the Iranian people. Perhaps these are things we can only understand when we learn about Iranian culture, Iranian customs, Iranian religion. And, again, these are matters to which people have very strong emotional reactions. So then my question is: do we think this is worth it? Is it not better to say, at a certain point, that we would rather discuss the matter with representatives from Iran to explain what freedom of the press means to us, what the media means to us, how this works here. These things are totally, totally different in a country like Iran. But is it worth it then? Solely to give the Dutch viewer access to something we already know had a very unfortunate effect on the relationship between Germany and Iran? And it also had very unpleasant consequences for Mr. Carrell personally, who offered a televised apology as a result. So then my serious question to you is simply this: is this worth it to us? I cannot, and do not want to, forbid you to do anything on this issue. I am just asking you to at least include these considerations in your decision making process.*

*Witteman: Don't you think it is a little odd for us in the Netherlands to have such consideration for the sense of humor in Iran?*

*Van den Broek: I don't think it is odd at all. And in all honesty, I have to say that if I had gotten the impression that we were dealing with a program that, also from a journalistic point of view – although, of course, this is for you and your editorial team to decide – should not be denied to the Dutch citizenry, then you might be right. But here we are dealing with a show that was intended to serve as entertainment, however, has ended up as a grave insult to the Iranian people. This is how it is experienced there. So, knowing that these kinds of emotions are invoked this way, is it too much to ask for at least to try to be careful and restrain ourselves? Don't forget that in the Netherlands we are used to being very tolerant of one another, of our different ways of thinking and of our convictions, among other things.*

*Witteman: You estimate, Mr. Van den Broek, if I may interrupt for a moment, that if we were to broadcast this piece of film the consequences would be severe. Or at least could be.*

*Van den Broek: I cannot rule those consequences out. And I think the reaction to the German broadcast at least warrants careful consideration of this issue. Again, I am not accustomed, also when it comes to diplomacy, to giving way to foreign pressure where our own freedom of the press is concerned. On the other hand, given the fact that these consequences have become reality in Germany, I say that we, you and me, should ask ourselves: is this worth it?*

*Witteman: Very well. Mr. Van den Broek, you will understand that since you called one minute before the start of the show, it is no easy for us to omit this clip and rework the segment. Still, we are reasonable people here at VARA, and I understand your concern. I hear that you have been in contact with the Iranian embassy?*

*Van den Broek: Yes. The call I got this afternoon also came rather late. After I had had someone call you earlier, I received further information that the ministry of foreign affairs in Teheran had approached our ambassador there. This gave me cause to – if at the last minute, for which I apologize – give you another call myself.*

*Witteman: Alright. What we will try to do is change the segment in such a way that we show only the circumstances of this whole affair, which we find very interesting and important in relation to freedom of the press, and air that at the end of the show. By now we are starting the second item. We hope that in this manner we are at least able to oblige you, although the discussion about freedom of the press...*

*Van den Broek: Mr. Witteman, you don't have to oblige me. That is not the issue. I am giving you information, on the basis of which you should take your own decision.*

*Witteman: Yes yes yes. But you understand, of course, because you are an eminent person, what kind of influence the minister of foreign affairs expounding such a view has. No matter how much we value our freedom of the press. And sometime, perhaps in reference to this subject, I would like to have a discussion with you about it.*

*Van den Broek: Of course. I would like that.*

*Witteman: But let us air the second item first and see what we can do about the Carrell affair.*

*Van den Broek: Very well.*

*Witteman: Goodbye, Mr. van den Broek.*

*Van den Broek: Goodbye, Mr. Witteman.*

## **VII. The Dutch Parliament on the Carrell Affair**

On 26 February 1987, the minister of foreign affairs justified the steps he had taken before a session of the Dutch Parliament.<sup>75</sup> Van den Broek was a member of a coalition cabinet with Ruud Lubbers (b. 1939) as prime minister. The events took place under what is well known in Holland as the coalition Lubbers II, a coalition of Christian-democrats (CDA, Christian-democratic Alliance) and liberals (in Dutch: VVD, meaning For Freedom and Democracy). Lubbers II held sway between 14 July 1986 until 7 November 1989. This coalition was a continuation of a former coalition of CDA and VVD (Lubbers I: 1982–1986). In this coalition the Christian-democrats were the stronger party with forty-five seats in parliament against twenty-seven seats for the liberal party. The opposition parties numbered sixty-nine seats all together. During that session the minister of foreign affairs repeated what he had said during the conversation with Witteman and claimed that he had only pointed out to the broadcast corporation what could have been the consequences of the transmission of the program. He explained that he had gathered from the Dutch embassy in Tehran that a repetition of the fragment from the German television on Dutch television would be experienced in Iran as “profound insult to Khomeini”.<sup>76</sup> This could cause an outburst of “anger” from the “Iranian public”. The security of the people working at the embassy would not be guaranteed. Diplo-

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75 Before a large commission in which all the political fractions of the Dutch representative were present: the so-called commission of foreign affairs (“vaste Commissie voor Buitenlandse Zaken”). See for proceedings of the meeting: “Verslag van een mondeling overleg”, in: Tweede Kamer, 1986–1987, 19 700, hfdst. V, nr. 79, pp. 1–3.

76 TK 1986–1987, p. 1.

matic relations could be severed. It was these things that brought him to the decision to “seek contact” with the broadcast corporation. The minister further claimed that he had left the responsibility where it lays (apparently insinuating that his position was that the broadcast corporation would be responsible for the consequences, not the ministry of foreign affairs or the Iranian government). The Dutch minister even declared that he had not experienced any “pressure from the Iranian side”. All things considered, he said, he “could understand” the position of the Iranian government.<sup>77</sup>

The Dutch Parliament did not criticize the minister very harshly for his telephone call to the Dutch broadcast corporation. The Labour faction declared “understanding” for what the minister had done. The only worry that the representative from Labour voiced was that this might pose a “precedent”. And were there no “principles” involved, he asked (without specifying *what* principles)?<sup>78</sup>

The Christian-Democrat representative indicated that “an insignificant satire” should not affect the relationship “between two countries”, without making a distinction between democracies and dictatorships.<sup>79</sup> And subsequently, he voiced a concern that was wholly at odds with his previous remarks, saying that “it had to be clear to the Iranian government that in the Netherlands there is freedom of the press, without any interference from the government”. Apparently, this member of Parliament did not consider a direct call from the minister of foreign affairs to a broadcast corporation an “interference from the government”. He also did not answer the question how it could become clear to the Iranian government that the Netherlands supported free speech if threats to Germany (and fear the same might happen with the Netherlands) were sufficient reason for the Dutch broadcast corporation to change its programming.

