

Satire and Sanity: Where Do You Draw the Line? (News Analysis)

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I'm a free speech advocate. I've been arrested and I have served jail time for exercising my First Amendment rights. As a reporter, magazine editor and political cartoonist, I've received complaints (and a few rare death threats) for my work. So it goes without saying that I share the global outrage over the brutal murders of the cartoonists and staff at the French magazine *Charlie Hebdo*. It chills the blood to imagine any American cartoonist being placed in the crosshairs of a Kalashnikov. No matter your race, religion, history or lifestyle, murder is a heinous crime—far worse than even the most wounding insult.

But after dwelling on the causes and effects of this tragedy, I find that I have some qualms about the argument that there should be no limits to the exercise of free speech.

My concerns begin with a question: "At what point does satire become bullying?" At what point does satire morph from a deftly wielded surgical tool into a blunt instrument of personal or cultural assault? As we have seen, a pen can draw a cartoon but a weaponized cartoon can draw blood. Does the cause of "free speech" bind us to defend slanders, lies and defamation?

Many advocates of free speech make a point of defending uncensored and fearless public expression—but only so long as the speech does not veer into venomous and hateful rhetoric. When "free speech" devolves into racist or misogynistic invective, it can prove as devastating to public peace as yelling "Fire!" in the legendary "crowded auditorium." Such mean-spirited expressions are classified as "hate speech" and are characterized by content that "offends, threatens, or insults groups, based on race, color, religion, national origin, sexual orientation, disability, or other traits."

Unclothed Emperors Versus the Naked Masses

Satire, as a form of mockery, reads entirely differently depending on where and how it is directed. Ridicule directed against the powerful—whether the target be a wealthy member of the elite or a multinational corporation—is most easily recognized as the proper use of the satiric tool. However, ridicule directed against the powerless, the disenfranchised, or the disabled can be seen as inappropriate and coldhearted bullying.

Even hate speech can be nuanced by the interplay of social realities. It's one thing for the oppressed to call for the elimination of the ruling classes; it's another matter for the rulers to call

for the elimination of masses. Regicide and genocide are both crimes but there is a vast difference in scale.

Satire, as defined by [Wikipedia](#), is "a genre of literature, and sometimes graphic and performing arts, in which vices, follies, abuses, and shortcomings are held up to ridicule, ideally with the intent of shaming individuals, corporations, government or society itself, into improvement."

The rule here is simple: there must be some kind of perceived moral failure to draw satire's fire and the goal should be to "shame" the targeted parties into "improving" their behavior to reflect accepted (or idealized) societal norms.

Satire Is a Tool, Not a Plaything

I remember a conversation I once had while working at West Coast magazine. A fellow staffer had proposed a humorous article on *Population Bomb* author Paul Ehrlich. The article was based on the premise that Ehrlich and his wife were beset by a house overrun by their 20 hyperactive children.

"But that's something that would never happen, given the Ehrlich's beliefs and practices," I objected.

"Don't worry," came the response. "It's *satire*!"

But it *did* matter. You can't satirize someone for something they haven't done, aren't doing now or are unlike ever to do. Like the definition says, you first need a legitimate "vice" or a "foible." If you're mocking someone because they are conspicuous and "different"—say for simply wearing a turban or a sombrero—you aren't engaging in satire, you're just being insensitive and boorish.

It is one thing to mock a celebrity millionaire known for dining on the flesh of an endangered species but it is an entirely different matter to make sport of a homeless person forced to feast on leftovers scrounged from a dumpster.

In the case of the cartooned attacks on Islam's standard-bearer, the artists involved committed a double offense. First, they violated a cultural taboo against graphic depictions of Muhammad and, at the same time, used the caricatures to insinuate that the prophet (and, by implication, all Muslims) was an agent of mass murder.

To update Tina Fey: We not only have a "right to tell dumb jokes." We also have a responsibility to tell "smart jokes."

Why the Anger?

Many members of the international Muslim community have reason to fear—and, yes, hate—the West. But this hostility is rooted in more in lived history than in any religions jihad or "clash of cultures."

