

ISLAM AND MUSLIMS IN DENMARK. AN INTRODUCTION

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Preliminary remarks

Like other religions, Islam is not one ‘thing’, Muslims are a mixed lot, and answers to the question “What is Islam?” -- no matter if directed to texts, classical-canonical or others, to learned or unlearned Muslims, men or women, secularist or integrist, devout or non-devout -- are legion. Besides, answers depend on contexts and purposes, of those asking and answering. Consequently, it may be argued that approaching Islam in a non-normative and non-theological but historical *cum* anthropological way necessarily lead to the conclusion: There are as many Islams as there are Muslims¹.

Islam in Europe², including what has been called ‘Euro-Islam’, is no exception to this. Even within discernable institutionalized ‘Islams’ in the EU, Islam come in many more than one shape. In EU in total and in the individual EU countries. The different kinds of European Islams are due differences of the same kind as mentioned above. Muslims in the EU and the European nation states come with various languages, educational, political, ideological, socio-economical and religio-theological backgrounds, agendas and aspirations. Some are Sunnis, some Shi’ites, some Alawi. Some are Salafi, others Wahabi, others again maybe Salafi-Sufi. Some are well integrated, others not.

The pluralism within Islam in the EU also has to do with the fact that the Muslim presence and communities in have different histories in the different countries. In some EU countries it goes way back in time, in others it is relatively recent, and in e.g. Denmark Islam is made up of Muslims of different nationalities

¹ Cf. Jensen 2003.

² Publications on Islam in Europe and in various EU nation states are legion. Though some years old, Marechal *et al* 2003 still offers the most comprehensive survey in one volume. Cf. also *inter alia* Abumalham 1995, Nielsen, J. S. 1992 & 1999, Pedersen 1999, and Shahid, W.A.R. & P.S. van Koningsveld 2002ab.

than those in e.g. France or England. Furthermore: The various Muslim institutions exist within different legal frameworks, differing regulations for the majority as well as minority religions, and differing laws and policies regarding integration.

Dealing with Islam in the EU also means dealing with less institutionalised forms of Islam. With silent, unorganised, maybe less practising but more numerous, Muslims, who do not have nor want to have a 'spokesman'. With Muslims who do not want to be categorised or represented primarily as 'Muslims'.

Stressing that Islam is but a monolith, no 'thing' and not *one* thing, is of course sort of a banality that can be said in regard to any of the so-called world religions. However, the need for stressing the existence of many Islams and Muslims is even more acute due to the sweeping generalisations and gross stereotypes central to the Islamophobic³ debates. Debates that go back long before 9/11, and the bombs in Madrid and London, - and debates that may have far reaching consequences. For the public as well as Muslim understanding of Islam; for Muslims' sense of belonging or alienation, recognition or misrecognition; for security and integration in European nation states, and for relations between Europe and non-European nations with Muslim majorities.

It may be argued that continuously representing and discriminating Muslims as 'foreigners', 'newcomers', 'left-overs from Medieval times', fifth-columnists and potential terrorists, a threat to political, military and social security, 'European values', democracy and human rights may be highly counterproductive to integration and security. Islamophobic discourses, often buying into the very interpretations of Islam propagated by (militant) Islamists, arguably may play a role in the makings of militant, anti-Western Muslim fanatics.

Consequently, general academic efforts to describe and analyse diversities and pluralism within a religion tend to become more than an academic virtue when it comes to Islam. The politicization of Islam in Europe and elsewhere are, of course, associated with instances of political Islams, outside and inside Europe. It is, however, also a consequence of the extreme degree to which Islam, for a variety of reasons, has become the most disputed issue in public and political debates in many countries. Aspects of academic research and representations of Islam no doubt have been influenced by this. Politicization of religion in general and of Islam in special needs must lead to some kind of politicization of the academic study thereof.

The last remarks also serve to argue that any survey on Islam must include a discussion on debates or discourses on Islam. Some debates, current stereotypes, and uses of Islam and 'the Muslim' as the significant Other are comparable and similar if not identical to what can be found since the beginnings of Islam. It may be hard to document and explain in detail transmissions of stereotypes, and there

³ For discussions about definitions of 'Islamophobia' as well as references, cf. Otterbeck, J. & P. Bevelander 2006. I use the term to refer to hostile and fearful (at times also discriminatory and neo-racist) attitudes, actions, and discourses on Islam and Muslims based primarily on prejudice, generalisations and stereotypes.

are, no doubt, differences between e.g. early theological, orientalist, post Cold War and post 9/11 images and uses⁴. But connections and similarities can be documented, and it may be contended that the long history of the use of Islam as the significant Other has provided Europeans with a ‘basket’ of images and stereotypes. A basket from where to pick in times where e.g. politics of identity and fear of terrorism thrive.

Finally, whether one looks at the Muslims or the discourses on Muslims, there is almost no end to the issues which consequently ought to be covered in a comprehensive survey: Halal-slaughtering, the wearing of headscarf, arranged marriages, the position of women, killings related to honour and shame (and by some to Islam), philosophical, ideological, and practical aspects of integration, multiculturalism, human rights issues, democracy, the nature and future of the nationstate, globalisation and europeasation, politics of identity, securitization of religion (especially Islam⁵), the position(ing) of religion in the state and nation (religion vis á vis politics), secularism and secularisation, etc.

* * *

All this ground cannot be covered in this survey. Several issues and aspects related to Islam in Denmark, e.g. Danish Islam and Muslims on the internet, and Danish converts) must be let out⁶. This is true also for matters normally dear to the scholar of religion, e.g. innovations or local variations of ritual practices.

In what follows, attention is focused upon institutionalised or socio-political dimensions within various legal and institutional frameworks. Consequently, an outline of some of the most relevant frameworks is given also.

Numbers and kinds of statistical Muslims

Danish Vikings met Muslims, and, when Denmark around year 1.000 became part of Christendom, of the Crusades and later again of the Lutheran-Protestant Reformation, Islam (or rather the ‘heathen’, the ‘Saracen’, ‘our enemy’, ‘the Turk’) came within the orbit of Denmark and Danes, mostly, of course, through narratives. Later, Islam, Muhammad, and Muslim manners have been dealt with by Danish philosophers, historians, theologians as well as orientalists, and some of them even traveled in Muslim countries (Simonsen 2004).

However, Muslims in blood and flesh, did not enter the Kingdom of Denmark until the 1960s in the shape of ‘guest-workers’ from countries where Islam was and

⁴ A useful introduction to this field with references can be found in Shahid, W.A.R. & P.S. van Koningsveld 2000a, I. Hourani 1991 may, by the way, be a good supplement to the works of E. Said.

⁵ For a brief introduction to a Danish perspective on this issue, cf. Christensen 2006.

⁶ Several of the aspects let out are dealt with in Christoffersen & Simonsen 1999, Johansen 2002, Galal & Liengaard 2003, Sheikh *et al* 2003, Sandahl 2004, Østergaard 2006.

is the majority-religion (Morocco, Turkey and Pakistan) and from Yugoslavia. The exact number of guest-workers is not known. Immigration to Denmark as 'guest-worker' was stopped by law in 1973. Another law in 1974, though, opened up for family reunifications that have continued ever since (Simonsen 1990). Since 2001, the Danish government, however, has, with considerable success, tried its best to restrict this as well as the influx of refugees to an absolute minimum.

From the mid 1980s Denmark began to receive refugees from various countries where Islam was and is the majority-religion (1985 Iranians; 1986-1991 Palestinians; 1993-1997 Somalis; 1995 Bosnians; 1998-2002 Iraqis; 2000-2001 Afghanis) (Sandahl 2004). The refugees who obtained residence permit also had the rights to family reunification.

Today, then, the part of the Danish population made up of persons who may be termed 'statistical Muslims' due to their own or their parent's or grandparent's country of origin being a country where Islam is the majority-religion, consists of several generations of immigrants.

The exact number of these statistical Muslims cannot be given with absolute certainty. It may, however, be *estimated*. Though each method has its problems, they all point in the same direction: The number of statistical Muslims by January 1. 2007 is some 190.000-210.000 (some 2.- 2.500 converts), equal to 3.8% of the total population (Jensen 2004; Kühle 2006, 38 ff; Østergaard 2006, 18 f.). To get an idea of the development, it may be mentioned that Bæk Simonsen in 1990 (Simonsen 1990) estimated the number to some 56.000.

