Charlie Hebdo

The French satirical magazine *Charlie Hebdo* is left-wing and strongly anti-religious. In 2006, it reprinted the controversial Muhammad cartoons from Denmark's *Jyllends Posten*. The cover of that issue of *Charlie Hebdo* (left) had shown the prophet "overwhelmed by fundamentalists" bewailing that "it is hard to be loved by jerks." The magazine was unsuccessfully sued by several Islamic organizations for hate crimes. Since then, and despite the firebombing of its offices in 2011, the magazine has continued its irreverence.

On January 7, 2015, three masked gunmen killed twelve people at the offices of *Charlie Hebdo*, including the editor-in-chief Stéphane Charbonnier (*Charb*) and the senior cartoonist Jean Cabut (*Cabu*). The shooting was clearly in retaliation for the magazine's blasphemy. The gunmen were heard to shout *Allahu Akbar* ("God is great") and "Vous allez payer, car vous avez insulté le Prophète" – "You will pay for you have insulted the Prophet." (Selow, 2015).

Blasphemy

Blasphemy is a display of contempt for beliefs that others hold sacred. Blasphemy is typically directed against God, but

it can also include the people who proclaim God's will, their institutions, or their treasured objects. Blasphemy is usually verbal – the word comes from the Greek *blasphemein* meaning to "speak evil." However, any act of desecration can be considered blasphemous.

Blasphemy is an intrinsic part of the Abrahamic religions. The third of the Ten Commandments prohibits blasphemy: "Thou shalt not take the name of the Lord thy God in vain" (Exodus 20:7). In the New Testament, Jesus stated that "he that shall blaspheme against the Holy Ghost hath never forgiveness, but is in danger of eternal damnation" (Mark 3:29). The Qur'an does not have a similar injunction, but states that one should not associate with those that profane the name of Allah: "The most beautiful names belong to God; so call on him by them; but shun such men as use profanity in His names; for what they do, they will soon be requited." (Qur'an 7:180, Abdullah Yusuf Ali translation).

Another way to take the name of God in vain is to assume to speak for Him or Her. Jesus was himself accused of blasphemy "because that thou being a man makest thyself God" (John 10:23), and this was one of the main reasons for his indictment before the Sanhedrin (Mark 14:61-64).

Blasphemy as Crime

Blasphemy is a crime in many countries. Although most commonly used in Islamic countries, laws against blasphemy persist in Europe.

In 1766, the 20 year old François-Jean Lefebvre, the Chevalier de la Barre was beheaded in Abbeville, a small town in Northern France. His crimes were not paying due respect to a procession of the Corpus Christi, singing impious songs and vandalizing a crucifix (Chassaigne, 1920). After the execution the body was burnt on a pyre along with a copy of Voltaire's *Philosophical Dictionary,* which had been found in his rooms. The illustration on the right shows a memorial statue in Montmartre. In most of France, the law against blasphemy was abolished in 1791. However, the law persists in Moselle and Alsace as a holdover from the German Criminal Code.

In 1697 in Edinburgh, Thomas Aikenhead, a 20-year old student, was executed by hanging for blasphemy. He had called the Old Testament "Ezra's fables, by a profane allusione to Esop's fables" and had claimed that Christ had "learned magick in Egypt" so that he could conjure his supposed miracles (Graham, 2008, p 103). Blasphemy is still a crime in Scotland and Northern Ireland although no one has been prosecuted since the 19th century. The offence of blasphemy was abolished in England and Wales in 2008.

Nevertheless, even though not prosecuted as criminal, Western society does not find it acceptable to deface the Bible. In an exhibit at the Glasgow Museum of Modern Art in 2009, visitors were invited to write comments on a bible (Sherwood, 2012). Many did so. Some comments were scatological, others pointed out the injustice of many biblical stories such as the prophet Elisha causing young boys to be killed for calling him 'baldy' (2 Kings 2 23-25), and others added personal comments such as

“Holy figures hide behind their religion … Once you have been raped by a priest, maybe you understand.” There was such a public furore that the defaced bible had to be placed in a glass case to prevent further comments.

