

DISSENT DENIED:

A Survey of Global Blasphemy and Incitement Laws & Cases

A report by the Center for Inquiry



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Introduction

We are in the midst of a human rights crisis. The right to freedom of expression — one of the most basic and foundational human liberties — is under attack, and quickly eroding. Many governments around the world are punishing people simply for deviating, in word or in deed, from religion and other cultural customs. The 2012 eruptions of violence in majority-Muslim countries, in response to an anti-Islam Internet video, have prompted leaders in Egypt, Indonesia, Turkey, and even Russia to call for national legislation more strongly shielding religious beliefs and traditional values from criticism. Meanwhile, other prominent leaders are asking the United Nations (UN) to approve a binding international resolution barring “defamation of religion,” or insults and criticisms aimed at religious beliefs.¹

Where do these laws exist? What exactly do they say? Are there international agreements that protect freedom of expression? How far do they allow states to go in restricting speech? This report seeks to answer these questions in brief by collecting information on laws used to curb free expression, as well as detailing several current cases where a person has been wrongly punished simply for expressing his or her views. Its goal is to better inform the general public as to the extent of this problem, and encourage a movement to organize and act against it.

Laws inhibiting expression regarding religion come in two common forms: **blasphemy** and **incitement**. Blasphemy laws explicitly ban criticism of religious belief, symbols, and figures, at times even if that criticism comes from dissenters within the dominant religious faith tradition. Incitement laws are more implicit in nature, forbidding “advocacy of religious intolerance and/or hatred.” But in practice, blasphemy and incitement laws are two sides of the same oppressive coin, used to target and punish religious minorities, dissidents, and nonbelievers.

These laws are alarmingly widespread, and becoming more acceptable to the global community as unease increases in response to religiously motivated conflict and violence. Indeed, this report, which is not by any means exhaustive, includes 36 countries. What reasons do these countries provide for such regulation?

Numerous state representatives have, in UN forums and elsewhere, argued that religious belief deserves protections from criticism that the U.S. Constitution and the laws and constitutions of other Western countries do not provide; and that an expansive view of freedom of expression is an exclusively Western value rejected by the majority of the world. In support of this view, they point out that the UN General Assembly approved, every year between 1999 and 2010, some form of resolution condemning the “defamation of religion.”

But arguments based on the defamation resolutions are flawed. The resolutions were non-binding, carrying no legal weight in comparison to international treaties, which come with real obligations. They have also fallen out of favor at the UN, as a

sufficient number of member states have awoken to the fact that blasphemy laws are a clear violation of basic human rights, and directly conflict with such agreements as the 1966 International Covenant on Civil and Political Rights (ICCPR). As Article 19 states:

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”²

In fact, in August 2011 there was an even stronger rejection of blasphemy laws as inconsistent with international law. The UN Human Rights Committee, a panel of 18 independent experts tasked with interpreting and tracking application of the ICCPR, issued a commentary (General Comment 34) that strongly condemned blasphemy laws and other such restrictions on the freedoms of belief and expression.³ The Committee’s first notes on the issue since 1983 stated:

“Parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression.” (Paragraph 23)

“Prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant. ... Thus, for instance, it would be impermissible for any such laws to discriminate in favour of or against one or certain religions or belief systems, or their adherents over another, or religious believers over non-believers. Nor would it be permissible for such prohibitions to be used to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith.” (Para. 48)

“Restrictions on the right of freedom of opinion should never be imposed.” (Para. 49)

Key international accords and guidelines make clear that blasphemy laws have no basis in, and are in conflict with, international law. However, as detailed in this report, many countries openly disregard these rules. Consider an example from Pakistan:

Asia Bibi is a Christian mother of five who was living as a farm worker in Pakistan. In 2010, Bibi was alleged to have made blasphemous remarks following a disagreement with a Muslim coworker who refused to drink from a container of water she carried, believing it was tainted. In November 2010, Bibi was convicted of blasphemy and became the first woman to be sentenced to death in Pakistan for that crime. She remains in jail while her case is being appealed. Several prominent Pakistani politicians have been assassinated for criticizing blasphemy laws and supporting her freedom, including Salmeen Taseer, the former Governor of Punjab, and Shahbaz Bhatti, the former Minister for Minority Affairs.⁴

Bibi's case is just one among many others. Pakistan, a signatory to the ICCPR, is flagrantly ignoring its commitments to protect the right of every citizen to freedom of expression.

