

NATIONAL REVIEW

Are You Committing Blasphemy?

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Religious liberty is necessary for a good and free people, but it is currently under siege around the world. There are more than a few contenders for the dishonorable crown of the nation most hostile to freedom of conscience. [China](#), Saudi Arabia, North Korea, Pakistan, Eritrea, Turkmenistan, Syria, Myanmar (Burma), Iraq, Tajikistan, Iran, and Nigeria are in the running. Each oppresses people of faith in one or more ways. Some of the contenders suppress belief in anything sacred other than the current rulers. Several systems kill or tolerate the killing of believers of various minority faiths.

The vast majority of persecutors are either Muslim-majority states or authoritarian regimes. Some of America's close allies, such as the Kingdom of Saudi Arabia, rank among the worst offenders as they have become increasingly repressive despite adopting welcome social reforms. So do important U.S. rivals, most notably the [People's Republic of China](#), which has been regressing back toward totalitarianism under President Xi Jinping.

While there are many tools that such regimes weaponize, blasphemy laws and prosecution — usually directed against vulnerable religious minorities — are among the most pernicious. The U.S. Commission on International Religious Freedom (USCIRF) has just published a detailed [report](#) on the issue, which makes for painful reading.

The report explains that “countries throughout the world have and continue to enforce criminal blasphemy laws, often justifying them as necessary to promote intergroup religious harmony. In some states, however, civilians enforce blasphemy prohibitions extrajudicially, committing acts of violence in the name of protecting God, religion, and ‘the sacred.’”

Most blasphemy bans apply to all faiths, though some are limited to protecting the dominant religion (usually Islam). The measures penalize those who denigrate, wound, insult, defame, offend, mock, damage, disparage, or otherwise hurt the religious feelings of others. Defiling, damaging, destroying, desecrating, or otherwise harming objects and places is often criminalized, too.

The extraordinary breadth of such prohibitions is best illustrated by Singapore, an authoritarian state not known for religious activism or conflict:

Whoever, with deliberate intention of wounding the religious or racial feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the

sight of that person, or places any object in the sight of that person, or causes any matter however represented to be seen or heard by that person, shall be punished with imprisonment for a term which may extend to 3 years, or with fine, or with both.

Is anything humanly possible left out?

Such measures obviously interfere with freedom of expression, but they go further and target religious liberty as well. Blasphemy laws inhibit people from living faithful lives, restricting the criticizing of what one may believe to be false religious claims and proselytizing on behalf of one's own faith. There are of course practical problems with anti-blasphemy restrictions, too. USCIRF cites "vague laws, harsh penalties, and high levels of enforcement."

Blasphemy laws are surprisingly common, currently existing in 84 countries. They are a staple of majority-Islamic states; every nation in the Middle East and North Africa has them on the books and actively prosecutes cases. Such bans also are common in Asia, Africa, and even Europe. Although in recent years some governments have repealed their provisions or lessened the penalties (e.g., the revolutionary Sudanese government's dropping of flogging as punishment), prohibitions have been added by other nations, including Brunei, Kazakhstan, Mauritania, Morocco, Nepal, and Oman.

In most of the West, blasphemy laws have tended to be dead letters (or close to it). But not elsewhere. Between 2014 and 2018, half of the governments with blasphemy laws initiated a total of 674 blasphemy cases. Asia and the Middle East accounted for 84 percent of those cases. According to the USCIRF, the most frequent prosecutors of blasphemy were "Pakistan (184), Iran (96), Russia (58), India (51), Egypt (44), Indonesia (39), Yemen (24), Bangladesh (19), Saudi Arabia (16), and Kuwait (15)." Of those states, "70 percent declare Islam the official state religion."

Official anti-blasphemy laws were used to prosecute defendants in 81 percent of those cases, whereas other laws were used to punish alleged blasphemers in the remainder. Men were most commonly targeted. Muslims accounted for 56 percent of the cases, with Shiites being half of those. (Shiites predominate only in Iran, Iraq, and Bahrain, but in the latter they suffer under a dictatorial Sunni monarchy.) A quarter of the cases were directed against Christians. Trailing behind are atheists (7 percent), Baha'is (7 percent), and Hindus (3 percent). Although more than half of the victims were Muslim, religious minorities were disproportionately punished since they make up such a small proportion of the population of Muslim nations.

Some of the victims were poor and illiterate, such as Pakistan's Asia Bibi, who famously spent nearly a decade in prison after being accused of blasphemy following a dispute with fellow field workers. She was finally acquitted for insufficient evidence. However, the laws more often attack professionals, who may appear more threatening to Islamists seeking political dominance. According to the report, "Professions accused of blasphemy most frequently reported are lawyers; academics; media professionals; religious figures; artists; political actors, including government officials; and human rights activists or political dissidents."

Blasphemy prosecution is like no other. To repeat or even report on the accusation risks committing blasphemy. Due process for defendants is often entirely absent. Attorneys who represent accused blasphemers are sometimes killed. Judges who fail to convict face attack.

Pakistan is particularly notable for the number of years even those who are ultimately freed, such as Bibi, spend in prison.

Because of a de facto presumption of guilt, those accused are almost always abused by the state. The USCIRF spotlights government misconduct, which “includ[es] torture or cruel, inhuman, and degrading treatment or punishment, against accused blasphemers in Pakistan, Iran, Algeria, and Egypt.” Moreover, “state officials reportedly subjected accused individuals to cruel, inhuman, and degrading treatment while in custody in Iran, Kazakhstan, Kuwait, Oman, Pakistan, Russia, Saudi Arabia, and Sri Lanka.”