This Muslim population may then be subdivided with reference to language, nationality (country of origin), gender, education, occupation, generation, religious 'denomination' (Sunni, Shia, Alewi, Ahmadiyya, Sufi *tariqa*), *madhab*, religious attitudes and practices, opinions on issues like e.g. *sharia*, gender, headscarf, and affiliation to a certain mosque, national or transnational organisation etc.

The possibilities are many, and it is not without importance to try to figure out what criteria the Muslims themselves prefer if asked to identify themselves vis a vis Islam and other Muslims. How many, actually, of the ca. 200.000 statistical Muslims want to present and see themselves primarily in religious terms, as Muslims, or in cultural terms, as (cultural) Muslims? No research project so far has managed to provide the answers to this question.

Focusing on the national criterium for differentiation, it can be mentioned that the largest groups of statistical Muslims in Denmark are related to Turkey (50. – 55.000. = 26-28%), Iraq (25.000=13%), Pakistan (18.500 =10%), Somalia (16.500 =9%), Ex-Yugoslavia, Bosnia-Herzegovina, Macedonia (10.500-16.400 = 6-9%), Iran 13.-14.000 = 7-8%), Lebanon (9.500-13.000= 5-7%), Afghanistan (10.-11.000 = 6%); Morocco (9.000 = 4.8%). After these eight countries follows Syria, Jordan, Egypt, Kuwait, Algeria and Tunisia, each with some 1.-2.000 statistical Muslims. The rest of the statistical Muslims in Denmark, except for the some 2.500 converts, have relations to one of 45 other countries in Africa, Asia and Southeast Asia (Østergaard 2006, 19; cf. Sandahl 2004 & Kühle 2006).

Out of the some 200.000 Muslims the number of Shi'ites have been estimated to some 26.-38.000=13-19% of the Muslim population (Kühle 2006, 137).

The growing number of the Muslims (e.g. some 25.000 of those with relations to Turkey) are 'descendants', i.e. statistical Muslims born in Denmark. This is a fact of uttermost importance to the understanding of developments, e.g. in interpretations of Islam, in internal relations and in relations to the majority.

How religious, then, are the 200.000 Muslims in terms of daily and regular practice, at home, in the mosques, during Ramadan, the *id*-festivals and other Sunni or Shi'ite celebrations and Sufi rituals? How religious in terms of the upbringing and education of their children in beliefs and doctrines, ethics and practices?

Our knowledge about this (cf. above) is not the very best. Theoretical and methodological problems related to measuring (and defining) 'religiousness' are many, and the various kinds of research (questionnaires, interviews, participant observation etc.) needed to throw some light on it have so far not been carried out on a sufficient scale⁷.

Kühle (2006, 43 ff.), trying to collect and summarize results from the various disparate studies, estimates that some 20-25% of the Muslims adhere to one of the mosques; that some 5-7% of the Muslims (more amongst Sunnis than Shi'ites) participate weekly in the Friday prayer in a mosque, and that many than that participate in the *Id*-festivals. A large percentage, some 71-99% of the Muslims (except those from Ex-Yugoslavia), if asked, answer that they have received a 'Muslim upbringing', and some 67% of the students asked (Jensen 2002) answer that they have been given instruction in the Quran in some kind of Quran 'school'. Asked, in another enquete (Kühle 2006, 45f.) how religious they judge themselves to be, some 30% replied 'a little bit', some 30% 'very much so', and some 40% 'moderately'.

Coupled to such estimates, one may, of course, also try to classify Muslims in Denmark in other ways than done above. Bektovic (2004), Kühle (2006), and Østergaard (2006) have done so and argued for categories like 'Cultural', 'Traditional', 'Political-Ideological', 'Moderate', 'Islamist', 'Neo-Fundamentalist', and 'Liberal Muslims', well aware this is but kind of 'Ideal-Typen'. Where does a famous Danish convert and imam, Abdul Wahid Pedersen, who characterizes himself as a 'Salafi-Sufi' fit in, - and what is the purpose of the use of the labels?

⁷ A research project, initiated in 2006, involving a larger group of Muslim parents to children in the elementary schools in Odense may take us a step further as the parents are asked their attitudes and opinions to a wide variety of issues pertaining to education, upbringing, belief and practice.

Constitutional and religio-political contexts⁸
The Established Church and other religious communities

With the Reformation (1536), one kind of Christianity, the ‘Roman-Catholic’, introduced around year 1000, was forbidden, and another kind, a Lutheran-Evangelical, became the one and only. During the 17th and 18th centuries, the Roman-Catholic Church, the Reformed Church (with a French, Dutch, and German congregation), and a Jewish congregation, were given, by Royal Decree, certain rights equal to the Lutheran-Evangelical (Established) Church: The right to perform their rituals, not least marriage with legal validity, to have buildings and burial places of their own, and to register births and deaths.

The Constitution as of 1849 and 1953 in § 3 (today § 4) states: “The Evangelical-Lutheran Church is *The Folk Church* (or: ‘The Church of The People’= ‘Folkekirken’) and as such to be supported by the state”. Nevertheless, other and more Christian churches or denominations have entered Denmark since then.

Statistics

The number of members belonging to all these Christian denominations is, however, very small compared to the number of members of The Folk Church. The same goes for the so-called world religions, all of which can be found in today’s Denmark, most of them establishing themselves from the early 70s and forward.

The percentage of registered, paying members of The Folk Church in 2007 is some 83% of the total population (roughly 5.300.000) and about 87% of the total number of Danish citizens. The total number of people (Danish citizens as well as non-citizens) ‘adhering’ to a non-Christian religion may be estimated to 4.5% of the total population, incl. the mentioned 3.8% (some 200.000) statistical Muslims.

The remaining 0.7% comprises some 7.000 Hindus (mainly Tamils from Sri Lanka, but also some from Northern India and an insignificant number of members of ISKCON), some 8.000-12.000 Buddhists (from Vietnam, Thailand, Tibet, Denmark, and other Western countries), some 3.500 members of the two Jewish communities, and some few hundred Sikhs. There are also some few and extremely small, new religious movements.

As for Christian churches differing in various ways from the state church, the Roman-Catholic Church with roughly 30.000 members (mainly ethnic Danes but also a number of immigrants from a variety of countries) is the largest. Orthodox Christians from many countries, and Baptist, Methodist, Pentecostal, and other so-called Free (or ‘Independent’) Churches, together with Jehovah’s Witnesses, The Mormon and others, all in all amount to some 60.000. Jehovah’s Witnesses being one of the largest groups with some 15.000 members.

⁸ For this section cf. Christoffersen & Simonsen 1999, Jensen 2004 and 2005; Kühle 2004; Simonsen 2002.

Out of the 100 officially *acknowledged* and *recognised* (cf. below) religious communities, 66 are Christian. There are one Bahai, four Buddhist, six Hindu, two Jewish, 19 Muslim, one Sikh religious community, and a couple of religious communities which cannot be classified in relation to the traditional world religions, e.g. Forn Sidr, a group of people performing rituals and entertaining beliefs pertaining to the Old Norse religion.

Besides two Jewish synagogues, some eight buildings serve as Buddhist temples (pertaining to Mahayana, Hinayana, and Vajrayana traditions), five as Hindu temples (three belonging to the Tamil Saivite, one to the Vaisnavite tradition, and one to ISKCON). There is one Sikh gurdwara. As for mosques cf. below.

The predominantly monoreligious Denmark

Denmark, then, one may conclude, is still extraordinarily homogenous in terms of institutionalised religion. Relations between the majority religion on the one hand, and, on the other, a territory, an ethnos, a language, and a state are very close. Equally characteristic is the widespread *opinion* (almost a *dogma*) that Denmark is a very secularized country and a secular state. In Denmark, so goes the traditional story, 'we' have, in spite of the Constitution, separated religion and politics, and the majority of the Lutherans are 'irreligious Lutherans'.

In 1997, when Denmark had become just a little bit more multi-cultural in terms of the number of non-Christian religions, and at a time when the, then, some 3% Muslims were the target of increased Islamophobic debate, the authorities introduced an illustration from a runic stone of a crucified Christ as the emblem in Danish passports. One may well ask whether this was meant to simply express the fact that the majority of the population belong to the Christian state church, or whether it is was a demonstrative neo-nationalistic 'credo', a symbol of the will to stay Christian and mono-religious, - in spite of a growing religious pluralism and Islam now being the second largest religion?

Irrespective of this demonstration of religious hegemonic aspiration, it can be noticed that the freedom of religion which became a legal right with the Constitution in 1849 is not equal to equality of religions, neither in the constitution nor in political discourse and practice.

