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Combating Islamophobia through International Law: An Analysis with Human Rights Framework

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Abstract

This article explores the intricate problem of Islamophobia and how it affects religious tolerance and human rights. It begins by defining and analyzing the causes, current trends, and manifestations of Islamophobia to highlight its numerous difficulties. This article then examines international legal frameworks addressing this challenge by presenting case studies from India, France, Denmark, Korea, and selected nations that illustrate various approaches to combat Islamophobia. This article investigates the prospects for promoting religious tolerance and human rights in the face of Islamophobia, emphasizing the critical roles of civil society, education, interfaith dialogue, and policy recommendations as it offers a roadmap for future directions, recommending ways to build international consensus, strengthen legal mechanisms, and combat discrimination while calling for a collective effort to safeguard the principles of human rights and religious tolerance. Additionally, through a multidisciplinary approach, this article shall serve as a resource for policymakers, scholars, and activists committed to fostering a more inclusive and equitable society.

Keywords: Islamophobia, Human Rights, Muslim, Challenges, Religious freedom

1. Introduction

In a world that aims for peace, fairness, and rights for everyone, the ongoing problem of Islamophobia is a troubling issue. It means treating people who are thought to be Muslim unfairly because of their religion, and it's causing lots of problems for many individuals (United Nations, 2021). This is not only harming people but also challenging the idea that everyone should be allowed to practice their religion freely and be treated with respect. So, dealing with Islamophobia using international laws is a very important task. It is something that needs a careful look, deep understanding, and taking action to solve.

Generally, Islamophobia can be defined as the presumption that Islam is inherently violent, alien, and inassimilable (Beydoun, 2016). Combined with this is the belief that the expression of Muslims identifies as correlative with a propensity for terrorism (Beydoun, 2016).

Islamophobia remains an ongoing worldwide concern, marked by unfounded fear, bias, and unfair treatment of people or groups perceived as Muslim. This problem continues to grow due to various reasons, such as the media promoting stereotypes, politicians using divisive language against Muslims, online platforms reinforcing biased opinions, associating Islam with terrorism after notable events, concerns about cultural shifts and immigration, and economic instability. To combat this issue, it is vital to take broad actions, including educating people, enhancing their ability to analyze media critically, encouraging intercultural conversations, and having leaders who support inclusivity, all aimed at fostering tolerance and diminishing the persistence of Islamophobia.

Human rights are a set of fundamental rights and freedoms that are inherent to all individuals by virtue of their humanity (United Nations, 1948). These rights are universal, inalienable, and indivisible, meaning they apply to every person, cannot be taken away, and are interrelated (Sepulveda, M. et al., 2004). They encompass various rights, including civil, political, economic, social, and cultural rights, such as the right to life, liberty, equality, freedom of speech, and access to education and healthcare (United Nations, 1948). Human rights aim to ensure that everyone is treated with dignity, fairness, and respect, regardless of their background, beliefs, or circumstances, and to promote a just and equitable society (Australian Human Rights Commission, 2019).

This paper contributes to a better understanding on the problem of Islamophobia and how it affects religious tolerance and human rights. It explores the ways and possibilities of encouraging and promoting religious tolerance and protecting human rights when dealing with Islamophobia. It highlights the important contributions of civil society, education, interfaith dialogue, and policy recommendations. This includes the outlines of a plan for the future, suggesting methods and strategies to achieve global consensus, strengthen legal instruments, and combat discrimination. It calls for a collective effort to safeguard human rights and religious tolerance. This multidisciplinary article aims to assist policymakers, scholars, and advocates in creating a more inclusive and just society.

2. Islamophobia

2.1. Defining Islamophobia

As mentioned before, Islamophobia can be defined as when some individuals are treated with bias and unkindness simply because they are perceived to follow the Islamic faith (United Nations, 2021). This kind of discrimination has widespread negative consequences, not only for the people directly affected by it but also because it contradicts the fundamental principle that everyone should have the freedom to practice their religion without hindrance and should be treated with dignity and fairness (United Nations, 2021).

The world is facing many challenges, including the threat of Islamophobia and interfaith harmony. Islamophobia is an unnecessary and baseless culture of fear against Muslims and Islam. Recent events indicate that Islamophobia is on the rise all over the world. This has serious repercussions not only for the Muslims but it's also a major concern for the non-Islamic states. Furthermore, Islam has been facing many challenges for many years from the wider world, and every Muslim is considered a terrorist. The hate against Islam and Muslims is not new and has its roots in historical events such as the Crusades and early interaction between Muslims and the West (Pervaz & Asad, 2022).

