

A silhouette of a person's head in profile, facing right. Inside the head, a large number of small birds are flying outwards, creating a sense of thought or freedom. The background is a solid dark red color.

# THE FREEDOM OF THOUGHT REPORT 2017

## Key Countries Edition

A Global report on the rights,  
legal status and discrimination  
against humanists, atheists and  
the non-religious





# **THE FREEDOM OF THOUGHT REPORT**

## 2017

**Key Countries  
Edition**



*Freedom of Thought 2017: A Global Report on the Rights, Legal Status and Discrimination Against Humanists, Atheists and the Non-religious*, was created by the International Humanist and Ethical Union (IHEU).

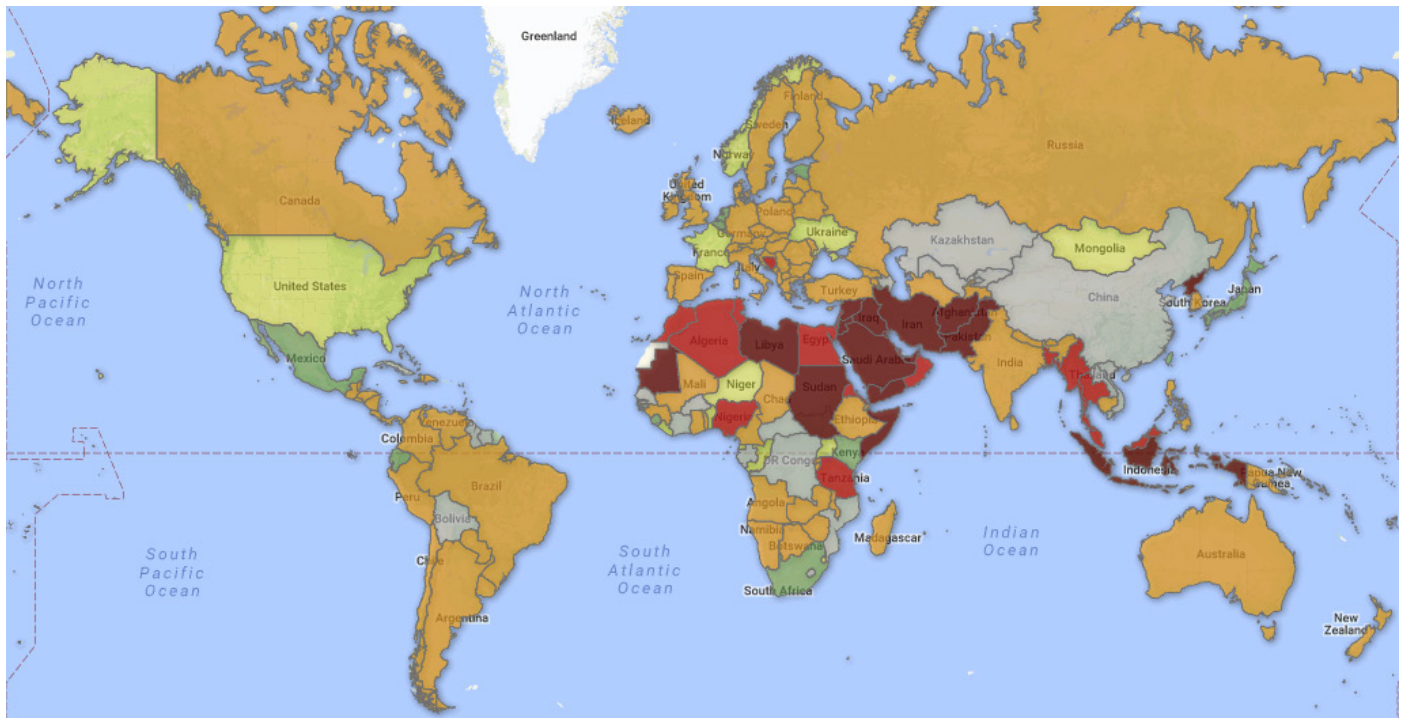
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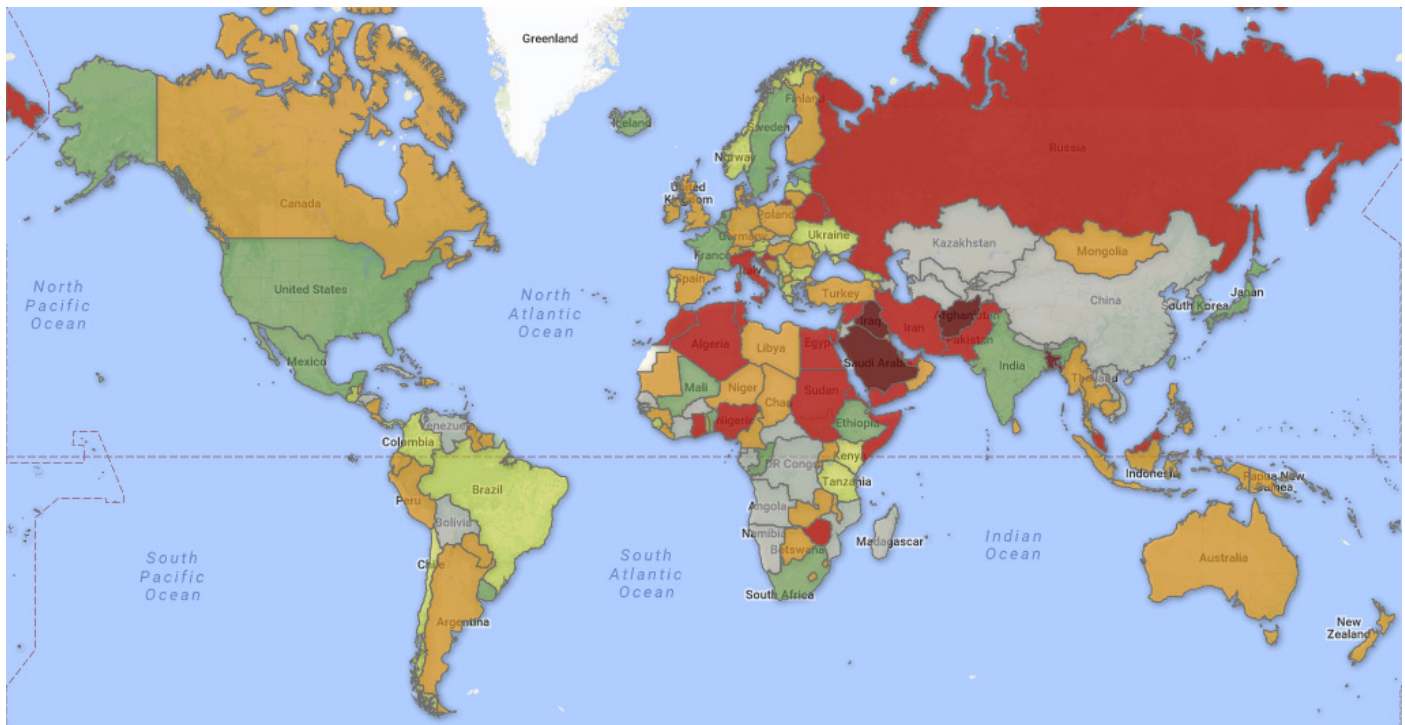
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## Constitution & Government