Recognised religions

With the Constitution 'dissenting' religious communities were recognised as having a formal and legal right to exist, and even the most critical observers agree that religious individuals and groups in Denmark, including Muslims, not least in comparison to what is the case elsewhere,

also in Europe, enjoy a large degree of freedom of religion, including the freedom to institutionalisation of their religion.

Some problems, however, turned up quickly following the Constitution of 1849: What about marriages outside the church, with marriages in religious communities not given the right to perform such (by Royal Decree), and what about official registration of infants not baptised? The post-constitutional parliament decided to continue the pre-constitutional practice: Instead of having the King pass certain rights to a religious community, this right passed to the Minister of Ecclesiastical Affairs, i.e. it became an administrative practice. In this way applications from several religious communities (all Christian) were dealt with from 1862 to 1969, and these together with some older ones got the status of 'acknowledged' religious communities.

Following a new Marriage Act as of 1969, the administrative practice changed. From then on a religious marriage can take place "in other faith-communities when one of the partners belong to the respective faith-community, and if this faith-community has ministers who have been given the right to perform marriages by the Minister of Ecclesiastical Affairs". Since 1969 some 90-100 religious communities (or individual representatives) have, as mentioned, been given the right to perform marriages, and these therefore are 'recognised'.

A closer look at the statistics since 1975 reveals that the Ministry of Ecclesiastical Affairs as well as the Statistics Department seem to have – without explanations – dealt with statistics on Muslims in Denmark in ways very different from the way they have dealt with other religious groups.

It seems to have become more and more important to more religious communities to become recognised. Recognition, besides adding to the symbolic, capital of the religious community, also adds to its economic capital. A recognised religious community is put on equal footing with the acknowledged religious communities in that they are exempted from paying real estate tax. Finally, if recognised, it may now be easier to get a religious teacher or missionary into the country. More about this below.

Economic advantages can, however, be obtained otherwise: Religious communities may be recognised under § 8 and § 12A under the Danish Assessment Act. This 'recognition' makes it possible for donors who are taxpayers to deduct contributions and donations. According to Kühle (Kühle 2006, 28) very few Muslim communities have taken advantage of this possibility. Most likely because they are not aware of it. More Muslim communities, though, have taken advantage of the possibility to be exempted from paying real estate tax of the building used as mosque. This, however, is a possibility open only to those groups who own the buildings.

In this connection, finally, it should be mentioned that religious organisations may also achieve public funding from certain public pools, e.g. in connection with

various kinds of educational or cultural activities. Likewise, religious youth organisations may obtain similar funding. These possibilities are used by several Muslim organisations.

Other legal frameworks for Muslims and Islam

Quite a few rules regarding the right to residence permit, schools, and integration in general have a bearing on religious minorities, incl. Islam. Some are mentioned below⁹.

The Aliens Consolidation Act

The Aliens (Consolidation) Act of July 14, 2004 with later changes consolidates other more recent and restrictive rules¹⁰ regarding the rights to obtain a residence permit.

The government with its parliamentary basis, the neo-nationalistic *Danish People's Party* ("Dansk Folkeparti") passed the law with the aim of preventing arranged marriages (now often called 'forced marriages'). It was, no doubt, directed explicitly against Muslims.

In regard also to *missionaries*, the going has got tougher. The Aliens (Consolidation) Act, article 9f, reads:

(1) Upon application, a residence permit may be issued to: (i) an alien who is to act as a religious preacher in Denmark; (ii) an alien who is to act as a missionary in Denmark; or (iii) an alien who is to act within a religious order in Denmark. (2) It must be made a condition for a residence permit under subsection (1) that the alien proves that he has ties with the Danish national church or a recognised or approved religious community in Denmark. [...] (3) It must be made a condition for a residence permit under subsection (1) that the alien proves that he has a relevant background or training to act as a religious preacher or missionary or within a religious order. [...]

The (new) requirement in 3.1 reveals the intention of the then Minister of the Interior, now of Ecclesiastical Affairs and of Education, who, in an interview said he wanted to help groups of "moderate Moslems who want imams of a higher quality" (*Church News From Denmark* 6/7, October 2003); 2.1 shows the

⁹ Denmark has recognised or ratified all the most important international conventions and declarations with a bearing on freedom of religion (and religious pluralism), and this, naturally, also ought have implications for Muslims in Denmark.

¹⁰ For one thing, the age of the incoming partner as well as the partner in Denmark must be min. 24, and the partner in Denmark must show proof of being able to provide an apartment as well as a certain amount of money.

importance of the formal recognition as a faith community. This new clause forced e.g. the Turkish mosques related to Diyanet to form one union of mosques and to get a formal recognition thereof. A religious teacher/preacher normally gets a permit for two years but quite a few have had the stay prolonged. Diyanet used to have a special deal so that a Diyanet *hoja* almost automatically obtained a four year residence permit¹¹.

Laws against blasphemy, discrimination and racism

Looking at Danish legislation in general, it may be mentioned that it does not know of any general principle of equality or a general prohibition against racial or religious discrimination covering all fields of law. So far no comprehensive anti-discrimination legislation has been initiated.

A recent revision regarding the handling of complaints over discrimination has improved the working conditions of the committee as well as the opportunities for plaintiffs. In regard to religion, however, the committee can deal only with complaints that have to do with discrimination on religious grounds on the labour market, not at large. The minister responsible said that this is due to the fact, that Denmark has special laws to that effect, namely articles 140 and 266b in the Danish *Penal Code*. § 140 prohibits *blasphemy* and reads:

Any person who publicly ridicules or insults the religious teaching or worship of any religious community legitimately existing in this country, shall be liable to a fine or imprisonment for a term not exceeding 4 months.

This paragraph has not been in use since 1938. Following the murder of Theo Van Gogh in November 2004, the *Danish People's Party* presented a bill to repeal it. It is tempting to see this proposal in the light of the same party's outspoken dislike of Islam (cf. below and the remarks above regarding the toughening of certain regulations).

§ 266b prohibits the dissemination of expressions of racial prejudice:

(1) Any person who publicly or with the intention of dissemination to a wide circle of people makes a statement or imparts other information threatening, insulting or degrading to a group of persons on account of their race, colour, national or ethnic origin, belief or sexual orientation,

¹¹ A proposal to make even harder demands on missionaries (passed exams in Danish language, history and society before entering the country) was discussed recently. Only fierce protests from Christian minority denominations seem to have prevented it from becoming yet another amendment to the mentioned Act.

shall be liable to a fine or imprisonment for a term not exceeding two years.

(2) When handing down punishment, it is to be considered as an aggravating circumstance that the statement is in the nature of propaganda.

§ 266b criminalises statements disseminated publicly or to a wide circle of people. To the knowledge of The Danish Centre for Documentation and Consultancy on Race Discrimination (DRC), the paragraph has rarely been used against statements offensive to religion, but it has been used against statements offensive to race. These cases have, however, often concerned Muslim victims, and the fact that they were Muslims has often been part of the aggravation (personal communication).

The Muhammad cartoon affair and articles 140 and 266b

At this point, mention may be made of the legal aspects the ‘Muhammad cartoon-crisis’. Following the publication of the drawings (cartoons, caricatures), a group of Muslim organisations and individuals established a committee ‘in defense of the prophet’ and filed a complaint to the public prosecutor claiming that the drawings be considered blasphemous and discriminatory, a breach of §§ 140 and 266b.

While a regional public prosecutor did not argue in detail for his decision (in the autumn 2005) *not* to institute criminal proceedings against *Jyllands-Posten* (*J.-P.*), the daily publishing the cartoons, the Director of Public Prosecutor (who dealt with the issue during the crisis early in 2006) issued a lengthy memorandum (incl. an appendix on “Islam and the Prophet Muhammed”) arguing in detail his decision not to¹².

Having argued that national and international law and human rights conventions as well as the European Court of Human Rights (ECHR) attach “decisive importance to the regard for the freedom of expression” when assessing the justification of interference with expressions that may offend religious feelings, he argues, also with reference to the ECHR, that it is decisive whether the use of the freedom of expression in cases where this freedom conflicts with protection of other is used to promote a “public debate capable of furthering progress in human affairs”.

