

The *Charlie Hebdo* Murders: An Attack on Religious Liberty, Not Free Expression

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The monstrous slaughter at the French magazine *Charlie Hebdo* brought hundreds of thousands of marchers and numerous world leaders onto the streets of Paris to support free expression. But the attacks really were not about freedom of speech. Rather, the killings demonstrated how the destructive phenomenon of religious persecution is spreading from Third World dictatorships to First World democracies. Religious minorities long have faced murder and prison around the world. Now the freedom not to believe by majorities in Western democracies is under attack.

Charlie Hebdo went out of its way to offend. That isn't my style or taste. The magazine might have exhibited poor judgment. In fact, Charles Wilson of the University of Warwick denounced "free-speech fundamentalism." However, there is no "but" to free expression, which goes to the very essence of the human person. While good judgment tells us not to express every thought we have, as moral agents responsible for our actions we must be free to assess the world and express ourselves in vibrant public debate.

Restricting opinion -- whether through vigilante violence or increasingly common "hate speech laws," ironically used by the French government both before and after the murders to stifle criticism of Islam -- necessarily limits inquiry, and thus the pursuit of truth. For religion there is no greater affront than to inhibit people's search for the transcendent and liberty to respond, yay or nay, to God's call. The angrier the response to a claim or opinion, the more obviously it challenges received truths and forces rethinking of settled views.

The murderous attack on the staff at *Charlie Hebdo* was an attempt to silence an aspect of this search. The paper's often insulting work might not be an effective way to convince Muslims (or Christians, who also suffered the publication's slings and arrows) to reconsider their views. Indeed, the reaction to such attacks more often is reflexively defensive than expansively inquiring. However, serious belief must be capable of withstanding even the most offensive assault. Early Christians famously faced lions in the Roman Coliseum. Surely believers today should be able to confront insulting cartoons.

Western governments must protect the liberties of their peoples. That includes not overreacting by expanding the unconstrained powers of the surveillance state, the first response of many officials to terrorism. Even worse is Washington's inclination to bomb, invade, or occupy other nations at will. Nor should members of any group, Muslim or other, be treated as enemies.

However, the problem of violent religious intolerance is almost uniquely Muslim. It took Christianity hundreds of years but the faithful finally learned to stop killing over spiritual differences. Israel should be criticized as a nation state, not a spiritual representation of the globally dispersed Jewish people. Vicious strains of Buddhism and Hinduism operate in Sri Lanka and India, respectively, but are localized phenomena which rarely reach beyond their own societies.

In contrast, Islamic persecution is global. In most countries in which Muslims constitute a majority religious minorities suffer discrimination and persecution. The rare exceptions are nations such as Kuwait and Turkey, in which Christian churches generally are free to operate and Christian believers generally do not face private violence. Even in these nations there are serious problems and limits -- on the right to proselytize in Kuwait, for instance, and restrictions on the Orthodox Church in Turkey and rising anti-semitism.

One can argue why Islamic states so often brutally mistreat their most vulnerable citizens, but there is no disguising reality. If you are a Baha'i, Jew, Ahmadi, Christian, Yazidi, Hindu, wrong kind of Muslim, or atheist you likely will find life always difficult and often threatening in Iran, Iraq, Pakistan, Saudi Arabia, Somalia, Afghanistan, Libya, Egypt, Indonesia, Brunei, Malaysia, Sudan, Yemen, Maldives, Syria, and others. The other worst persecutors -- North Korea typically tops the global list, with Eritrea and the Central Asians also ranked high -- are totalitarian/authoritarian rather than Christian. The official religion in Pyongyang is relentlessly secular; the only god is the state or dictator.

Some Muslims point to blowback from promiscuous U.S. intervention. Washington has supported dictators, harmed innocents, and wrecked societies throughout the Islamic world. However, these are acts of a nation state, not a religious faith. And while that behavior might explain (though not justify, since nothing warrants the murder of civilians) attacks on U.S. targets, it does not illuminate why Pakistani mobs burn to death Pakistani Christians, Egyptian mobs wreck Egyptian Copts' homes, and Indonesian mobs torch Indonesian Christian churches.

The thugs who cut down a dozen *Charlie Hebdo* are the international descendants of those who murder alleged blasphemers and apostates in Muslim nations. Laws against blasphemy once were common in the West, and persist in a few nations -- some, ironically, represented by government leaders who marched in Paris -- and even a couple of American states, but are rarely used. However, blasphemy laws are actively enforced throughout the Muslim world. The irony is that where Islam is strongest, with belief by overwhelming popular majorities and support from authoritarian state authorities, the slightest perceived criticism of the dominant faith can result in prison or death. That suggests lack of confidence in the truth of Islam and fear of free inquiry by free minds.