Yet blasphemy laws are not the only means by which governments deny dissent. Speech can be restricted in a manner that *appears* to comply with international legal language. For instance, many countries have incitement laws that read like Article 20 of the ICCPR:

*"Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."*⁵

While drafted with good intentions in the 1960s, laws of this sort are often used to punish innocent people. Consider the case of Alexander Aan:

Alexander Aan is a former Indonesian civil servant who, in January 2012, posted messages to Facebook expressing his lack of belief in a god, as well as several cartoons about the Islamic prophet Muhammad. As a result, Aan was attacked at his workplace by an angry mob. When police arrived, rather than arrest and charge the attackers, they arrested Aan and charged him with blasphemy, promoting atheism, and disseminating information aimed at inciting religious hatred or hostility. In June, a district court found Aan guilty of incitement and sentenced him to two years and six months in prison, and assessed a fine of 100 million rupiah (US \$10,600). Aan remains imprisoned during his appeals process.⁶

Indonesia could have conceivably argued that Aan's conviction fits with international legal language. But that is no longer the case. With Aan's case and many others drawing international attention, human rights experts at the UN have in the past year taken the initiative to clearly and forcefully argue that the ICCPR's "incitement" language was and is not intended to provide a loophole through which countries can prosecute people for expressing thoughts which are critical of or dissenting from religious ideas and beliefs.

For instance, the UN Office of the High Commissioner on Human Rights in early 2013 released the Rabat Plan of Action, a report written by human rights experts who in 2011 and 2012 met several times seeking to clarify the term "incitement." As the authors note:

"...national legal systems should make it clear, either explicitly or through authoritative interpretation, that the terms hatred and hostility refer to 'intense and irrational emotions of opprobrium, enmity and detestation towards the target group', that the term advocacy is to be understood as 'requiring an intention to promote hatred publicly towards the target group' and that the term incitement refers to

*'statements about national, racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups'."*⁷

Through its enactment and enforcement of both blasphemy and incitement laws, Indonesia is turning its back on the spirit, and the letter, of the ICCPR.

This must change. The Center for Inquiry (CFI) believes that no person should be marginalized or face punishment for exercising basic liberties such as the right to freedom of belief, speech, and expression. No person should be denied the right to speak freely about his or her values in any public forum, be it online or off-line, and no topic should be off limits—especially religions, which have such an enormous impact on the lives of billions. Provocation to violence is wrong, and CFI supports and promotes civil and peaceful debate and dialogue. But blasphemy and incitement laws serve only to punish blameless people for victimless crimes. Ideas are not entitled to rights; people are.

CFI calls on both national governments and international bodies to fully recognize and put in place sturdy protections for these most fundamental rights. States with poor records should recognize and recommit to their promises to uphold international agreements such as the ICCPR. The international community as a whole must continue to review carefully its written protections for freedom of expression to better address where they might leave room for misinterpretation and abuse. And the international community, as well as individual governments, must apply political pressure to states that do not respect the right to freedom of expression. If these steps are not taken, this 21st century human rights crisis will burden us into the foreseeable future, and worsen with each passing day.

SECTION I: International Agreements

The right to freedom of expression is protected as universal by several important international agreements approved by the United Nations. It was first recognized in 1948 in the Universal Declaration of Human Rights, which states:

“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.” (Article 19) ⁸

The Universal Declaration was given the force of international law in 1966 by the International Covenant on Civil and Political Rights. Articles 18 and 19 state:

“Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” (Article 18) ⁹

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” (Article 19) ¹⁰

Free expression was also mentioned in the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief:

“Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” (Article 1; 1) ¹¹

More recently, the UN Human Rights Committee, which interprets the ICCPR, issued a commentary (General Comment 34) that strongly condemned blasphemy laws:

“Parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression.” (Paragraph 23) ¹²

“Prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the Covenant.” (Para. 48) ¹³

SECTION II: National Laws

Afghanistan

The constitution states that Islam is the official religion of the state and that “no law can be contrary to the beliefs and provisions of the sacred religion of Islam.”¹⁴ This permits the government to punish alleged blasphemers and apostates with sentences as serious as death by hanging. Non-Muslim minority groups, which constitute approximately one percent of the population, are frequent targets of discrimination and persecution.