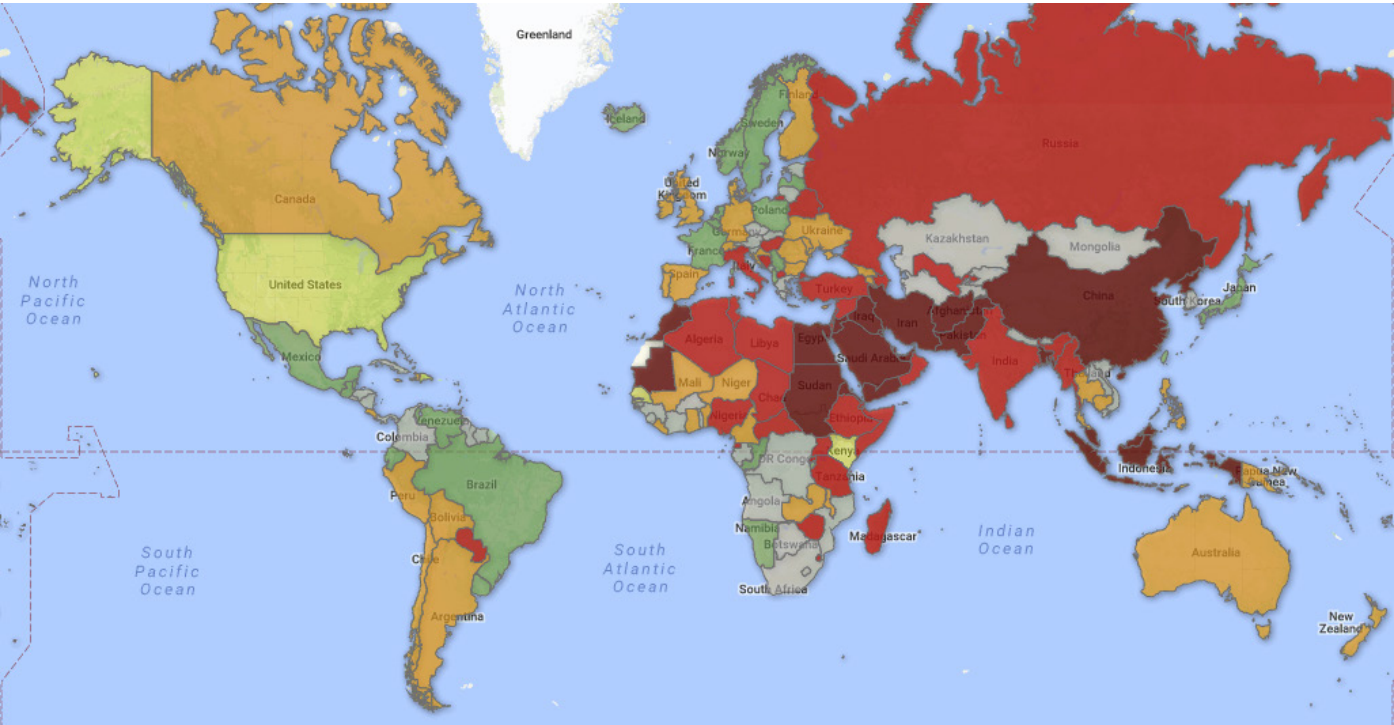
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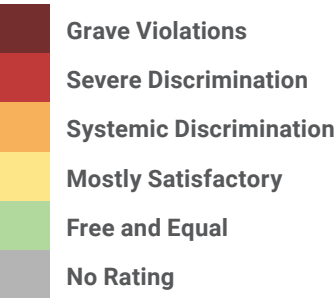
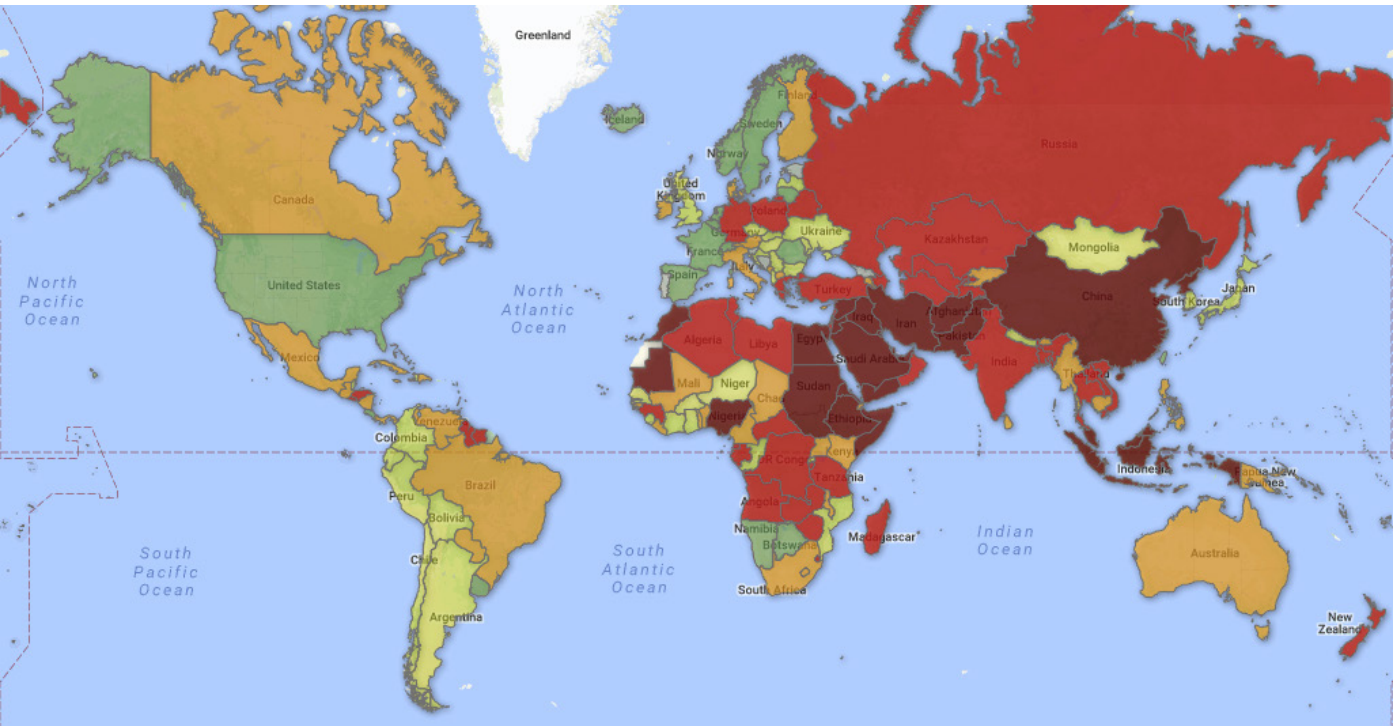
These maps depict the findings of the full Freedom of Thought Report which is available in a complete Online Edition at [freethoughtreport.com](https://freethoughtreport.com).

