

May 16, 2012 | by [M. Zuhdi Jasser](#) and [Katrina Lantos Swett](#)

The following op-ed appeared in The Hill today. For a link to the original article, go to

<http://thehill.com/blogs/congress-blog/foreign-policy/227753-blasphemy-bans-threaten-arab-spring-religious-freedom> .

Kuwait's parliament has just passed draconian legal amendments that impose the death penalty on Muslims for blasphemy. The move to stiffen the penalty came after Hamad al-Naqi, a Shi'a Muslim, was arrested in March and taken into custody for allegedly cursing the Prophet Muhammad on Twitter. The fate of the amendments and of Naqi rests in the hands of Kuwait's emir.

This action is the latest sign of an alarming trend, not just in Kuwait, but across the Middle East and parts of North Africa. From Tunisia to Kuwait, blasphemy bans increasingly are being enforced and expanded. These bans threaten individual rights to freedom of religion and expression and often have led to human rights abuses.

Just about a year ago, freedom seemed to be blossoming. In addition to the popular uprisings across the Arab world, the UN Human Rights Council dealt a welcome blow in March 2011 to the years-long effort to promote a global blasphemy law through annual "defamation-of-religions" resolutions. In their place, a pro-freedom resolution was adopted by consensus. On its face, this resolution rightly seeks to protect individuals from discrimination and violence, in contrast to the prior resolution that protected religions from criticism. The

current resolution applies to the adherents of all religions or beliefs, rather than favoring a single religion, and most critically focuses on education and outreach, rather than restricting expression.

After the January 2011 uprising, Egypt had helped defeat the global blasphemy language at the UN. Yet today, Egypt is enforcing its own blasphemy code with disturbing zeal.

In October 2011, a Cairo court handed down a three-year prison sentence with hard labor to Ayman Yusef Mansour for “insulting” Islam in Facebook postings.

In February 2012, a famous Egyptian actor and comedian, Adel Imam, was sentenced to three months in jail and fined by a Cairo court for “contempt of religion” because of characters he portrayed in several films. While a number of prominent Egyptians expressed outrage over the verdict, an appeals court upheld the ruling last month, although Imam was acquitted later in the month on a second blasphemy charge.

By their actions, Kuwait and Egypt join long-standing blasphemy code enforcers like Saudi Arabia, which regularly uses criminal charges of apostasy and blasphemy to stifle discussion and debate and silence dissidents. Saudi authorities also level dubious charges of “sorcery” and “witchcraft” against Muslims who fail to adhere to the government’s interpretation of Islam. Last month, for example, authorities arrested a Sri Lankan woman on suspicion of casting a spell on a 13-year-old Saudi girl. Last December, the Saudis executed a Sudanese woman for allegedly performing witchcraft.

Even Tunisia shows signs of charting a similar course. Much of the world hails Tunisia as the Arab Spring’s success story. Yet in late March, a Tunisian court sentenced two young men to seven years in jail for publishing caricatures of the Prophet Mohammed.

These are just a few examples of the proliferation of blasphemy cases in the region since the beginning of the Arab Spring.

The embrace of blasphemy laws is an ominous development. Rather than giving rise to greater individual liberty, this trend could turn the Arab Spring into a repressive winter, with forces of intolerance and tyranny dashing hopes for genuine freedom and liberal democracy. Blasphemy law proponents claim that they seek religious harmony through uniformity, but crushing the fundamental freedoms of religion and nonviolent expression will do nothing of the kind. It won’t pacify violent religious extremists; it will embolden them to commit ever-more violent acts against perceived blasphemers.

It is not too late for the impulse of freedom to return. In a number of Middle Eastern and North African countries, the process of drafting or amending constitutions has begun. There is still time to affirm that every person has the equal right to support or oppose publicly and nonviolently any aspect of any religion or belief. There is a narrow window of opportunity to help the new and yet unorganized voices of real liberty and insist that their constitutions enshrine the freedoms of thought, conscience, religion or belief, and expression as universal human rights.

It's time to seize the opportunity and reaffirm these freedoms.

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