The Liberal Bolkestein (from the VVD, so in coalition with the Christian-democrats at that time) also backed the minister of foreign affairs because the security position of Dutch people abroad had to be safeguarded.<sup>80</sup> Yet, he confided that the whole affair made him feel somewhat uneasy. On the one hand, he did not consider Carrell’s spoof good taste. On the other hand, capitulating for the anger of the Iranian people he saw as the wrong signal. He also saw, just as the Labor representative, a principle involved and spelled out, in contradistinction with his Labor colleague, what was the nature of that principle, *viz.* the freedom of speech. And he feared this could mean a “dangerous precedent”. He called on the minister not to be too swift with similar interventions in future.<sup>81</sup>

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77 TK 1986–1987, p. 2: “Daaraan voegde hij toe dat hij de gang van zaken niet heeft ervaren als druk van Iraanse zijde, en dat hij zich, de situatie daar in ogenschouw nemende, de houding van de Iraanse regering kon indenken”.

78 Ter Beek (PvdA), in: TK 1986–1987, p. 2.

79 Gualthérie van Weezel (CDA), in: TK 1986–1987, p. 2.

80 Bolkestein (VVD), in: TK 1986–1987, p. 2.

81 More than twenty years later, in 2008, the government called upon Hans van den Broek, now a “minister of state” (an honorary title conferred upon ex-politicians on the basis of great merit), as an advisor to sue Geert Wilders for making an anti-islamic film (*Fitna*, broadcast on the internet). Again, the ex-minister of foreign affairs feared that Dutch citizens, living abroad, would be harmed as a reaction to Wilders’ film. See: *Theo Koelé*, “Kabinet moet *Fitna* verbieden”, in: *De Volkskrant*, 26 March 2008. So over the years Van den Broek’s position in these matters has been fairly consistent.

The representative of a small orthodox Christian faction declared that broadcast corporations should be expected to exert some “discipline” with regard to broadcast transmissions that may be offensive to the feelings of others.<sup>82</sup> He did not consider such self-discipline to be a “limitation of the freedom of the press”. This was also the opinion of a small liberal-democrat faction who even claimed freedom of the press was not even an issue here.<sup>83</sup>

The only member of Parliament who seemed to adopt a more critical approach to the intervention of the minister was the socialist faction. She claimed there was certainly pressure from the Iranian side.<sup>84</sup> She also warned that a threat with outbursts of the Iranian people had to be seen as “blackmail”. She asked the minister what his reaction would be to the Iranian government.

Whether the minister ever gave a reply to the Iranian government is unknown. In response to the questions from the members of Parliament the minister repeated his stance that he thought this was primarily the responsibility of the Dutch broadcast corporation but also that the program was seen as an insult to someone who is considered to be Iran’s “highest spiritual leader”.<sup>85</sup>

### VIII. *An analysis of the Dutch Carrell Affair*

After the German Carrell Affair there was now also a *Dutch Carrell Affair*? Or was there not?

Undoubtedly, the minister of foreign affairs (backed by most members of Parliament assembled in the commission of foreign affairs, as we have seen) had the impression that by a skillful intervention of the minister of foreign affairs a Dutch Carrell Affair was *avoided*. There was no kidnapping of the people working at the embassy (the Jimmy Carter nightmare did not repeat itself), no threats towards Dutch television presenters (did not Witteman nearly escape the fate of Rudi Carrell himself by operating as the anchorman of a controversial fragment?). All’s well that ends well.<sup>86</sup> Let us call this the “optimistic scenario”.

But there is an alternative interpretation of the events. Let us call this the “pessimistic scenario” (or “realistic scenario”, according to those who subscribe to this position). This alternative vision presents itself more clearly now (after the Rushdie Affair in 1989, the Cartoon Affair in 2005, the controversial lecture by the pope in Regensburg in 2006, the violence in connection with the Quran-burnings by Jones in 2011 and the publication of the trailer of what has become known as the “anti-Islam” film of the Coptic Christian Nakoula Basseley Nakoula in 2012) than it did in 1987. We know now that what the Christian-democrat member of Parliament (and member of the same party as the minister of foreign affairs) presented as an “insignificant satire” and the minister of foreign affairs as “amusement which has worked out as a serious insult” would be followed by a serious novel (Rushdie’s book), a speech by the pope, cartoons and films. Were these in the same way “insignificant” as Rudi

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82 Van Dis (SGP), in: TK 1986–1987, p. 2.

83 Engwirda (D66), in: TK 1986–1987, p. 3.

84 Van Es (PSP), in: TK 1986–1987, p. 3.

85 Van den Broek, in: TK 1986–1987, p. 3.

86 As Bastiaan Rijpkema rightly stresses, many of the arguments used by people who want to make concessions to terrorists are based on a sort of consequentialist or utilitarian approach. *Pace* all principles if the consequences are good, we better give in to the demands of terrorists. See: Bastiaan Rijpkema, “Vrijheid van meningsuiting in de val tussen religieus extremisme en utilitarisme”, in: Nederlands Juristenblad, afl. 44/45, 14 december 2012, pp. 3106–3111.

Carrell's spoof had been? In other words: would the minister of foreign affairs and the members of Parliament have taken the same attitude if the novel of a great writer had been the focus of theoterrorism<sup>87</sup> and a protracted debate? A novel by Willem Frederik Hermans (1921–1995) or Gerard Reve (1923–2006), perhaps, two of the Netherlands' greatest novelists? Or historical research on the origins of Islam?<sup>88</sup> Or serious art?

These may *prima facie* look like far-fetched questions. Let me try to elaborate on this with the following example. As Sam Harris (*b.* 1967) writes in *Letter to a Christian Nation* (2006), the Bible contains no formal discussion of mathematics and it comprises some obvious mathematical errors.