A 2002 study by Elizabeth Poole found that many people in Britain see Muslims through a shared viewpoint. This viewpoint is often considered more of a cultural difference than skin color. Surveys about British attitudes toward Muslims show that many Britons believe that Muslim values do not match their own (Carruthers, 2011). These surveys, discussed in Clive Field's article "Islamophobia in Contemporary Britain," reveal that a significant number of people think that if more Muslims come to the country, it could change British identity. This indicates

that many people feel Muslims prefer to keep to themselves, and some even view Islam as a threat to Western democracy (Bakali, 2016).

2.2. Background & Historical Roots

The origins of Islamophobia can be traced back to early encounters between Europe and Islam, predating the relatively recent coining of the term itself. Its historical underpinnings can be segmented into distinct phases, each contributing to the development of prejudices and fears toward Muslims (Bakali, 2016).

During the early interactions, Western perspectives on Islam began to take shape around the 7th century (Bakali, 2016). The Islamic faith expanded into the Byzantine Empire, prompting apprehension in Western Europe (Bakali, 2016). Islam was viewed as a multifaceted challenge, with the potential to disrupt religious and social stability, challenge the dominance of the Roman Church, and even supplant Christianity itself.

The Crusades, which unfolded by the 11th century, marked another pivotal phase in the evolution of Islamophobia. (Abdulhadi, 2018) The Catholic Church strategically harnessed the perception of Islam as an ominous "Other" to gain political authority and dominance. The Crusades were portrayed as a militaristic pilgrimage aimed at reclaiming Jerusalem from what were perceived as Islamic heathens, and the narratives relayed by returning crusaders fueled misapprehensions and stereotypes about the East (Bakali, 2016).

The colonial era further deepened these misconceptions. European colonial powers, under the guise of civilizing missions, regarded Islam as a civilization condemned to perpetual backwardness. These notions persisted through the colonial era and beyond (Bakali, 2016).

2.3. Contemporary Manifestations

During the Post-9/11, the world witnessed a significant shift in the dynamics of Islamophobia (Pervaz & Asad, 2022). The tragic events of September 11, 2001, were a watershed moment, ushering in the "War on Terror" (Cvek, 2009). This era brought about heightened scrutiny and bias against Muslims, particularly in Western societies. The aftermath of 9/11 saw Muslims often unfairly targeted (Cvek, 2009).

Media outlets have played a substantial role in perpetuating Islamophobia, especially in the post-9/11 climate (Terman, 2017). Negative portrayals of Muslims in various media forms have reinforced stereotypes and biases, further contributing to the problem (Cvek, 2009).

Politicians across different nations have leveraged anti-Muslim sentiment for political gain. Divisive rhetoric and discriminatory policies have been implemented, exploiting fears and prejudices against Muslims (Bilz, 2021). This has not only fueled Islamophobia but also exacerbated social divisions.

The advent of the internet and social media has provided a platform for the amplification of Islamophobic views. (Khamis, 2021) Online platforms have facilitated the creation of echo chambers, where individuals with similar beliefs reinforce each other's biases, deepening the problem (Alatawi, Sheth, & Liu, 2023). Online radicalization has played a role in shaping and spreading Islamophobia.

These factors, including post-9/11 events, media influence, political rhetoric, and online radicalization, have collectively contributed to the persistence and spread of Islamophobia in the modern era.

3. Legal Frameworks

The primary strength of formal legal adjudication is the structured adherence to procedures, which ensures predictability and equity and prevents arbitrary decisions. Creating a legal framework for a justice platform bestows legal legitimacy, making the platform's processes legally scrutinized (justiciability) and guaranteeing

accountability of the overseeing body (Ahmad & Lilienthal, 2023). In the context of Islamophobia, there are no explicit mentions of legal frameworks specifically on it, but there was something relevant that could be addressed.

Universal Declaration of Human Rights (UDHR) is a landmark document resulting from the collaborative efforts of representatives with diverse legal and cultural backgrounds worldwide. It was endorsed by the United Nations General Assembly in 1948 and is regarded as a global benchmark for human rights (United Nations, 1948).

About the issue of Islamophobia, the UDHR Article 2 has served the rights to freedom of religion, which underscores the core principle of non-discrimination, emphasizing that individuals have the right to these rights and freedoms regardless of their religion. Discrimination, prejudice, or persecution based on a person's religion, such as Islam, is contrary to this fundamental principle of human rights outlined in the UDHR. It serves as a foundational document in addressing and combating Islamophobia and promoting religious tolerance.

Secondly, The United Nations International Covenant on Civil and Political Rights (ICCPR), adopted in 1966 and effective since 1976, safeguards civil and political rights. Along with the International Covenant on Economic, Social, and Cultural Rights and the UDHR, the ICCPR and its two Optional Protocols form the International Bill of Rights. It aims to uphold every individual's dignity and create conditions within nations to exercise civil and political rights. Nations ratifying the Covenant must protect these rights through legal and judicial measures, providing effective remedies.