Algeria

The constitution makes Islam the official religion,¹⁵ and its penal code bars citizens from insulting religious sentiments or inciting hatred against religion.¹⁶ The country also has a Ministry of Religious Affairs that works to ban any publishing and broadcasting of content deemed blasphemous.

Austria

Section 188 of the criminal code, called “Vilification Of Religious Teachings,” criminalizes “Anyone who publicly disparages a person or thing that is the object of worship of a domestic church or religious society, or a doctrine, [or other] behavior likely to attract legitimate offense.”¹⁷ Section 189, called “Disturbance Of Religious Practice,” allows imprisonment for “Whoever [commits in a Church or religious place] mischief that is likely to attract legitimate offense.”¹⁸

Bangladesh

The constitution pledges “absolute trust and faith in the Almighty Allah.” The criminal code includes several clauses (99a-f) that state “the government may confiscate all copies of a newspaper if it publishes anything subversive of the state or provoking an uprising or anything that creates enmity and hatred among the citizens or denigrates religious beliefs.”¹⁹

Burma

Freedom of expression, association, and assembly are restricted as per Articles 34, 361, and 362 of the 2008 constitution. Article 361 recognizes the “special position of Buddhism as the faith professed by the great majority of the citizens of the Union,” while Article 362 recognizes Christianity, Islam, Hinduism and Animism as the only religious minorities.²⁰

Brazil

Article 208 of the penal code states that "publicly vilifying an act or object of religious worship" is a crime punishable by one month to one year imprisonment, or else a fine. ²¹

Chile

While church and state are officially separate, incitement laws exist. A 2002 law on freedom of expression and information and the press prohibits the use of any means of social communication to publish or transmit information designed to promote hatred of or hostility towards persons or groups based on religion, and establishes fines for violations. ²²

People's Republic of China

The constitution promises citizens the rights to freedom of speech, press, assembly, and demonstration, but the government strictly censors the promotion of democracy, any questioning of the legitimacy of the Communist Party of China, and certain religious faiths and practices. Independent media sources, civil society groups, and religious traditions suffer the brunt of this censorship. ²³

Comoros

The constitution states that citizens should draw governing principles and rules from Islamic tenets. ²⁴ A constitutional referendum passed in May 2009 states that "Islam is the state religion." Proselytizing for any religion except Islam is illegal, and foreigners caught promoting religions other than Islam are subject to deportation. Additionally, apostates may be prosecuted under the law.

Denmark

Paragraph 140 of the criminal code "provides that any person who, in public, mocks or scorns the religious doctrines or acts of worship of any lawfully existing religious community in this country shall be liable to imprisonment for any term not exceeding four months." Paragraph 266(b) states that "Any person who, publicly or with the intention of disseminating ... makes a statement ... threatening, insulting, or degrading a group of persons on account of their race, national or ethnic origin or belief shall be liable to a fine or to simple detention or to imprisonment for a term not exceeding two years." ²⁵

Ethiopia

The constitution requires the separation of state and religion, but in recent years the government made it a crime to defame religious groups and restricted the religious freedom of minority religious groups. ²⁶

Egypt

Article 98(f) of the penal code, as amended by law 147/2006, states that “whoever makes use of religion in propagating, either by words, in writing, or in any other means, extreme ideas for the purpose of inciting strife, ridiculing or insulting a heavenly religion or a sect following it, or damaging national unity” should be punished with between six months and five years imprisonment, and/or a fine between five hundred and one thousand pounds. ²⁷

El Salvador

Article 296 of the penal code imposes criminal sentences of six months to two years on those who publicly offend or insult the religious beliefs of others, or damage or destroy religious objects. ²⁸ If such acts are carried out for the purpose of publicity, sentences increase to one to three years in prison. Repeat offenders face prison sentences of three to eight years.