*In two places, for instance, the Good Book states that the ratio of the circumference of a circle to its diameter is 3:1 (I Kings 7:23–26 and II Chronicles 4:2–5). As an approximation of the constant pi, this is not impressive. The decimal expansion of pi runs to infinity — 3.1415926535 ... — and modern computers now allow us to calculate it to any degree of accuracy we like. But the Egyptians and Babylonians both approximated pi to a few decimal places several centuries before the oldest books of the Bible were written. The Bible offers us an approximation that is terrible even by the standards of the ancient world.*<sup>89</sup>

Now suppose a foreign dictator takes offense to this “blasphemous mathematical conception” as entertained in secular mathematics. And suppose he threatens mathematicians in the United States of America or a European country who are not willing to give up the secular mathematics that so clearly violates the word of God. Would the Dutch government be prepared to protect its mathematicians?

If the answer of the Dutch government is that “of course” they would protect their mathematicians, they apparently want to discriminate between humor (not or less protected by the law, the Dutch constitution and ultimately the police and the army) and mathematics (protected cultural property, *viz.* “science”, apparently more important than “mere humor”, let alone “cheap humor”). But between humor and mathematics there is a range of other hard cases to take a stance on. What to think of *good*, in the sense of *artistically interesting*, forms of humor (*e.g.* Monty Python's *Life of Brian* in contradistinction to Bassely Nakoula's *Innocence of Muslims*)? Would and should the British authorities have protected the crew of Monty

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87 According to the Oxford Dictionary *theoterrorism* is “terrorism that has a religious motive or purpose”. See: Oxford Dictionary, US Edition, 2012: <http://oxforddictionaries.com/definition/theoterrorism>. Last retrieved 24 May 2012. Theoterrorism comes in many forms. In 1995 Yigal Amir (*b.* 1970) murdered Yitzak Rabin (1922–1995). In 2009 Scott Roeder (*b.* 1958) murdered the abortion physician George Tiller (1942–2009). And in 2010 Mohammed Gele (*b.* 1982) tried to kill the Danish cartoonist Kurt Westergaard (*b.* 1935), inspired by the same ideology that motivated Mohammed B. to kill Theo van Gogh. These are all manifestations of terrorist acts with a religious motive. The first drawing inspiration from Judaism. The second claiming to find support in Christian sources. The third based on an interpretation of Islamic Scripture. This article is concerned with terrorism that bases itself on Islam. But I do not enter into the theological question whether Islamist terrorism is *right* in claiming a foundation in Islamic doctrine. I analyze political ideas and political ideologies, not “religions”.

88 In September 2012, Tom Holland's BBC documentary on the history of Islam was cancelled on security advice after the presenter was threatened. The documentary was based on *Holland's In the Shadow of the Sword: The Battle for Global Empire and the End of the Ancient World*, Little, Brown, London 2012. See on the cancellation: “Channel 4 cancels Islam documentary screening after presenter threatened”, in: *The Telegraph*, 11 September 2012.

89 *Sam Harris*, *Letter to a Christian Nation*, Alfred A. Knopf, New York 2006, p. 20.

Python in the same way it protected Salman Rushdie? Or is the artistic value of *Life of Brian*, although superior to *Innocence of Muslims*, still inferior to *The Satanic Verses* and are for that very reason the authors of “mere humor” unprotected cultural property?<sup>90</sup>

The same questions may be asked about Dutch novels. In 1963, the Dutch novelist Gerard Reve published his controversial and arguably blasphemous “Letter to my bank”.<sup>91</sup> This led to a Dutch blasphemy trial.<sup>92</sup> But suppose a Christian or Jewish violent theocracy abroad takes offense to the Dutch writer.<sup>93</sup> Will the Dutch authorities ultimately defend the right of their writers to “offend, shock and disturb”?<sup>94</sup> Or is the position of those who want to make concessions to violent believers that *whatever* upsets them is *eo ipso* beyond the pale? This last criterion for limiting free speech may present some problems of its own, but certainly not because it is too vague. This would provide us with a clear perspective, indeed, on the debates which are the subject of this article: whatever displeases the religious believers should not be said, written about, depicted, used as objects of art, et cetera.

### IX. The importance of humor

A second question is: *was* Carrell’s spoof that insignificant? Is it really insignificant that in free and open societies high ranking politicians (even the prime minister of a country) can be lampooned? Is humor really that insignificant? Or is it, on the contrary, the essence of a free society that the most powerful in society can be ridiculed (even in ways which are, from an artistic point of view, not always to the taste of the liberal member of Parliament who declared that Carrell’s spoof was not manifesting good taste)? Do, perhaps, democracies, by their nature, invite humor publicly directed at their rulers?

In *The Virtues of our Vices* (2012), the philosopher Emrys Westacott (b. 1956) presents a list of things that humans find humorous: jokes, riddles, puns, caricatures, mimicry, mime, surprises, absurdities, incongruities, insults, representations of various kinds of misfortune, transgressions, talk about sex, body parts, and toilet functions.<sup>95</sup> As the value of humor he presents:

- Humor gives pleasure
- Humor promotes health
- Humor creates and strengthens social bonds

90 Some strong arguments for the importance of humor may be derived from: Emrys Westacott, *The Virtues of Our Vices: a modest defense of gossip, rudeness, and other bad habits*, Princeton University Press, Princeton and Oxford 2012, pp. 169–178, who analyzes that humor gives pleasure; promotes health; creates and strengthens social bonds; socializes; reinforces a sense of community; enlightens; is wit-sharpening; is a way of tackling difficult issues; is a tool of social criticism; toughens us up; makes us more self-aware and self-critical.

91 Gerard Reve, “Brief aan mijn bank”, 8 Augustus 1963, in: Gerard Reve, *Verzameld werk*, Deel 2, Uitgeverij L.J. Veen, Amsterdam/Antwerpen 1999, pp. 185–188.

92 Reve was cleared of all charges.

93 To stimulate our imagination reading Margaret Atwood’s Christian dystopia might be useful. See: Margaret Atwood, *The Handmaid’s Tale*, Vintage Books, London 1996 (1986).

