

*What is freedom of expression? Without the freedom to offend, it ceases to exist.*

Writer Salman Rushdie  
(Twitter Web App, 12 August 2022)

*While it is true that nationalism and expressions of identity are on the rise, I think that there is still a need for art that challenges these ideas and pushes us towards a more global, interconnected understanding of humanity.*

Author [Boris Groys \(or his avatar?\)](#), 2023

### II.3 Social, commercial and religious pressures

This section of our research on Freedom of Artistic Expression (FoAE) deals mainly with societal challenges that often originate in, or are fuelled by, social media bubbles ('social' is actually a code word, since most of these posts have commercial or political godfathers). Since several of the examples in our chapter concern what is now often called '**identity politics**,' one might ask whether this author is really best equipped to deal with the matter.

Doubts may arise, among other things, because of his age (78), his gender or even his skin colour. His many studies monitoring the development of gender equality don't matter because of the author's lack of affiliation with the queer scene. What's more, he is not active on Facebook, Instagram or other popular platforms. The fact that he has written a book on cultural identity and the free flow of artistic ideas and people in Europe (see box) cannot excuse him in this respect, as

#### **Identity – an ambivalent concept**

*Basically, we can only be in favour of using the term 'identity' if its Janus face is taken into account at the outset. From the perspective of a respective counterpart (someone from another culture, with a different mental attitude or political interest), this term can in principle mean the opposite of what is generally associated with it, namely non-conformity, living or thinking differently, the big or small alternative... For a cultural Europe, the concept of identity remains nevertheless an interesting category, despite its ambivalence. What will we ultimately find in common? Perhaps it is the many individuals who are searching for identity and whose selfhood could paint the overall picture.*

(A. J. Wiesand: *Kunst ohne Grenzen?* Cologne 1987, p.29)

the work is over 35 years old and its arguments may therefore be outdated. Consequently, I must leave it up to the reader to decide, whether the following pages can at least provide food for thought and debate.

In addition to the **language issues** discussed already in the last chapter, there are a few other considerations that merit attention. As a living, ever-changing means of communication and, at the same time, cultural heritage, language tends to find solutions over time that reflect social transformations in terms of concepts and grammar. In this context, new language norms can emerge or be demanded, which have been the subject of heated debate in Europe for some years now. This is particularly true of "gendering," which was originally intended to contribute to equality between men and women, but which is now being questioned by some activists in the wake of the transgender debate.

The *Compendium's* country profiles provide details of current language regulations in many European countries. Attempts, mostly by conservatives, to stop or at least control language change should be met with scepticism: For example, after a majority in the French Senate

passed a bill in late fall 2023 that aims to administratively protect the country's language from "excesses of an inclusive spelling," it is by no means guaranteed that this view will actually be respected by the population in everyday linguistic usage.

While we may agree that the freedom of writers and journalists to use and shape language according to their own intentions should not be interfered with, this goal can easily face stumble blocks these days. A recent study by sociologists at the Humboldt University in Berlin (Steffen Mau, Thomas Lux, Linus Westheuser: *Triggerpunkte*, Suhrkamp 2023) shows that, on the one hand, there is widespread public agreement on the urgency of major societal challenges such as diversity and gender equality, migration. and climate change mitigation. On the other hand, this consensus can abruptly disintegrate as soon as certain codes of conduct and related terms emerge – what the authors call “**trigger points**”. Such triggers are activated when people realise that a 'can' provision could become a 'must' if consequences such as social isolation or the stench of discrimination are to be avoided.

In addition, in the arts, the media, as well as in education and academic settings, we can see a tendency to reject irritating or painful triggers, particularly terms or issues that challenge one's own strongly held beliefs or those of the group or community with which one is associated. The avoidance, or even the attempt to banish, such disturbing views in public communication and artistic expression seems to be more prevalent among the younger generation; it has become, a common phenomenon in parallel with the rise of social media e.g., in many American universities, but can now also be found in European milieus.

Indeed, the use – or not – of certain expressions can put artists, writers or scientists who were once friends into opposite trenches in a **war of words** (the box, based on mentions in many texts, lists some of the currently prominent accusations on both sides). Artists, and intellectuals were so far, for the most part, seen in the first group and their critique of ideology has long been an established field of social research.

Our focus here is therefore on the more recent, not yet fully researched 'trench' on the other side. A growing number of, equally 'progressive', artists and intellectuals, most recently the Dutch author [Ian Buruma](#) (2023), are now concerned about exaggerated identity politics, because connected campaigns can lead to new forms of social or self-censorship.