The maps correspond to each of the four thematic strands of the Report: Constitution & Government, Education & Children's Rights, Society & Community, and Freedom of Expression & Advocacy of Humanist Values. Each map shows the highest severity level (see key, right) of any boundary condition applied in each thematic strand.

Society & Community

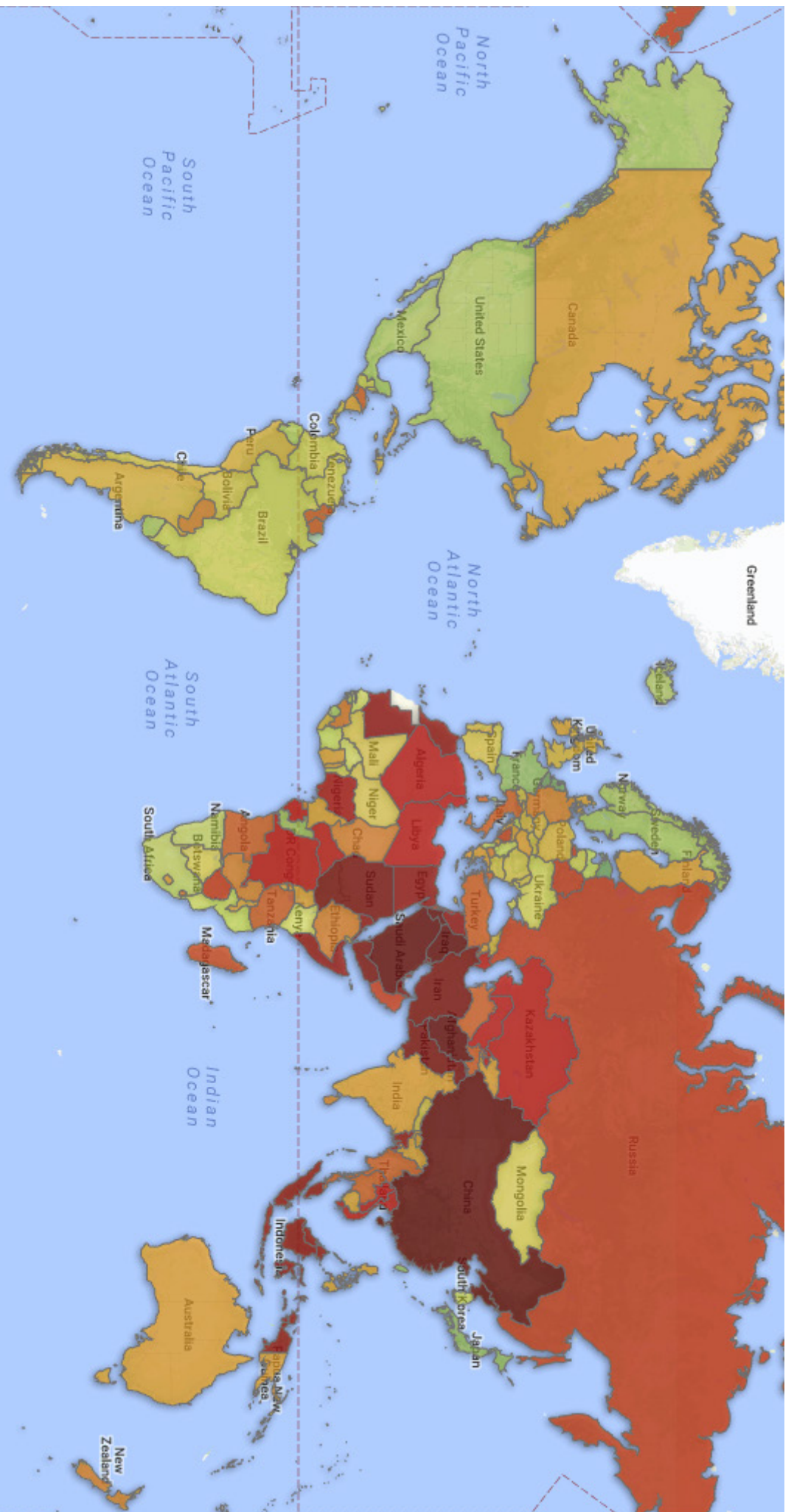


Expression & Advocacy of Humanist Values



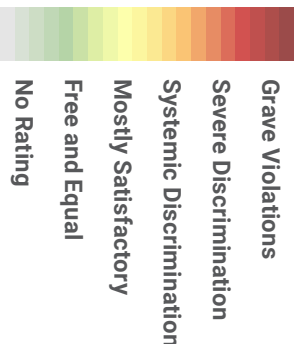






This map depicts the findings of the full Freedom of Thought Report which is available in a complete Online Edition at [freethoughtreport.com](http://freethoughtreport.com).

This map shows as a colour gradient the "summary score" for each country (the average of the worst severity level (see key, right) of any boundary condition applied in each thematic strand.



# Preface to the 2017 edition

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*Andrew Copson is president of the International Humanist and Ethical Union (IHEU)*

**By Andrew Copson**

The Freedom of Thought Report is a unique source of information on the discrimination and persecution against the non-religious globally. We approach this issue, as we do much of our advocacy and campaigns work, through the framework of international human rights.

This framework emerged from various traditions, rising from the ashes of world wars, with broad global consent. And yet, the very concept of universal human rights seems to be increasingly misunderstood today; maligned and degraded by politicians in many countries. The arguments differ from place to place, but often they dispute some of the key characteristics of human rights as such: that they are individual, that they are indivisible, and that they are universal.

Whole groups of people may have their rights violated at once, for example by a single law, or by one act of hatred. There may also be a place for 'environmental rights' and 'economic rights', even 'people's rights' - yet the basic unit and driver of any right comes back to the individual rights-holder. Collective concerns for our environment, economic justice and the concerns of whole peoples are derived from our individual humanity. It must be this way, because trying to implement 'group rights' as such always subverts and violates the autonomy of some individual (whether inside or outside that group). So, for example, the idea that someone must be imprisoned for ostensibly 'insulting' the belief of a group of people puts an imagined, non-existent right of a group not to be offended, before the right of the individual to speak his or her mind. This is why human rights must, at base, be individual.

As we can see from this year's report, human rights also tend to stand or fall together. When the non-religious are being persecuted, it's usually the case that specific religious minorities are too. This is not a coincidence. It is part of how human rights work. If you violate one right, then not only are you likely to be violating others, you will also be degrading the social good, and making other rights harder to achieve. This is why human rights are interconnected and indivisible.

Human rights must apply to everyone equally. This may seem an obvious point, and yet the continued existence of "apostasy" laws demonstrates how inconsistent a state can be in applying something as fundamental as the right to freedom of thought to all citizens. Everyone's rights are not always respected in practice, but we do all deserve them, not just because it says so on a piece of paper, but because they follow, more or less, from the nature of our humanity. This is why rights are said to be universal.

