

## COMMENT

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*"One thing's for certain — students' lack of interest will not be a problem."* 'DOODLELOVER' ON ALUMNI SEEK TO REVIVE SENIOR SOCIETY

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# A misguided vote on minarets

On Oct. 1, I attended the Master's Tea with Kurt Westergaard that was, before and after, debated with vigor in the pages of the News. I was rather taken aback by the vitriolic attacks levelled against the elderly Danish cartoonist on that occasion; the reproach that his drawing insulted Islam and all Muslims seemed to overlook that Westergaard had not aimed to ridicule a religion, but some of its most militant followers. I also felt that the audience ignored an important difference between European and American approaches to integration. With much more extensive (and expensive) social safety nets, European societies — for better or for worse — expect a higher degree of assimilation and adherence to generally applicable, egalitarian and secular rules.

It has now become much more difficult for me to maintain my benign view on the even-handedness of European integration policies. Last Saturday, Swiss voters approved a constitutional amendment banning the construction of minarets by a majority of 57.5 percent. Some brief explanation on Swiss ballot initiatives might be in order: They have an extraordinarily low threshold (100,000 signatories are sufficient to submit any issue to a nationwide ballot); they are passed by simple majority; they are always aimed at amending the constitution; and they address a wide variety of policies (Saturday's ballot also included an initiative to ban all weapons exports).

The only substantive limit is set

by peremptory norms of international law. Government officials, politicians and experts agreed that the minaret initiative violated guarantees on freedom of religion and protection from discrimination enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights. But these specific guarantees are not generally held to be peremptory.

The government had made it clear that it would be impossible to reconcile the initiative with Switzerland's international human rights obligations. The two chambers of the legislature had recommended rejection of the ballot initiative by wide margins.

There is a long tradition of populist initiatives — banning Freemasonry, for instance, or not applying the statute of limitations to child abuse — some of which were successful. The degree and scope of direct democratic participation is impressive: Next year, Swiss will vote on prohibiting executive severance payments, and on banning SUVs. But the more blatantly xenophobic campaigns (of which there have been many) were mostly rejected. Swiss voters even regularly agree to raise their own taxes. So where was this common sense on Saturday?

The minaret initiative was a populist initiative par excellence. So far, there are four minarets in all of Switzerland. Yet, the posters for the initiative showed a veiled woman in front of a Swiss flag pierced by countless minarets. A non-issue was blown out of all

proportion. And with what justification? Minarets, the initiative's proponents claimed, were not religious symbols, but signs of conquest: They stood for the religious and political monopoly of Islam that denied others' fundamental rights, especially their equality before the law. After the ballot initiative had passed, its supporters rejoiced that the constitutional order in Switzerland had been safeguarded and Sharia law contained.

I fail to see the link between Sharia law and minarets. And I would have thought that safeguarding the constitutional order of Switzerland would include upholding the right to freedom of religion and freedom from discrimination — both guaranteed by the constitutional bill of rights. It takes considerable impudence to invoke equality before the law while promoting discrimination. The compatibility of some religious traditions with human rights is a serious concern. But this concern is not limited to Islam, nor addressed in any way by a ban on an architectural structure.

It is sad that the Swiss fell for cheap fear-mongering. But it is sadder still that Saturday's vote has implication beyond the pristine Alpine valleys of Switzerland. Right wing parties in other European countries have heralded the vote as a new dawn — as the awakening of Europe to the Islamic threat. Were the same question put to voters in other European countries, the outcome would most likely be identical. It turns out that the values

that were touted during the cartoon controversy — civil liberties, equality before the law — are more complex than we thought; like the rules on Animal Farm, they apply to everyone, but more to some than to others. Muslims may only enjoy their freedom of religion (which, the supporters of the minaret initiative insisted, was not infringed upon) without visibly affecting the 'Judeo-Christian heritage' of Europe. Invoking this heritage has now become commonplace along with the use of xenophobic stereotypes for electoral purposes. In Europe, the adjective 'multicultural' evokes the same reaction as 'liberal' in the United States, defended by a shrinking minority scoffed at by most.

I still believe that the reaction over the Danish cartoons was misguided. But at least with the cartoons, the argument could be made that a central aspect of liberal democracy was at stake: Religion should not once again become the arbiter on what can be said. But in turn we have to respect the protected space that has been granted to religion, and to all religions equally. One of the major demands in Europe is that Muslims "play by the rules." But that should apply to the majority, too. The Swiss have not played by the rules set out in their constitution and in international agreements. How can they expect others to do so?

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