Article 2 values the issue of non-discrimination, which includes respecting one's religion. Most importantly, Article 18 summarizes that there shall be the right to freedom of thought, conscience, and religion, allowing individuals to choose, practice, and teach their religion or belief openly and privately. There will be protection against coercion that could interfere with one's freedom to choose a religion or belief. The recognition that limitations on religious expression may be imposed by law when necessary to protect public safety, order, health, morals, or the rights and freedoms of others. States Parties are committed to respecting the freedom of parents and legal guardians to ensure their children's religious and moral education is in line with their convictions (United Nations, 1966).

It could be concluded that this framework primarily emphasized the freedom of religion, yet it indirectly addresses issues of religious discrimination, including discrimination against Muslims (Ahmad & Haji Asmad, 2020). It also upholds the rights of individuals to practice their religion and protects them from coercion and discrimination based on their beliefs (Petersen, 2022). In this sense, it provides a legal framework that can be used to address and combat Islamophobia under the broader context of religious discrimination.

It is to be noted that the legal framework is not limited to those two mentioned earlier; a national law should be recognized to combat this issue. National law, commonly known as domestic law, comprises the legal regulations applicable exclusively within a specific country or state. It reflects the state's authority, originating from its local governing bodies, which may include legislative institutions (Kingdom H, 2016). National law against discrimination and hate crimes targeting specific religious groups like Muslims exists in many countries.

For example, the United States has several laws on this, especially when President Obama signed The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act into law in 2009. This legislation is a significant milestone in the fight against hate crimes. It provides federal support for prosecuting violent acts directed at individuals due to factors such as race, religion, sexual orientation, and gender identity, recognizing that hate crimes have unique and lasting consequences. This act became a crucial step forward in addressing these issues. It acknowledges the unique nature of hate crimes and aims to provide support and protection for victims, their communities, and allies (Ahmad & Lilienthal, 2023). Another example would be the one in the United Kingdom, with the introduction of The Racial and Religious Hatred Act of 2006, which marks a notable advancement in British legislation. It broadens the offense of inciting racial hatred, outlined initially in the Public Order Act of 1986, to now encompass inciting hatred against individuals based on their religious beliefs (Brown, 2008).

Regional Organizations then came into the picture. In the last ten years, regional organizations worldwide have been showing a growing interest in addressing the issue of internal displacement. Their engagement is well-founded because conflicts and displacement situations typically do not stay contained within one country's borders. They often spread into neighboring nations, potentially disrupting regional stability and necessitating a collective regional reaction. The United Nations has encouraged the initiatives of regional organizations (Cohen R. , 2002).

To relate it with the issue of islamophobia, The Organization of Islamic Cooperation (OIC) adopted agreements and resolutions to combat Islamophobia and promote religious tolerance in member states. It emerged from a conference in Rabat, Morocco, in September 1969, following the Rabat Declaration. It was primarily driven by concerns of Islamic countries, sparked by incidents like the burning of Al-Aqsa Holy Mosque in 1969. The OIC's expanded goals include enhancing solidarity among member nations, promoting cooperation, supporting global peace and security, safeguarding Islamic holy sites, and aiding the Palestinian quest for independence (Ministry of Foreign Affairs of the Republic of Indonesia, 2022).

The OIC consistently highlights the issue of hatred, racism, and discrimination against Muslims and its diverse forms, which have a significant impact on Muslims worldwide. Through this observatory, the OIC aims to monitor instances of violence directed at Muslims and anything related to Islam as a religion. It seeks to document these cases, intending to present them to the Council of Foreign Ministers of OIC Member States. On a broader scale, the OIC aims to raise global awareness about the evident threat of Islamophobia, along with discriminatory policies and actions against Muslims (Organisation of Islamic Conference, 2022).

In summary, the OIC's observatory focuses on the global problem of hatred and discrimination against Muslims, documenting and reporting instances of violence or discrimination to the Council of Foreign Ministers. The broader objective is to raise awareness about the dangers of Islamophobia and discriminatory actions against Muslims.

Moving on to the Hate speech laws that exist worldwide, they are a subject of debate with principled arguments both in favor and against them. These arguments involve various moral factors like liberty, health, autonomy, security, and human dignity, and practical considerations like their effectiveness and potential chilling effects (Brown A. , 2017). The core objectives of hate speech laws are to protect the rights, dignity, and safety of individuals or groups targeted by such speech and to maintain social harmony (Tsesis, 2009). Regarding Islamophobia, hate speech laws are instrumental in confronting and countering instances of hatred and bias directed at Muslims.

The impact of hate speech laws in addressing Islamophobia differs significantly based on the legal and cultural environment of a given nation. It is to be noted that Hate speech is generally defined as speech that expresses hate for a specific group (Levine, 2018). Furthermore, laws against hate speech can act as a preventive measure and play a role in reducing hate crimes against Muslims. Hate crimes, characterized by violence or hostility driven by prejudice, can inflict significant harm on individuals and communities (Considine, 2017). By making hate speech a criminal offense, these laws convey a clear stance against discrimination and violence aimed at Muslims. This can serve as a deterrent, dissuading individuals from partaking in Islamophobic hate speech and, consequently, lowering the risk of hate crimes.