France

The 1958 constitution and ensuing laws passed by the government protect freedom of the press and information, but the country also has laws that prohibit incitement to discrimination or violence. ²⁹

Germany

Article 166 of the criminal code states, “Whoever publicly or through dissemination of writings insults the content of others’ religious faith or faith related to a philosophy of life in a manner that is capable of disturbing the public peace, shall be punished with imprisonment for not more than three years or a fine.” ³⁰

Greece

Article 198 of the penal code states that “One who publicly and maliciously and by any means blasphemes God shall be punished by imprisonment for not more than two years.” Article 199 states that “one who publicly and maliciously and by any means blasphemes the Greek Orthodox Church or any other religion tolerable in Greece shall be punished by imprisonment for not more than two years.” Similarly, the country outlaws any speech or act that “insults public sentiment” or “offends people’s religious sentiments.” ³¹

India

Section 295A of penal code allows up to three years imprisonment and fines for “whoever, with deliberate and malicious intention of outraging the religious feelings

of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of a class.”³²

In May 2011, the Indian Ministry of Communications and Information Technology issued new rules requiring operators of social media networks to screen and remove blasphemous content within 36 hours of receiving a complaint.³³

Indonesia

The constitution claims to protect freedom of religion, belief, and expression. However, Article 29 of the constitution says, “The State shall be based upon the belief in the One and Only God.”³⁴ Furthermore, the country recognizes only six official religions—Islam, Catholicism, Protestantism, Confucianism, Buddhism, and Hinduism—and requires its citizens to adhere to one of these.³⁵ Citizens who do not identify with one of the six official religions, such as those with no religious affiliation, often face discrimination. The country makes it illegal to promote other faiths or atheism to the public. Article 156(a) of the criminal code also punishes “disseminating information aimed at inciting religious hatred or hostility” with up to five years in prison.³⁶

Iran

Iran is a constitutional Islamic theocracy and bars any criticism of the Islamic regime, Islamic beliefs, or deviation from the ruling Islamic standards.³⁷ The government uses its interpretation of Sharia law to target religious minorities and dissidents such as atheists, Christians, and members of the Bahá’í faith.

Ireland

Section 36 of Ireland’s Defamation Act of 2009 criminalizes the publishing or utterance of “blasphemous matter that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion.” The maximum fine is €25,000. However, protection exists if “a reasonable person would find genuine literary, artistic, political, scientific, or academic value in the matter to which the offence relates.”³⁸

Israel

Article 173 of the country’s penal code allows for one year of imprisonment if a person “publishes a publication that is liable to crudely offend the religious faith or sentiment of others,” or “voices in a public place and in the hearing of another person any word or sound that is liable to crudely offend the religious faith or sentiment of others.”³⁹

Italy

Article 724 of the penal code considers blasphemy an “administrative offense” to be punished with a fine. ⁴⁰

Jordan

The constitution, in Article 14, provides for the freedom to practice religion in accordance with the customs that are observed in the Kingdom, unless they violate public order or morality. According to the constitution, the state religion is Islam, and conversion from Islam and efforts to proselytize to Muslims are prohibited. The penal code makes insulting Islam, the Prophet Muhammad, or a Muslim’s feelings, a crime punishable by up to three years in prison. ⁴¹

Kuwait

The constitution makes Islam the state religion, and Sharia a primary source of legislation. As a result, blasphemy is illegal. ⁴² The 1961 Press and Publications Law prohibits the publication of any material that attacks religion or incites people to commit crimes, or spread hatred and dissension. ⁴³

Liechtenstein

Section 283 of the criminal code prohibits any form of discrimination against or degradation of any religion or its followers. ⁴⁴

Malaysia

Portions of the constitution, as well as other policies, place some restrictions on religious freedom. For example, Articles 295-298A of the penal code allow up to three years in prison and a US \$1,000 fine for those who “commit offenses against religion.” Furthermore, every Malaysian citizen over the age of 12 must carry an identification card bearing the owner’s religion. ⁴⁵

Maldives

The constitution designates Islam as the official state religion, and does not provide for the right to freedom of religion or belief, nor prohibit discrimination based on religious preference. The constitution also precludes non-Muslims from voting and holding public positions. ⁴⁶