94 According to the European Court of Human Rights in Strasbourg in the case *Handyside v. United Kingdom* case of 1976, freedom of speech is also applicable to expressions that “shock, disturb and offend”. See: *Matt Cherry/Roy Brown*, *Speaking Freely about Religion: Religious Freedom, Defamation and Blasphemy*, International Humanist and Ethical Union Policy Paper, International Humanist and Ethical Union, London 2009, p. 5.

95 Emrys Westacott, *The Virtues of Our Vices: a modest defense of gossip, rudeness, and other bad habits*, Princeton University Press, Princeton and Oxford 2012, p. 163.

- Humor socializes
- Humor reinforces a sense of community
- Humor enlightens
- Humor is wit-sharpening
- Humor is a way of tackling difficult issues
- Humor is a tool for social criticism
- Humor can make us self-aware and self-critical<sup>96</sup>

John Morreall (*b.* 1947) in *Comic Relief* (2009) distinguishes between intellectual virtues fostered by humor and moral virtues fostered by humor.<sup>97</sup> What many reflections on humor seem to underline is that it has many important functions, certainly not only that it amuses people.

Rudi Carrell's satire on the religious-political leader of a modern theocracy is, of course, based on the presumption that not only political but also religious satire is a legitimate activity, something that is fiercely denied by some. Religious satire targets religious belief. It is an ancient tradition, going back to Aristophanes, Chaucer, Erasmus, Rabelais, Molière, and Voltaire, but it has always been contested as it was in the twentieth century as the discussion around Monty Python's *Life of Brian* (1979) (initially banned in Ireland, Norway and some states in the United States of America as in some towns and councils of Great Britain) or Bill Maher's *Religulous* (2008), testifies. In Great Britain, the discussion was reopened when the Religious Hatred Bill (2006) was debated.<sup>98</sup> People who do not feel sympathetic towards religious satire usually emphasize that Rudi Carrell was no Aristophanes or Voltaire, which is true. "Aristophanes's" and "Voltaire's" are usually not born but they thrive in a context where the less talented are allowed to hone their skills in order to make it possible that an Aristophanes or a Voltaire might arise.

#### X. *The Carrell Affair as precedent*

A third question we have to address is whether the Carrell Affair was a precedent. A precedent is defined as: "an earlier event or action that is regarded as an example or guide to be considered in subsequent similar circumstances".<sup>99</sup> In law it means that a previous case or legal decision may be or must be followed in subsequent similar cases. The whole idea of "precedent" means: do not think that the decision you take now has only relevance for this particular case. People will base their legitimate expectations about your future behavior on what you decide in the present case.

The optimistic scenario that seems to animate the minister and the majority of the members of Parliament departs from the premise that the Carrell Affair is an isolated event, an incident, not something that has any relevance for the future. Was that a realistic stance to take in 1987? And if so, is this still a realistic stance to take in 2013 when we speak with the wisdom of hindsight? Did not the Carrell Affair *stimulate* the Iranian authorities to take further steps to intimidate Western states and countries in similar cases after the success they

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<sup>96</sup> Westacott, *Ibid.*, p. 176.

<sup>97</sup> John Morreall, *Comic Relief: A Comprehensive Philosophy of Humor*, Wiley-Blackwell, Malden/Oxford 2009, pp. 112–116.

<sup>98</sup> See on this: Lisa Appignanesi (ed.), *Free Expression is No Offence*, Penguin Books, London 2005.

<sup>99</sup> Oxford Dictionary.

achieved on 23 February 1987? If we have to answer this question in the affirmative then the results of the publicly broadcasted phone call by the minister of foreign affairs to the Dutch television are much more far-reaching than the disappearance from the Dutch television of fourteen seconds of insignificant amusement. What, on the contrary, was established was a new norm, a new ethos: A foreign dictator who is a religious fanatic can decide what will be programmed on television in liberal countries.

Now, writing several decades later, it does not seem a grotesque claim to say that the foreboding of the liberal member of Parliament who spoke of a “dangerous precedent” proved to be right. And the socialist member of Parliament who spoke forthrightly about “blackmail” was even more prescient.

Here we have to distinguish between the German reaction and the reaction in the Netherlands. Although it seems the reactions were more or less similar there was a significant difference. Neither Helmut Kohl (*b.* 1930), chancellor of West Germany from 1982 to 1990, nor the German minister of foreign affairs, Hans Dietrich Genscher (*b.* 1927), appeared on television to apologize for freedom of the press as guaranteed in the German constitution. German civil servants were instructed to say that due to the freedom of the press in Germany the German government had no influence on the media.<sup>100</sup> In Germany it was Rudi Carrell who apologized, not the government.

In the Netherlands, though, it was the government who bent over backwards in a way that may have delighted the Iranian authorities. Not only the minister of foreign affairs tried to persuade (successfully) the press to exert self-censorship not to displease a dictator, but this was the position of the Dutch government as a whole.

To understand why this is the case one has to know something about Dutch constitutional law and the structure of democratic government in the Netherlands. The Netherlands have the principle of “collective ministerial responsibility”. That means that a minister does not act on behalf of his own ministry but on behalf of the government as a whole.<sup>101</sup> So on 23 February 1987, it was not the citizen Hans van den Broek who called to the Dutch media, not even the minister of foreign affairs on behalf of his own ministry taking a stance on free speech, but the *government as a whole* spelling out the principles which were operative when a fundamentalist dictator is lampooned in a Western country. This is also an important issue in the Terry Jones Affair: will the American President contact an American civilian to “ask” him to omit something that might displease radicals?

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100 The German government had “wegen der bestehenden Pressefreiheit keine Möglichkeit, auf derartige Sendungen Einfluss zu nehmen”. Or, according to Jürgen Chrobog, speaker for the ministry of foreign affairs: “Wenn Dritte etwas machen, können wir es nur bedauern”. See: “Carrell-Affäre: nicht klug”, in: *Der Spiegel*, Nr. 9, 23 February 1987, pp. 25–27, 26.

101 R.K. Visser, *In dienst van het algemeen belang: ministeriële verantwoordelijkheid en parlementair vertrouwen*, Boom, Amsterdam 2008, p. 19; I.A. Driessche, *Politieke ministeriële verantwoordelijkheid: het Nederlandse begrip in vergelijkend perspectief*, Kluwer, Deventer 2005, p. 147.