For example, the part where a hate speech law aimed at combating Islamophobia can be found in France. France has laws that criminalize hate speech, including speech targeting religious groups, such as Muslims. In France, the law that criminalizes hate speech, including speech targeting religious groups, is primarily governed by the French Penal Code. Article 32-1 addresses incitement to hatred based on race, ethnicity, or religion, imposing penalties on those who incite discrimination or violence. Article 33 of the French Penal Code covers defamation, insults, and invectives targeting factors like origin, race, religion, ethnicity, nationality, gender, or sexual orientation, leading to potential legal consequences and penalties.

Nevertheless, the legal framework indeed plays a vital role in the fight against Islamophobia, serving as a foundation for addressing prejudice, discriminatory acts, and hate crimes targeting Muslims. Through a deeper

comprehension of the elements fueling Islamophobia and the adoption of comprehensive legal actions, policymakers can strive to establish inclusive and fair communities.

4. Challenges

Addressing Islamophobia involves grappling with a range of challenges across legal, political, social, and cultural dimensions. These challenges can vary from one country to another and are often interconnected. Such challenges include:

4.1. Legal Challenges

Legal Challenges encompass various aspects that need to be addressed when combating Islamophobia. A crucial aspect involves defining Islamophobia in a universally accepted manner, which is essential for crafting effective legal frameworks to address the issue (Anderson, Shahbazi, & Abid, 2021). Another challenge relates to the disparities in laws and regulations surrounding hate crimes and discrimination in different countries. Achieving consistency and effectiveness in legal frameworks at an international level is a complex task, given these variations. Additionally, balancing the imperative to combat Islamophobia with the preservation of freedom of speech poses a challenge. It can be intricate to strike the right balance, as some forms of hate speech may be protected by laws governing freedom of expression (Ariyanto, 2018).

For instance, in one country, certain forms of hate speech directed at religious groups may be considered protected under their interpretation of freedom of speech (Walker, 2018). However, in another country, similar things might be seen as clear instances of hate speech and subject to legal consequences (Walker, 2018). This makes it challenging to fight against Islamophobia all over the world because there are different rules in different places.

Furthermore, in the case of social media platforms such as Facebook or Twitter, a post or comment targeting a particular religion or group, including Muslims (Laub, 2019). In one country, this might be considered hate speech and protected speech in another due to different legal standards (Laub, 2019). This creates a legal challenge in regulating and addressing such content globally as the boundaries of jurisdictions become blurred in the digital age.

4.2. Political Challenges

Political Challenges encompass a set of complex issues that need to be addressed in the fight against Islamophobia. Populism presents a significant challenge as certain political movements exploit anti-Muslim sentiments for their own political gains, which can impede efforts to combat Islamophobia (Oztig, Gurkan, & Aydin, 2020). This challenge is further aggravated by the emergence of far-right political parties in some nations (Oztig, Gurkan, & Aydin, 2020).

Another facet of this challenge relates to Counterproductive Policies. Some political measures, such as the imposition of bans on religious symbols or attire, have the unintended consequence of being counterproductive. These policies may contribute to the stigmatization of Muslim communities, exacerbating the problem they seek to address (Muhammad, 2018).

Furthermore, addressing Islamophobia can be hindered by a Lack of Political Will. In certain instances, there may be a dearth of political determination to confront Islamophobia, particularly when political leaders themselves engage in anti-Muslim rhetoric. These political challenges are interlinked and require careful consideration and proactive efforts to overcome.

4.3. Social Challenges

The social dimension of addressing Islamophobia presents a multifaceted set of challenges that are interrelated and crucial to overcome. Prejudice and Stereotyping are deeply rooted issues that persist in society and can be

perpetuated through social interactions, media representations, and educational systems (Council of Europe, 2012). Combatting these biases poses a long-term challenge that requires a sustained effort.

Online Radicalization is another pressing concern in the age of the internet and social media (Binder & Kenyon, 2022). These platforms have the capacity to amplify Islamophobic views and create echo chambers that reinforce biases, making it difficult to counter the spread of hate online (Behr, Reding, Edwards, & Gribbon, 2013). The digital realm has become a significant battleground in the fight against Islamophobia (Behr, Reding, Edwards, & Gribbon, 2013).

Integration and Inclusion of Muslim communities is a critical social challenge. Ensuring the full integration and inclusion of these communities is essential, as alienation and exclusion can contribute to the perpetuation of Islamophobia (OSCE-ODIHR, 2008). It is imperative to address these social challenges through education, awareness, and fostering a sense of belonging and acceptance among diverse communities (OSCE-ODIHR, 2008).

