

# Case 20- Willy Toledo

"I shit on God," Spanish actor Willy Toledo sued for blasphemy.



Spanish actor Willy Toledo. Image by: Santi Donaire/EFE/SIPA

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Guillermo Toledo Monsalve born in Madrid on May 22, 1970, better known as Willy Toledo, is a Spanish actor, theatrical producer, and political activist. The defense of his left-wing political ideas led him to be involved in various controversies in the Spanish media. His Facebook profile has been deleted several times.

"I shit on God and I have shit to spare to shit on the dogma of" the holiness and virginity of the Virgin Mary ". This deliberately provocative statement, posted on Facebook in July 2017, is signed by Mr. Toledo. The actor had posted this message to support three women who were themselves prosecuted for blasphemy after wearing a giant vagina in procession in Seville, which they had called the "rebellious pussy".

The Spanish Association of Christian Lawyers had lodged a complaint against the comedian accusing him of "mocking God and the Virgin Mary". The judge must now decide whether he returns Toledo to justice. The actor risks a fine.

## Before



The « procession of the vagina » Source: el diario.es

The “procession of the vagina” took place on May 1, 2014, during which three women wore a vagina through the center of Seville. A hundred people had joined the march. Several feminist collectives and trade unionists took the streets to claim workers’ rights on International Workers’ Day. The demonstration not only served to highlight the machismo and inequalities in the workplace, but also to make visible “the repression of the feminist movement”, their opposition to the reform of the law on abortion and other problems that continue to perpetuate gender inequalities in Spanish society.

The Seville Public Prosecutor’s Office considers that the defendants, whose trial took place on March 3, 2019, wanted to “ridicule the dogmas of the Catholic faith”. The sentence is still pending.

The demonstrators explained: “We have reclaimed their codes, their speeches and their practices and we turn them to subversion. We will not tolerate that our rights are violated, that we are repressed and made invisible.”

## The Outcome

The complaint filed by the Spanish Association of Christian Lawyers against the allegedly blasphemous procession is based on Article 525 of the Spanish Penal Code. Luis de Los Santos, counsel for the accused, expressed his amazement at the use of criminal law based on pre-democratic political interests by the Christian Bar Association. He claims the non-suit. According to him, the Spanish Penal Code is used to criminalize freedom of association and freedom of expression.

For his part, Willy Toledo has also been prosecuted by a Madrid court for a crime against religious sentiments as a result of its publication on facebook. He is currently awaiting the sentence.

## **Violated laws**

The crime against the religious sentiments set forth in article 522 and the following of the Spanish Criminal Code may not be constitutional, as it infringes the fundamental right of the freedom of expression protected by article 19 of the Universal Declaration of Human Rights, article 10 of the European Convention on Human Rights and article 20 of the Spanish Constitution.

As a matter of fact, the criminal offence of articles 522 and the following of the current Spanish Criminal Code, is the translation of the former “blasphemy” law.

## **References**

[Spanish actor Willy Toledo arrested over religious offense complaint. El País \(in English\)](#)

[Spanish actor detained after ridiculing God and the Virgin Mary. The Guardian \(in English\)](#)

[Prosecutor tried to probe actor Willy Toledo’s comments about Easter week. El País \(in English\)](#)

[I shit on God “: Spanish actor Willy Toledo arrested for blasphemy \(in French\)](#)

[“It goes back to Francoism”: Javier Bardem defends a Spanish actor prosecuted for blasphemy \(in French\):](#)

[Blasphemy: freedom of expression continually threatened. Overview on the subject matter \(in French\):](#)

[The judge prosecutes Willy Toledo for insulting God and the Virgin Mary \(in Spanish\)](#)

[Women face jail for “religious hate crime” over giant plastic vagina protest that “mocked” the Easter procession. The Telegraph \(in English\)](#)

## **Documents**

Dossiers sur les droits de l’homme, no 18 La liberté d’expression en Europe

Jurisprudence relative à l’article 10 de la Convention européenne des Droits de l’Homme (in French):

[https://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-FR-HRFILES-18\(2006\).pdf](https://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-FR-HRFILES-18(2006).pdf)

Campaign to abolish all blasphemy laws worldwide –Spain (in English):

<https://end-blasphe-my-laws.org/countries/europe/spain/>