As PBS /Frontline columnist [Muhammad Sahimi notes](#): "Since the end of the first Persian Gulf War in 1991..., the West has done nothing but [bring] misery, destruction and bloodshed to the region."

Among the brief litany presented by Sahimi are the following statistics:

By the United Nation's count, at least [576,000 Iraqi children died](#) as a result of US economic sanctions imposed in the aftermath of the first Persian Gulf War.

Between [500,000 and 1.6 million Iraqis were killed](#) as a result of the US invasion.

As many as [50,000 Libyans have been killed](#) since the US attacks that lead to the overthrow of Libya's leader *Muammar al-Qaddafi*.

More than [200,000 Syrians have been killed](#) and as many as 10.6 million driven from their homes as a result of the US-backed proxy war against the government of Bashar Hafez al-Assad.

Then there is the US drone war, which has managed to assassinate several dozen identified "terrorists" while murdering as many as [4,700 innocent people](#).

Sahimi poses some uncomfortable rhetorical questions: "How many Americans shouted 'I am Iranian' after an Iranian passenger airliner was shot down over the Persian Gulf by the US Navy in 1988, killing 290 innocent people?" "How many declared 'I am a Palestinian child' after Israel's attacks on Gaza?"

Attacks on the Press? The US Is Guilty, Too

When it comes to attacks on the press, Noam Chomsky reminds us that Washington has racked up a greater body count than al-Qaeda in the Arabian Peninsula. On April 24, 1999, US bombs blew up Serbia's state television headquarters, [killing 16 journalists and employees](#). NATO and the US defended the bombing, with Pentagon spokesperson Kenneth Bacon calling the attack on Serb TV a legitimate response to Yugoslavia President Slobodan Milosevic's "murder machine."

No one held up a sign that read: "*Je suis Slobodan Jontić*."

And in 2003, journalists worldwide protested a US missile attack on the Baghdad headquarters of Al Jazeera that [killed three journalists](#). Two more reporters (one working for Reuters, the other for the Spanish network, Telecinco) were killed soon after when US artillery targeted their hotel rooms.

No one held up a sign reading: "*Je suis Tariq Ayoub*."

As Chomsky observes: "terrorism is not terrorism when a much more severe terrorist attack is carried out by those who are Righteous by virtue of their power. Similarly, there is no assault

against freedom of speech when the Righteous destroy a TV channel supportive of a government they are attacking."

Is Blasphemy a First Amendment Right?

Author Salman Rushdie (targeted for death for his novel *The Satanic Verses*) has observed: "Religion deserves our fearless disrespect." Political comic commentator Bill Maher has been a similarly outspoken critic of religion. In his documentary, *Religulous*, [Maher argues](#): "Religion is dangerous because it allows human beings who don't have all the answers to think that they do." Maher warns that the "arrogant certitude that is the hallmark of religion" poses a dangerous trigger for conflict that could lead to global annihilation. Maher's prescription is blunt: "Grow up or die."

Walter Olson, a senior fellow at the Cato Institute's Center for Constitutional Studies argues that, in the global defense of free speech, "'blasphemy' is its front line, in Paris and the world." Olson argues that the attack on *Charlie* means we have to defend "all who write, draw, type, and think—not just even when they deny the truth of a religion or poke fun at it, but especially then." Olson argues for Free Speech Absolutism: "There is no middle ground, no soft compromise available to keep everyone happy." In Olson's view, failure to put any limits on even the coarsest of public discourse would mean "liberty will endure only at the sufferance of fanatical Islamists."

(One must assume that Olson is also critical of the "fanatical Islamists" ruling Saudi Arabia, where a [blogger named Raif Badawi has been sentenced](#) to ten years in prison and public floggings—50 lashings per week over a period of 20 weeks—for the crime of penning commentaries critical of the kingdom's ruling clerics. A Westerner might ponder whether Badawi's fate would have been different had he described his criticism as "satire.")

Rushdie, Maher and Olson may be correct in their analysis that religions cause more grief than good, but their remedy seems both (excuse the word) preachy and parental. In essence, they seem to be demanding that their next-door neighbor's "children" put away their "bad" toys "for their own good." (How would that approach work in *your* neighborhood?)