An illustration of the difficulties associated with Islamophobia involves the way Muslims are depicted in media and popular culture. Non-Western films, in particular, have influenced how people perceive Muslims, especially in the aftermath of the events of September 11th (Al-Rawi, 2014). The representation of Muslims in these movies frequently propagates clichés. It strengthens narratives rooted in Islamophobia, ultimately leading to the sidelining and isolation of Muslims from broader political and social interactions (Al-Rawi, 2014). It focuses on how the portrayal of Muslims in media and popular culture can play a role in marginalizing and excluding Muslims from active participation in mainstream social activities, exemplifying a social challenge.

Furthermore, the issue extends beyond using the Islamic prayer called Adhan as background music for a dance reality show (Lopa , 2021) disrespecting Allah in song lyrics (Zi, 2021), or employing designs resembling the Quran for album covers (Hong, 2023). The core problem does not stem from their lack of awareness about the importance of respecting Allah and Muslims; rather, it is their deliberate disregard for these sensitivities, using unawareness as a mere excuse.

4.4. Cultural Challenges

Media Influence plays a significant role in perpetuating Islamophobia. Negative portrayals of Muslims in the media contribute to the negative stereotypes and biases against them (Mitchell, 2018). Challenging media bias and advocating for more accurate and nuanced depictions of Muslims is a cultural challenge that requires promoting fair and balanced representations (Mitchell, 2018).

Education and Awareness are vital components in combating Islamophobia. Raising awareness and enhancing understanding about Islam, including its diverse practices and contributions to society, is an ongoing cultural challenge. It involves revising educational curricula to promote intercultural understanding and presenting a more complete picture of Islam (Mitchell, 2018).

Community Engagement is another crucial cultural challenge. Fostering dialogue and collaboration between Muslim and non-Muslim communities is essential. Building trust and mutual respect among different groups is crucial for effectively combating Islamophobia and fostering inclusive societies (Mitchell, 2018).

In addressing these challenges, it is essential for governments, civil society, media organizations, educational institutions, and individuals to work collaboratively. This can involve implementing comprehensive anti-discrimination laws, promoting intercultural dialogue, enhancing media literacy, and engaging in community-building initiatives. It also requires a commitment to upholding human rights and religious freedom for all individuals, regardless of their faith (Ahmad, Lilienthal, & Asmad, 2023).

5. Case Studies

5.1. Islamophobia in India

Islamophobia in India has surged, driven by a complex interplay of historical events and contemporary factors. The partition of the Indian subcontinent in 1947, leading to the creation of Pakistan and India, resulted in significant suffering for Indian Muslims (Ahmad Sikander, 2021). This trauma laid the foundation for systematic Islamophobia in India, with particular targeting of Kashmiris and Indian Muslims (Ahmad Sikander, 2021). This discrimination has persisted over time, affecting Muslims across the nation.

The COVID-19 pandemic has further exacerbated Islamophobia in India. The social climate during the pandemic has contributed to heightened Islamophobia, with Muslims facing stigmatization and being unfairly singled out. The pandemic has become a breeding ground for xenophobia and discrimination, with Muslims disproportionately affected (Ahmad & Haji Asmad, 2020).

The rise of Hindutva as a political ideology in India has significantly fueled Islamophobia. Hindutva, which champions Hindu nationalism, has contributed to the marginalization and discrimination of Muslims. This ideology has fostered an environment where Islamophobia can thrive, intensifying the challenges faced by Indian Muslims (Ahmad & Haji Asmad, 2020). The emergence of Islamophobia in India is closely linked to the nation-building process (Sheheen, 2023). The construction of a national identity in India has often been exclusive, depicting Muslims as the "other" and a perceived threat to the nation (Sheheen, 2023). This portrayal has exacerbated Islamophobia and perpetuated negative stereotypes and biases against Muslims in India.

It is crucial to recognize that Islamophobia is not unique to India but is a global phenomenon affecting Muslim communities worldwide (Ahmad & Lilienthal, 2023). The presence and migration of Muslims have led to widespread discussions, but there is limited systematic evidence on the factors underpinning anti-Muslim sentiments (Savelkoul, Scheepers, Tolsma, & Hagendoorn, 2011). Islamophobia is rooted in racism, racialization, and intergroup competition. Reports of hate crimes, workplace discrimination, and various forms of Islamophobia have surfaced in different parts of the world.