In March the U.S. Commission on International Religious Freedom issued a special report entitled "Prisoners of Belief: Individuals Jailed Under Blasphemy Laws." Recent victims of the ongoing attack on free expression include people from Bangladesh, Egypt, Indonesia, Iran, Kazakhstan, Pakistan, Saudi Arabia, Tunisia, and Turkey. (Also in Greece, where the Orthodox Church remains tied to the state.) On Friday Saudi blogger Raif Badawi received the first 50 of 1000 lashes for his "crime"; he also faces ten years in prison.

Despite hopes for expanded individual liberty as a result of the Arab Spring, revolutionary governments in both Egypt and Tunisia charged citizens with blasphemy. In 2012 Kuwait's popularly elected Assembly voted to impose the death penalty on Muslims convicted of blasphemy; the Emir blocked the legislation. USCIRF commissioners Zuhdi Jasser and Katrina Lantos Swett warned: "Rather than giving rise to greater individual liberty, this trend could turn the Arab Spring into a repressive winter, with forces of intolerance and tyranny dashing hopes for genuine freedom and liberal democracy."

Nowhere are blasphemy laws more used and abused than in Pakistan. Nearly 1000 people have been charged with the offense over the last three decades. A couple years ago the authorities prosecuted a mentally handicapped 12-year-old Christian girl, before dismissing the case due to the international outcry. Wife and mother Asia Bibi currently faces death because she defended her Christian beliefs to fellow berry pickers who were pressuring her to convert to Islam.

In its report USCIRF explained how the law encourages abuse: "The so-called crime carries the death penalty or life in prison, does not require proof of intent or evidence to be presented after allegations are made, and does not include penalties for false allegations." Judges prefer not to hear evidence, since doing so could be construed as blasphemy. A claim usually is sufficient to send someone to prison, making the law a common weapon in personal and business disputes.

Non-Muslims are peculiarly vulnerable. Observed the Commission: "The country's blasphemy laws, used predominantly in Punjab province, but also nationwide, target members of religious minority communities and dissenting Muslims and frequently result in imprisonment." The group Freedom House also studied the issue, concluding that "it is clear that Pakistan's blasphemy laws are used politically and applied disproportionately to non-Muslims. Although many other countries have laws against blasphemy, the situation in Pakistan is unique in its severity and its particular effects on religious minorities."

Many people do not reach trial: mobs have killed more than 50 people charged with the offense. And thugs like those who gunned down the Charlie Hebdo staffers have murdered judges who acquitted defendants, attorneys who represented those accused, and politicians who proposed reforming the laws. The killers have been widely applauded, including by other *Pakistani lawyers*. A pamphlet circulated after the murder of human rights attorney Rashid Rehman earlier this year announced that he met his "rightful end."

Unsurprisingly, such violent intolerance inhibits freedom of expression involving much more than technical "blasphemy." Pakistan already is scary, an unstable nuclear state which has backed the Taliban in Afghanistan and violent Islamist radicals in India. Yet, warned Freedom House, "blasphemy laws foster an environment of intolerance and impunity, and lead to violations of a broad range of human rights, including the obvious rights to freedom of expression and freedom of religion, as well as freedom from arbitrary arrest and detention; the right to due process and a fair trial; freedom from torture and cruel, inhuman, and degrading treatment; and the right to life and security of the person."

Self-censorship toward Islam is evident in many Western nations, even where activists and publications enthusiastically lampoon other religions. The Paris killings are likely to reinforce such fears. But that is not enough for some Muslim states. Governments which persecute their own people have campaigned at the United Nations against the so-called defamation of religion.

These states jail and kill, or stand by as mobs brutalize and murder, members of minority faiths. Then the governments complain of verbal criticism of Islam elsewhere and push to restrict freedom of expression in lands which their own laws do not reach.

There isn't much Washington can do to protect liberty in other countries, though curbing counterproductive military intervention would help reduce some antagonisms. However, the U.S. government must insist that the liberties of Americans are non-negotiable and will be defended. It might be imprudent to offend, but the right to do so is fundamental to a free society.

More broadly, the *Charlie Hebdo* murders should remind policymakers that religious liberty is not an afterthought, an esoteric principle with little practical impact. Instead, the refusal of other states to respect freedom of conscience, indeed, their willingness to routinely violate this most basic liberty, should act as the clichéd canary in the mine. A government which refuses to protect individuals in exploring the transcendent is more likely to leave other essential liberties unprotected. Societies which do not acknowledge the importance of the life and dignity of the human person, and especially the right to believe differently, are more likely to spawn violence directed against free societies elsewhere. Like in Paris.

Intolerant and violent currents influence some Muslim states and threaten to dominate others. In Paris we again saw how these forces can impact the rest of us. Better security is only part of the answer. Much depends on people in Muslim-majority nations, where religious persecution today is at its worst, coming to peacefully accept those who believe differently both at home and abroad.

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