Netherlands

Article 137c of the penal code criminalizes defamation of groups “because of their race, religion or convictions, their heterosexual or homosexual orientation or physical, psychological or mental disability.” ⁴⁷ Article 429b bars display of “scornful

blasphemy for insulting religious feelings” on public roads. Fines are levied, with prison for repeat offenders. ⁴⁸

Pakistan

Chapter XV of penal code contains several sections regarding blasphemy. Article 295-A outlaws “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.” Article 295-B outlaws the defiling of the Qu’ran. Article 295-C bans the use of derogatory remarks in respect of Muhammad. Article 298 punishes deliberately intending to wound another person’s religious feelings. Article 298-B punishes the misuse of epithets, descriptions, or titles reserved for certain holy personages or places. ⁴⁹

Poland

Article 196 of the penal code states, “Whoever offends religious feelings of other people by publicly insulting an object of religious cult or a place for public holding of religious ceremonies, is subject to a fine, restriction of liberty or loss of liberty for up to 2 years.” ⁵⁰

Russia

Article 282 of the criminal code punishes “Actions aimed at the incitement of national, racial, or religious enmity, abasement of human dignity, and also propaganda of the exceptionality, superiority, or inferiority of individuals by reason of their attitude to religion, national, or racial affiliation, if these acts have been committed in public or with the use of mass media.” ⁵¹ The penalty is up to three years in prison. Most often fines are levied against offenders, at a maximum of 200,000 Rubles (US\$6,500).

Saudi Arabia

The country has no separation between state and religion, placing significant pressure on all citizens to adhere to the official government interpretation of Sunni Islam. Freedom of religion is neither recognized nor protected under Saudi law and is severely restricted in practice. Public policy relies on an interpretation of Sharia law, which treats blasphemy – or, any deviation from Sunni Islam – as apostasy, an offense usually met with a death sentence. The Commission for the Promotion of Virtue and Prevention of Vice (i.e., the religious police) are especially intolerant of minority religions and nonbelief. ⁵²

Spain

Article 525 of the Spanish penal law considers the “vilification of religious feelings,” “dogmas,” “beliefs,” or “rituals” a crime punishable by large fines. ⁵³

Sweden

Chapter 16, Section 8 of the penal code criminalizes any “person who, in a disseminated statement or communication, threatens or expresses contempt for a national, ethnic or other such group of persons with allusion to race, colour, national or ethnic origin or religious belief.”⁵⁴

Switzerland

Article 261 of the penal code mandates a fine for “any person who publicly and maliciously insults or mocks the religious convictions of others, and in particularly their belief in God, or maliciously desecrates objects of religious veneration, any person who maliciously prevents, disrupts or publicly mocks an act of worship, the conduct of which is guaranteed by the Constitution, or any person who maliciously desecrates a place or object that is intended for a religious ceremony or an act of worship the conduct of which is guaranteed by the Constitution.”⁵⁵

Thailand

While the Thai constitution protects freedom of expression, it carves out exceptions for the government to suppress speech in order to preserve national security, maintain public order, preserve the rights of others, protect public morals, and prevent insults to Buddhism (Section 206, Penal Code). The country also makes it a crime, punishable by up to 15 years in prison, to criticize or insult members of the royal family (Chapter I, Penal Code).⁵⁶

United Kingdom

Under Section 5 of the Public Order Act, citizens may be charged for expressions that are perceived as “insulting” to religion. This does not require proof of actual harm, only “likelihood” that someone might be “distressed.” Additionally, Part 4A of the Public Order Act 1986 prohibits anyone from causing “alarm or distress” and displaying “any writing, sign, or other visible representation which is threatening, abusive, or insulting.” A person guilty of an offense under this section could be imprisoned up to six months, fined up to £5,000, or both.⁵⁷

SECTION III: National Cases

Bangladesh

Asif Mohiuddin, 29, is one of Bangladesh's most prominent atheists and runs one of the country's most-visited websites. In January 2013, while arriving for work as an engineer, Mohiuddin was brutally stabbed by a group of men. He remains in recovery at a hospital while the police search for his attackers, who are believed to be fundamentalist Muslims. ⁵⁸