The recent incident that happened in India was During a parliamentary debate in India, Bharatiya Janata Party (BJP) Member of Parliament (MP) Ramesh Bidhuri made Islamophobic remarks and derogatory comments directed at opposition MP Kunwar Danish Ali (Faisal, 2023). The offensive comments sparked outrage, with demands for strict action against Bidhuri. Ali expressed his disappointment and questioned whether such behavior is encouraged by organizations like the RSS, a far-right ideological mentor of the BJP. Opposition MPs stood up for Ali, and social media reactions condemned the incident as part of the BJP's culture. Defence Minister Rajnath Singh issued an apology, and the remarks were expunged from parliamentary records. Ali intends to file a privilege notice to seek action against Bidhuri. Observers noted that this incident reflects the broader issue of anti-Muslim rhetoric within the BJP and its supporters (Faisal, 2023).

In conclusion, addressing Islamophobia in India requires a comprehensive strategy that confronts the root causes of discrimination and fosters inclusivity and interfaith understanding among diverse religious and ethnic groups.

5.2. Islamophobia in France

Islamophobia in France has deep historical roots, stemming from the country's colonial past. Once a colonial power, France occupied predominantly Muslim territories in Africa and the Middle East during much of the 20th century (Pervaz & Asad, 2022). The contemporary relationship between the French state and its Muslim population is significantly influenced by this imperial history and economic exploitation (Pervaz & Asad, 2022).

Muslims started coming to France primarily as a result of French colonization in North Africa (Sinha, 2021). Despite this historical connection, the French state did not consistently extend citizenship rights to Muslim Algerian subjects (Sinha, 2021). The prevailing ideology in France promoted a strict separation of state and church, which often marginalized Muslims, perceiving them primarily through their religion (Pervaz & Asad, 2022).

The French political structure historically displayed hostility towards the Muslim population (Pervaz & Asad, 2022). The French invaders in North Africa sought to detach the population from Islamic culture and religion, at times forcefully promoting unveiled women and discouraging the use of the Arabic language in the private sector (Pervaz & Asad, 2022).

France now boasts the largest Muslim population in the Western world, with Islam being the second most widely professed religion (Pervaz & Asad, 2022). The roots of Islamophobia run deep in the history of the French Empire, shaping the perspectives of many French elites and locals. The perception of Muslims as second-class citizens is a lingering issue reminiscent of the days of French Algeria (Syeda & Louati, 2022).

France's relationship with Islam is complex. It has historically aimed to separate Muslims from their religion, viewing it as archaic and authoritarian. French institutions have sought to promote a modified version of Islam (Pervaz & Asad, 2022). This has created a contradiction in France, where anti-Muslim sentiment is prevalent in media discourse and even within the government.

The rise of Islam in France has further complicated this relationship. Recent events, such as the murder of Samuel Paty, a French teacher, and the crackdown on Muslim organizations, have exacerbated tensions (Pervaz & Asad, 2022). Some worship places have required police protection due to threats of violence. These actions come amid President Macron's statements about a plan against Islamist separatism and his assertion that Islam is facing a crisis globally (BBC News, 2020). This has been perceived by some as a form of political exploitation, using Islamophobia to fuel his political campaign. In 2004, the country banned headscarves in schools, and in 2010, it passed a ban on full face veils in public, angering many in its five million-strong Muslim community (Aljazeera, 2023).

In summary, Islamophobia in France has deep historical roots tied to its colonial past, and it continues to manifest in various aspects of French society, including political discourse, media, and government actions, contributing to a complex and contentious relationship with its Muslim population.

5.3. Islamophobia in Denmark

Denmark faces a notable problem with Islamophobia, which is substantiated by various studies. Studies have indicated that adverse sentiments towards immigrants and immigration in Denmark can be regarded as a manifestation of Islamophobia (Anderson & Antalikova, 2014). The public discourse concerning the establishment of a dedicated mosque in Copenhagen underscored the significant influence of Islamophobia within the Danish public (Simonsen, Neergaard, & Koefoed, 2019). Additionally, there is proof that Danish Muslims encounter prejudice and bias solely due to their religious identity.

In 2008, a report by the EU Fundamental Rights Agency revealed that Somalis and Turks in Denmark were among the top 10 minority groups most subjected to assaults and threats in the 27 EU Member States (European Network Against Racism, 2022). Danish reports from 2013 to 2015, conducted by the Danish Security and Intelligence Agency (PET), found that a significant number of religiously motivated hate crimes targeted Muslims. These crimes predominantly encompass verbal and physical harassment, along with written threats. Research also indicates that Muslim women and girls, particularly those who wear headscarves, face discrimination in various settings, such as public transport and shops, often due to their ethnic backgrounds.

A survey conducted in Copenhagen on the experiences of discrimination among young people revealed that 60% of female respondents had encountered verbal abuse. Many of these incidents were related to their appearance and clothing. Ethnic minority women experienced more incidents tied to their ethnicity, religion, and religious symbols.

In 2005, the Supreme Court made a ruling in favor of Danish Supermarkets, permitting them to prohibit employees from wearing religious headscarves during work hours. This decision sparked continued debates in the media. In 2013, a similar debate arose when Nada Fraije sought job training at Netto but was informed that wearing a

headscarf was forbidden. This incident led to the formation of the 'Boycott Føtex, Bilka and Netto' group, and as a result of ensuing media discussions, Dansk Supermarked removed its head scarf prohibition.