Some of the accusations, underlined in

the box, can actually be found on both sides of the trench warfare. This suggests that the new moral outrage could also be addressed through established theoretical and empirical research techniques, including critiques of ideology studies. For reasons of space, however, this article can only deal with a few examples of particular relevance for FoAE, characterised by terms such as "cancel culture" and "wokeness".

#### **Two trenches: A war of words in Western countries**

##### **Allegations of "progressive" critics, often including artists/intellectuals:**

Antisemitism – authoritarian mindsets – ensorship – cultural appropriation – fascism – fundamentalism – islamophobia – LGBTQ+ hate – misogyny – neo-colonialism – patriarchal moralism – (algo)populism – offensive terminology – racial identity politics – racism – white supremacy – wokeness – xenophobia – etc.

##### **Allegations of "conservative" or "liberal" critics, increasingly also of artists/intellectuals:**

Antisemitism – cancel culture – social ensorship – de-platforming – elitism (of the well-educated) – fundamentalism – hypocrisy – feminist moralism – public confession rituals – puritanism – racial identity politics – reverse racism – tribalism – "third worldism" – wokeness – etc.

Fortunately, others have begun to analyse these US-inherited political phenomena in depth, most recently *Susan Neiman* ("Left Is Not Woke", Hoboken 2023). The American philosopher concludes that the intellectual roots and resources of wokeism amount to tribal attitudes and thus may be at odds with the ideas – particularly the commitment to universalism and the clear distinction between justice and power – that have guided progressives over the past two centuries. This, she argues, could undermine their own goals and push them into a right-wing or reactionary corner. With regard to the universities, where such movements have often originated, Neiman points to the pernicious influence of two seminal twentieth-century philosophers, Michel Foucault and Carl Schmitt, whose work undermined ideas of justice and progress and portrayed social life as an "eternal struggle of us against them".

Let me start our tour d'horizon with a prominent recent witness against an increasingly common "**social (self-)censure**" in the arts, the Nigerian-American writer *Ngozi Adichie*. Some extracts from her BBC "Reith Lecture" can be found in the box.

**On valid criticism and social censure: [Ngozi Adichie's "Reith Lecture"](#)**

(BBC, 30 November 2022)

*One cannot help but wonder in this epidemic of self-censorship, what are we losing and what have we lost? We are all familiar with stories of people who have said or written something and then, faced a terrible online backlash. There is a difference between valid criticism, which should be part of free expression, and this kind of backlash, ugly personal insults, putting addresses of homes and children's schools online, trying to make people lose their jobs.*

*To anyone who thinks, 'Well, some people who have said terrible things, deserve it,' no. Nobody deserves it. It is unconscionable barbarism. It is a virtual vigilante action whose aim is not just to silence the person who has spoken but to create a vengeful atmosphere that deters others from speaking... This new social censure demands consensus while being wilfully blind to its own tyranny. I think it portends the death of curiosity, the death of learning and the death of creativity...*

*Literature deeply matters and I believe literature is in peril because of social censure. If nothing changes, the next generation will read us and wonder, how did they manage to stop being human? How were they so lacking in contradiction and complexity? How did they banish all their shadows?*

While museums and galleries in Europe are generally more tolerant today of exhibits that would have been considered illegal **pornography** 60 or 70 years ago, artists can still find themselves on thin ice when they deal with controversial issues and activists get involved. For example, the painting "Fuck abstraction" by the Swiss artist Miriam Cahn, which was exhibited at the Palais de Tokyo in Paris, caused controversy in 2023: Six associations filed a lawsuit against the painting for "glorifying child pornography". The work shows a frail, bound and kneeling figure performing fellatio on a large silhouette. However, the case against Cahn was rejected by the Paris Administrative Court ([dlfk](#), 29 March 2023), because the painting was shown in a context aimed at denouncing the horrors of war, including the use of sexual assault as a weapon in military conflicts.

In addition to community pressure groups, **commercial media companies and platforms** also play their part in acts of censorship, whether for marketing purposes or political correctness. Two examples:

On 19 May 2020, an international coalition of arts and free expression organisations, including, the National Coalition Against Censorship (NCAC), IBEX Collection, Article19, PEN Americas Artists at Risk Connection (ARC), International Arts Rights Advisors (IARA) and Freemuse, launched a virtual gallery called [Don't Delete Art](#). It showcases artworks that are banned or restricted on social media. The gallery was originally created "in response to artists' increased reliance on social media platforms as the coronavirus pandemic forced global closings of physical art spaces."

Social media can now be regarded as one of the world's most important art spaces and the initiative sees artists in a vulnerable position with regard to "the chaotic manner in which platforms, such as Facebook, Instagram, Tumblr and YouTube, remove and restrict art" that they vaguely define as "objectionable." Works deemed to be obscene clearly play a role in such decisions. The gallery can be seen as a tool to promote artists' self-reliance and describes itself as "part of a campaign calling on social media companies to adopt a clear set of notice and appeals principles guiding the regulation of art online and allowing art to circulate freely in the online environment."