Having discussed the wording of § 140, it is argued that the religious writings as well as the actual practices amongst Muslims do not point to an unanimous prohibition against drawing pictures of Muhammad. Drawings of Muhammad therefore cannot in itself constitute a violation of § 140. The memorandum then

¹² <http://www.rigsadvokaten.dk/Default.aspx?id=176&recordid176=887>

states that the drawings in question, however, are not mere drawings but caricatures. Yet, it is concluded that the caricatures as well as the text was published for “the purpose of in a provocative manner to debate whether, in a secular society, special regard should be paid to the religious feelings of some Muslims”. Following *inter alia* a detailed examination of each of the drawings, the memorandum offers a discussion on the drawing depicting the prophet with a bomb in his turban. Though stating that “[t]his depiction may with good reason be understood as an affront and insult to the Prophet who is an ideal for believing Muslims”, the memorandum states that such a depiction “is not an expression of mockery or ridicule, and hardly scorn within the meaning of section 140..” Besides, “the affront and insult to the Prophet Muhammed, which the drawing may be understood to be, cannot accordingly with the necessary certainty be assumed to be a punishable offense under section 140...”.

Turning to section 266b, it is once again stated that it “should be subject to a narrow interpretation out of regard for the right to freedom of expression”. The concepts ‘insult’, ‘degrade’, and ‘scorn’ are scrutinized, and it is stressed that *J.-P.*’s article, neither in text nor in drawings, can be said to be directed against Muslims in general. The text, on the contrary, refers to ‘some’ Muslims. Consequently, the memorandum concludes that there has been no offense against § 266b.

This is not the place for a critical analysis of the memorandum. Suffice it to say that there are legal scholars and lawyers (cf. Skadegaard 2006) who find the analysis and conclusions flawed, and scholars and others who (irrespective of the legal aspect) think that *J.-P.* did not *only* want to provoke a debate about possible self-censorship and to defend freedom of expression: The text and the drawings can or must be interpreted, irrespective of the statements to the contrary later on issued by *J.-P.*, to, in a culturally arrogant manner, “mock, scorn and ridicule” at least those Muslims who might take offense at the text and drawings (cf. Hedetoft 2003; Modood *et al* 2006; Jensen 2006b; Engelbreth & Seidenfaden 2006, esp. pp. 50-56).

Some criticized the memorandum for paying too little attention to those parts of the international conventions that delimit the freedom of expression and stress the positive duty to protect minorities (cf. Engelbreth & Seidenfaden 2006, 243 ff). Besides, it has been pointed out by e.g. Engelbreth & Seidenfaden (2006, 255) that the memorandum seems unaware of the fact that the Islamic creed is written on the turban with a bomb, thus indicating that the prophet ‘stands for’ Islam and all believing Muslims.

Besides, though correctly pointing to the all but unanimous traditions regarding pictures of the prophet, the memorandum does not address the unanimous traditions for considering scorn, ridicule and mockery directed at the prophet the worst possible form of blasphemy in Islam (cf. Natvig 1991). The degree to which the prophet is dear to a lot of Muslims might also have been touched upon in some more detail, and the reference to “direct and informal form of debate” as a

“generally considered accepted usage” may be criticized for a flagrant lack of sensibility to the fact that a multi-cultural society may need to revise and even change its norms and usages.

In addition, it may be mentioned that some Muslim organisations, headed by *Islamisk Trossamfund*, also instituted criminal proceedings against *J.-P.*, editor-in-chief C. Juste and culture editor F. Rose, with reference to the articles 267 and 268 on defamation and slander. In October 2006 a court found Juste and Rose not guilty. The text accompanying the acquittal, however, like the memorandum from the Director of Public Prosecution, stresses that freedom of expression is not absolute nor unrestricted. It is indicated that *J.-P.*'s text and caricatures may very well have offended many Muslims but that it cannot be proved that this was the intention of *J.-P.*¹³.

Headscarfs and prayers in the labour market

An Act on “Prohibition of Differential Treatment in the Labour Market” came into effect July 1, 1996. The Act contains a general prohibition against direct and indirect discrimination in the labour market due to race, colour, religion, political conviction, sexual orientation or national, social or ethnic origin. The Act has a civil law character and thus depends on private action for its enforcement. Newly introduced amendments legislate, *inter alia*, for a shared burden of proof, and a prohibition against differential treatment on the basis of *faith*.

There has been a few cases in Denmark regarding the wearing of headscarf. DRC (personal communication) summarizes as follows:

After working for a company for some time, an employee decided for religious reasons to wear a headscarf. Since the dress code prescribes a uniform and employees are not allowed to wear anything on their head (if this is not part of the uniform), she was dismissed. The High Court decided on December 18, 2003 that this was not a violation of the Danish Act Prohibiting Discrimination on the Labour Market. This case was appealed to the Supreme Court with the support of the labour union (HK). The Supreme Court states that the dress code from August 2000 is enacted in order to signal that the company is politically and religiously neutral. This policy affects [the] Muslim woman in a negative way, but it is objective and thus not a violation of Act Prohibiting Discrimination on

¹³ When *J.-P.* in October and December 2006, in private and public, accused scholar of religion, Tim Jensen, for slander, defamation and misuse of his academic title, because he, in an interview in a daily, had said that (as Muslims and others saw it) *J.-P.* had published the cartoons to provoke, insult, mock, scorn and ridicule Muslims and teach them to grow up and become (adults) like ‘us’, *J.-P.* referred to the acquittal as the ultimate proof that what they had claimed all the way through was true: They had no intention to offend Muslims.

the Labour Market or the European Convention on Human Rights Article.

This is the first decision by the Danish Supreme Court in a case concerning headscarf. Compared to earlier High Court cases this was the first decision that will allow a company to reject applicants with headscarves in the future. On August, 2000 the Danish High Court ruled that dismissal of the plaintiff, solely on the grounds that – based on her religious convictions – she wore a headscarf, was an expression of indirect discrimination of the plaintiff. The emphasis was thus on the fact that enforcing the clothing guidelines, as happened here, will typically affect a specific group with the same religious background as the plaintiff. The plaintiff was thus compensated with DKK 10.000.

In March 2001 the High Court however made a decision in another headscarf case, that the Act Prohibiting Discrimination on the Labour Market was not violated. One out of the three High Court judges, however, found reasons that the Act was violated, and the decision, was consequently appealed to the Danish Supreme Court by the plaintiff. In the period before the next court hearing, the plaintiff assisted the company by inventing a headscarf that fulfils all security and hygienic demands in connection to the work process. In return, for her assistance, she got a “reward” of DKK 30.000. It was thus decided to discontinue the case, by informing the Supreme Court about the agreement in December 2001.

There has, furthermore, also been a case (1997) on possible discrimination in relation to the free exercise of religion at an adult vocational training institution. The report from DRC (personal communication) can be summarized as follows:

A group of Muslims who wanted to pray while in school, did so in a corridor. Some ethnic Danes felt provoked about this, and to show their dislike poured out beer on the floor and drew blasphemous paintings on the wall. They were told to stop by the head, but at the same time the head also prohibited the exercise of prayer. When one Muslim, nevertheless, carried on with his prayer, he was dismissed from school. Relevant documents reveal that the head of the school had told him that he might be permitted to return if he did not pray or exercised his prayer in the restrooms.

The High Court ruled that the dismissal was not an act of discrimination in regard to belief, but a measure taken solely to uphold order at the institution. At the same time, however, the ruling may be said to indicate that basically there is a right to practice ones religion at the workplace, something which has never been thoroughly discussed in Denmark. Not even when the former Prime Minister openly declared

that Muslims should pray in private, at home or in the mosque, - not at work¹⁴.

Public institutions, Muslims and Islam

Public schools

The Danish elementary school (covering nine years, from age six to 15) is a comprehensive school. The general aim, to which all subject matters must contribute, is to make the children tolerant, open-minded, creative, independent citizens in an open democracy with respect for human rights etc.

The executive orders also state that a major aim is to “make the children familiar [‘intimate’ may be a more correct translation, TJ] with Danish culture and acquainted with other cultures”. Since “Danish culture” in the preparatory acts to the law is defined by reference to the Christian majority religion, this amounts (in principle) to some sort of religio-cultural *instruction*. In this context, ‘we’ and ‘Danish culture’ does not include the minorities and ‘the other’, for example the Muslims. The elementary school, then, is still a key instrument in acculturating newcomers (as well as ethnic Danes) to a kind of ‘Danishness’ not particularly pluralistic in terms of religion (cf. Jensen 1994a).

Religious education (RE) in the elementary school has the name ‘Christian Knowledge’. Though many have urged to change the name to ‘Religion’, so far this has been in vain. The politics of identities penetrates deep into language and terms, of course. The position taken by many politicians is clear: Here in Denmark we are Christians, and the RE of the public school is not meant to be a relativistic, ‘neutral’ school subject, but a means to transmit knowledge about and values of the religio-cultural heritage of Denmark.