Egypt

Alber Saber, 27, is an atheist who is well known in Egypt for his activism for democracy and vocal criticism of fundamentalist Islam. On September 14, 2012, a crowd of hundreds formed outside of Saber's home in Cairo demanding that Saber be arrested for posting a link to the film *Innocence of Muslims*. When the police arrived, they arrested Saber and jailed him for insulting religion. On December 12, 2012, a court sentenced Saber to three years in prison. He was released on bail during the appeals process and is currently in hiding. ⁵⁹

Indonesia

Alexander Aan is a former Indonesian civil servant who, in January 2012, posted messages to Facebook expressing his lack of belief in a god, as well as several cartoons about the Islamic prophet Muhammad. As a result, Aan was attacked at his workplace by an angry mob. When police arrived, they arrested Aan and charged him with blasphemy, promoting atheism, lying on an official government document (Indonesia requires its citizens to claim a religion; Aan marked down Islam), and disseminating information aimed at inciting religious hatred or hostility. In June, a district court found Aan guilty of incitement and sentenced him to two years and six months in prison. He was also fined 100 million rupiah (US \$10,600). ⁶⁰ Aan remains imprisoned during his appeals process, which is now taking place.

India

Sanal Edamaruku, 56, is founder and president of the Indian Rationalist Association, and author of several books. Edamaruku gained attention in April 2012, when he exposed a supposed "miracle" at a Catholic Church by revealing that a weeping cross was actually the result of a leaky drain. The Church filed a complaint under Section 295 of the country's penal code, which prohibits the hurting of religious sentiments. Local police have requested that Edamaruku turn himself in and face the charges. ⁶¹Edamaruku is living in exile in Finland. ⁶²

Iran

In March and May of 2008, Iranian police arrested **seven Bahá'í leaders** and charged them with espionage, propaganda against the Islamic republic, and the establishment of an illegal administration. Their crime? Peacefully practicing their religion in a country where Shia Islam is the law of the land and those who belong to minority faiths, such as the Bahá'ís, are denied equal rights. In June 2010, the seven Bahá'í leaders—Mahvash Sabet, Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, and Vahid Tizfahm—were sentenced to twenty years of imprisonment. The seven have now spent more than 10,000 days in prison, with no prospect of release until 2028.⁶³

Unfortunately, this is but one example of the systematic, government-led harassment that the more than 300,000 Bahá'ís face in Iran. Heiner Bielefeldt, the UN special rapporteur on freedom of religion and belief, recently described Iran's handling of the Bahá'ís as “one of the most obvious cases of state persecution.”⁶⁴

Kuwait

Hamad Al-Naqi is a Shia Muslim who in February and March 2012 allegedly made a series of posts on Twitter critical of the Sunni rulers of Saudi Arabia and Bahrain, the Prophet Muhammad, his wife Aisha, and his followers. Several members of the National Assembly of Kuwait called for his death. Al-Naqi pled not guilty, arguing that he had not posted the messages, and that his account had been hacked. In June 2012, Al-Naqi was found guilty of “insulting the Prophet, the Prophet's wife and companions, mocking Islam, provoking sectarian tensions, insulting the rulers of Saudi Arabia and Bahrain and misusing his mobile phone to spread the comments” and sentenced to ten years in prison.⁶⁵ Al-Naqi was attacked within weeks of entering prison and has been put in solitary confinement for safety reasons. His lawyers promise to appeal the sentence.

Pakistan

Sherry Rehman is Pakistan's ambassador to the United States. Due to a citizen complaint, she is currently under investigation for blasphemy, which could result in punishment as severe as the death penalty. In 2010, Rehman took part in an interview that was aired on Pakistani television. Muhammad Faheem Ahkter Gill, a 31-year-old businessman who owns a marble business in the city of Multan, was reportedly watching the appearance with friends and felt Rehman made comments critical of the Islamic prophet. Gill spent years trying to register a case against Rehman, and in January 2013 – for reasons unknown – Pakistan's Supreme Court finally accepted the case and directed police to perform an investigation.⁶⁶ Rehman has previously faced death threats after urging for reform to the country's blasphemy laws.