Freedom of Speech vs. Freedom of Religion

In July 2011, the UN's Special Committee for Human Rights produced a 15-page report (prepared by 18 lawyers, four of whom were from Muslim countries). The report argued that, under the 1999 [International Covenant on Civil and Political Rights](#), statements that criticized religion were a permissible exercise of free speech. But there were two critical exceptions enshrined in Article 20: "(1) Any propaganda for war shall be prohibited by law and (2) Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."

Clearly, the cruel mockery of the fundamental religious and spiritual beliefs of individuals (especially poorer, disenfranchised and set-upon people) does not meet the definition (nor does it accomplish the goals) of satire. Directed against fervently held beliefs—be they Islamic,

Christian, Jewish, Shinto, Buddhist or Mormon—mockery can quickly be seen as a form of religious persecution.

If some community's holy book stipulates that one "shall not take the Lord's name in vain" and a columnist, blogger, pundit or cartoonist makes light of what some see as a sacred commandment, the invocation of "free speech" will not grant immunity from the angry consequences such behavior is likely to provoke.

If some community's holy book forbids the worshiping of graven images or other graphic representations of Jehovah, Yahweh, Allah or Mohammed, a claim of "free-speech" cannot absolve a wood-carver or a cartoonist of responsibility for inflicting an offense.

There is no question that Islamic culture is under assault in Europe. France has [passed laws](#) preventing Muslim women from wearing the hijab in public (while Catholic nuns, Hassidic Jews and saffron-robed Buddhist monks remain free to wear their traditional garb unmolested.)

A Dozen Cartoons Stoke Global Anger

On September 30, 2005, the Danish paper *Jyllands-Posten* printed 12 political cartoons featuring Allah's prophet. One depicted Muhammad as a bomb-toting terrorist. One showed the Prophet with vampire teeth, drinking wine and smoking a cigar. Yet another showed the Prophet flashing a victory sign—with two extended fingers drawn to resemble the burning World Trade Towers.

The publication of these cartoons prompted outraged complaints from the leaders of ten largely Muslim nations. Saudi Arabia and Libya went so far as to sever diplomatic relations with Denmark.

Jyllands-Posten apologized and, in doing so, bought the promise of calm to the continent. But four months later, on February 1, 2006, newspapers in France, Germany, Italy and Spain reprinted the offensive cartoons.

This triggered a new wave of protests across the Middle East. On February 4, 2006, the Danish and Norwegian embassies were attacked in Syria. On February 5, the Danish embassy in Lebanon was torched. And, on February 8, *Charlie Hebdo* reprinted the cartoons in an act the French President Jacques Chirac described as "an overt provocation." More massive demonstrations followed—from the Middle East to Malaysia.

On February 13, an Iranian newspaper—in a cheeky attempt to test the limits of mainstream tolerance—invited readers to enter drawings in a "Holocaust cartoon contest."

Roots of the *Charlie Hebdo* Tragedy

In 2006, Flemming Rose, a former culture-page editor at the *Jyllands Posten*, defended the paper's publication of the 12 provocative cartoons as an essential part of confronting the threat of self-censorship imposed by the presence of radical Muslims.

In a *Washington Post* article explaining ["Why I Published Those Cartoons,"](#) Rose defended the paper's criticism of Muslims. Rose argued that the cartoons were not intended as a divisive blow but should have been seen as an egalitarian embrace: "[B]y treating Muslims in Denmark as equals [the cartoons] made a point: We are integrating you into the Danish tradition of satire because you are part of our society, not strangers. The cartoons are including, rather than excluding, Muslims."

Rose went on to cite Karl Popper's book *"The Open Society and Its Enemies,"* and its insistence that "one should not be tolerant with the intolerant." Rose then likened Denmark's Muslims to America's growing Latino population and accused Muslim leaders of engaging in ["a politics of victimology"](#) that ignored "relatively high crime rates." Rose also warned of "the coming Muslim demographic surge [a]fter decades of appeasement and political correctness...."

