

“The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile

ABSTRACT¹

This case is about the prohibition to screen Martin Scorsese’s movie “The Last Temptation of Christ” in Chile. The movie, which tells a story of the life of Jesus different from the traditional one told in the scriptures, was banned in Chile to protect public morals and the Christian faith. This was the first case where the Court had a chance to discuss freedom of religion, freedom of thought and expression. The Court eventually found both Chile’s laws allowing prior censorship, and the ban of the movie in particular, inconsistent with the American Convention. Although Chile resisted litigation before the Court, eventually it fully complied with the decision.

I. FACTS

A. Chronology of Events

August 12, 1988: The film *The Last Temptation of Christ* is released.² The film is directed by Martin Scorsese and is based on a book written by Nikos Kazantzakis.³ The film depicts the life of Jesus Christ and is considered controversial because it departs from the gospel narrative.⁴ Commentators have stated that the film “asks the question, what would have happened if Jesus Christ had refused to die on the cross and had a wife and children?”⁵

November 29, 1988: Following a petition to show the film by United

1. Jessica McCormick, Author; Zach Tripodes, Editor; Kathryn Benson, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

2. Néfer Muñoz, *Rights: Censorship – The Last Temptation of Christ*, INTER PRESS SERVICE (Nov. 27, 1999), <http://www.ipsnews.net/1999/11/rights-censorship-the-last-temptation-of-chile/>.

3. Evaldo Xavier Gomes, *The Implementation of Inter-American Norms on Freedom of Religion in the National Legislation of OAS Member States*, B.Y.U. L. REV. 575, 588 (2009).

4. *Id.*

5. Muñoz, *supra* note 2.

International Pictures Ltd., the company responsible for distributing the film,⁶ the Cinematographic Classification Council prohibits exhibition of the film in the State.⁷

November 11, 1996: United International Pictures files another petition with the Cinematographic Classification Council against the prohibition.⁸ The Cinematographic Classification Council reviews the prohibition of the film and, after a majority vote, authorizes reclassification of the film, allowing exhibition to audiences over the age of eighteen.⁹

Between November 11, 1996 and January 20, 1997: Mr. Sergio García Valdés, Mr. Vicente Torres Irrázabal, Mr. Cristian Heerwagen Guzmán, and Mr. Joel González Castillo, on behalf of Jesus Christ, the Catholic Church, and themselves, file a remedy for protection with the Court of Appeals of Santiago (“Court of Appeals”) seeking annulment of the Cinematographic Classification Council’s decision to allow exhibition of the film to audiences over the age of eighteen.¹⁰

January 20, 1997: The Court of Appeals grants protection and annuls the Cinematographic Classification Council’s decision to screen the film to audiences over the age of eighteen.¹¹ No one in the State can see the film in theaters or watch it on video.¹² The Court of Appeals holds that “the image of Christ is deformed and diminished, to the utmost.”¹³ The Court of Appeals reasons that the values on which the State is based are rooted in the image of Christ.¹⁴ By deforming Christ’s image, it is possible that the film will destroy many peoples’ sincere beliefs and therefore hinder individuals’ freedom of expression.¹⁵ The Court of Appeals notes that to decide otherwise, so as to allow exhibition of the film, would go against the Chilean Constitution’s goal of protecting the

6. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. ¶ 20 (Nov. 28, 2003).

7. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R., (ser. C) No. 73, ¶ 60(c) (Feb. 5, 2001).

8. *Id.* ¶ 60(d).

9. *Id.*

10. *Id.* ¶ 60(e), n.9–10.

11. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Admissibility Report, Report No. 31/98, Inter-Am. Comm’n H.R., Case No. 11.803, ¶ 13 (May 5, 1998).

12. Muñoz, *supra* note 2.

13. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 78.