Puffin Books, a British publisher, has changed or eliminated **words deemed "inappropriate"** in more than 100 passages in two works written by *Roald Dahl*, a famous writer of children's

books. For example, in the new edition of *Charlie and the Chocolate Factory*, revised with the consent of Dahl's heirs, a character is no longer described as "enormously fat" but simply as "enormous". As *The Guardian* explains, this move (backed by our current copyright rules) involves extensive changes including the deletion of words, defined as "non-inclusive" or "offensive" such

#### **Roald Dahl censored by his publisher and heirs**

Martin Sommer in *De Volkskrant* (NL), 21 February 2023:

*Unlike publishers, children know very well that Roald Dahl's words are meant to be read aloud at story-time, and do not necessarily correspond to reality. ... It's the adults who no longer know what fiction is. ... The paternalistic encouragement to nurture only beautiful thoughts is not confined to children's souls. ... Sensitivity readers, who are supposed to protect sensitive minds from evil influences, are also on the rise in this country. No words are too strong in warning against this. Democracy only thrives with free thinking, and that includes bad thoughts.*

as allegedly "small" and "dwarf". PEN and critics around the world are alarmed, not least because similar acts of social censorship have been going on for some time in other areas of the arts and media such as films or TV series. To quote [Kenan Malik](#) (2006) again: "Free speech does not mean accepting all views. It means having all views in the open so that we can challenge the ones we find unconscionable. Today, we do the exact opposite: ... To deem an idea 'offensive' is to put it beyond the bounds of rational debate."

Should artists adhere to the notion of social offensiveness and its attendant moral brakes? Should they respect the now widespread ban on certain, politically incorrect terms? On the contrary, says *Markus Reinhardt*, descendant of the French jazz legend *Django Reinhardt*, who [announces](#) in his concert programme for 2022 that he is proud to perform "gypsy music" (German: *Zigeunermusik*), and regrets that such terminological issues have always been decided over the heads of the people concerned.

A remarkable example might have helped – but ultimately did not – to answer the question of whether we are heading towards **a transformation of attentiveness or social respect into a culture of overprotection**. First the facts:

Not least because of its title: "[Strength of Hijab](#)", a sculpture by British artist *Luke Perry* attracted worldwide attention in September 2023, shortly before it was to be installed in Smethwick, West Midlands (UK). It is intended as a tribute to women who wear a headscarf and is believed to be the first artwork of its kind in the world.

The artist [hopes](#) his work will soon be "a beloved part of the community" and sees it as a contribution to greater social cohesion: "The future of our country is about what unites us, not what divides us".

Precisely this vision – the contribution to 'social cohesion' – could be questioned, as the *hijab* is often seen as a patriarchal rewriting of religion. The sculpture in question also quickly led to protests: [Megan Manson](#) of the British National Secular Society, for example, believes that the statue is "a slap in the face to every woman who rejects the *hijab* code", especially as it was unveiled just days after the first anniversary of the anti-*hijab* protests in Iran. It's as if it was timed as an act of triumph against Iran's brave women who dare to show their hair. It feels like a tribute to the morality police who crush women's rights under their heels every day." She adds: "At a time when the UK should be prioritising community cohesion and the basic human rights of all its citizens, its embrace of religious fundamentalism threatens to deepen divisions and push the already marginalised further out of public life.



Please, let's not get into a debate about the aesthetic merits of this statue. Rather, let us see how difficult it can be – not only for artists! – to live up to goals like 'social cohesion'. Indeed, the term itself can have different connotations that do not always correspond to 'progressive' interpretations. At present, similar expressions are also used, for example, in Russia or Hungary to justify the silencing of dissenting voices among artists and intellectuals. In Germany, we are still aware of the implications of supposedly harmonising concepts of the past, such as the Nazi 'Volksgemeinschaft' or, less dramatically in the 1960s, the 'Formed Society' (*Formierte Gesellschaft*), particularly for the arts and other unconventional forms of individual and social expression. Could we use the above example as an occasion for an open and respectful dialogue about the implications 'social cohesion' can have for artistic work? Perhaps a concept such as 'Cohesive Diversity' ([ERICarts](#), 2008) might be an answer that better fits the task of addressing current conflicts (and their solution) in European societies.