This may come as a surprise to those who thought of Denmark as a highly secular country, and it may be helpful to remember that not until 1975 was the school subject ‘Christian Knowledge’ freed of its intimate connection to The Folk Church, becoming at this time, finally, and in principle at least, a non-confessional school subject. The subject ‘Christian Knowledge’. However, still holds a special position in the public school. It is mentioned in a separate paragraph in the overall executive orders, and a possibility of opting out still exists. Also in 1975 a compulsory subject matter was introduced, “foreign religions and philosophies of life”, to be taught either in ‘Christian Knowledge’, ‘History’ or in another school subject. In 1993 this subject matter was integrated into ‘Christian Knowledge’; “foreign religions”, however, shall be taught only on the upper-levels, not during the first five years of school (cf. Jensen 1994a).

¹⁴ In March 2007 a public debate on religion at the workplace was initiated as municipalities in two major cities revealed plans to encourage or even force public institutions to agree on a policy explicitly recognising and respecting religion at the workplace.

That non-Christian religions, including Islam, are to be taught only at the upper-level may be criticised for several reasons. One, of course, is that in many schools there are now pupils who(se parents) belong to another religion than *The Folk Church*. Depending on the location of the school, the percentage of pupils with a Muslim background may be anything from 0 to 100% (cf. Jensen 1994a ; 2005a). 20-30% Muslim pupils are not unusual in many schools in the cities.

Two more issues may be mentioned: In spite of fierce debates, most schools with pupils with Muslim backgrounds, have accommodated, at least in part, to the needs of some of the new pupils, and, fortunately, some of them do include Islam in 'Christian Knowledge' from the very first level. The accommodation also shows in regard to food offered, to special arrangements for Muslim children in connection with sports and holidays. Most places Muslim children can get a day or two off during *Id-al-Fitr*. Also in regard to communication with Muslim parents most schools have adopted specific strategies, and money and time has been spent on in-service training on Islam, intercultural know-how etc.

Signals from leading politicians, though, are all but clear. In a recent discussion the Minister of Education (also Minister of Ecclesiastical Affairs and a declared Christian) repeated that the name of the school subject must not change, and that its main purpose is to familiarize pupils, not least Muslims, with the very foundation of Danish culture, Lutheran-Protestant Christianity. Discussing the possibility of opting out and the fact that some (very few, some 2.5%, actually) Muslims parents withdraw their children from 'Christian Knowledge', he pondered means to make sure that those parents, in accordance with the law, nevertheless do provide their children with knowledge of Christianity, by the Minister, abbreviated to 'biblical stories' (*Kristeligt Dagblad* 26.2.05, and *PI* 22.2.05).

Private schools

A toughening of rules with special regard to Muslims can also be detected in the otherwise liberal rules on *private* schools. These may be established, with substantial financial subsidies from the state, on the initiative of parents wanting to give the schools and education a special twist, be it from a specific religious, ideological, political or educational point of view. Today, there are more than 430 such schools with more than 75.000 pupils. Most of them inspired by some Christian and/or educational perspective and aim.

Since the beginning of the institutionalisation of Islam in Denmark, Muslim private schools have also been established (Simonsen 1990; 1998). The first one in 1978, and several others during the 80s and 90s. In 2004 there were some 18 schools where Islam, Islamic (or just 'religious') values and traditions were mentioned in the by-laws of the schools among the ideological and educational foundational values and aims for the school. In 2001 the number of pupils in these

schools could be estimated to some 3.-4.000, i.e. some 10-12% of all the pupils (some 30.000) in Denmark with some kind of Muslim background (Jensen 2004).

The curriculum and teaching must meet the standards of the public school, and each school has a supervisor to guarantee this. In 1998 and again in 2002 and 2003 the law on these schools was toughened: The language used in teaching must be Danish, the headmaster must master the Danish language in writing and speech, and the schools are obliged to prepare the children for a life with freedom and democracy. Though there has recently been some criticism of certain Christian schools, the debate mostly has focused on Muslim ones (Jensen 2004).

An analysis of the by-laws of the Muslim schools shows that they comply perfectly with the ideology behind the liberal and positive attitude to private schools. An ideology usually seen as in line with the very best religious (Christian), political and educational traditions in Denmark. Something conceived of as typical 'Danish'. The Muslim private schools, then, can be seen as a sign of integration, rather than segregation.

From the very beginning the Muslim parents no doubt saw the schools as serving the double purpose of providing the children with, on the one hand, a solid cultural and religious baggage, and, on the other, solid knowledge and skills making it possible for the children to get a job and a good life, be it in Denmark or in the country of origin. Simonsen (1990; 1998; 2000) argues that a shift from a defensive to a more offensive attitude towards the Danish society and the future of the children can be detected, here as well as in the establishment and activities of Muslim Youth organisations during the 90s: While the earliest private schools aimed at defending and protecting traditional norms and values against the new Danish majority and culture, the later ones strive to secure a Muslim identity and basis as a foundation for better integration and a future in that very same Danish society.

The analysis of the by-laws (Jensen 2004) also reveals that the parents and schools are, of course, under a certain pressure from the state and the majority to assimilate rather than integrate. Besides, while there are interesting variations in the formulations on the various degrees to which Islam matters, they all invariantly distance themselves from any kind of so-called extremistic Islam. All the schools provide the children with special education on Islam, doctrines, ethics, and practice, and some also teach about other religions (Jensen 2004). This is very much the same as what is the case at the Christian private schools¹⁵.

Hospitals, prisons, the army, and the universities

When it comes to hospitals (most of them public), state prisons and the army, it has for long been a tradition that religion, for various reasons, matters.

¹⁵ Research on the teaching materials as well as on the actual teaching is in high demand.

Many hospitals have one or more minister (chaplain) of *The Folk Church* attached, in a full or part time position. In 2007, the biggest hospital in the country, located in Copenhagen, hired a Muslim to serve the Muslim clients.

During the last 10 years, more and more attention has been paid to the increase in the number of patients belonging to other religions, not least to Islam. Hospital authorities, often in collaboration with the chaplains (sometimes also with experts on comparative religions), consequently have taken initiatives to teach the staff about the 'foreign' religions and the (possible) religious needs of patients belonging to other religions and 'cultures'. Besides in-service training and publications with information, learning about religion has become a more prominent part of the education of nurses.

In the Danish prisons too, authorities have for many years paid attention to the fairly large percentage of inmates who are not 'irreligious lutherans' but more or less believing and practising Muslims. Consequently, prison authorities, just like police authorities, (both under the Ministry of Justice) have for years informed part of the staff about 'the meeting of cultures' and Islam. In many prisons it has become a routine to let Muslim inmates have the halal-food they may want and to attend to e.g. the Friday noon prayer in mosques outside the prison. Some prisons have an imam attached, and it is the rule that the chaplain says that s/he consider him- or herself available to persons of all faiths.

In the army there is always a military chaplain, and here also the chaplains by and large will say that they are there also to serve soldiers of other faiths. So far the army, however, has not engaged imams, and it seems that the army has not tried to accommodate to the shifts in religious orientation in the same manner and to the same degree as have the prisons¹⁶.

Finally, a word on the universities: Here too there is an old tradition for having a 'university-chaplain' next to psychological and pedagogical advisors. These chaplains also normally will say that they are there for everybody, irrespective of the student's religious affiliation. A 'multi-religious' room for prayer or meditation has been established at the universities of Copenhagen, Roskilde, and Southern Denmark.

Mosques, imams and Muslim organisations

Mosques

Over the years the exact number of Muslim mosques has been disputed. In the most recent and thorough mapping of mosques in Denmark, Kühle (2006) defining

¹⁶ Kühle 2004 is the best source for especially the history of the religious elements in prisons and in the army in Denmark.

a mosque as a place where public *salat* (not necessarily the one on Friday) takes place at least once a week, lists some 115 mosques¹⁷.

According to Kühle (2006, 66), the number of mosques and the pace of the establishment of the mosques during the 70s (12), 80s (35), 90s (47) and between 2000-2005 (16) matches the number of Muslims over the decades¹⁸. At the same time the mosques, of course, reflect, changes in patterns of immigration, with e.g. an increase in the number of mosques primarily or exclusively built for and frequented by a certain ethnic group (e.g. Bosniaks, Afghans).