14. *Id.*

15. *Id.*

right of an individual to maintain certain beliefs.¹⁶ To hold otherwise would endanger the State by disregarding these values.¹⁷

April 14, 1997: The State’s President, Mr. Eduardo Frei Ruiz-Tagle, submits to the Chamber of Deputies a draft constitutional reform to Article 19(12) of the Chilean Constitution.¹⁸ This draft proposes to eliminate the system of cinematographic censorship, replacing it with a classification system.¹⁹ Specifically, the draft proposes amending Article 19(12) to replace the term “censorship” with “rating” and to include the phrase “to create and propagate the arts.”²⁰

June 17, 1997: The Supreme Court of Justice of Chile (“Supreme Court”) confirms the January 20, 1997 decision of the Court of Appeals.²¹ As a result of the Supreme Court’s decision, the film cannot be shown in the State to any person of any age.²² The Supreme Court states that the film defames and dishonors Jesus Christ, thereby offending all who have faith in Jesus Christ.²³ As a result of the Supreme Court decision, social, political, and legal debates arise in the State regarding freedom of thought, expression, conscience, and religion.²⁴

September 3, 1997: Lawyers for the Public Liberties A.G. (*Asociación de Abogados por las Libertades Públicas A.G.*) file a petition with the Inter-American Commission on Human Rights on behalf of Mr. Juan Pablo Olmedo Bustos, Mr. Ciro Colombara López, Mr. Claudio Márquez Vidal, Mr. Alex Muñoz Wilson, Mr. Matías Insuza Tagle, and Mr. Hernán Anguirre Fuentes.²⁵

16. *Id.*

17. *Id.*

18. *Id.* ¶ 60(g).

19. *Id.*

20. *The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Admissibility Report, ¶¶ 5–6 (May 5, 1998).

21. *Id.* ¶ 13.

22. *Id.*

23. Gomez, *supra* note 3.

24. Amaya Úbeda de Torrest, *Freedom of Expression Under the European Convention on Human Rights: A Comparison With the Inter-American System of Protection of Human Rights*, 10 HUM. RTS. BRIEF 6, 7 (2003).

25. The publically-accessible documents of the Commission and the Court do not provide additional information regarding Mr. Olmedo Bustos, Mr. Márquez Vidal, Mr. Muñoz Wilson, and Mr. Anguirre Fuentes. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 5. No information is available as to the following victims: Mr. Juan Pablo Olmedo Bustos, Mr. Claudio Márquez Vidal, Mr. Alex Muñoz Wilson, and Mr. Hernán Anguirre Fuentes.

Mr. Colombara López is twenty-eight years old when the film *The Last Temptation of Christ* is censored in the State.²⁶ He is a lawyer in private practice and is employed by the Catholic University of Chile.²⁷ He has not seen the film.²⁸ He feels that the remedy for protection filed by Mr. Garcíá Valdés, Mr. Torres Irarrázabal, Mr. Heerwagen Guzmán and Mr. González Castillo, on behalf of Jesus Christ, the Catholic Church, and themselves, is “tremendously serious.”²⁹ He claims he is directly prejudiced because he is prevented from viewing the apparently artistic film.³⁰ As a result, he claims that he is deprived of the possibility of forming a judgment or an opinion regarding the film, and his ability to access information is restricted.³¹

Mr. Insuza Tagle is in his fourth year of legal studies at the University of Chile when the film *The Last Temptation of Christ* is censored in the State.³² He has not seen the film.³³ Mr. Tagle claims that the censorship of the film impedes access to information.³⁴ He also feels compelled to become involved in this case because he is a student representative at the University of Chile.³⁵ He claims he is directly prejudiced because his intellectual development is impaired and he is prevented from accessing information that would promote the ability to form an independent opinion.³⁶ As a result, he is deprived of the opportunity to develop intellectually.³⁷

November 17, 1999: The Chamber of Deputies adopts the draft constitutional reform, one step in a series to amending the Constitution.³⁸

B. Other Relevant Facts

October 1, 1974: Decree Law 679 of Chile authorizes the Cinemat-

26. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 45(a).

27. *Id.*

28. *Id.*

29. *Id.*

30. *Id.*

31. *Id.*

32. *Id.* ¶ 45(b).