## XI. Telephone justice

Let us digress a little longer before returnin to the telephone call that is the subject of our analysis. Here we have a familiar situation with the executive calling judges about what verdicts should be given in the case of people who stand trial (or “advise” them about such verdicts). The term used for the practice of ringing up judges to tell them how to decide a case is “telephone justice”.<sup>102</sup> This practice was prevalent in the Soviet Union and the former Eastern bloc states. It is generally considered to be one of the worst violations of the ideal of an independent judiciary.<sup>103</sup> This ideal goes back to the idea of the separation of powers as developed in, among others, Montesquieu’s *The Spirit of the Laws* (1748).<sup>104</sup> The idea is that to forestall abuse of power the state has to be divided into three independent branches: the legislative, the judiciary and the executive. The executive is not allowed to influence the judiciary, and the judiciary is not allowed to exert political influence.

The press is not a formal part of Montesquieu’s idea of the separation of powers, although some authors see the press as an informal fourth branch of power, but the idea of freedom of the press is nonetheless based on a similar concept.<sup>105</sup> A free press is an important vehicle for criticism of the government, which is, in turn, an important element of democracy. If the press is free, government cannot overstep its boundaries. Or, as Anthony Browne (b. 1967) writes, “a successful, modern, democratic society can only be built on free speech, when public differences of opinion are fought over with words rather than police investigations”.<sup>106</sup>

Now the difference between telephone justice and a member of the government calling a journalist is that, usually, phone calls to judges remain secret. The judge is supposed to keep those phone calls confidential. In the case we analyze here this was different, but the paradoxical situation is that it was probably meant to be that way. The minister called the journalist *before* the transmission of the program and the whole matter might have stayed confidential were it not for the fact that the journalist invited the politician to “go public”. This invitation was not motivated, it seems, by fundamental constitutional considerations (e.g. “if we restrict press freedom, let it be done in the open”). It was, so it seems, simply a matter of expediency. The minister called so late that it was hard to change the programming, as the journalist indicated during the program. And because the minister agreed with the journalist’s proposal to call in live, the whole moral dilemma came to light. Paradoxically that “live phone call” was both more and less problematic than a confidential call. It was *less* problematic because now every semblance that the government had tried to secretly influence the press was off the table. Anyone watching the program could see what the minister tried to accomplish and everyone could make up his or her mind about the appropriateness of the

102 See on this: Randall T. Shepard, “Telephone Justice, Pandering, and Judges who speak out of School”, in: Fordham Urban Law Journal, Vol. 29, 2002, pp. 811–825.

103 Stephen Breyer, “Judicial Independence: Remarks by Justice Breyer”, in: The Georgetown Law Journal, Vol. 95, 2007, pp. 903–907; Linda Greenhouse, “Independence: why & from what?”, in: Daedalus, Fall 2008, pp. 5–7.

104 Montesquieu, *Oeuvres complètes*, II, Texte présenté et annoté par Roger Caillois, Éditions Gallimard 1951 (De l’Esprit des lois, 1748, Chapitre VI, De la Constitution d’Angleterre), pp. 396–407.

105 See on the media: James Q. Wilson, *American Government, Institutions and Policies*, Fifth Edition, D.C. Heath and Company, Lexington (Mass.) and London 1992 (1980), pp. 239–263; Douglass Cater, *The Fourth Branch of Government*, Houghton Mifflin, Boston 1959.

106 Anthony Browne, *The Retreat of Reason: Political Correctness and the Corruption of Public Debate in Modern Britain*, Second Edition, Civitas: Institute for the Study of Civil Society, 2006, p. 52.

minister's conduct. If freedom of the press was abolished it was at least done in a kind of "informal plebiscite". But there was also a problematic side to the minister's open call. Now that everything was conducted in the open it was also clear to the authorities in Iran that the Netherlands seriously feared the Iranian dictator and its acolytes. After the transmission of "Behind the headlines" with the controversial fragment about Khomeini left out, it was obvious that Ayatollah Khomeini could not only influence the programming on Iranian state television but television in a small country by the North Sea. Khomeini could induce the government of a liberal democracy to openly disavow its principles as enshrined in the Dutch constitution and in European human rights documents the Netherlands had ratified. It is unlikely that this state of affairs would fail to have an effect on the Iranian dictator's self-confidence, which he so desperately needed after his humiliation in the Iraq-Iran war.

## *XII. The meaning of Carrell's apology*

Against the backdrop of the situation as sketched above, it may be considered somewhat ironic that the minister of foreign affairs referred to the fact that Carrell had "apologized" to the Iranian head of state and that the whole matter had had "unpleasant consequences for Mr. Carrell personally".

This, of course, cannot be denied. But what does the minister want to say with this? Does he want to insinuate that Carrell felt sorry for his spoof? And that because Carrell himself felt sorry for the spoof on the German television we should not bring him into a precarious situation by repeating the fragment on the Dutch television?

If that was the point, we have to dig a little deeper. We have to ask the question *why* Carrell apologized? An apology is only worth something when people really mean what they say. If they simply say something that does not reflect their inner conviction, an apology is worthless. Now what did Carrell think? Was not Carrell simply scared to death that something might happen to him? Or as the Germans say: "In die Reue mischte sich Existenzangst".<sup>107</sup> Was not fear for his own life the reason for his "apology", which was, accordingly, not a "real apology" in the sense of a *sincere* apology at all? Is it unduly speculative to raise the question whether Carrell might not somehow have had the feeling that his life was in the hands of a German government that seemed not very motivated to defend its principles, to put it cautiously?

On 7 August 1991, the last prime minister of Iran under Shah Reza Pahlavi was murdered in Paris.<sup>108</sup> Shapour Bakhtiar (1914–1991) was killed with a bread knife in his home in Paris, as was his secretary. From his three assassins two escaped to Iran, only one, Ali Vakili Rad, was apprehended in Switzerland. He was extradited to France, where he served a prison sentence of eighteen years. When he left prison in 2010 he was received as a hero by Iranian officials.<sup>109</sup>

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107 "Carrell-Affäre: nicht klug", in: Der Spiegel, Nr. 9, 23 February 1987, pp. 25–27, p. 26.

108 *Wolfgang Saxon*, "Shahpur Bakhtiar: Foe of Shah hunted by Khomeini's followers", in: The New York Times, 9 August 1991.