While in 2009, the Conservative party proposed a 'burqa ban' in public spaces, initially receiving support from the government. An official working group was established to investigate the use of the burqa and niqab in Denmark, leading to the controversial 'burqa-report.' This report concluded that only a limited number of women wore these coverings, and a significant portion of them were ethnic Danish converts. As the issue became a political dispute and legal experts identified constitutional conflicts, the government chose to rely on existing rules to minimize the use of niqab and burqa. In the same year, a law known as the Headscarf Act was passed, prohibiting judges from wearing religious or political symbols to maintain their neutrality and uphold public trust in the courts. This law faced criticism, including legal challenges and concerns from the lawyers' union DJØF, but it remains in effect.

The most heartbreaking event that happened was the burning of the Quran by Danish-Swedish politician Rasmus Paludan, known for his Islamophobic views, which elicited widespread anger and condemnation in the Muslim world (Ahmed, 2023). Paludan set fire to the holy book under police protection, demanding Sweden's admission to NATO. Turkey criticized the incident, emphasizing the importance of peaceful coexistence and the prevention of anti-Muslim attacks. Denmark, however, cannot prosecute Paludan due to the revocation of blasphemy laws in 2017. The incident raises questions about Islamophobia in Denmark, where Muslim immigration remains a contentious issue, and mainstream political parties contemplate relocating asylum facilities to other countries. Danish society is urged to set limits on freedom of speech to prevent the defamation of religious figures and scriptures.

While Islamophobia exists in Denmark, it is not entirely embedded in the nation's system, and actions like Paludan's are within the law, making it challenging to address. The Muslim community in Denmark continues to protest, advocating a balanced response to hate with love and respect. The incident highlights the tension between free speech and the well-being of the community (Ahmed, 2023).

5.4. Islamophobia in South Korea

Islamophobia presents a multifaceted challenge in South Korea, stemming from a range of factors. One influential element is the general Korean public's restricted and skewed comprehension of Islam and Muslim (Koo, 2018). This limited awareness can give rise to misunderstandings and stereotypes concerning Islam, consequently fostering Islamophobic viewpoints. The proliferation of Islamophobia in South Korea has also been shaped by global occurrences, including acts of terrorism by entities like the Islamic State (Koo, 2018). These events have amplified concerns and apprehensions related to Islam and Muslims.

In Daegu, South Korea, a longstanding dispute has unfolded between Muslim students from Kyungpook National University (KNU) and local residents over the construction of a mosque. The conflict escalated after residents voiced concerns about the mosque's impact on their neighborhood, leading to the suspension of construction (Gong, 2023).

Tensions further intensified when residents engaged in anti-Muslim rallies, distributed Islamophobic materials (offensive banners, rallies, and loud music added to the hostility), and organized provocative events such as pork barbecue parties and left pig heads at the construction site (Rashid, 2023).

The dispute underscores South Korea's challenges in handling increasing cultural diversity as it grapples with demographic shifts and aging demographics. While the country has been actively attracting international students and considering immigration to address these issues, it lacks comprehensive anti-discrimination laws and policies, resulting in limited government intervention in conflicts like the one in Daegu.

The case emphasizes the need for improved legal frameworks to address hate speech, promote social tolerance, and safeguard the rights of immigrants and minority groups in South Korea.

6. Diagnoses /Analysis

When addressing Islamophobia, there are several recommendations and prospects to consider for combating religious intolerance, promoting tolerance, and countering negative stereotypes. These encompass the role of civil society, media, international platforms, education and awareness, and legal reforms:

6.1. Religious Intolerance

Religious intolerance is when people don't respect or accept different religions (Ramadan, 2019). It is really important to change this and make sure that everyone respects all the different religions. We can do this by bringing people from different religions together to talk and understand each other better, focusing on the things they have in common. This act of promoting religious tolerance is vital. Encourage interfaith dialogue and understanding among different religious communities, emphasizing common values and shared goals (Ramadan, 2019).

6.2. Role of Civil Society

Civil society groups play a very significant role in the fight against Islamophobia. These are organizations made up of regular people, not the government (United Nations, 2019). They can plan events, run campaigns, and start projects to help people understand and accept each other. This helps to stop unfair ideas and brings different communities together (The Social Change Project, 2018).

