

Religion and blasphemy ideology

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Blasphemy is the act of insulting or showing open disrespect of God through display of inappropriate behavior towards holy personages, religious artifacts, customs and beliefs. The word "blasphemy" came via Middle English blasfemen, from which the English term "blame" came into existence (Wikipedia. com n. d). Blasphemy is regarded as an offense against the community to varying degrees, depending on the extent of the identification of a religion with the society at large or the government.

Blasphemy has been a crime in many religions and cultures, wherever there is something sacred to protect. The history of the law of blasphemy in Christian society was one of severity and it became a primary focus of censorship regimes with the warning punishment for blasphemers and measures for the identification, destruction or deterrence of heterodox works. In modern times with the beginning of freedom of speech and religion, blasphemy laws in western nations were no longer so heavily enforced.

Indeed, some countries still have laws to punish blasphemy, while others have laws to give recourse to those who are offended by blasphemy.

Countries with a state religion are the most common users of blasphemy laws in a modern context. The origins of Blasphemy law The first connection we can make between blasphemy and any kind of moral code or law is derived from one of the 10 commandments, which according to the Hebrew Bible, were authored by God and given to Moses in the form of two stone tablets in 1440BC.

In accordance with majority Christian denominations, the 3rd Commandment “ You shall not make wrongful use of the name of your God” is the first written account for the origin of the law of blasphemy, a law which was punishable by death. In a more institutionalized sense, the offence of blasphemy came under canon law; the body of laws and regulations made by or adopted by ecclesiastical authority, for the government of the Christian organizations and its members. Canonic law was adopted by the Apostles at the Council of Jerusalem in the 1st century and it incorporated not only legislation derived from the New Testament, but some elements of the Hebrew (Old Testament), Roman, Visigothic, Saxon, and Celtic legal traditions spanning thousands of years of human experience” (Knight, 2009). From the 16th century to the mid-19th century, blasphemy against Christianity became more likened to an offence against the non-secular state, for which it became classed as an offence under common or civil law, filed under criminal code.

At this time, all irreverence towards God, including denying His existence or benevolence, all conjecture denouncing Jesus Christ as the savior, all profane remarks made with reference to the Holy Scriptures, or exposing any part of which to contempt or ridicule, depending on the severity were punishable by death, imprisonment, corporal punishment and/or fine. Finally, In the 17th century blasphemy was declared a common law offence by the Court of King's Bench, punishable by the common law courts, generally restricted to protect the " tenets and beliefs of the Church of England" (“ Q&A: Blasphemy Law,” 2004).

Blasphemy law in the early Christian era In the early Christian era in Europe, religion was an indispensable part of morality and law and so governance and societal control became the inherent role of the church rather than of the state and its political bodies as it is today. In other words, early society was governed by an ecclesial body who applied canonic law. So, as Christians came to control the power of the state, blasphemy became a crime punishable by law upon all of its citizens as God fearing people. In such circumstances, unbelief and blasphemy were considered to be no different than acts of treason against one's mother country. Thus, blasphemy had relevance in early Christian dominated societies.

If we refer to the bible about the nature of blasphemy in its early form, the Old Testament describes how blasphemy was punishable by stoning as was the punishment inflicted on the son of Shelomith. In New Testament times, it was this Old Testament law against blasphemy that the Scribes, Pharisees, Chief Priests and rulers of the people used in order to condemn anyone who spoke out against the corruption of their religious order (Truth in history, n.). There was one such case in Australia back in 1871 when William Lorando Jones was prosecuted for claiming that the Bible was " the most immoral book that ever has been published" and " not a fit book for any female to read", and that the children of Israel murdered the Egyptians, and that Elisha " murdered a number of priests of Baal by his God's authority" and that Moses " saved 40, 000 Midianitish women to make them prostitute to his soldiers" (Arnold, 2008).

Mr. Jones had been reading the Old Testament and in retrospect his claims echo comments made by biblical scholars since at least the 1850s. Jones was <https://assignbuster.com/religion-and-blasphemy-ideology/>

preaching blasphemous verse to the local masses in suburban Parramatta, Sydney and was convicted with a ? 100 fine. The case of The Queen against William Lorando Jones proved the churches fear of Blasphemy among the common people due to its potential to orientate the lesser educated community against the state.

From a media sociological perspective, the church feared that the community would become an active audience in making choices about what they want to take from the church governance as “ gospel”, and that which they disagreed with. A fear of dissident from a once passive section of society due to the words of one brave member would bring with it the potential to bring the church into disrepute and a loss of power over its society.

