



## Blasphemy Laws: State-Sponsored Persecution of Religion, Conscience and Speech

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Blasphemy laws are legal statutes that penalize actions considered “blasphemous” or that “defame” or “insult” forms of religious belief, symbols, figures or feelings. As of 2012, forty-four countries – 22% of the world’s total – had laws matching this criteria. In many cases, these laws do not charge burden of proof or demonstration of criminal intent for a conviction.<sup>[1][2][3]</sup>

#### The Ramifications of Blasphemy Laws

Blasphemy laws often egregiously restrict the inherent human rights of freedom of religion, conscience, and speech by penalizing critical public discourse as it relates to religious beliefs and, in many cases, inciting and legitimizing “mob violence, vigilantism, and persecution of [religious] minorities.”<sup>[4][5]</sup>

#### The Victims of Blasphemy Laws

Religious minorities often suffer mob violence as well as arbitrary arrest and prosecution under the laws. In countries like Pakistan, which has the harshest blasphemy laws of any country in the world, the law is regularly invoked to settle personal scores rather than actually counter blasphemy, defamation or insult.<sup>[6][7][8]</sup>

- Asia Bibi, a Pakistani Christian, has been on death row in Pakistan for six years after being accused by coworkers of insulting the Prophet Muhammad after a disagreement over a glass of water.<sup>[9][10]</sup>
- In Pakistan, in 2011, Federal Minorities Minister Shahbaz Bhatti and Punjab Governor Salman Taseer were assassinated after publicly speaking out against the country’s blasphemy law.<sup>[11][12]</sup>
- Raif Badawi, a Saudi Arabian blogger was found guilty of “insulting Islam through electronic channels” in 2015 and sentenced to 1000 lashes and 10 years in jail for encouraging religious and political debate online.<sup>[13]</sup>

- Authorities in Myanmar sentenced three men to two years in prison in 2015 for posting an image of the Buddha wearing headphones online.<sup>[14]</sup>
- In 2014, a 23-year old Coptic Christian teacher in Egypt was sentenced to six months in jail for supposedly insulting the Prophet Muhammad, a claim that the school director flatly denied ever happening.<sup>[15]</sup>
- Egypt as a whole has seen a significant increase in blasphemy cases since its 2011 revolution.<sup>[16]</sup>
- The year 2012 saw 99 blasphemy convictions in Malta where punishments included fines and incarceration.<sup>[17]</sup>
- Also in 2012, a Greek man was sentenced to 10 months in prison for “insulting religion” by creating a satirical Facebook page about a deceased Greek Orthodox priest.<sup>[18]</sup>

## Blasphemy Laws and International Jurisprudence

- According to Article 18 of *The Universal Declaration of Human Rights*, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, either alone or in community with others and in public or in private to manifest his religion or belief in teaching, practice, worship and observance.”<sup>[19]</sup>
- It further states that, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”<sup>[20]</sup>
- General comment No. 34 of the UN International Covenant on Civil and Political Rights states that, “Freedom of opinion and freedom of expression are indispensable conditions for the full development of the person...prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant.”<sup>[21]</sup>
- A report from the United States Commission on International Religious Freedom states “Blasphemy laws inappropriately position governments as arbiters of truth or religious rightness, as they empower officials to enforce particular religious views against individuals, minorities, and dissenters. In practice, they have proven to be ripe for abuse and easily manipulated with false accusations.”<sup>[22]</sup>

## Blasphemy Laws and Religious Freedom

Religious freedom, rightly-understood, not only means that one is free to believe, practice and express one’s own faith, but that individuals are also free to discuss, question, deliberate and debate contrasting belief systems in the process of religious discernment. This robust and fully-realized understanding of religious freedom acknowledges that while people have intrinsic dignity to be respected at all costs, ideas and belief systems must be subject to debate, scrutiny and evaluation in the public square. *To silence the process of religious debate and discernment is as much a violation of religious freedom and human dignity as forbidding a religion or belief system altogether.*

## References

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