The report details how blasphemy laws are so much more than a simple prohibition against damning God. They become catalysts for and enablers of broader persecution and violence, radicalizing populations, destabilizing governments, and encouraging terrorism abroad:

Criminal blasphemy cases often occur in the context of broader religious freedom violations, such as bombings and assaults on places of worship, desecration of religious sites or symbols, hate crimes against individuals of a minority belief group, and other types of physical assaults, verbal attacks, or harassment.

States also criminalize blasphemous acts through the enforcement of other criminal laws, such as apostasy laws, anti-conversion laws, incitement to religious hatred laws (also often referred to as “hate speech” laws), anti-extremism laws, and even anti-witchcraft laws.

Mob activity, threats, and/or violence around blasphemy allegations occur both at times when the state enforces the law as well as when the state does not act. In some cases, mobs are stirred by non-state actor groups or individuals. In other cases, public officials tolerate civil unrest. In both cases, mobs can provoke violence, property destruction, injuries and death, either through intentional targeting or against bystanders.

The USCIRF notes many instances of mob violence following government prosecutions, as well as scores of attacks triggered just by rumors. Virulent hate-mongering was concentrated in a few nations in particular: “Four (4) countries — Pakistan, Bangladesh, Nigeria and Egypt — account for nearly 80% of all reported incidents of mob activity, mob violence, and/or threats of violence, with or without state blasphemy or other law enforcement.”

The report alone is a devastating indictment of religious intolerance and discrimination. It was buttressed by equally compelling testimony before the commission. One of the important themes was how blasphemy legislation tends to radicalize populations, empower extremists, and aid terrorists. Blasphemy laws, therefore, are not just internal issues; they threaten all of us.

Amjad Mahmood Khan, a Los Angeles attorney who represents blasphemy defendants, told the USCIRF that “nations that criminalize blasphemy tend to foster an environment where terrorism is more prevalent, legitimized, and insidious.” He detailed his research on Indonesia, Nigeria, and Pakistan, explaining:

Little has been written on what is, arguably, the most potent instrument fueling the perpetrators’ terrorism: anti-blasphemy laws. In several countries with large Muslim populations—most notably, Pakistan, Indonesia and Nigeria—criminal codes have provided legal cover for terrorists to commit atrocities in the name of protecting Islam’s integrity based on their warped (and perverse) view of the faith. Protecting these codes, and the larger cause of preventing blasphemy,

drives some of the world's most dangerous terrorists to commit mass atrocities. Preventing these atrocities requires countries with large Muslim populations to repeal or reform their anti-blasphemy codes—not simply as a matter of protecting human rights but also of strengthening the collective security of nations.

The most personal and powerful testimony came from Shaan Taseer, the son of Salman Taseer. His father was the governor of Punjab who, after speaking out on Bibi's behalf, was denounced by radical clerics and shot by his bodyguard on January 4, 2011. Shaan noted that while his father was posthumously absolved by Pakistani courts of blasphemy charges, "what took his life was the mere accusation followed by public calls for vigilante murder."

Shaan Taseer offered an emotionally arresting denunciation of blasphemy laws for how they affect the accused. But he went further, noting that "the very existence of this law in our statute books, has itself radicalized society. It has signaled to a religious majority that the sanctity of their religion is under catastrophic threat, and that they must take extreme measures to defend it. Quick on the heels of any blasphemy accusation is a public call for murder to avenge the perceived slight."

The abuse of blasphemy laws is widespread and continues today around the world. "Always remember Asia Bibi," Taseer added, but don't forget "the 200 others [imprisoned in Pakistan] who suffer under the blasphemy law. We owe them justice. That is what my father's legacy asks of us." And, of course, to those in other nations' prisons as well.

Governments contend that such measures promote social peace, yet the nations that most actively enforce such laws suffer from the greatest religious persecution and violence. Advocates claim that banning blasphemy protects religious practice, when in fact it punishes those who act out their faith — being "salt and light" in Christian terms — in the rest of their lives. Indeed, blasphemy laws make honest engagement among people of faith dangerous, even deadly. The legislation is quite exactly the antithesis of religious liberty.

What to do?

"This is our fight and we will fight it," Taseer insisted, but added, "Be our friends in this fight. Help us consign these pernicious laws to the dustbin of history, where they belong."

Repeal of blasphemy legislation is the right solution, though politically impossible in countries such as Pakistan. Restoring procedural protections for defendants would help. Taseer suggested placing "provisions around the law to make it less effective," and most important, imposing consequences on those who misuse it, especially the "hate-mongers, hate clerics." The U.S., Europe, and other interested nations should press the issue, not just as a matter of human rights, but of international security as well.

Western countries should take note of the radicals using such laws to preach violence and bar them from visiting other nations to spread their poison. Taseer suggested also targeting politicians who support such extremist measures at home while playing the role of statesmen abroad. Deny them visas. "I can assure you they all want their U.S. visas, they don't take that lightly," he added.

With the looming transition in Washington, advocates of religious liberty fear they will receive a colder reception from the new administration. President-elect Biden should ensure that this most

basic right of conscience remains at the top of America's human-rights agenda. And blasphemy should be a top priority in the fight against religious persecution.

In her testimony before the USCIRF, Elizabeth O'Casey, director of Advocacy at Humanists International, reminded us that anti-blasphemy measures are about more than religious belief. She further explained that "blasphemy laws tend to serve those in power and enable religious persecution; they censor, they create a climate of fear, and they stifle artistic creativity, academic research, scholarship and freedom. They may also lead to imprisonment and death — thus violating the most potent human rights of all — the right to mental and physical integrity, and the right to life."

As mentioned, those abusive measures do not persist in a vacuum. Their encouragement of international conflict and terrorism abroad implicates us all, too. Indeed, the promotion and prioritization of religious liberty does more than advance human rights. It also encourages geopolitical stability and security. Those ought to be two ends shared by all people, wherever they live and whatever their faith.

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