A few words on **general developments in the media** that are relevant for our research, because especially the FoAE of creators who don't contribute to Internet formats could be endangered:

- Theorists identify a "simulation" of reality through traditional and new media (Jean Baudrillard, *Simulacra and Simulation*. Ann Arbor 2004);
- Intra-media diversity is increasingly being replaced by an exploding inter-media variety;
- Since the advent of new digital media, former consumers are trying to become producers, some of them with great success (in entertainment/gamification formats);
- Internet art and literary channels still largely reach minorities;
- The media are increasingly focusing on people or their lifestyles, rather than issues;
- Journalists in traditional media react with intermedial exploitation of real or fake incidents or issues related to people (Sören Kittel, *Berliner Zeitung* 26 November 2022).

More recently, [Chantelle Gray](#) (*The Conversation*, 19 March 2023) sees a "weaponisation of communication" or "[algotopulism](#)", based on algorithmic processes with the power to create "new, sometimes 'alternative', realities" that can shape our minds and feelings: "One reason algotopulism spreads so effectively is that it's very difficult to know exactly how our perceptions are being shaped. This is deliberate. Algorithms are designed in a sophisticated way to [override human reasoning](#)."

Perhaps we should aware that the more public outrage generated by controversial posts on social media platforms, the more the economic and political calculations involved are fulfilled. Might less, or less nervous, reactions be a potentially more appropriate remedy in such cases,

as this might help to lower such expectations and make, for example, hate speech less attractive both to the authors of these posts and to the revenue plans of the platforms?

As mentioned in previous chapters, **people's born or chosen gender and sexual orientation**, including belonging to one of the LGBTQ+ communities, is often used as a pretext for discrimination or outright harassment. Particularly in smaller towns or certain neighbourhoods in some European countries, creators and intellectuals may also be affected if their behaviour or works are perceived to be

contrary to regional, national or specific cultural traditions. Our article cannot cover all the contradictions that characterise frequent conflicts in this area, but Eszter Kováts, who teaches political science at the University of Vienna and is a Central European University research fellow, mentions at least some of these problems and exaggerations in her philippic "When radical zealotry meets the polarising populists" (excerpts in the box).

Her concluding suggestion: "Academics and activists committed to social justice should adopt a more tempered and reflexive approach."

Legislative action, by the way, does not necessarily calm activists' nerves: In January 2023, Nicola Sturgeon of the Scottish National Party, then First Minister but resigning shortly afterwards, was heavily criticised by feminists because Scotland's new [transgender law](#) did not rule out the possibility of a transgender rapist being sent to a women's prison.

Ever since the author *Salman Rushdie* was threatened with death by Iran's Ayatollah *Khomeini* in 1989 for his book *The Satanic Verses* – and still is, as the 2022 attack in which he lost an eye demonstrates – or since the so-called "Danish cartoon conflict" in 2005 (following the caricatures of the Prophet Muhammad in a newspaper) and the horrific attack on the French magazine *Charlie Hebdo* in 2015, we must be aware that **breaking religious taboos** can be suicidal. Exercising (or not) one's freedom of expression in such cases can therefore become a difficult choice for artists and writers.

In some countries, writers and artists have more or less voluntarily stopped dealing with religion or church issues, be it with regard to Islam, Christianity or Judaism, etc. A well-publicised incident took place already 2006, at the *Deutsche Oper* in Berlin: The director cancelled performances of Mozart's *Idomeneo* because the heads of stage decoration icons of Jesus, Muhammad and other religious leaders were to be torn off in a particular scene. This came on the heels of the uproar following the Danish Muhammad cartoon row, so some argued that the director was simply trying to ensure the safety of opera-goers. Others spoke of self-censorship.

How could we deal with this issue from a European perspective? Drawing inter alia on the jurisprudence of the *European Court of Human Rights* (ECtHR), legal expert [Lorenz Langer](#) (in *Culture and Human Rights*, 2016) concludes that a balance of rights must be found in a

#### **E. Kováts: Gender dogmatists of a "new secular religion"?**

*Views about social justice in certain contexts have become for certain activist-scholars such convictions that they can be compared to religious dogmas. For Magdalena Grzyb the 'queer version of LGBTQ+' is such a '[new secular religion](#)'. Some claims and practices can indeed be compared to zealotry, 'such as the creation of rituals and acts of faith; confessions; the [legitimization of violence against opponents](#); the sacralization of concepts like the notion of gender identity, which is deceptively similar to the notion of the metaphysic Catholic soul; the exclusion of heretics (i.e., gay or transsexual people who express critical opinions ... as well as lesbians who oppose the deconstruction of the category of "woman"), and who are deemed [worse](#) than open enemies'. This religious approach can immunise against alternative arguments, while categorising interlocutors as faithful or heretical can be detrimental to academic inquiry and open political debate".*

[Social Europe](#) on 27 February 2023

secularised legal order: "Under a human rights approach, the religious sensitivities of the faithful may well be safeguarded; a religious creed or its prophets, on the other hand, are not protected." Can this position be a bridge, or could the issue of "sensitivities" once again serve as a gateway as a justification for censorship or even for **fundamentalist attacks**?