The remit the Freedom of Thought report is discrimination and persecution against the non-religious specifically, but we are proud that all our work seeks to defend the view of individual, interconnected, universal human rights for everyone. The post-war human rights consensus seems under more pressure than ever. However, this is precisely when we need to stand up and defend these basic minimum standards.

The Freedom of Thought Report champions the human rights of an often neglected section of society, the atheists, humanists and other non-religious people. We are proud of this work, and I commend this report to you.

# Foreword to the 2017 edition

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**By Ensaf Haidar**

In 2012, my husband, Raif Badawi, was arrested in Saudi Arabia. He had helped to set up a liberal blogging platform. In his own blog, and in opinion pieces for newspapers, he expressed his opinion: that the clerics should have less to do with the business of the state, because an excess of religious conservatism was damaging to society. Today, this opinion becomes ever more common, even among royal reformists!

But just for expressing his opinion, Raif faced the possibility of a death sentence on “apostasy” charges, and was eventually sentenced for “insulting Islam” to a long prison term and lashes. On appeal, his sentence was increased to ten years prison and 1,000 lashes. He also faces a ten-year travel ban after his sentence.

Raif has the terrible and unwanted honour now of being probably one of the most famous prisoners in the world. But many bloggers, journalists and activists in too many countries face similar charges and punishments. There are many issues at play in such prosecutions. Authoritarian regimes suppress opinions which they think are a threat to their own power.

However, in the context of this Freedom of Thought Report, I want to highlight the role that is played when the authorities evoke religion to suppress these ‘troubling’ opinions.

Raif wrote about politics and society. Yet just because some of his opinions overlap with religion or offer criticisms of religious authorities he can be imprisoned for “insulting Islam”.

Raif describes himself as a liberal Muslim, and yet his country tried him for “apostasy”. The idea that he might have left Islam was used to demonize him. It does not matter if you are a humanist or a Muslim, an atheist or a Jew, an agnostic or a Christian. No one anywhere should face such trial just for expressing their view of the world. Freedom of thought and expression are our human rights.

I reject the idea that anyone, or any state, has the right to threaten someone with death just because they believe or don’t believe in any religion. I reject the idea that just because someone thinks critically about any aspect of religion they deserve to be prosecuted, still less to be imprisoned, separated from their children for years and years and years.

It is in everyone’s interest (religious, non-religious, anyone) that we shine a powerful light on the spectre of atheism. Shine a light, and the shadow will lift! And we will find that there is no spectre. Only a human being.



*Ensaf Haidar is a human rights campaigner and president of the Raif Badawi Foundation for Freedom*

# Editorial Introduction

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*Bob Churchill is Director of Communications at the IHEU, and Editor of the Freedom of Thought Report*

**By Bob Churchill**

This 2017 edition of the Freedom of Thought Report sounds an alarm siren to humanists and to all who care about freedom of thought and expression.

## **Active persecution**

Through publication of this report, the International Humanist and Ethical Union (IHEU) issues a warning: that in at least seven countries the non-religious were actively persecuted in new or evolving major incidents or trends in 2017. This includes the murder of humanists or atheists in at least: Pakistan, India, and the Maldives; we record new waves of incitement to hatred or violence in at least Malaysia, Mauritania and Pakistan; and we record new death sentences faced by alleged “apostates” (from Islam to atheism) in Sudan and Saudi Arabia.

Under the entry for Pakistan you will read about the murder of Mashal Khan, a student who called himself ‘the humanist’ on Facebook, who was beat to death by a mob of fellow students at university. Although some efforts have been made to bring the large number of people involved in his murder to justice, it is unclear whether they will face real sanction for their actions, or whether the supposed ‘blasphemy’ of their victim will be treated as a mitigating factor. The murderers of alleged ‘blasphemers’ often get off lightly, and such cases are notoriously difficult and dangerous even for members of the legal profession; already the lead prosecutor against the alleged killers of Mashal Khan has been forced to quit the case after receiving threats. Under the entry for India you will read about the murder of H Farook, in a case which has been widely overlooked around the world, and largely forgotten in predominantly Hindu India, perhaps because the accused was killed for being an “apostate” from Islam. Under the entry for Maldives you will read about Yameen Rasheed, a human rights activist and a secularist in a country bending rapidly toward political Islam, stabbed to death in the communal hall of his building. This a case on which the country’s president saw fit to intervene, by reminding the populace that they must respect religion.