The mosques are located all over the country but the majority in and around Copenhagen and other larger cities, the locations of the major groups of Muslims. Except for three, all buildings were built for other purposes. The only mosque that 'looks like a mosque' from the outside is the one built in 1967 by Ahmadiyya. Some buildings have been bought, others rented by the Muslims¹⁹.

Some 105 mosques are Sunni, some 10 Shi'ite. The mosques may, of course, also be subdivided according to the nationalities of the founders, of the members of the boards, and of those using them. They may, however, also be classified as Kühle (2006) suggests as 1) 'organisation – mosques', i.e. mosques directly connected to a specific national or transnational Islamic organisation (Diyanet, Milli Görüs, Süleymanci, Minhaj-al-Quran, Jama'at Tabligh, Ahbash, Rabitat (or World Muslim League), Ahmadiyya), as 2) 'lay-mosques', i.e. mosques run mainly by lay people and normally closely related to one nationality, and 3) 'sheikh-mosques', i.e. mosques where the authority and leadership to a much larger degree is invested in a few religiously more or less learned people (imams). It must, as Kühle herself notes, be kept in mind that these are 'Ideal-Typen', and that quite a few mosques show characteristics from more than one type (Kühle 2006, 84).

Kühle's descriptions from 2006, based on field-work (and on Simonsen's earlier work from 1990) may be summarized as follows: The Diyanet related mosques, many of them founded in the 1970s and 80s, with the *hojas* educated and funded by Diyanet and operating in association with various Turkish organisations in Denmark, constitute a group in its own right. There has never been much cooperation between the Diyanet mosques and Turkish speaking Muslims on the one side, and non-Turkish mosques and Muslims on the other. The Diyanet

¹⁷ Jensen (with the help of Simonsen) provided a list of some (but not all) mosques in 1994 and again in 2000. In 2000 the number listed was 53. Another scholar, J. Klausen in 2004, came up with a number of some 150 mosques (cf. Kühle 2006, 65 ff).

¹⁸ Kühle 2006, p. 66, notes that the year of establishment is unknown in the case of four mosques.

¹⁹ Several initiatives to build a bigger and more 'mosque-like' mosque have stranded on lack of internal agreement on several issues (e.g. dependence or not on Muslim states and embassies or international Islamic organisations), and the Danish public opinion, as well as political good-will, has not been especially conducive and encouraging. At the moment some Muslim communities seem to have the money as well as the land needed, and there is a fairly large committee (in Aarhus, the second largest Danish city) comprised of several groups of Muslims (and with the support of influential ethnic Danish politicians) still trying to realise the plans (cf. Østergaard 2006, 118 ff.)

mosques, like some other mosques, have a 'vakf' for burials and also offer *hadjdj* service.

Milli Görüs, operating under the name Danimarka Müslüman Göcmenler Teskilati (DMGT) (cf. Kühle 2006, 90 ff), started work in Denmark in 1986. Like Milli Görüs in Germany it has been in opposition to the secularistic ideology of Diyanet and the Turkish state. It offers same services as the Diyanet mosques, but it has (according to Kühle 2006, 92) a harder time getting *hojas* to Denmark for longer periods. The Sufi Süleymanci, often referring to themselves as Naqsbandis, established themselves in Denmark in 1980 and bought a building for a mosque in 1987.

Foremost among the mosques primarily serving Muslims with a Pakistani background are those related to Minhaj-ul-Quran. Minhaj has been active in Denmark since the beginnings of the 80s, and in 1985, 1987 and 1989 special branches for women, men, and youth were established. The youth organisation (MYL) was very active in the early 90s, and some of the best known young Muslims who tried to make a political career in the 90s were members. Minhaj is favourable to Sufi-inspired meditation and thinking. According to Simonsen (Simonsen 1990, 100), the deobandi related Tabligh-organisation has been active in Denmark since the beginnings of the 70s. A Danish branch, though, was established no earlier than 1984.

The Ahabash related mosques, often critical towards groups and mosques in Denmark considered Islamist and neofundamentalist, owe their existence to refugees from Lebanon coming to Denmark from the mid 80s (Simonsen 2000, 53).

Rabitat (Muslim World League), operating in Denmark from the early 70s and running one or two mosques, the first since 1983 (Simonsen 1990, 106), for many years played a relatively important role in the Muslim milieu. Today the role, if any, is played mostly behind the screen.

As for the Ahmadiyya (*Nusrat Djahan-*) mosque, established already in 1967, it may be said that it has played a fairly significant role in the 80s and beginning of 90s, mainly due to the characteristic Ahmadiyya (*jihad*) activity, the production of informative material. Besides, the first and until 2006, only translation of the Quran in Danish was accomplished by a Danish convert in 1967, and Danish speaking converts have been very effective in addressing the public.

Among 'lay-mosques', there are also Turkish ones related to Diyanet but – like the other 'lay-mosques – with no permanent and well educated *hoja* or imam attached. Most of the lay-mosques, however, resemble the 'organisation- mosque', closely tied to and primarily run and frequented by a specific national or ethnic group as they are. Besides the mentioned Turkish ones, there is a group of mosques (*dzemats*) primarily serving those Bosniaks who are practicing Muslims. There is so far not much contact between these Bosnian Muslims and the larger Muslim milieu in Denmark. The lay-mosques primarily serving Arab speaking people in Denmark are some 12 all in all, and then there are some 14 mainly for Muslims

with a Somali background. There are eight such mosques that may be classified as Pakistani.

There are seven mosques that may be termed 'sheikh-mosques'. The most famous is no doubt *Islamisk Trossamfund* in Copenhagen, due to the very active imam, the late Ahmed Abu Laban, who reached the peak of fame (and infamy) in the larger public, and even outside Denmark, during the cartoon crisis. Abu Laban, contrary to general opinion, was extremely active since the 80s in projects aiming at integration of Muslims and Islam in Denmark.

Sheikh-mosques have managed to draw a larger and often more mixed group of adherers than the other mosques. They normally have a fairly robust economy, one or more fairly well educated imams, and great importance is attached to these imams who also function as key religious, ideological, political and educational authorities. These mosques offer a variety of services, e.g. courses for converts, for women and children, seminars and work-shops, often with specially invited guests, funeral and marriage arrangements as well as maintenance of a library. Some of them also have their own smaller publication business. They are often less narrowly orientated towards one ethnic group, and they often attract people from distant areas of the city and from out-of-town too.

Mention have already been made of the fact that some mosques have connections to Sufi groups and orders and arrange Sufi rituals. Sufism in one form or the other, including *tariqas* like Naqsbandi and Tarikat Burhaniya are also active, sometimes working within the framework of Sunni mosques, other times totally on their own and even in opposition to the Sunni milieu.

As for the some 10 Shi'ite mosques, they serve primarily Shi'ites belonging to Twelwe-Imam Shi'ism, and the first Shi'ite mosque attached to the this branch was established in 1981. Shi'ites belonging to Seven-Imam Shi'ism (Ismailism) are, however, also active, and they, mostly from Pakistan, were the first to settle in Denmark in 1969/70. The majority of Shi'ites today are from Iraq, but some come from Lebanon.

Besides these Shi'ite branches, there are also Alewis, mainly from Turkey, and the Alewis have their own organisation(s) and their own ritual celebrations. For the annual *cem a dede* is invited, often from Germany.

The Friday prayer, the *qutba*, in most mosques is still not given in Danish, but in the mothertongue. It is, however, sometimes simultaneously translated into Danish, and in a few places, the imams have tried to make a *qutba* in Danish a characteristic of the mosque and of the claim that Islam is now one of many *Danish* religions.

Finally, mention must be made of the fact that the Muslim women, though often with specific activities and rooms, do not play a major part in other aspects of the life and administration of the mosques. But, in this matter too, there are important differences between the various mosques, and much also depend, of course, on the physical facilities.

Imams

The Diyanet imams (the *hojas*) are fairly well educated and so are some of the imams at the ‘sheikh-mosques’, though the last mentioned have very different educational backgrounds. Some have had some kind of formal or informal education in the country of origin, others have taken some course after they started to function as imams in Denmark, and others again are autodidact.

Also the degree of ‘local knowledge’ varies. Some imams are familiar with Danish life, culture and society, some not. Some speak the language, others do not, and some – like Abu Laban – do not want to speak the language but insist on speaking English or Arabic. Consequently, some function perfectly well as advisors to the immigrant Muslims in regard to integration (schools, education, work, culture etc) in the local milieu, others do not (cf. Simonsen 1997).