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

37. *Id.*

38. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 60(h).

graphic Classification Council to monitor exhibition and classification of films in the State.³⁹

1980: Article 19(12) of the State Constitution establishes a classification system that allows the State to censor the exhibition and publicity of films.⁴⁰

II. PROCEDURAL HISTORY

A. *Before the Commission*

September 3, 1997: Lawyers for the Public Liberties A.G. file a petition with the Commission on behalf of Mr. Olmedo Bustos, Mr. Colombara López, Mr. Márquez Vidal, Mr. Muñoz Wilson, Mr. Insuza Tagle, and Mr. Anguirre Fuentes.⁴¹

May 5, 1998: The Commission adopts Admissibility Report No. 31/98,⁴² finding that the case is admissible.⁴³

June 22, 1998: The parties, along with the Commission, unsuccessfully attempt to reach a settlement.⁴⁴

September 29, 1998: The Commission adopts the Report on Merits No. 69/98.⁴⁵ The Commission concludes that the decision by the Supreme Court to ban exhibition of the film violates the right to freedom of conscience and religion in Article 12 and the right to freedom of thought and expression in Article 13.⁴⁶ The Commission recommends that the State: (1) eliminate censorship and allow the showing of the film, (2) alter its domestic laws to conform to the American Convention, (3) allow its citizens to exercise the rights of freedom of conscience and religion and of freedom of thought and expression, (4) refrain from censoring films, (5) make reparations to the victims, and (6) reimburse the

39. *Id.* ¶ 60(b).

40. *Id.* ¶ 60(a).

41. *Id.* ¶ 5.

42. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Admissibility Report, ¶ 1.

43. *Id.* ¶ 19.

44. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 9.

45. *Id.* ¶ 10.

46. *Id.*

victims for the costs associated with litigation of this case, including attorneys' fees.⁴⁷

B. Before the Court

January 15, 1999: The Commission submits the case to the Court after the State failed to adopt its recommendations.⁴⁸

1. Violations Alleged by Commission⁴⁹

Article 12 (Freedom of Conscience and Religion)

Article 13 (Freedom of Thought and Expression)

all in relation to:

Article 1(1) (Obligation to Respect Rights)

Article 2 (Domestic Legal Effects) of the American Convention.

2. Violations Alleged by Representatives of the Victims⁵⁰

Same Violations Alleged by the Commission.

September 2, 1999: The State submits its answer to the application.⁵¹

November 9, 1999: The Court issues an order rejecting the State's answer to the application because the statutory time limit has expired.⁵² As a result, the State does not contribute any evidence,⁵³ aside from its defense that it submitted a draft reform to Article 19(12) of its Constitution.⁵⁴

November 15, 1999: Hermes Navarro del Valle submits an amicus curiae brief to the Court.⁵⁵

September 18, 2000: Sergio Garcíá Valdés submits an amicus curiae

47. *Id.* ¶ 3.

48. *Id.* ¶ 1.

49. *Id.*

50. "The Last Temptation of Christ" (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs. The Court's Judgment did not identify the victim's representatives or separate violations alleged by the representatives.

51. *Id.* ¶ 24.

52. *Id.* ¶ 30.

53. *Id.* ¶ 47.

54. *Id.* ¶ 52.

55. *Id.* ¶ 31.

brief to the Court.⁵⁶

III. MERITS

*A. Composition of the Court*⁵⁷

Antônio A. Cançado Trindade, President
 Máximo Pacheco Gómez, Vice President
 Hernán Salgado Pesantes, Judge
 Oliver H. Jackman, Judge
 Alirio Abreu Burelli, Judge
 Sergio García Ramírez, Judge
 Carlos Vicente de Roux Rengifo, Judge

Manuel E. Ventura Robles, Secretary
 Renzo Pomi, Deputy Secretary

B. Decision on the Merits

February 5, 2001: The Court issues its Judgment on Merits, Reparations and Costs.⁵⁸

The Court found unanimously that the State had violated:

Article 13 (Freedom of Thought and Expression), in relation to Articles 1(1) and 2 of the Convention, to the detriment of Mr. Olmedo Bustos, Mr. Colombara López, Mr. Márquez Vidal, Mr. Muñoz Wilson, Mr. Insuza Tagle, and Mr. Anguirre Fuentes,⁵⁹ because:

The Court noted that those who are protected by the American Convention “have the right and the freedom to express their own thoughts . . . and to seek, receive and impart information and ideas of all kinds.”⁶⁰ Freedom of expression includes the right to communicate one’s viewpoint, the right to exchange ideas amongst one another, and the right to

56. *Id.* ¶ 34.

57. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs.

58. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs.

59. *Id.* ¶ 103(1).

60. *Id.* ¶ 64.

learn others' opinions.⁶¹ "As a cornerstone of a democratic society, freedom of expression is an essential condition for society to be sufficiently informed."⁶² The Court also noted, however, that Article 13(4) (Exception to Prohibition of Censorship for the Protection of Minors) of the American Convention allows for an exception to prior censorship.⁶³ Specifically, this exception allows censorship of public entertainment only when doing so would morally protect children.⁶⁴ In all other cases, censorship of public entertainment is a violation of freedom of thought and expression.⁶⁵ Since the Supreme Court affirmed the Appellate Court's decision to prohibit exhibition of the film for all ages, the State violated Article 13 (Freedom of Thought and Expression) of the American Convention.⁶⁶

The Court unanimously dismissed the claim of violation of Article 12 (Freedom of Conscience and Religion), in relation to Articles 1(1) and 2 of the Convention,⁶⁷ because the Commission had not stated the grounds for violation of that article in its brief on final arguments.⁶⁸ Prohibition of the film did not deprive any individuals "of their right to maintain, change, profess or disseminate their religion or beliefs."⁶⁹

C. Dissenting and Concurring Opinions

1. Separate Opinion of Judge Carlos Vicente de Roux Rengifo

In a separate opinion, Judge Vicente de Roux Rengifo explained his reasoning in concluding that the State had not violated Article 12 (Freedom of Conscience and Religion) of the American Convention.⁷⁰ Judge Rengifo reached this conclusion because there was insufficient evidence to conclude that the prohibition on the exhibition of the film impaired the victims' right to change religion or beliefs.⁷¹ In order to

61. *Id.* ¶ 66.

62. *Id.* ¶ 68.

63. *Id.* ¶ 70.

64. *Id.*

65. *Id.*

66. *Id.* ¶ 71.

67. *Id.* ¶ 103(2).

68. *Id.* ¶ 79.

69. *Id.*

70. "The Last Temptation of Christ" (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, Opinion of Carlos Vicente de Roux Rengifo, Inter-Am. Ct. H.R. (ser. C) No. 73, ¶ 1 (Feb. 5, 2001).

71. *Id.*

prove that the State violated Article 12 (Freedom of Conscience and Religion), the victims would have had to submit specific evidence that the prohibition of the film impaired their right to change their religion.⁷²

2. Concurring Opinion of Judge Antônio A. Cançado Trindade

In a concurring opinion, Judge Cançado Trindade expressed the importance of requiring that States conform domestic law to the standards set forth in the American Convention.⁷³ Judge Cançado Trindade noted that this was the first case that the Court heard concerning freedom of thought and expression.⁷⁴ Judge Cançado Trindade reasoned that a State becomes responsible at the moment a wrongful act or omission occurs in violation of a human rights treaty.⁷⁵ Similarly, any act or omission that is in breach of a human rights treaty and is committed by a State’s Executive, Legislative, or Judicial branch is automatically imputed to the State.⁷⁶

Judge Cançado Trindade also discussed how the principle of separation of powers does not determine international responsibility of a State under a human rights treaty.⁷⁷ Domestic law that unlawfully deprives rights protected by a human rights treaty constitutes a continuous violation of that human rights treaty.⁷⁸ Judge Cançado Trindade clarified that a domestic law, regardless of its rank, which is in violation of a human rights treaty, is per se imputed to the State.⁷⁹ Furthermore, the rule of exhaustion of remedies of domestic law is applied procedurally, rather than substantively, and is not extended to constitutional reforms or legislative orders.⁸⁰ There is no legal obstacle to directly applying international law domestically.⁸¹ Once it is determined that a State has violated a human rights treaty, the State shall no longer breach that right and must provide reparations and guarantee to the victims the ability to exercise the breached right; a State’s modifications to its domestic law