Asia Bibi is a Christian mother of five who was living as a farm worker in Pakistan. In 2010, Bibi was alleged to have made blasphemous remarks following a disagreement with a Muslim coworker who refused to drink from a container of water she carried, believing it was tainted. In November 2010, Bibi was convicted of blasphemy and became the first woman to be sentenced to death in Pakistan for that crime. She remains in jail while her case is being appealed. Several prominent Pakistani politicians have been assassinated for criticizing blasphemy laws and supporting her freedom, including Salmaan Taseer, the former Governor of Punjab, and Shahbaz Bhatti, the former Minister for Minority Affairs. ⁶⁷

Rimsha Masih is a young Christian girl, believed to be developmentally disabled and around fourteen years in age, who faced charges in Pakistan for allegedly burning sacred Muslim documents—a crime punishable by death in that country. Masih was arrested in August 2012 after a local cleric, Mohammad Khalid Chisti, said she had burned pages of the Noorani Qaida, a religious book used to teach the Qu’ran to children. Hundreds of protesters demonstrated outside of the police station where Masih was being held, demanding she face formal charges. ⁶⁸The case took a turn in September 2012, when police arrested Chisti and charged him with fabricating evidence against Masih. Masih has since been cleared of the charges against her. ⁶⁹However, Rimsha and her family will feel the consequences of the charges forever, as they—along with many Christians living nearby—have already relocated from their home and live in hiding in fear of vigilante retribution.

Russia

Pussy Riot is a Russian feminist band that plays punk rock and protest music and stages public performances. The group came to notoriety in February 2012, when three of the band’s twelve members shot a music video at Moscow’s Cathedral of Christ the Saviour called “Punk Prayer: Mother of God, Chase Putin Away!” Weeks later, under pressure from church officials, police arrested and charged Nadezhda Tolokonnikova, Maria Alyokhina, and Yekaterina Samutsevich with hooliganism motivated by religious hatred. In August, the three were convicted, and sentenced to two years of imprisonment. ⁷⁰ The decision has been widely condemned. Recently a court in Moscow released one of the jailed band members, but confirmed the sentences of the other two. The remaining members of the group have left Russia in fear of further political action.

Saudi Arabia

Hamza Kashgari, 23, is a poet who formerly worked as a columnist for the Saudi daily newspaper al-Bilad. In February 2012, Kashgari posted messages on Twitter in which he imagined himself in conversation with the Prophet Muhammad. Saudi King Abdullah ordered that Kashgari be arrested “for crossing red lines and denigrating religious beliefs in God and His Prophet.” Kashgari sought political asylum in New Zealand and Malaysia, ⁷¹ but was eventually arrested and extradited back home, where he is being held and faces charges as severe as the death penalty. ⁷²

Raif Badawi, 30, is co-founder of the website Liberal Saudi Network, which was dedicated to fostering open discussion on social issues and religion but has been shut down. He is currently imprisoned for insulting Islam. In 2008, Badawi was detained and questioned on charges of apostasy, but was eventually released. However, in June 2012, Badawi was arrested and formally charged with insulting Islam and apostasy – the latter of which could result in punishment as severe as the death penalty. Badawi was reportedly arrested for hosting a website which features content critical of religion, and declaring May 7 as a “day for Saudi liberals.” A high-level Saudi court has since refused to charge Badawi with apostasy, and cleared him of the death penalty, yet Badawi remains in jail. Sources claim that authorities are in the process of arranging to bring Badawi’s case back to a lower court. ⁷³

Thailand

Yossawaris Chuklom, 54, is a prominent comedian (stage name: Jeng Dokchik) and activist in Thailand who was recently sentenced to two years in prison for insulting the monarchy. In March 2010, “red-shirt” political protesters who support ousted Prime Minister Thaksin Shinawatra occupied parts of Thailand’s capital, Bangkok, to demand that the government of then Prime Minister Abhisit Vejjajiva step down. During these protests, Chuklom delivered a speech in which he was allegedly critical of the monarchy. He was formally sentenced in January 2013, and is currently appealing his conviction. People found guilty under the Thai law that criminalizes criticism of the monarchy can face up to 15 years in prison. ⁷⁴

For more information on laws, cases, and advocacy, please visit the Campaign for Free Expression website at www.centerforinquiry.net/cfe.

Notes

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