6.3. Media's Role in Combating Islamophobia

In these modern days, the mass media, encompassing easily accessible platforms like television and the internet, has emerged as both a tool and a catalyst for the widespread dissemination of Islamophobia on a global scale. (Istriyani, 2016) This phenomenon is primarily propagated through the channels of news coverage that frequently link or equate Islam with violence, radicalism, and terrorism (Istriyani, 2016). Consequently, it can be argued that the media carries a distinct political agenda (Istriyani, 2016). It is important to recognize that the media doesn't merely reproduce objective reality or neutrally report events as they occur. Instead, reality is actively shaped and perpetuated through the language and framing employed by the media (Ricciardelli, Stoddart, & Austin, 2023). In essence, the media doesn't merely convey meaning; it actively constructs and defines the meaning of reality (Ricciardelli, Stoddart, & Austin, 2023).

Consequently, a substantial portion of the audience tends to internalize and accept the version of reality presented by the media, particularly through television and online platforms (Ricciardelli, Stoddart, & Austin, 2023). In fact, the media often amplifies reality to the point where it becomes hyperreal, blurring the lines between actual events and their media representation. This is especially evident in news coverage related to radicalism and terrorism, where these issues are frequently associated with extremist Islamic groups, consequently contributing to a global perception of Islam (Ricciardelli, Stoddart, & Austin, 2023).

The media has a pivotal role in shaping public opinion. Encourage media outlets to promote a mindset of acceptance and inclusion. This includes showcasing positive stories about Muslim individuals and their contributions to society, such as in fields like music, art, science, and humanitarian efforts.

6.4. International Media

International media outlets like the BBC, CNN, and Al Jazeera have global reach. They should take responsibility for fair and unbiased reporting, avoiding sensationalism that perpetuates stereotypes. Social media platforms like Facebook and YouTube can also contribute by implementing stricter policies to prevent hate speech, and people should refrain from commenting negatively and promoting hate online (Lai, 2022).

6.5. Education and Awareness

Include comprehensive educational programs that teach cultural diversity and religious understanding from an early age. Encourage academic institutions to revise their curricula to promote intercultural and interfaith dialogue. Promote awareness campaigns that debunk myths and misconceptions about Islam (Rounak, 2023).

6.6. Legal Reforms and Policy Recommendations

Advocate for legal reforms that address hate crimes and discrimination based on religion. Governments should implement stricter laws against hate speech and discrimination, while also encouraging reporting mechanisms for victims of Islamophobia (Shaheed, 2021).

By addressing these prospects and recommendations, we can work towards a society that is more inclusive, tolerant, and free from Islamophobia.

7. Future Recommendations

7.1. Strengthen Legal Mechanisms

Enhance legal systems to better address and prevent Islamophobia. This may include stricter laws against hate crimes and discrimination based on religion (Shaheed, 2021). Governments should also establish effective reporting mechanisms for victims of Islamophobia to seek help and justice.

It is crucial to reinforce legal systems to effectively address and prevent Islamophobia. This can involve implementing more stringent laws against hate crimes and discrimination that are rooted in religious prejudice (Shaheed, 2021). Additionally, governments should establish efficient reporting channels for victims of Islamophobia to access the support and justice they need.

7.2. Combating Hate Speech and Discrimination

Develop and implement strategies to tackle hate speech and discrimination. Encourage responsible use of social media platforms by monitoring and penalizing hate speech, ensuring that individuals who spread hatred and promote stereotypes are held accountable (United Nations, 2023).

To combat the spread of Islamophobia, it is essential to develop and put into action strategies that specifically target hate speech and discrimination (United Nations, 2023). Responsible use of social media platforms is a key area to focus on, involving monitoring and penalizing individuals who engage in hate speech (Yaraghi, 2019). This approach ensures that those who propagate hatred and reinforce stereotypes are held accountable for their actions.

7.2. Long-Term Strategies

Invest in long-term initiatives aimed at promoting understanding and acceptance of diverse cultures and religions. Develop educational programs that foster intercultural dialogue from an early age and challenge preconceived notions and biases. These strategies should be integrated into academic curricula and broader awareness campaigns to create a more inclusive and tolerant society in the future.

To achieve lasting change, investments should be made in long-term initiatives dedicated to fostering understanding and acceptance of various cultures and religions. This includes the development of educational programs that promote intercultural dialogue from a young age, actively challenging preconceived notions and biases. Such strategies must be seamlessly integrated into academic curricula and broader awareness campaigns, working collectively to build a more inclusive and tolerant society for the future.

8. Conclusion

In conclusion, addressing Islamophobia through international legal frameworks is a complex and urgent task. The historical backgrounds of countries like India, France, Denmark, and Korea have shaped the challenges faced today, emphasizing the need for region-specific approaches. Case studies from these nations have shed light on the diverse manifestations of Islamophobia, reflecting the multifaceted nature of the problem. The prospects for promoting religious tolerance and human rights in the fight against Islamophobia are promising but require a multi-dimensional effort. Strengthening legal mechanisms, combating hate speech, and investing in long-term educational strategies are essential components of this endeavor. Collaboration among governments, civil society, media, educational institutions, and individuals is key to achieving a future marked by religious tolerance and human rights.

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