72. *Id.*

73. “*The Last Temptation of Christ*” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, Concurring Opinion of Judge A.A. Cançado Trindade, Inter-Am. Ct. H.R. (ser. C) No. 73, ¶ 27 (Feb. 5, 2001).

74. *Id.* ¶ 40.

75. *Id.*

76. *Id.*

77. *Id.*

78. *Id.*

79. *Id.*

80. *Id.*

81. *Id.*

may constitute a form of reparations.⁸² Judge Cançado Trindade concluded that international law and domestic law, rather than state-centered law, must provide a full safeguard to human rights.⁸³

IV. REPARATIONS

The Court ruled unanimously that the State had the following obligations:

A. Specific Performance (Measures of Satisfaction and Non-Repetition Guarantee)

1. Implement Legislative Reform

The Court ordered the State to amend its domestic law to eliminate prior censorship and allow for exhibition of the film.⁸⁴ The State must also ensure that its domestic law conforms to the American Convention.⁸⁵

B. Compensation

The Court awarded the following amount:

1. Costs and Expenses

The State must pay \$4,290 to reimburse the victims and their representatives for the expense of litigating this case.⁸⁶

2. Total Compensation (including Costs and Expenses ordered):

\$4,290

82. *Id.*

83. *Id.*

84. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 103(4).

85. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, Concurring Opinion of Judge A.A. Cançado Trindade, ¶¶ 27, 40.

86. “The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Merits, Reparations and Costs, ¶ 103(5).

C. Deadlines

The State must comply with the order of the Court to adopt legislative reforms within a reasonable period of time.⁸⁷ Within six months of notification of the Judgment, the State must provide the Court with a report detailing its progress in reforming its legislation.⁸⁸ The Court did not specify a deadline for when the State must pay the victims.⁸⁹

V. INTERPRETATION AND REVISION OF JUDGMENT

[None]

VI. COMPLIANCE AND FOLLOW-UP

July 10, 2001: The Chilean National Congress adopted the draft constitutional reform introduced by President Frei Ruiz-Tagle in 1997.⁹⁰

August 7, 2001: The State submitted a report describing the measures it had taken to comply with the Court's Judgment.⁹¹ Specifically, the Chilean National Congress adopted the draft constitutional reform eliminating prior censorship.⁹² The State also drafted a classification law to classify cinematographic works⁹³ and the Cinematographic Classification Council began reclassifying previously banned films.⁹⁴

June 21, 2002: The State paid the sum of \$4,290 by check.⁹⁵

November 28, 2002: The Court issues an order requiring the State to comply promptly with the remainder of the Judgment.⁹⁶

January 4, 2003: Act No. 19.846, the Classification of Cinematographic Production Act, entered into force.⁹⁷ The first article of Act No.

87. *Id.* ¶ 103(4).

88. *Id.*

89. *Id.* ¶ 103(5).

90. "The Last Temptation of Christ" (Olmedo Bustos et al.) v. Chile, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. ¶ 19 (Nov. 28, 2003).

91. *Id.* ¶ 2.

92. *Id.*

93. *Id.*

94. *Id.*

95. *Id.* ¶¶ 29–30.

96. *Id.* ¶ 18.

97. *Id.* ¶ 19.