Obviously, there is no ready-made answer that covers all possible scenarios, either in terms of the actual or planned violation of a religious taboo or in terms of the potential outrage of fundamentalist adherents of the respective creed, which could endanger the public order or lead to casualties. In other words, serious empirical assessments will be required in all such cases. However, in the context of the present study, we could conclude that **artistic intentions and means of communication** must be present when the right to FoAE is claimed. Blatant provocations without these or other relevant motives, such as the recent burning of copies of the Qur'an in Sweden, will probably not deserve this protection.

But let's not forget that 'fundamentalism' is not only associated with certain beliefs and practices in many world religions. According to [Montserrat Gas-Aixendri](#) (Culture and Human Rights, 2016), **secular fundamentalist positions** can also be identified which seek "to impose a secular (non-religious) lifestyle on all individuals entering the public sphere and advocate a limitation of religious expression in public". France has long been a protagonist of this political concept.

In the first article of our series, we looked at the freedom promised to artists and writers by the principle of "artistic licence" which could serve as a potential remedy against censorship or calls for more "balanced" activities in cultural institutions. However, this remedy does not seem to work everywhere, as illustrated by **a recent theatre scandal in Munich: the "Birds" conflict**. Because of its relevance, I'd like to go into a little more detail here:

In mid-November 2022, the privately run but city-supported *Metropoltheater* cancelled a play that had been running there since early October: "*Vögel*" (Birds) by *Wajdi Mouawad*. The play had previously been successfully staged worldwide, including in other German cities and in Tel Aviv. In 2018, it won the prestigious French *Grand prix de la critique* for the best play. It tells the story of Etan, a young Jewish bio-geneticist from Berlin, who falls in love with an Arab doctoral student in New York. Etan's parents disapprove of the relationship and accuse their son of betraying his own people. The couple travel to Israel to explore this complex identity conflict.

The cancellation followed [accusations of anti-Semitism raised by the Association of Jewish Students in Bavaria](#) (VJSB) and the Jewish Student Union Germany (JSUD); according to them, this should have consequences for the theatre, including with regard to public funding. Jochen Schölch, director of the Metropol theatre and of the play feared that stopping the play could lead to allegations of "censorship and as a restriction of freedom of expression and art". Indeed, among the critics of the cancellation was the late Canadian historian Natalie Zemon Davis, who was actively involved in the Paris premiere of "Birds". According to her, the play's main message is "the importance of accepting people who are different from us, of being open to the other". She continued: "If such messages are not acceptable in today's Germany, then international observers like me must wonder what kind of ideas are still acceptable there." (SZ, 22 November 2022) The directors of the NS Documentation Centre and of the Munich Jewish Museum responded with this message on 18 November 2022: "The memory of the Holocaust among Jews is multi-faceted – and different voices left their marks in the play 'Birds'... If cultural institutions were to avoid related topics in the future, this could send the wrong signal not only to a living culture of remembrance but also to the democratic forces on both sides of the Middle East conflict."

In his interview with Peter Laudenbach for the *Süddeutsche Zeitung* of 2 December 2022 (see excerpts in the box below), Meron Mendel, born in 1976 in Israel and since 2021 Professor of Transnational Social Work at the Frankfurt University of Applied Sciences, sees a "generational" problem and considers the accusations of anti-Semitism against the play unjustified. For him it is a dubious perception of artistic expression when "people want to avoid being confronted with irritations, conflicts and possible injuries at all costs. This fails to recognise an essential quality of art, which of course can and must cause irritation."

#### **A cancelled play in Munich: "Feelings are not arguments"**

**SZ: Mr. Mendel, do you understand the allegation that Mouawad's play "Birds" is anti-Semitic?**

*Meron Mendel: No, because this accusation is based on two errors: On the one hand, the Jewish Students' Union criticises the play for not showing a representative, balanced picture of Israel. Secondly, it accuses the play of trivialising the Holocaust. The first accusation raises the question of whether it is the task of a play to show reality as representatively as possible. A play is not a university seminar, art is allowed to provoke. Not everything that individual characters say has to be politically correct and balanced. Theatre characters don't have to perform like the UN Secretary General. Yes, the play is not an objective portrayal of Israel, but that is not its task either. Statements made by characters in the play are brought forward as evidence for the second accusation. However, it is dishonest to interpret a message of the entire play into such, admittedly provocative, positions of a fictional character.*