Charlie Hebdo's 'Irresponsible' Cartoons

Charlie Hebdo proudly proclaims its editorial mission is to be a *journal irresponsable*—an "irresponsible magazine." On one of its covers, *Charlie* portrayed itself as a caveman brandishing a torch in one hand and a coconut dripping with oil in the other. The message—that the practice of humor requires adding "fuel to the fire"—proposes an unusual (and inflammatory) definition of comedy. In most dictionary definitions, the art of comedy involves "making an audience laugh." Not winch. Not cringe. Not grow red-faced with anger.

On November 2, 2011, *Charlie's* office was fire-bombed after publication of an issue that the staff claimed was "guest edited" by Muhammad himself. *Charlie* subsequently was hit with a lawsuit and France had to close embassies in 20 countries. *Charlie's* September 19, 2012 edition featured a cartoon of Mohammed on its cover. It was particularly striking because The Prophet was depicted naked. On January 2, 2013, *Charlie* published a 55-page "illustrated biography of Muhammad." Just over a year later, three gunmen broke into *Charlie's* office, killing staff cartoonists and several police.

Kurt Westergaard was the Danish cartoonist who portrayed the Prophet Muhammad with a bomb in his turban. To underscore his target, the turban in Westergaard's drawing included the phrase: "There is Only One God and Muhammad Is His Prophet." After the cartoon was published, deadly riots erupted around the world and a fatwa was issued calling for Westergaard's death. In an April 3, 2011 [interview with National Public Radio's Steve Paulson](#), Westergaard insisted he had done "nothing wrong."

"I'm very sorry that people died," Westergaard said, but "I can take no responsibility for that. I have just defended a Danish tradition." He argued that the riots were a sham— "staged by regimes that could not fulfill their population's needs." But, Paulson asked, why risk provoking anger by branding the prophet as a terrorist? "Because part of Islam is, after my opinion, evil. It is intolerant," the cartoonist explained. "This branch of Islam produces those terrorists and their terrible and cruel acts."

But the cartoon did not depict a "part" of Islam, Paulson persisted, it depicted the Prophet himself as a terrorist.

Well, Westergaard replied: "Even if the cartoon was evil against the whole Islam, according to Danish tradition, I have the right to make such a cartoon.... If people want to live here with us," he added, "they have to accept our satirical traditions."

In other words, Westergaard seems to be saying: Danish traditions trump Islamic traditions.

The Prophet and Pornography

While US newspapers and magazines have published cartoons that focus on Catholic priests engaging in pedophilia with young boys, the artwork is studiously GP-rated. It is quite another situation with the X-rated renderings of the Prophet that have appeared in the European press. Over the years, *Charlie* has salted cyberspace with a trove of near-pornographic cartoons aimed at Islam's Prophet. Many focus on Muhammad's nine-year-old wife, Aisha. Some of these cartoons show the Prophet nude, with the naked girl in his lap. Others depict Aisha accompanied by Muhammad, leering, with a drooling tongue dangling from his mouth or sporting an enormous erection. At least one cartoon shows Muhammad being sodomized. Some of these cartoons can be viewed online at <http://iranpoliticsclub.net/cartoons/muhammad-aisha/index.htm>.

By contrast, a Google search for "pedophile priests" or "God raped Mary" does not produce any remotely similar images. In the latter case, there are mainly classical paintings of the Virgin Mary bearing the subtitle "God Raped Me" and a photos of T-shirts reading "God Raped Mary" but there are no salacious, X-rated cartoons showing a leering Creator sweating as he breaches the Holy Virgin's hymen. (The absence of child-molestation themes on the Judeo-Christian side of the scale is a particularly notable omission since Mary—as befitted Jewish tradition of the time—was reportedly betrothed to 31-year-old Joseph when she was just [12 years old](#).)

There Are Laws Against Free Speech

Anyone who claims the right to say anything they wish needs to understand that the claim of "free speech" does not grant the speaker immunity from the possible consequences of provocative speech. Nor does free speech exempt anyone from accountability for broadcasting outright lies. If your "free speech" involves slander, you can be brought before a judge.