Blasphemy law in the modern era On many different levels, and for various legitimate reasons though, here has been a recent tendency in Western countries toward the reform of blasphemy laws, and these laws are only infrequently enforced where they do indeed exist. Many campaigners from across the political spectrum criticize the law as completely out of date and want it done away with, especially considering this modern era as one, which adheres to the notion of freedom of speech. In Britain, the relevance of blasphemy prosecution fails because it clashes with the right to free speech in the European Convention on Human Rights, a section of British Civil Law (“ Q&A: Blasphemy Law,” 2004).

On an equally valid note, campaigners also argue that in this modern era it is no longer the state's place to defend ideas and faiths - religions as

independent institutions should be strong enough to defend themselves. Indeed, many multicultural western societies feel that a total review and overhaul of the blasphemy ideology be undertaken. The primary reason is that liberal thought has tended to maintain that religion is too divisive to provide a constructive voice in public policy debates within democratic pluralistic societies.

It is argued, “ the beliefs of various religious traditions are intimately bound up with views of the good, of right and wrong, which are not shared by others. Additionally, the argument goes, because such beliefs are not supported by publicly and universally accessible reasoning, they are likely to conflict with one another and with secular thought, thus threatening social stability” (John, 2006, p. 179-190). On the other hand, the issue of freedom of speech versus blasphemy cannot be seen in isolation from the role of religion as a source of political power in some societies with a state religion.

In such a society, “ to blaspheme is to threaten not only a religion, but also the entire political power order of the state, and hence, the official punishments tend to be more severe” (Wikipedia. com, n. d.). To highlight the complexities of societies, which practice freedom of worship but with one official recognized religion, we can refer to one recent case in Malaysia about Muslims being warned to avoid blasphemous yoga in 2008. A top Islamic council in Malaysia told Muslims to avoid yoga because it uses Hindu prayers and encourages a union with a God from the Hindu religion.

In particular, it was the yoga pose of saluting the sun that was considered blasphemous, perhaps because worshipping the sun is not dissimilar to the

worship of an idol or incantation of a God other than the one of Muslim faith. As expected, the National Fatwa Council yesterday announced that Muslims are prohibited from practicing yoga. In declaring yoga haram, the council said it could be traced back to Hinduism and concluded that yoga could erode the faith of Muslims. About 40 percent of Malaysia's populations of 27 million are non-Muslim, including sizeable minorities of Christians, Buddhists and Hindus.

However, similar complaints of religious discrimination have mounted along with the turn towards Islamic conservatism. " An influential Christian group said authorities were seizing Bibles at border entry points. State television routinely airs Islamic shows, but will not allow other religions broadcast time. Hindus complain of the difficulties in getting approval for their temples to be built. Even though Malaysia is not specifically a state of Islam, it is clear that Islam holds the most important role in Malaysian government and its influence on the perception and interpretation of law" (" Muslim warned to avoid blasphemous yoga," 2008)

Alternatively, as in the case of Australia for example, Australia's Constitution prohibits Australia from having a state religion (Australian Constitution, 2001). As discussed previously, it is safe to say that when the state is secular in its attitudes toward religion, governance and rarely falls at the control of the church or a related religious institution or body. Therefore by that very token, the Commonwealth of Australia does not recognize blasphemy as an offence. In 1991, the Australian Law Reform Commission proposed the removal of all references to blasphemy in federal legislation (Law Reform Commission New South Wales, 1992).

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However, despite the formal removal of these references to blasphemy from Australian legislation, there are occasions where the relevance of the abolished archaic law still resonates. One such example is when blasphemy is used intentionally as " hate speech" against one's own or another religion. In almost all Australian states, a person who feels victimized based on his religious belief or affiliation or religious activity is able to seek compensation under the Racial and Religious Tolerance Act 2001 or the Anti-Discrimination Act.

Depending on the legislation of each state, cases of this kind will no longer be considered under criminal or common law as it used to be prior to amendment of the legislation. Conclusion Indeed, many multicultural western societies recommend that blasphemy should no longer be deemed a criminal offense in itself, since in a pluralistic society of many cultures and religions and the potential for conflicting beliefs and practices, what one person may express without ill-intent regarding a religious view is what another person may consider blasphemous (European Convention on Human Rights, n. .).

Clearly, this kind of tit-for-tat exchange does nothing other than cause resentment within and between religious groups and has the potential to create anti-social community behavior. Essentially, the law of Blasphemy however relevant it may have been in the eyes of the Church in the early Christian era, the law is unacceptable in our modern, multi-faith society because multicultural society like nowadays cannot be ruled by only one specific religion.

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