109 *Saxon*, Ibid.

In 1987, this had not happened yet. But what the Iranian regime was capable of was no secret.<sup>110</sup> That the Iranian state was capable of vicious violence and the ruthless liquidation of political opponents was a well-known fact and it was precisely this adroitness in brute suppression that made the minister of foreign affairs make the unusual step (at least in a democracy) to try to influence the press, thereby setting a precedent for many future incidents of the same nature.<sup>111</sup>

We should also remind ourselves of the Iran hostage crisis, which had ended only six years earlier (1979–1980). Anti-American sentiment in Iran peaked when Mohammad Reza Shah Pahlavi fled Iran during the revolution of 1979. When he entered the U.S. for medical treatment Islamic militants stormed the U.S. embassy in Tehran and seized sixty-six Americans.<sup>112</sup> The hostage-takers received the implicit support of the new Iranian regime. They demanded the extradition of the Shah which President Jimmy Carter refused to do. Instead, he froze Iranian assets in the U.S. In April 1980 a rescue operation was organized but failed. This proved to be a deadly blemish on Carter's reputation (and probably one of the foremost reasons for Carter's failure to be reelected). In 1980, the Shah died, but this did not turn out to be the solution of the crisis that was hoped for. Fifty-two hostages remained in captivity until 20 January 1981 when they were finally released after the inauguration of President Ronald Reagan.

This background seems relevant also with regard to the phone call analyzed in this article. Is it not very likely that the Dutch government feared to be in the same position as the American government during the hostage crisis? Proponents of the course of action chosen by the minister of foreign affairs will see this as an argument, perhaps, for the reasonableness of the approach of appeasement. But one may also see this as an added reason why that regime deserves to be criticized. Precisely *because* it is a dictatorship it deserves to be criticized.

### ***XIII. The subdued tone of the conversation***

It is remarkable that in the conversation between the Dutch television reporter and the minister of foreign affairs the matter is discussed in a euphemistic, if not veiled, manner. The viewer had the impression that all the parties were trying to find the most diplomatic words to frame the problem, thereby also presenting an untruthful account of the nature of the problem. The possibility that Khomeini would use illegitimate force against a citizen of another country was discussed by the minister as a difference in "culture" between "them" and "us". About freedom of the press, he said: "These are matters that we can perhaps only understand if we take some notice of the Iranian culture, the Iranian customs, the Iranian religion". The minister seems to adopt the attitude of the curious cultural anthropologist eager not to judge a foreign culture, not to be judgmental, and only trying to "understand" the way

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110 Certainly not to the Italian journalist Oriana Fallaci who in the introduction to her interview with Khomeini (as early as 1979) lists all the dictatorial measures taken or condoned by Khomeini. She writes: "The West observed in uncomfortable silence, and those who had greeted the coming of the Ayatollah with enthusiasm were forced to admit, through clenched teeth, that they had been wrong" (Fallaci, *Ibid.*, p. 176–177).

111 See on this: *Houshang Asadi*, *Letters to my Torturer: Love, Revolution, and Imprisonment in Iran*, One World, Oxford 2010.

112 See: *Jimmy Carter*, *Keeping Faith: Memoirs of a President*, Bantam Books, Toronto 1983 (1982), p. 431 ff.

these people, so different from us, think and act. But is it necessary or even justifiable to adopt such a “tolerant” attitude? Or is this what Popper warns us against when he states that “unlimited tolerance” must lead to the “disappearance of tolerance”?<sup>113</sup>

One may also challenge the pretense, implicit in much of the conversation on this issue, that the Iranians are difficult to understand. Of course they have a different culture and religion. But is what happens here really so difficult to understand? Is it not the case that what we see here before us is, on the contrary, very common? Is it not simply political dictatorship which has tried to suppress civilized behavior for most of human history? There are, of course, cultural differences between people. And we should always exert some effort to really understand people living in another culture (which can be perplexing at times). But there is also a long list of universals, and reflection on human nature and human history may be more effective than the approach the minister chose.<sup>114</sup>

What is interesting from a psychological point of view, is that this new type of dictator violates national sovereignty in a way that Stalin, Mao or Hitler never did.<sup>115</sup> The Nazis tried to intimidate their communist foes in the streets of Germany in 1933, but they did not openly intimidate journalists in other countries for what they wrote. Khomeini was different. He simply lacked all recognition of the principles of national sovereignty, as they have been in existence since roughly 1648.

#### *XIV. A new sort of religious behavior*

What Europe had to experience from 1979 onwards was a whole new world of religiosity it had no idea existed (or that it had “forgotten” existed).<sup>116</sup> This was religion not in the form of the peaceful otherworldly and heartening recommendations of religious leaders, which can be taken as a “source of inspiration” for how to organize one’s life, but the dictates of people who speak with the authority and self-assuredness of God himself. In a time when Europeans learned that the commands of their religious leaders, such as the pope in Rome, could be taken with a grain of salt, they had to experience that there was a religious leader in the world whose wishes were the commands of his acolytes. After the fall of the Berlin Wall the

113 See: K.R. Popper, *The Open Society and its Enemies*, Volume 1, *The Spell of Plato*, Routledge & Kegan Paul, London and Henley 1977 (1945), p. 265. See for an analysis of Popper’s ideas on militant democracy: Bastiaan Rijpkema, “Popper’s Paradox of Democracy”, in: *Think*, Volume 11, Issue 32, September 2012, pp. 93–96. For Popper and cultural anthropology, see: Roger Sandall, *The Culture Cult: Designer Tribalism and Other Essays*, Westview, Boulder/Colorado 2001.

114 See on this: Kai Nielsen, “Ethical Relativism and the Facts of Cultural Relativity”, in: *Social Research*, 33 (4), 1966, pp. 531–551; Louis P. Pojman, “Ethical Relativism: Who’s to Judge What’s Right and Wrong?”, in: Louis P. Pojman, *Ethics: Discovering Right and Wrong*, Second Edition, Wadsworth, Belmont, California 1995; Clyde Kluckhohn, “Ethical Relativity: Sic et Non”, in: *The Journal of Philosophy*, Vol. 52, No. 23, 1955, pp. 663–677; and Ija Lazari-Pawłowska, “On Cultural Relativism”, in: *The Journal of Philosophy*, Vol. 67, No. 17, September 1970, pp. 577–584, p. 577 who claims that people are “in fact the same everywhere”. It is enough, the author says, “to see a mother despairing over her dead child in any spot of our globe, to be impressed by the identity of human experience”.