Sure, you are "free" to make jokes about bombs in airports, but you stand a good chance of getting detained and/or jailed if you do.

Sure, you are "free" to call for the assassination of the president, but odds are the Secret Service will be on your tail (and your email) if you do.

Sure, you are "free" to question the Nazi holocaust. Unless you live in Europe, where such speech is banned and such discussions could land you in prison.

Sure, you are "free" to use the N-word at a meeting of the NAACP, but it would be ill-advised.

Sure, you a "free" to write political tracts calling for regime change, but in some countries that will place you in chains.

The fact is, speech can have consequences—even non-judicial consequences.

Fox news commentator Elizabeth Lauten recently lost her job because she exercised her "free speech" right to criticize President Obama's teenage daughters for not being "good role models." "Try showing a little class," Lauten advised Sasha and Malia.

On the other side of the political spectrum, comedian Bill Maher was booted from his ABC show, *Politically Incorrect*, after a guest characterized the 9-11 hijackers as "warriors" and Maher agreed, noting: "Lobbing cruise missiles from two thousand miles away. That's cowardly. Staying in the airplane when it hits the building. Say what you want about it. Not cowardly."

The Bully Pulpit

Faced with shouts of condemnation from letter-writers, bloggers and angry demonstrators, a besieged media's typical response is to double-down on the "free speech" defense—insisting on their right to do and say whatever they choose while criticizing their critics for trying to deny them their freedoms. Frequently, they then proceed to *repeat* the offense—or even *add* to the original offense—to show that they will not be "intimidated." But this doubling-down response fails to recognize that their critics are exercising *their* right to "free speech"—by responding with complaints and protests. So what results is an irresolvable, ever-escalating conflict.

When an individual commits an act that others find offensive and then refuses to accept responsibility for causing outrage, what the individual is really demanding is not the ability to exercise "free speech" but the ability to say anything he or she wishes and to enjoy complete impunity.

It is the mindset of a bully. "Don't tell me what I can or can't say. You have no right to complain. I'm just going to continue saying it, only this time I'll say it even louder!"

This isn't defending "Free Speech." It's defending "Me Speech."

Just as in international commerce, it's not enough to have "free trade": It is also important that we have "*fair* trade." Similarly, when it comes to public expression, we need to promote speech that is both free *and* fair.

The "Free Speech" Dodge and *The Interview*

Too often, the right to "free speech" is invoked as a means to grant impunity for acts of bigotry and intolerance. Or, as in the recent case of Sony's controversial film, *The Interview*, it provides a free pass for a muck-fest of raunchy, juvenile gross-outs involving sex, politics, and state-sponsored terrorism. Even before [parties-still-unknown](#) unleashed a massive cyber-prank that disabled Sony's corporate computers, the film company already had secured a special place in the annals of Hollywood history. Sony became the first studio to pioneer a new film genre: the

"assassination comedy"—a Christmas holiday release that climaxed with the slow-motion detonation of the head of a living head-of-state.

It was troubling to read—weeks after the initial expressions of outrage—that the US State Department had quietly ["signed off" on Sony's script](#) in June 2014. The act of green-lighting the cinematic demise of Kim Jong-un would seem to make the White House complicit in "executive-action"-advocacy-by-proxy. If true, this suggests the possibility that the entire kerfuffle might have been intentionally plotted by US interests who hoped to provoke North Korea into some act of retaliation that could provide a basis for increasing US financial and military pressure on Pyongyang.

The Interview's murderous premise seems particularly shameless given the CIA's long history of political assassinations. (Also shameless: *The Interview's* cameo appearances by radical comedian Bill Maher and *NBC Nightly News* anchor Brian Williams.)

According to William Blum's [Killing Hope: US Military and CIA Interventions since World War II](#), the US has made more than 50 attempts to assassinate foreign political leaders. The CIA's extensive "take-out list" includes: Guatemala's Jacobo Arbenz Guzmán, Chile's Salvador Allende, Libya's *Muammar al-Qaddafi*, Cuba's Fidel Castro, Indonesia's Achmad Sukarno, Congo's Patrice Lumumba, Serbia's Slobodan Milosevic and the Dominican Republic's Rafael Trujillo.