Offence and Tolerance

Freedom of speech has become a treasured right in the Western world. It is enshrined as Article 19 of the Universal Declaration of Human Rights.

> Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

With freedom of expression comes the freedom to give offence. Things held as sacred by some may be lampooned or insulted by others.

However, freedom of expression has often been subject to limitation. The plaintiff who makes fun of the judge will be charged with contempt of court. Pornography has its limits though these are now most often defined in terms of exploitation and incitement to violence rather than offense to common decency. Hate speech used to incite violence is prohibited in many countries However, such prohibitions should not be used to prevent the criticism of belief systems. There should be a distinction between the belief and the individual:

> The right to freedom of expression implies that it should be possible to scrutinise, openly debate, and criticise, even harshly and unreasonably, belief systems, opinions, and institutions, as long as this does not amount to advocating hatred against an individual. (Callamard, 2005).

The legal suits against *Charlie Hebdo* in 2006 were made on the basis that publication of the offensive cartoons were an incitement to racist hatred. Blasphemy in the modern legal

world has in some sense therefore mutated into hate speech. The judicial ruling was that the cartoons were against terrorism and fundamentalism rather than against Muslim people.

The liberal position on the problem that that free speech can lead to offence is that the offended are themselves free to criticize the offence: the remedy for harmful speech is more speech. However, freedom to respond may be less available to the poor or to minorities than to those in power (Nielsen, 2012). Society must therefore expend additional effort to counter inequalities.

> The appropriate answer to hate speech is not just more speech – but also policies and actions to tackle the causes of inequality in all its forms and colours (Callamard, 2006).

However, sometimes "talking back" just calls attention to the offence – how should a woman respond to a racist or sexual slur? It does not seem reasonable that everyone be obliged to fight back when offended. That would just lead to a society with everyone offending everyone else. As Ross Douthat points out, although the right to blaspheme or otherwise give offense is essential to a free society, the freedom of that society is not proportional to the quantity of blasphemy it produces.

Blasphemy: A Proposal

The original religious injunctions against blasphemy were more concerned with the use of God's name rather than its abuse. One interpretation of the third commandment was that we should not use the name of God to justify things that are not true, such as swearing by God that something made of stone is made of gold (Rashi commentary on Exodus 20).

An even wider interpretation is that we should not use the name of God to justify actions that are against God's will. Killing another person is against God's law. The *Charlie Hebdo*

killers who called upon the name of God as a justification for their acts thus committed blasphemy. They were an offence to God.

From Twitter @stephen_strydom (January 8th, 2015)

Unfortunately, the original commandment against murder is necessarily limited. A person might kill someone in self-defense or to save another innocent person. The Qur'an injunction against killing allows such exceptions: "Nor take life – which God has made sacred – except for just cause." (Qur'an 17:33). Unfortunately, terrorists apply their own interpretation of just cause.

However, another meaning of blasphemy is to assume that one is God. To take upon oneself the administration of justice (to assume the mantle of God) is to become a false prophet. Such is itself blasphemy.

To call upon the name of God to justify murder is complete blasphemy.

References

Callamard, A. (2005) Striking the balance. (Callamard was the

director of the human-rights organization ARTICLE 19 from 2004-2013)

Callamard, A. (2006). Freedom of speech and offence: Why blasphemy laws are not the appropriate response.

Chassaigne, M. (1920) *Le procès du Chevalier de la Barre*. Paris: Librairie Victor Lecoffre (J. Gabalda). Available on the Internet Archive

Graham, M. F. (2008). *The blasphemies of Thomas Aikenhead: Boundaries of belief on the eve of the enlightenment*. Edinburgh: Edinburgh University Press.

Nielsen, L. B. (2012). Power in public: Reactions, responses, and resistance to offensive public speech. In Maitra, I., & McGowan, M. K. (Eds.) *Speech and harm: Controversies over free speech*. (pp. 148- Oxford: Oxford University Press.

Seelow, S. (2015) Attentat à «Charlie Hebdo» : «Vous allez payer car vous avez insulté le Prophète » *Le Monde* January 9, 2015.

Sherwood, Y. (2012). *Biblical blaspheming: Trials of the sacred for a secular age*. Cambridge: Cambridge University Press.