115 This point is made by the Dutch scholar Karel van het Reve in: *Karel van het Reve*, “Achterlijke artikelen”, in: *Karel van het Reve*, *Verzameld Werk*, Deel 6, Van Oorschot, Amsterdam 2011, pp. 350–353.

116 Shakespeare, Hobbes and Voltaire, to name only a few, would have known, of course, what devastating effect religious differences can have on the social cohesion of the national polity. But the wars of religion were “forgotten” by most people living in the twentieth and twenty-first century. See: Odon Vallet, *Petite lexique des guerres de religion, d’hier et d’aujourd’hui*, Albin Michel, Paris 2004; Elie Barnavi/Anthony Rowley, *Tuez-les tous! La guerre de religion à travers de l’histoire VIIe–XXIe siècle*, Perrin, Paris 2006; François Reynaert, *Nos Ancêtres les Gaulois et autres fadaïses*, Fayard, Paris 2010.

ideology of Islamist fundamentalism or theoterrorism seemed to have taken over the role of communism, the previous challenger of the Western world. Fukuyama in his famous essay “The End of History” (1989) spoke in a condescending manner about the “crackpot messiah” (a veiled reference to the Iranian political and spiritual leader), who seemed to resist the realization of the inevitable march of liberal thought and democratic institutions through the world. But this analysis was flawed. The “crackpot messiah” had become an important figure of modern history.<sup>117</sup> *Jus how important* became clear in that same year, when Ayatollah Khomeini issued a “fatwa” calling for the assassination of British author Salman Rushdie.

To understand this properly, one has to know something about orthodox Islam, Sharia law and the position of religious leaders in orthodox Islam.<sup>118</sup> Sharia law is based on four sources: (1) the Quran (Islam’s holy book), (2) the sunna (*i.e.* the sayings and doings of the Prophet and his companions), (3) consensus of the community (but in reality of the legal scholars or ulema) and (4) analogical reasoning.<sup>119</sup> Orthodox believers take the Quran to be the direct word of God. The whole text is a replica from a tablet in heaven. Legend has it this was sent down to the prophet Mohammed. The text of the Quran is extremely difficult to read and understand and, scholars of the book (although not the believers, of course), are “struck by its not infrequent contradictions”.<sup>120</sup> So there is always the problem: “How does a Muslim know what to believe”?<sup>121</sup> Here the ulema or the consensus of religious scholars have an important role to play. Although the consensus among all believers was the official source of Sharia law, this developed into consensus among the learned or the clergy. As the scholar of Islam Denis MacEoin (*b.* 1949) writes:

*The unlearned are not equipped with the specialized knowledge that would allow them to understand and participate in legal matters. This division is particularly marked in Shiism, where there is a more defined clerical hierarchy than in Sunnism.*<sup>122</sup>

What the seventies and eighties of the twentieth century showed us is a “steady flow of radicalized clergy”.<sup>123</sup> And Ayatollah Khomeini can be seen as the most outspoken manifestation of this tendency. The Western world knew, of course, of the Iran-Iraq war. The capture of the American embassy personnel as hostages during the hostage crisis and the ensuing humiliation of the United States and its president were on everybody’s mind.<sup>124</sup> But this was all on *Iranian territory*. That a religious leader would openly threaten a civilian from a West-

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117 See: Francis Fukuyama, “The End of History?”, in: *The National Interest*, No. 16, Summer 1989, pp. 3–18: “Our task is not to answer the challenges to liberalism promoted by every crackpot messiah around the world exhaustively, but only those that are embodied in important social or political forces and movements, and which are therefore part of world history.”

118 See on this: Sharia Law in Britain: A Threat to One Law for All and Equal Rights, One for All, London 2010; Bassam Tibi, “Islamic Law/Shari’a, Human Rights, Universal Morality and International Relations”, in: *Human Rights Quarterly*, 16 (1994), pp. 277–299; Rex Ahdar/Nicholas Aroney (eds.), *Shari’a in the West*, Oxford University Press, Oxford 2010.

119 Denis MacEoin, “Sharia Law or ‘One Law For All?’”, in: David G. Green, *Sharia Law or “One Law For All”*, Foreword by Neil Addison, Civitas: Institute for the Study of Civil Society, London 2009, pp. 9–74, p. 18.

120 MacEoin, *Ibid.*, p. 21.

121 MacEoin, *Ibid.*, p. 21.

122 MacEoin, *Ibid.*, p. 26.

123 MacEoin, *Ibid.*, p. 26.

124 See for Jimmy Carter’s own account of the events: *Jimmy Carter, Keeping Faith: Memoirs of a President*, Bantam Books, Toronto 1983 (1982), pp. 431–572.

ern country or intimidate the government of a European state was hard to gauge in significance. This was a violation of the whole idea of state sovereignty as it has developed since 1648, that is to say: the whole modern world.<sup>125</sup>

#### XV. *Sense of humor and human emotions*

Once we study the significance of blasphemy law, Sharia, the importance of the ulema and other elements of the traditional make up of radical Islam, we realize that the conversation between the minister of foreign affairs and the Dutch journalist on that auspicious evening of 23 February 1987 and the ensuing discussion between the minister and a section of Dutch Parliament on 26 February of that same year did not even begin to address the relevant issues. This was not about “sense of humor”, as the journalist brought up in his confrontation with the minister. If the cause of the row had been that Carrell’s spoof had not been *funny enough*, this would imply that spoofs about Khomeini that were *funnier* or more tasteful would have been acceptable to the Iranian government. But that is not an adequate interpretation of the situation. Is not the problem here that *especially funny spoofs* about Khomeini are not allowed (because of their irreverence about holy matters)?