President Obama characterized the attack as "cyber vandalism," but downplayed its importance as a national security issue. Throughout the debate, the White House ignored Washington's own devastating dabbling in cyber vandalism. This includes a [1982 cyber-attack](#) that caused the massive explosion of a Russian natural gas pipeline in Siberia and [the 2010 Stuxnet Virus attack](#) on Iran's nuclear energy program.)

Interesting to note: Sony Pictures Entertainment is not exactly a US company. It is a subsidiary of Tokyo-based Sony Entertainment, Inc. Nonetheless, the president promised to retaliate against a foreign government on the suspicion that it was behind an industrial prank that targeted the assets of a Japanese-controlled entity.

This is a troubling precedent. Where in the US Constitution is the president or Congress given the authority to threaten retaliation for an act of industrial espionage targeting a privately owned (let alone foreign-based) corporation? (Meanwhile, there is still [reason to question](#) whether the North Korean government was even involved in the cyber-hack.)

Instead of directing the country's attention to America's own troubling history of targeted assassinations, the media brouhaha over *The Interview* became conflated with a jingoistic defense of "free speech." Even people who had no interest in watching a Seth Rogan feature put on their American flag beach-shorts, got in line and shelled out money for tickets. Why? Because, as more than one ticket-buyer explained: "It's important that we stand up for Free Speech and show we're not afraid!"

Je suis James Franco.

The Islamaphobia Factory

Ironically, as [Muhammad Sahimi has noted](#), Islam *does not* call on followers to attack those who insult the Prophet. Instead, the Quran teaches: "Do not conform to the caprices of the disbelievers and the hypocrites, and disregard their annoying words" (*Surah al-Ahzab*: 48). (It does seem strange that many Christians and Muslims are so quick to resort to war to "defend-the-faith" when their respective Gods are worshipped as "omnipotent." Gods, by definition, should be capable of defending themselves without human intervention.)

Sahimi goes on to write: "Muslim extremists are aided by Western Islamaphobia, preached by right wings that have turned it into a highly profitable 'industry.'... And now, with the Paris crime, peddlers of Islamofascism in the West are having a field day, feeling righteous."

Is there a double standard at work here? Many national leaders vigorously condemn anti-Semitism but are doing little to discourage the rise of Islamophobia. "The only cure for hate speech is more speech" it is said. But where is the counterbalance when Muslims (or any other group) are targeted simply because they are members of an identifiable "different" community?

Al Qaeda's terrorist outrages are directed towards powerful global forces that have established a long history of invasions and occupations of foreign lands. While it is critically important to understand the motives of those we identify as "enemies," the West shows little tolerance for the free speech of "terrorists." Osama bin Laden was in the habit of recording "messages to the America people" in which he enumerated his complaints about US foreign policy. But the contents never seemed to make it into the pages of the *New York Times* nor were they ever aired and debated on Sunday morning's televised political roundtables.

As Sahimi concludes: "So long as the abuses of the Western dominance of the Islamic world provides the fertile ground for extremist Muslim clerics and preachers to espouse their reactionary interpretations of Islam—a religion of peace and mercy—things will not get better."

Where Do You Draw the Line?

While absolute free speech is the democratic ideal, in practice, it becomes difficult to insist on the absolute right of all forms of speech. For instance, who wants to be the first to stage a rally in support the "free speech rights" of cyber-bullies, stalkers, haters and Internet trolls?

Je suis Charlie, for sure. But *je suis Muhammad et Jesus, aussi. Et je suis Lenny Bruce, George Carlin, Malcolm X, Bill Maher et Jon Stewart.*

Mais je suis aussi Valerie Solanas, Ann Coulter, Russ Limbaugh, Marine Le Pen, Anwar al-Awlaki, David Duke, et Adolf Hitler?

Everyone has the opportunity to pick up a pen and try to make a point. The question remains, for both cartoonists and free-speech advocates: "Where do you draw the line?"