19.846 established a classification system based on age.⁹⁸ This classification system was designed to protect children.⁹⁹

January 9, 2003: *The Last Temptation of Christ* was reclassified under Chilean law allowing its exhibition to audiences over eighteen years of age.¹⁰⁰

March 11, 2003: *The Last Temptation of Christ* was exhibited at the Cine Arte Alameda in Santiago, Chile to viewers over the age of eighteen.¹⁰¹

November 28, 2003: The Court issued an order determining that the State fully complied with the Judgment.¹⁰² The case was closed and the victims and their representatives were notified of this order.¹⁰³

VII. LIST OF DOCUMENTS

A. *Inter-American Court*

1. Preliminary Objections

[None]

2. Decisions on Merits, Reparations and Costs

[“The Last Temptation of Christ” \(Olmedo Bustos et al.\) v. Chile, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R., \(ser. C\) No. 73 \(Feb. 5, 2001\).](#)

[“The Last Temptation of Christ” \(Olmedo Bustos et al.\) v. Chile, Merits, Reparations and Costs, Opinion of Carlos Vicente de Roux Rengifo, Inter-Am. Ct. H.R. \(ser. C\) No. 73 \(Feb. 5, 2001\).](#)

[“The Last Temptation of Christ” \(Olmedo Bustos et al.\) v. Chile, Mer-](#)

98. *Id.*

99. *Id.*

100. *Id.* ¶ 20.

101. *Id.* ¶ 18.

102. *Id.* “Decision” ¶ 1.

103. *Id.*

[its, Reparations and Costs, Concurring Opinion of Judge Antônio A. Cançado Trindade, Inter-Am. Ct. H.R. \(ser. C\) No. 73 \(Feb. 5, 2001\).](#)

3. Provisional Measures

[None]

4. Compliance Monitoring

[“The Last Temptation of Christ” \(Olmedo Bustos et al.\) v. Chile, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. \(Nov. 28, 2003\).](#)

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

[Not Available]

2. Report on Admissibility

[“The Last Temptation of Christ” \(Olmedo Bustos et al.\) v. Chile, Admissibility Report, Report No. 31/98, Inter-Am. Comm’n H.R., Case No. 11.803 \(May 5, 1998\).](#)

3. Provisional Measures

[None]

4. Report on Merits

“The Last Temptation of Christ” (Olmedo Bustos et al.) v. Chile, Report on Merits, Report No. 69/98, Inter-Am. Comm’n H.R., Case No. 11.803 (Sept. 29, 1998).

5. Application to the Court

[Not Available]

VIII. BIBLIOGRAPHY

Laura Bernal-Bermúdez, *Is the Inter-American Court of Human Rights Setting Regional Standards?*, FREE SPEECH DEBATE (July 5, 2015), <http://freespeechdebate.com/en/case/iacthr-setting-standards/>.

Mark E. Chopko, *Public Lives and Private Virtue*, 27 TEX. TECH L. REV. 1035 (1996).

Evaldo Xavier Gomes, *The Implementation of Inter-American Norms on Freedom of Religion in the National Legislation of OAS Member States*, 2009, B.Y.U. L. REV. 575.

THE LAST TEMPTATION OF CHRIST (Universal Pictures and Cineplex Odeon Films (1988).

Claudia Martin & Diego Rodriguez Pinzón, *Inter-American System*, 19 NETH. Q. HUM. RTS. 483 (2001).

Cecilia Medina, *Inter-American System*, 18 NETH. Q. HUM. RTS. 104 (2000).

Néfer Muñoz, *Rights: Censorship – The Last Temptation of Christ*, INTER PRESS SERVICE (Nov. 27, 1999), <http://www.ipsnews.net/1999/11/rights-censorship-the-last-temptation-of-chile/>.

Jo M. Pasqualucci, *Criminal Defamation and the Evolution of the Doctrine of Freedom of Expression in International Law: Comparative Jurisprudence of the Inter-American Court of Human Rights*, 29 VAND. J. TRANSNAT'L L. 379 (2006).

Reparations for the Violation the Right to Freedom of Expression in the Inter-American System on Human Rights, Inter-Am. Comm'n H.R., OEA/Ser.L/V/II (2011).

Amaya Úbeda de Torrest, *Freedom of Expression Under the European Convention on Human Rights: A Comparison With the Inter-American*

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System of Protection of Human Rights, 10 HUM. RTS. BRIEF, no. 2 (2003).