**Does the play demagogically polemicise against Israel?**

*No, it is not polemical demagoguery against the state of Israel or Judaism... It would be silly to demand that sympathy in a work of art be distributed evenly according to quotas among all the different groups, religions, genders, age groups or skin colours.*

**The French premiere of the play was shown at a guest performance in Tel Aviv. What was the reaction to it in Israel?**

*Predominantly positive. The collaboration of Jewish and Arab actors with a Lebanese-Canadian playwright at a French theatre was highlighted as something special. The production was even co-financed by the Israeli Foreign Ministry! Unfortunately, such projects have become rarer in recent years. The boycott movement BDS fights every form of cooperation... Those who now want to prevent the performance of the play are following the logic of the BDS movement.*

**The critics react to specific sentences said in the play which they find unacceptable. Do you agree?**

*No. There is a fundamental difference between character speech, the statements of individual protagonists, and the message of the play. Of course, in plays that are directed against fascism, such as those by Brecht or Horvath, characters can utter National Socialist slogans. If you don't understand and accept this difference, you can't really make theatre any more...*

**The students' union's harshest accusation is that the play "Birds" trivialises the Holocaust. Can you understand that?**

*Again, sentences said by a character in the play are hastily equated with its message. In a heated family argument, a character makes comparisons that one can find inappropriate. But this scene is about the difficult relationship between people from the generation of Holocaust survivors and their children and grandchildren. The scene shows precisely the continuing trauma of the Holocaust. It is absurd to see in it a trivialisation of the crimes of National Socialism. The audience is intelligent enough to understand these very emotional sentences of a theatre character in the context of the scene, and not to take them for a statement of the play...*

**The critics of the play demand [consequences], because the performance hurt their feelings.**

*Feelings are not arguments. Belonging to a minority group does not automatically mean that one has a monopoly on the truth...*

Occasionally, however, we also find **artist-led demands for restrictive measures** that could be associated with censorship. In 2022, an extreme example occurred again in Munich, at the



*Pinakothek der Moderne*. Media reports across Europe highlighted protests by the renowned painter Georg Baselitz against the exhibition of Adolf Ziegler, one of Hitler's favourite artists ([The Times](#), 4 October 2022). Ziegler's 1937 triptych *The Four Elements* had been placed by the museum's curators in their updated permanent exhibition, alongside works by painters who were persecuted by the Nazis, in order to stimulate learning processes among visitors. For Baselitz this was not the first such intervention: 45 years earlier, he was one of the main opponents of an inclusion of East-German artists in the world art show *documenta*.

One issue that is high on the political correctness agenda is the – of course, well-intentioned, but sometimes misunderstood – fight against what is termed "**cultural appropriation**". According to the [Cambridge Advanced Learner's Dictionary & Thesaurus](#), this term describes "the act of taking or using things from a culture that is not your own, especially without showing that you understand or respect this culture". Basically, it intends to address unequal power relations between those who give and others who simply take, or rather: have taken in the past, especially during the period of colonialism (the concept has strong historical connotations). Commendably, it also includes practices and artefacts, from which someone can derive material or ideational benefits that are not shared with practitioners or creators of the originating culture. Current moves in some European countries to **return illicitly acquired museum's artefacts** – such as the "Benin Bronzes" – to their countries or regions of origin relate to this concept.

While morally justified, the historical bearings of the concept can also be seen as contributing to some of its shortcomings, not least because it is now often applied in much broader forms in the everyday life of Europeans and around the world. For example, in children's processions during carnival, costumes depicting Native Americans or people from other world regions are now often a no-go, at least in Western Europe. Sometimes the concept is also applied to other human characteristics, be it gender, age, nationality or sexual orientation.

#### **Selaocoe: Mutual inspiration or 'cultural appropriation'?**

*Abel Selaocoe was born in a South African township, close to Johannesburg. His first cello teacher Kutlwano Masote taught him how the world of the European classics could be combined with the spirituality of African music. At the Royal Northern College of Music in Manchester he further developed this knowledge and recognised: "The physicalness of African music is quite similar to what I do when I play Baroque music on my instrument". This relationship can be verified when Selaocoe performs cello suites of Johann Sebastian Bach and connects them with his own songs that are closely rooted in the African musical culture. Listeners are excited about his talent to bridge the often-deep rift between African and European music and wander between the two worlds.*

(from a concert programme of the Cologne Philharmonic, November 2022)

What's more, voluntary artistic and scholarly exchanges across continents, which used to be cherished as facilitators of mutual processes of learning and appreciation, may now come under scrutiny, when the protagonists belong to different ethnic groups. All of this could lead to the opposite of the original intentions and calls, in my view, for efforts to rethink – and update – the concept.