Already before the cartoon affair several imams had managed to position themselves in the mediated public debates, and to specialist observers it had been obvious that some imams and mosques partook in a struggle to be or appear as the most representative representative of (most) Muslims. During the cartoon crisis some new names became known, and some of the old ones, like Ahmed Abu Laban and the Danish convert, Abdul Wahid Pedersen, became even more well known. Ahmed Abu Laban by some media was named ‘Mr. Islam’.

Due to these few skilled imams, and to the crave of the media to have capable and controversial ‘spokesmen’ and ‘stars’, politicians, journalists and the public at large have conceived of the imams in general as much more powerful and influential that they have ever really been. The media, of course, have had their big share in positioning some imams as authorities, at the cost, of course, of all the many Muslims who do not want to be represented by any imam at all and who do not normally consult an imam. To some Muslims, no doubt, some of the imams are as disliked as they are by some Danes. Even if it is doubtful if they – like some leading politicians did in the wake of the cartoon crisis – would it approbiate to use the word ‘imam’ as a general term of abuse. The cartoon affair, though, actually did make more people aware that Muslims are a mixed lot, and that imams compete.

Politicians and public opinion makers, and even some Muslims, have for years expressed a wish to establish a kind of formal education of imams, and some university departments within the Humanities as well as theological faculties have expressed interest in hosting such a one. The former director of the Centre for the Study of Islam and Christian-Muslim Relations (CSIC) at Birmingham University as well as of the Danish Institute in Damascus, Jørgen S. Nielsen (who has written on the subject, cf. Nielsen 2005), in January 2007 was appointed professor in Islamic Theology, the first chair of its kind, located at the Faculty of Theology at the University of Copenhagen. This may be a first step towards an education for imams, parallel to the academic part of the education of the ministers for The Folk Church.

Muslim organisations

Several transnational organisations and their Danish branches have been mentioned. In addition, there are the organisations that administer the lay- as well as sheikh-mosques. Some are affiliated to international Muslim organisations, others not.

Besides these, several organisations established during the last decade are of special interest because they try to represent second or third generation Muslims. Muslims born in Denmark and insisting to be recognised as Muslims as well as Danes and good and normal citizens (cf. Johansen 2002; Rytter 2003; Simonsen 1990; 2000; 2001ab; Østergaard 2006).

Several of these represent what Simonsen (2000; 2001ab) has called a new and more offensive Islam, opposed to the more defensive position of their parents. Some, however, cf. also the remarks above regarding the Muslim private schools, may be considered a bit apologetic as they, in their names, statutes and aims, relate to the top issues on the agenda of the majority, trying their best to demonstrate that Islam is not incompatible with democracy and human rights, that Muslims may be integrated without being assimilated, that not all Muslims are (potential) terrorists, etc.

Another organisation to be mentioned, though not a youth organisation, is *Democratic Muslims*, launched during the cartoon crisis by the famous immigrant politician and MP, Naser Khader. Khader has written several books, one on honour and shame and traditional Islam, and one where he coined the phrase 'halal-hippie' aiming at what he considered to be naive Danish intellectuals embracing anything Muslim or Islamic in the name of tolerance and multiculturalism. *Democratic Muslims* is said to be independent of party politics; members must sign a 'decatalogue' stressing their absolute adherence to democracy and human rights principles, and at the same time explicitly distancing themselves from *sharia* 'as law'.

So far, *Democratic Muslims* has not attracted the number of members some thought it might, though the number, compared to other Muslim groups, is relatively high. The support from Danish non-Muslims, however, is even more conspicuous, and critics may be tempted to say that *Democratic Muslims*, besides being a mouthpiece for Naser Khader, is mostly representative for that kind of Islam that the non-Muslim Danes like the best²⁰.

²⁰ *Democratic Muslims*, launched as the voice of moderate Muslims, were welcomed by the media and most politicians, and the Prime Minister invited them to a meeting only a few days after the launch that was covered by all the national media. Khader, one of the most popular and well liked politicians, immigrants and (of course) Muslims, used to characterise himself as a non-practising 'cultural Muslim'. He was awarded, by an organisation whose leading members are among the most famous and prolific anti-Muslimist writers in Denmark, in 2006 (like Ayan Hirsi Ali in 2005) a special 'freedom of expression' prize. Since Jyllands-Posten, the daily that printed the cartoons, is also behind the prize, it cannot come as a surprise if Khader sometime is perceived of as being in

So far no national umbrella organisation comprised of the larger part of Muslim organisations has been established. The struggle, however, for a mosque in Aarhus as well as for a Muslim cemetery did bring together several Muslims organisations normally not cooperating.

Burials and burial places

The question of specific Muslim cemeteries has been a hot topic in the public debate for many years. Actually, it was on the agenda already in 1971 when a group of Arabi-Muslim ambassadors came together to establish 'Islamic Culture Center' (Simonsen 1990).

It is the responsibility of the state to see to it that there are burial places for everybody, irrespective of belief. § 16 of the law in question opens up for the laying out of municipal burial grounds, but so far this has not happened. Consequently, the existing burial places are, with the exceptions mentioned below, all belonging to The Folk Church. Dissenting religious communities can, though, lay out their own burial places²¹. Furthermore, acknowledged or recognised religious communities can obtain sections on the cemeteries of The Folk Church if the Minister of Ecclesiastical Affairs as well as the local churchyard management authorize it. There are Roman-Catholic sections in 17 places, and Muslim sections in at least five places.

The problem for the Muslims - for many years preferring to be buried in the country of origin - is that a grave in Denmark cannot be left in peace 'to the end of the world'. Some Muslims, besides, do not want to be buried in the (Christian) 'hallowed ground' at the sections mentioned above.

Some years ago, the Minister of Ecclesiastical Affairs promised to help find a place. When a ground was found, though, the price suddenly skyrocketed and the Muslims could not find the money needed. Finally, in 2006, in the wake of the cartoon crisis, 24 Muslim organisations cooperating in the "Danish Islamic Cemetery Fund" bought a piece of land in the outskirts of Copenhagen. The cemetery was officially inaugurated in September 2006²².

opposition to many practising Muslims. Khader was very explicit in his dislike of the imams who headed the committee that protested against the cartoons and later traveled to the Middle-East to gain support for their case as they complained that the cartoons were part of a more general smearing campaign against Muslims in Denmark.

²¹ The Jewish community, the Reformed Church in Fredericia, and The Brethren in Christiansfeld are the only ones who have done so.

²² The Ministry of Foreign Affairs immediately, cf. the cartoon crisis, put the event at its website. The Minister of Integration, in her speech during the inauguration ceremony, said that she had just learnt that the burial place was a testimony to the will of Danish Muslims to be buried in their home country, Denmark. "Words", she was quoted saying, "that warms your heart". Strange words, one might add, since a Muslim cemetery has been a strong wish for more than two decades.

Islamization of immigrants and securitization of Islam

Looking back at the history of Islam in Denmark, incl. the public discourses, it may be divided in four periods: 1: 1967/68 to 1973, 2: 1973 to the mid 80s or maybe 1989, 3: from 1989 until 2001, and 4: from 9/11, 2001 up to 2007.

The first is that of the 'guest-worker'. Hardly anybody mentioned problems of integration, neither in society nor at the workplace, due to (differences in) religion, culture or language. The guest workers were not here to stay, and there was work enough also for ethnic Danes.

The guest workers primarily met in coffee-houses and clubs related to nationality, even though some initiatives to support them and identify them as *Muslims* were taken quite early. Most important with regard to the future was the initiative taken in 1971 by a series of Arab-Muslim embassies to establish what was later (1976 and onwards) to become an influential mosque and organisation, the *Islamic Cultural Centre* (Simonsen 1990).

Then came the 'oil crisis'. The economy no longer boomed, unemployment increased. Following the laws of 1973 and 1974 mentioned above, the welcome guest workers turned into unemployed immigrants and heads of families. No longer a welcome labour force but a social-economic burden. Competing with autochthonous Danes for social security money, - and a threat to Danish welfare and social security.

Simultaneously, the guest worker as head of a family became responsible for the transmission of culture and religion to the children, children daily exposed to Danish ways of living and thinking. Consequently, organisations hitherto focused on ethnicity and nationality were supplemented and substituted by more religiously defined associations, mosques, Quran schools, and private schools. In some public schools in specific areas of bigger cities, the number of pupils and parents with no or few competences in Danish language and with little cultural and economical capital grew, with consequences, of course, for the teaching and whole life of those schools. Discussions about halal-food, Muslim wishes in regard to decency, sports and the like soon became heated.

