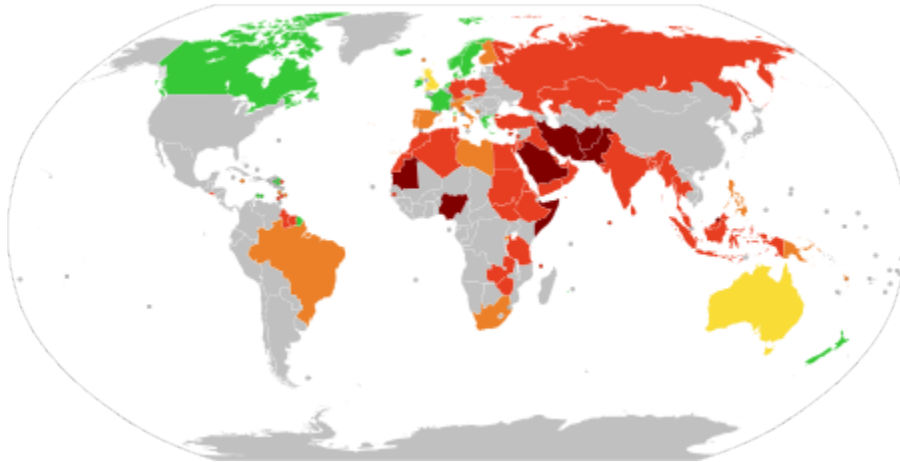


BLASPHEMY



WHAT IS BLASPHEMY?

Blasphemy refers to the act of insulting religion or religious figures, which is criminalized in much of the Muslim world.

WHERE DO BLASPHEMY LAWS ORIGINATE?

In the case of Muslim countries, the prohibition of blasphemy (and apostasy) originate from Islamic religious law, or sharia. The codified laws themselves tend to come from two sources: directly from sharia where it is dictated as law of the land, and penal codes introduced from colonial European powers. Colonial European blasphemy laws were not directed at Islam. Instead, they were intended as a means of quelling sectarian conflict, almost always framed as laws against "hurting religious sentiments" or "inciting religious hatred"

However—this does not mean that blasphemy laws in the Muslim world today are an entirely colonial invention, with no relation to Islamic law.

Theocratic countries like [Saudi Arabia](#) and [Iran](#) impose the strictest punishments for blasphemy, based exclusively and explicitly in Islamic law. Countries like [Pakistan](#) have chosen to add Islam-specific provisions to the blasphemy law which exist separately from the broader colonial-era penal codes, while others

like [Egypt](#) simply use the colonial-era laws as a means of punishing criticism of Islam while rarely prosecuting insults to other religions.

Where blasphemy is legally punishable, those statutes often specify the punishment of insulting Allah, Muhammad, the Qur'an, or other prophets. In others, those repurposed colonial laws, they refer more broadly to "offending religious sentiments."

While many blasphemy laws in the Muslim world are continuations of European penal codes, they continue to be invoked and protected because they happily coincide with the Islamic perception of blasphemy as a capital crime.

WHO IS TARGETED BY BLASPHEMY LAWS?

In addition to atheists and "apostates from Islam," blasphemy laws also target religious minorities, most often Christians and minority Muslim sects (e.g. Ahmadi).

WHAT DOES THE QUR'AN SAY ABOUT BLASPHEMY?

Blasphemy in Islam is mentioned in the Qur'an, and punishments for it are detailed in the hadith.

Verse 5:33 prescribes prison, mutilation, or death for those "who wage war against Allah and His Messenger."

Each madhab, or school of Islamic jurisprudence, has its own definitions of and prescriptions for blasphemy.

- **The Hanafi school** – judges blasphemy on the same level as apostasy. The punishment for a blasphemer who refuses to repent **is death** if the blasphemer is a Muslim man, and imprisonment if the blasphemer is a woman¹.

¹ Parolin, Gianluca P. (2009). *Citizenship in the Arab World*. Amsterdam University Press. p. 55.

- **The Maliki school** – views blasphemy as an offense distinct from, and more severe than apostasy. Muslim men **must be killed**, and repentance is not accepted. Women are imprisoned until they return to Islam, or die in custody.² A non-Muslim who commits blasphemy against Islam must be punished, but can escape punishment by converting to Islam.
- **The Hanbali school** – judges blasphemy as an offense distinct from, and more severe than apostasy. Both Muslim men and women are to be **punished with death**.³
- **The Shafi'i school** – judges blasphemy as a separate offense from apostasy, but accepts repentance. If the blasphemer does not repent, **the punishment is death**.⁴
- **The Ja'fari school (Shia)** – judges blasphemy against Islam, Muhammad or any of the Imams, to be punishable by death for a Muslim offender. Non-Muslims are given the chance to **convert, or be killed**.

HOW IS BLASPHEMY PUNISHED IN THE MUSLIM WORLD?

Because blasphemy is a capital crime according to Islamic law, countries with legal systems based in whole or in part in religious law punish it with varying degrees of severity, from [imprisonment, to death](#).

POPULAR OPINION ON BLASPHEMY

Blasphemy is punished by state and vigilante actors alike.

Blasphemy laws would just be antiquated, vestigial legislation without the support of regular people. Popular opinion on blasphemy has consequences tantamount to codified law. Even when they are not invoked, the presence of blasphemy laws

²ibid

³ibid

⁴Parolin, Gianluca P. (2009). Citizenship in the Arab World. Amsterdam University Press. p. 55.

alone legitimizes the violence carried out by individuals and mobs. This problem has been particularly pervasive in countries like [Pakistan](#), [Bangladesh](#), [Iran](#), and the [Maldives](#).

Blasphemy laws persist because they are, on the whole, agreed upon as just punishment. Salman Rushdie, whose blasphemous book garnered death threats and a bounty on his head from Iranian head of state in the late 80s, was [stabbed for the same transgression](#) in 2022. On both occasions, enthusiastic calls for his death rang from all corners of the Muslim world.

As of 2013,⁵ a majority of the population supports the death penalty for leaving Islam in:

- [Malaysia](#)
- [Afghanistan](#)
- [Pakistan](#)
- [Egypt](#)
- [Jordan](#)
- [Palestine](#)

And around half said the same in

- [Lebanon](#)
- [Iraq](#)
- [Bangladesh](#)

⁵<https://www.pewresearch.org/religion/2013/04/30/the-worlds-muslims-religion-politics-society-beliefs-about-sharia/>