



European Court Rules Against Free Speech; in Favor of Islam

Europe took another step toward sharia law last Thursday when it ruled that an individual's right to free speech did not extend to "insulting" the Prophet Mohammed. The European Court of Human Rights (ECHR) upheld the conviction of an Austrian woman who was fined for relating scripturally based behavior of the prophet to pedophilia.



The Austrian woman, known only as E.S., said during two seminars in 2009 that the Prophet Mohammed's marriage to six-year-old Aisha at a time when the prophet would have been in his 50s was akin to pedophilia. The Koran states that the marriage was not consummated until Aisha reached the age of nine.

E.S. reportedly told the seminar attendees, "Muhammad liked to do it with children," and also stated, "A 56-year old and a six-year-old ... what do we call it, if it's not pedophilia?"

The defendant argued that her comments fell within her right to free expression and that religions must be able to allow some criticism of their teachings. She further stated that the comments were not meant to defame Mohammed but to ignite public debate.

E.S. was originally found guilty in a Vienna court in 2011 and ordered to pay a €480 (\$547) fine. An Austrian appeals court upheld the original decision.

From the ECHR ruling: "By accusing Muhammad of pedophilia, [E.S.] had merely sought to defame him, without providing evidence that his primary sexual interest in Aisha had been her not yet having reached puberty or that his other wives or concubines had been similarly young. In particular, [E.S.] disregarded the fact that the marriage with Aisha had continued until the Prophet's death, when she had already turned eighteen and had therefore passed the age of puberty."

So, it wasn't necessarily pedophilia because Aisha stayed with Mohammed until he died? That sounds more like Islamic apologetics than it does an informed 21st-century court decision. Would Aisha have had any choice not to continue the marriage?

And never mind that according the Koran itself (Sahih al-Bukhari, Book 58, Hadith 234), E.S. was factually correct in her description of Mohammed's marriage to Aisha. The prophet did indeed marry a six-year-old and consummate that marriage when the child was nine years old. Today, that meets the textbook definition of pedophilia.

The Strasbourg-based ECHR ruled that the Austrian courts had "carefully balanced her right to freedom of expression with the right of others to have their religious feelings protected." It further stated that



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the Austrian courts “served the legitimate aim of preserving religious peace.”

“It [the Austrian Court] held that by considering the impugned statements as going beyond the permissible limits of an objective debate, and by classifying them as an abusive attack on the Prophet of Islam which could stir up prejudice and threaten religious peace, the domestic courts put forward relevant and sufficient reasons.”

“Preserving religious peace” is the key phrase here. Where, exactly, would religious “non-peace” come from? Christians? Jews? Hindus? Atheists? Exactly which of the major religions on this planet might react to a blasphemous statement against their faith with violence? Which of the major monotheistic religions issues edicts that people be killed for [drawing cartoons](#) of their prophet?

This ruling was made for one reason only. The courts and the governments of Europe — especially the EU — fear reprisal from Muslims in the form of rioting and fatwas against their citizens more than they value individual rights to free expression. If the defendant in this case had defamed Jesus instead of Mohammed, what would the court’s decision have been? More importantly, would any fine have been issued at all? Of course not. Because Christians don’t flip out at every blasphemy toward the Lord Jesus like Muslims do over slights against Mohammed.

By ruling in this way, the ECHR did not ensure religious peace at all. On the contrary, it virtually guaranteed more violence, since Muslim extremists now know (if they didn’t already) that violence, or even the mere threat of violence, will cause the courts and governments of Europe to cave to their demands.

The ECHR’s ruling was conceived in cowardice and is another example of the slow creep toward sharia law across the European continent. This ruling signals to Europe that sharia blasphemy laws are now in full-effect in the European Union.

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