The debate grew more and more Islamophobic, and it did not make things better that unemployment increased at the same time as did the number of Muslims as Denmark from the mid 80s began to receive refugees from Muslim countries (1985-> Iranians; 1986-> Palestinians). The end of this period or the beginning of the third coincides with a certain Mogens Glistrup launching a new political party with a primary agenda of cutting taxes and with an up-front rhetoric, bordering to hate-speech and neo-racism and directed against immigrants now conceived of and termed Muslims. Or, as Glistrup and likeminded said: 'Muhammedans'. Glistrup, laying the foundations for the Danish People's Party, launched in 1995, did his best to convince the public that Muslims and Islam were the major threat to Danish welfare and culture. Though convicted several times for racist rhetoric or hate-speech, he sometimes got away with it, for instance when he said that

‘Muhammedans’ procreate like rats. By the end of the 80s observers noticed that the public discourse had changed, and in 1989 Sørensen (1989) said that the “Hysteria over Islam” in the media now had reached new heights.

So, when Muslims became more and more of a ‘problem’ in the Danish media, they also increased in numbers, established more and more Muslim institutions, most likely increasingly identified themselves with reference to Islam, to a large degree positioning themselves in a defensive position tending towards segregation, - and for economic and social reasons often living in what was to become named ‘ghettos’. The media, furthermore, showed Muslims elsewhere involved in revolution, war, terror and violence²³.

With the end of the Cold War in 1989 came the need for new enemies, and with globalisation and the continuous building of a stronger and larger EU, glocalisation, neo-nationalism and neo-racism. Events all in one way or the other palying a role in the reemergence of religion into world politics and politics of identities, with Islam playing a particular role, in the Muslim world but also in the Western world, not least in Europe, where a new kind of religious and cultural pluralism slowly turned the European project into more than a political-economic project.

Islam, besides, was seen as the proto-type of a survival, the kind of religion ‘we’ had left behind, a pre-modern and anti-modern religion, at least in its ‘essence’. Islam became the new enemy, the dominant threat to the dominant cosmology and politology (including the idea and ideal of the right position of religion vis a vis a politics and the state). Another consequence of the end of the Cold War, so it is argued, was a feeling of victory and triumph, maybe even an arrogance of culture, on the side of ‘the West’²⁴.

While quite a few ethnic Danes tried to define and cling to ‘Danish culture’, often with reference to Lutheran-Protestant Christianity, and in contrast to Islam and ‘Muslim culture’ *and* to the part of European culture seen as influenced by Catholicism, some Muslims, of course, clung to their essentialist notions of Islam. The way was paved for rhetorics on so-called European values (sometimes with reference to Christianity and for trading in images of Islam and Muslims as the significant Other.

In Denmark one political party, *The Danish People’s Party*, seconded, however, by other parties, from the mid 90s also traded heavily, almost solely, on the Muslim Other, in Islam as the threat to the welfare state, democracy, Danish

²³ The Iranian revolution and the occupation of the US Embassy in Tehran in 1979; the Iran-Iraq war 1980-1988, the war in Afghanistan 1979-1989, the civil war in Lebanon 1975-1990, the continuous conflict between Palestinians and Israel; the elctions and subsequents terror in Algeria in the beginning of the 90s, the first attack on the World Trade Center in 1993 etc.

²⁴ For a non- Danish version of the development described above, cf. Allievi 2006. About the developments in Denmark, not least in the media, cf. Andreassen 2005, Christensen 2006, Dindler & Olesen 1988, Hervik 1999, 2002 and 2006, Hussain, Yilmaz & O’Connor 1997, Hussain 2000, Jensen 2004a. See also Gaasholt & Togeby 1995, and Togeby 1997.

culture etc. Problems related to integration were formulated primarily in terms of clashes of culture and religion, - and this was not due primarily to S. Huntington. When the neo-liberal government came into power November 2001, the 9/11 terrorist attacks on WTC and consequent animosity towards Islam and Muslims, did probably play a role during elections. One may, however, argue that Islamophobic discourses would have played a role anyway.

The publication on September 30, 2005 by Jyllands-Posten of the now famous Muhammad cartoons or caricatures, consequently, must be interpreted also in the light of this Islamophobic context²⁵. Glistrup was mentioned above, as a forerunner of the Danish People's Party, the present government's parliamentary basis since 2001. Examples of hate speech by MPs or local politicians belonging to this party are legion. To mention but a few: Louise Frevert, a leading member of the party, while running for mayor in Copenhagen during the time of the cartoon crisis, called Muslims a 'cancer' to Denmark. The police dismissed charges filed against her, freeing her of responsibility for the text on her website. Two other MPs, both formerly ministers in The Folk Church, are famous for their outspoken disrespect for Islam. They have claimed for years that Islam and Muslim immigrants ought be the central issue in Danish politics, since, as they see it, Muslims and Islam constitute the major security risk in terms of a threat to Danish culture²⁶.

The leader of the party, Pia Kjaersgaard, is of the same opinion. To give but one example, from the time up to the publishing of the cartoons, Kjaersgaard, in her weekly newsletter, June 13, said that areas in Copenhagen and other big cities have become:

(...) populated by people on a lower stage of civilisation. Bringing with them primitive and barbaric customs, like killing in the name of honour, enforcing marriages, halal-slaughtering, - and in favour of blood revenge.

At other times, she and her like minded, simply state, that "the muslim way of life is incompatible with Danish Christian way of thinking".

To what a degree this discourse has been taken over even by ministers of the government, two examples may indicate. At the annual meeting of the Conservative People's Party, the Minister of Cultural Affairs, declared that

(A)n medieval Muslim culture (will never be) as valid here in Denmark as the Danish culture... There are still many battles to win. One of the most important ones has to do with the confrontation we witness when seeing how immigrants from Muslim countries refuse to honour Danish

²⁵ Jensen 2006b for an analysis of aspects of the affair; cf. also Engelbreth & Seidenfaden 2006.

²⁶ A fairly influential group of public intellectuals and politicians for years have provided the market with books on Islam stressing the 'danger'. Mention may be made of e.g. Brix, Hansen & Hedegaard (2003), Brix & Hansen 2002, Pittelkow 2002, and though quite the same, Jespersen, Jarlner & Holm 2002.

culture and European norms. In the midst of our country, parallel societies are developing with minorities practising their medieval norms and undemocratic ways of thinking. We cannot and must not accept this.

The speech was delivered September 23, less than a week before the publication of the cartoons.

The Prime Minister, just a year before, in his opening speech to the parliament, October 5, 2004, said:

certain spiritual leaders, imams and muftis (...) vehemently oppose integration with their sayings in favour of suppression of women, their lawreligious demands to the young generation and their obdurate preaching. I know that most Muslims in this country do not share the medieval view of life of these imams and muftis, but I am worried because these fanatic religious leaders are contributing to the creation of divides and confrontation in Denmark.

The Prime Minister did not blame all imams or Muslims in general. Yet, there is reason to suppose that some Muslims as well as non-Muslims, may hear his words as in line with the Islamophobic discourse, the trajectory of which has been outlined above. When *J.-P.* published the cartoons and the text accompanying them (cf. what was said earlier on this), it was no wonder if some Muslims as well as non-Muslims read them in this larger context, and it was to be expected that the Muslim ambassadors who sent a letter to the Prime Minister as well as other groups of Muslims who protested saw the cartoons as but one more instance of a 'smearing campaign' against Islam and Muslims in Denmark.

More than a year and a half after the printing of the cartoons and a year after the culmination of the crises around the world, they are still a matter for serious discussions and disagreement²⁷. Now also discussions and disagreement as to whether they, irrespective of motives for printing them, helped pave the way for a less timid, more open and needed debate about freedom of expression and religion (especially Islam)? Or, whether they rather helped strengthen the rigid positioning of 'us' against 'them', and the idea of a 'clash of civilisations'? During the crisis the popularity of the Danish People's Party increased, and later polls showed that more Danes than before had negative attitudes to Islam and Muslims. Other and more recent polls say that there is a decrease in number of immigrants who, if asked, say that they experience discrimination from ethnic Danes. So, the picture is all but clear, and there is still no agreement on how to answer the burning questions: How do non-Muslims, scholars, politicians, and citizens deal with Islam and Muslims in such a way that we do not pave the way for further radicalization and militant confrontation?

²⁷ A useful *reportage* on the climate in Denmark can be read in Omestad 2006.

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