On a more personal note: I was privileged to grow up with people like *Thelonius Monk*, *Howlin' Wolf* or *Muddy Waters*. My mother was a photographer at jazz and blues concerts and the musicians were often received at our home. From this experience, I have a specific, sort of 'insider's' view of the concept of appropriation. What I learned in my youth, six decades ago, is

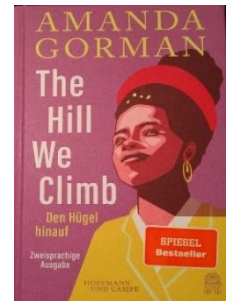
that these artists were very open and professional in their contacts with European colleagues. Howlin' Wolf's efforts to teach – far away from fears of 'cultural appropriation' – later famous British newcomers such as Eric Clapton, Steve Winwood or Charlie Watts how to play the blues can still be followed on [YouTube](#).

By the way, the success of such efforts was by no means certain for self-reliant colleagues like *Muddy Waters*, as he later said in an interview: "They ain't got enough soul"! At first sight, his sceptical view seems to contradict what could be considered positive outcomes of 'intercultural learning'. But no matter: In more than 50 years of culture-related research, I have learnt to live with all sorts of theses and anti-theses, including to particularly cherish the unexpected results...



International human rights conventions prohibit **judgment or discrimination on the basis of 'race'**. I have to admit that I was a bit shocked when, in the course of researching this study, I discovered that related attributions seem to be resurfacing in current 'social justice' discourses. This publication has space for two examples:

- **Amanda Gorman's** inaugural poem for US President Biden caused controversy when it was to be translated into German, Dutch and other languages. Activists argued – partly with success – that only "People of Colour" should be entitled to perform that task. Critics, on the other hand, saw the FoAE in danger.
- The sculpture **"Why Born Enslaved!"** (1873) by the French artist *Jean-Baptiste Carpeaux* had always been known for what its title suggests: an anti-slavery work – until the Metropolitan Museum (New York) decided to label it as part of a "white European power structure to oppress non-white people".



Two questions come to my mind: What should the *Compendium's* position be on issues of 'race' in cultural policies? And: Should curators be entitled to reverse the meaning of artworks against the creator?

### Some personal conclusions:

Clearly, my wanderings through the various aspects of freedom of artistic expression could not always provide clear-cut answers to all the questions raised in this exercise. While they may have provided insights into some of the issues involved, others had to remain unsettled. One of the reasons for this is that laws against 'censorship' and international treaties promising freedom of expression alone do not guarantee compliance in a changing political and technological reality. As we have seen, for example, in the case of certain traditions of authors' rights, regulations can even turn into the opposite.

In support of such doubts, I would like to mention a problem that could only be touched upon in this paper: We need to distinguish between **legal definitions and human perceptions**, be they individual or collective ones. This concerns the right to freedom of expression as well as other principles relevant in our context, including the prevention of 'discrimination'. Such distinctions can sometimes be quite difficult to make. For example, some people may feel discriminated against under the law if the focus is on their physical appearance rather than

their personality or talents ('ableism' in the case of disability). Others, on the contrary, may see first signs of discrimination, when their appearance, gender or public behaviour (including, but of course not limited to, 'pride' of their sexual orientation) is not properly recognised or respected. In fact, both situations can sometimes exist in parallel, especially when it comes to artists or so-called 'visible minorities'.

In my first professional position as a press officer at a leading German publishing house (Rowohlt) in 1969/70, I experienced not only the power that heirs of deceased authors wield with regard to their own definition of the integrity of a life's work, but also learned that a '**shitstorm**' – in those days, before the Internet: a press scandal – can multiply the success of a publication. We could perhaps use this example to put today's, sometimes excessive and disturbing, manifestations of hate or 'cancel culture' into perspective.

Such manifestations now often come from social media bubbles, so-called '**echo chambers**', where users' views are shaped or fears reinforced and where they do not have to face contradictions. This creates specific milieus made up of real people and, increasingly, avatars; which can be seen as a fertile ground for fake news and authoritarian fantasies. Traditional media education is struggling to deal with this phenomenon, which suggests that alternative, human-centred approaches may be more successful, where artists and journalists could play an important role.

There may come a time when we wish that Facebook, Twitter or X, TikTok etc. had never been invented, especially in their current, AI-powered versions. On the other hand, **artificial intelligence** companies are currently experiencing a boom, with even politicians calling for or promising investment, to secure national or European interests. A new gold rush? Or rather a challenge to legislators and all of us to tame the beast before it becomes unmanageable? The successful fight by screenwriters against the US media industry in 2023 is a signal that such efforts may not be in vain.

