

## The Conflict between Freedom of Expression and Religious Insults in the European Human Rights System

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In the past two decades, Europe has had numerous conflicts resulting from the clash between freedom of expression and religious insults. The European legal system considers freedom of expression as one of the fundamentals of a democratic society and a basic condition for individual progress and self-actualization. The central approach of the European Court of Human Rights is that freedom of expression includes not only non-insulting statements but also offensive, shocking, or provocative statements. However, this court seeks to resolve the conflict between freedom of expression and blasphemy and create a balance among different interests. On the one hand, under “protecting others’ rights,” the court spoke of banning severely insulting statements that cause significant distress to religious followers. On the other hand, from a societal perspective, the court considered the risk of a public outcry from religious societies due to religious insults. Recently, however, the court gave significant weight to the political, scientific, and artistic aspects of expression when balancing freedom of expression against religious sensitivities, thereby expanding freedom of expression’s scope. Nonetheless, the threat to public order remains a key factor in the court’s decisions to restrict statements containing religious insults. This study used a qualitative method based on content analysis with a descriptive-analytical approach and employing library and internet sources.

**Keywords:** The believers’ religious sentiments; public morals; European Court of Human Rights; blasphemy; hate speech; public order.

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