The problem seems to be that there were two elements involved that laid bare the structure of the suppression of women in a fundamentalist theocracy. First, there were women who criticized not only men but the most important men in the political order: the supreme religious leader. Second, these women behaved in a way that may be considered highly improper: they threw their undergarments.<sup>126</sup>

The minister of foreign affairs makes another miscalculation, perhaps, by attributing turbulent “emotions” to the Iranian government. During the televised conversation he remarks that in Iran “one reacts in a very emotional way”. Is that really true? From the optimistic scenario that seems the guiding perspective for the minister and the members of Parliament who discussed the issue in 1987 this may be true. But from a more pessimistic point of view it would be more accurate to say that Iranians react in a very rational and calculated way. One perfectly senses the weaknesses of the other party. One calculates the strength of the opponent with an admirable accuracy that could be a source of inspiration to learn from.

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125 See on this: *Monica Toft/Daniel Philpott/Timothy Samuel Shah*, *God’s Century: Resurgent Religion and Global Politics*, W.W. Norton’s Company, New York and London 2011; *Daniel Philpott*, “The Challenge of September 11 to Secularism in International Relations”, in: *World Politics*, 55 (October 2002), pp. 66–95; *Daniel Philpott*, “The Religious Roots of Modern International Relations”, in: *World Politics*, 52 (January, 2000), pp. 206–245; *Bassam Tibi*, “From Old Jihad to New Jihad”, in: *Gelijm Molier/Afshin Ellian/David Suurland* (eds.), *Terrorism, Ideology, Law, and Policy*, Republic of Letters Publishing, Dordrecht 2011, pp. 35–65.

126 See Chapter 5 (“Discrimination against women and non-Muslims”) and Chapter 6 (“Restrictions of the rights and freedoms of women”) in: *Ann Elizabeth Mayer*, *Islam and Human Rights: Tradition and Politics*, Fourth Edition, Westview, Boulder, Colorado 2007, pp. 99–113, pp. 113–147; *Ann Elizabeth Mayer*, “Universal versus Islamic human rights: a clash of cultures or a clash with a construct?”, in: *Michigan Journal of International Law*, Vol. 15, 1993–1994, pp. 308–404, pp. 329–333, p. 360, pp. 389–402; *Fadela Amara/Sylvia Zappi*, *Breaking the Silence: French Women’s Voices from the Ghetto*, translated with an Introduction by Helen Harden Chenut, Originally published under the title *Ni Putes Ni Soumises* (Neither Whore Nor Submissive), University of California Press, Berkeley, Los Angeles and London 2006; *Benazir Bhutto*, “Male Domination of Women”, Fourth Conference of Women, Beijing, China, September 4, 1995, in: *Great Speeches of the Twentieth Century*, Edited by Bob Blaisdell, Dover Publications, Mineola, New York 2011, pp. 218–220; *Phyllis Chesler*, *The Death of Feminism: What’s Next in the Struggle for Women’s Freedom*, Palgrave, MacMillan 2005; *Paul Cliteur*, “Female Critics of Islamism”, in: *Feminist Theology*, 2011, 19(2), pp. 154–167.

## XVI. Not about freedom of the press

In the conversation on television and in the subsequent discussion about the matter in Parliament it was repeatedly proclaimed that this “has nothing to do” with free speech (which for most of us taking cognizance of the matter seems undoubtedly to be a key issue in this conflict). Is it not crystal clear that this is about freedom of the press, or rather yielding to foreign pressure in matters of freedom of the press? Yet, the minister of foreign affairs says: “I am not used (not even in diplomacy) to give way to foreign pressure when it comes to our freedom of the press”. But isn’t this exactly what has happened here? Give way to foreign pressure? Yet, the representative of the Christian faction also said he did not consider this to be a restriction of the freedom of the press. The liberal-democrat member of Parliament did the same: freedom of the press was not the issue here. One wonders: what conception of “freedom of the press” do these participations to the discussion uphold? Do they mean that freedom of the press does not apply to humor? Or not to cheap humor? Or is freedom of the press not the issue when dictators do not laugh about the jokes? Unfortunately, the idea of freedom of the press that lurks behind this assessment is not made explicit by any of the participants in this discussion.

It may seem as bitter irony that these question are still part and parcel of discussions that we have today. Even the Carrell Affair is topical. Decades later, the name of Rudi Carrell still makes civil servants in the German Foreign Office shudder.<sup>127</sup> On the other hand: his approach to worldpolitics was also praised (especially decades later). The *Berliner Zeitung* called his show in 2003 “for always a political classic” (“für immer zu einem Politik-Klassiker”).<sup>128</sup> No less laudatory of Carrell was Claus Christian Malzahn in *Der Spiegel* in 2007, who wrote that the German public had been tricked by its government for years about a so-called “critical dialogue” with Iran:

*For years the country's foreign ministers fed the Germans the fairy tale of what they called a “critical dialogue” between Europe and Iran. It went something like this: If we are nice to the ayatollahs, cuddle up to them a bit and occasionally wag our fingers at them when they've been naughty, they'll stop condemning their women to death for “unchaste behavior” and they'll stop building the atom bomb.*<sup>129</sup>

If this is right, we can indeed say that the Carrell Affair is still important for our times.<sup>130</sup> It proved to be a precedent, not an incident.

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127 Thomas Wittke, “Aus Angst vor dem Eklat ein fast virtueller Staatsbesuch”, in: *General-Anzeiger*, 8 July 2000. “Wenn bei den Protokollbeamten des Auswärtigen Amtes in diesen Tagen der Name Rudi Carrell genannt wird, erstarren diese regelmäßig vor Schreck”. It is for that very reason that Hermann Glaser’s remark in *Deutsche Kultur: 1945–2000*, Carl Hanser Verlag, München, Wien 1997, 464–465 that German showmasters (also mentioning Rudi Carrell) distinguish themselves by “political innocence” (the German showmasters “zeichnen sich allesamt durch politische Ungefährlichkeit aus”) may be deemed not very appropriate.

128 “Witze gegen den Kalten Krieg”, in: *Berliner Zeitung*, 24 July 2003.

129 Claus Christian Malzahn, “Kommentar – Böse Amis, arme Mullahs”, in: *Der Spiegel*, 28 March 2007; “Poll shows majority of Germans think USA ‘more dangerous’ than Iran”, in: *BBC Monitoring European*, 29 March 2007.

130 “Schlüpfer-Gag kostete Sendung”, in: *Neue Presse*, 7 March 2012: “Der damalige Schlüpfer-Skandal wirkt bis heute nach”.