Let's face it, AI can potentially have, and already has had, beneficial effects, as seen in medical research during the last pandemic, but also in other areas, many of which of relevance for writers, artists and other cultural workers. It is therefore a good sign that the 2023 *Compendium* Assembly in Malta decided to focus on this issue in future research activities. Some guidelines can already be found in the UNESCO [Recommendation on the Ethics of Artificial Intelligence](#) (November 2021).

Another important issue was raised as an underlying question in some of the cases in this exercise, but could not be fully resolved: When discussing the freedom of artistic expression, are we dealing only with individual rights or do we also have to consider **group rights** (based on collective identities)? I am not a legal specialist in that field, but my humble opinion, and that of many experts in international human rights law, is that we need to broaden the previously narrow perspectives: extended community rights could be strengthened and possibly even brought before the courts, including to the ECtHR, in the future.

As we saw in the last chapter, this doesn't mean that we have to agree with everything that's currently being proposed or discussed in analogue or virtual communities. In this context, we could perhaps consider and debate the controversial idea of the anthropologist *Claude Lévy-Strauss* (in his last work *Le regard éloigné*, 1983) that, in order to **maintain cultural diversity and creativity**, it can be perfectly legitimate "to feel little drawn to other's values" as long as a "relative incommunicability" is not used as a pretext for oppression or destruction.

Artistic efforts and the media can help to clarify some of the ambiguities encountered in our research. For example, the 1999 historical film *Sunshine*, directed by István Szabó, depicts the conflicts, multiple ideological betrayals and the loss of identity of five generations of a Hungarian Jewish family, originally called *Sonnenschein* (German for sunshine), from the late 19th century of the Austro-Hungarian Empire to the mid-20th century with the 1956 Revolution against Stalinism. More explicitly, the 2007 object of the Estonian artist *John Phillip Mäkinen* (pictured on the right) captures in a nutshell the **multiple identities of a growing number of European citizens**, but can also be seen as an alert to warn us of judging others based on just one feature, be it nationality, creed, gender or the like.



At the International Compendium Conference 2023 in Malta, I tried to I resume possible consequences of my research, in particular:

- Return to **dialogues that tolerate (or value) diversity**;
- **Informed media use** can help to defuse sectarian 'bubbles';
- More **research on 'sectional' vs. 'intersectional' discrimination** is needed;
- Be practical, **create alternative spaces** – examples:  
***Don't Delete Art*** (the virtual gallery of artworks mentioned above);  
[Connected Artists in Transition \(ACT\)](#): A residency programme for artists in exile;
- **Learning, inspiring and collaborating.**

Looking at these proposals now, however, I somehow feel that they address only half of the truth, or at least need to be expanded and differentiated. I must leave this task to all cultural policy experts and arts, media and heritage professionals with similar concerns and hope to learn from the ideas and solutions they may find appropriate.

Finally, to all readers who are concerned about civil liberties and, in particular, about their own freedom of expression: Protect your rights, but don't forget that you may not always be right. A little more empathy, here and there, might help!

#### **Limits and chances of cultural policies**

*Culture is no remedy for all the illnesses in society. In place of "social engineering" efforts, a better objective of cultural policy in pluralist countries could be to seek means of governing our differences and managing conflict. This includes the ability of minorities to uphold what they consider important to maintain their collective and/or individual identity in another (dominant) culture, as well as the cultivation of a climate conducive to the creation of innovative works of art.*

A. J. Wiesand (2002), [Canadian Journal of Communication 27 \(2\)](#)

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**Please note:** This article was researched and written prior to the *Hamas* terror attacks in Israel on 7 October 2023 in Israel, during which over 1200 civilians were brutally murdered and others kidnapped; military action against the aggressor in the Gaza Strip (with 'collateral damage' again hitting many uninvolved civilians) was a consequence. The author of this text does not want to hide his current assessment of the conflict, not only because increasingly the latter is affecting freedom of expression: The *Hamas* massacres and other incidents clearly call for more national and international efforts to combat terrorism. Anti-Semitism and, indeed, any discrimination based on ethnic, national or religious background must be effectively fought, in accordance with European and international human rights instruments. The human dignity of

all inhabitants of the Near East region needs to be safeguarded and mutual respect for a culture of remembrance promoted – so far, hatred, fundamentalist ideologies and geopolitical concerns have often prevailed over empathy, compassion and consolation in the days and weeks following the attack.

While these and related positions alone will not suddenly stop the "cruel cycle of violence, almost biblical and apocalyptic in its ferocity" ([Seyla Benhabib](#), 2023), they could at least be seen as prerequisites for future human security and peaceful solutions in the region, at best in two separate states that do not question their right to exist. Of course, artists and other cultural practitioners should be free to contribute their own views on how to address this long-standing, tragic conflict.