Pakistan has also seen a new crackdown this year, expressly targeting atheist blasphemers, with a campaign of social media harassment and, most worryingly, the enforced disappearances of several alleged atheist activists, as well as new, pending trials for ‘blasphemy’. Such trials can drag on for years in Pakistan, all the time with the threat of a possible death sentence, or extrajudicial killing, hanging over the accused. In Malaysia, members of an atheist meetup group whose photograph was seen online and widely circulated were publicly denigrated and received death threats. They were threatened with being ‘hunted down’ by government officials for upsetting Muslims with their possible “apostasy”. (The photograph that went viral was simply a large group of people smiling and making peace signs at the camera.) In Mauritania, the fourth year of the trial of accused ‘apostate’ Mohamed Cheikh Ould M’kheitir was met with renewed protests at court with huge crowds calling for his death. Following reports in November that his earlier death sentence would not stand and he would be released there was violence in the streets and calls for him to be murdered. (In 2014 M’kheitir had written an article about “caste”, how members of his own “caste” are treated like slaves, and how religious beliefs and history are sometimes used to justify this.)

In Sudan an activist called Mohamed Al-Dosogy wrote to the courts petitioning



that he be allowed to designate his religion (for want of a more fitting term) as “atheist” on his identity papers. He was arrested on the charge of “apostasy”, which draws a death sentence. He was given psychiatric assessment, reportedly against his will, but at least the case was dropped on the basis of a supposed diagnosis that he was unfit to stand trial. In Saudi Arabia, joining the likes of Raif Badawi, Waleed Abulkhair, and Ashraf Fayadh as a prisoner of conscience, Ahmad Al-Shamri lost a final appeal against a 2015 death sentence for “apostasy” for allegedly posting sacrilegious videos on Facebook. His sentence was celebrated by some on social media with comments such as “I wish there could be live streaming when you cut his head off”.

### The global machine of discrimination

Of course, these particular developments in those seven countries this year are only some of the most noticeable moving parts on the extensive machine of anti-non-religious discrimination which exists in almost every country.

The functional parts of these machines include, in some countries, cutting blades of social malice: the overt demonizing, threatening or physically harming of the non-religious. These machines are very often fitted with megaphones transmitting the abusive voices of officials, clerics, family members and neighbours: reinforcing prejudice, and drowning out freethinking views. Some of these machines are smaller, others are gargantuan and deadly. Even in places where the most destructive and suppressive functions have been restrained by secular reforms and human rights, these machines usually run on caterpillar tracks of religious privilege, or the delegitimization of non-religious perspectives: such discrimination under the law rolls over the rights and personal status of non-religious citizens and carries these machines into even some of the most demographically secularized and pluralistic of nations.

Our report measures countries against a list of sixty boundary conditions, at five levels of severity. The 2017 edition records that in 30 countries at least one (usually more) boundary condition applies at the highest level of severity: “Grave violations”. This includes conditions such as *“‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death”* and *“Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety”*.

- The 30 countries which meet at least one of our most serious boundary conditions (“Grave violations”) are:**
- Afghanistan
  - China
  - Bahrain
  - Bangladesh
  - Brunei Darussalam
  - Comoros
  - Egypt
  - Eritrea
  - Ethiopia
  - Gambia
  - Indonesia
  - Iran
  - Iraq
  - Jordan
  - Kuwait
  - Libya
  - Malaysia
  - Maldives
  - Mauritania
  - Morocco
  - Nigeria
  - North Korea
  - Pakistan
  - Qatar
  - Saudi Arabia
  - Somalia
  - Syria
  - Sudan
  - United Arab Emirates
  - Yemen

**The 55 countries which meet at least one boundary condition at the “Severe” level (and no higher) are:**

Algeria	Russian Federation
Angola	Rwanda
Azerbaijan	Samoa
Belarus	Sri Lanka
Bosnia and Herzegovina	Suriname
Burundi	Swaziland
Central African Republic	Tajikistan
Chad	Tanzania
Democratic Republic of the Congo	Thailand
Croatia	Tunisia
Denmark	Turkey
Djibouti	Turkmenistan
El Salvador	Uganda
Equatorial Guinea	Uzbekistan
Gabon	Vietnam
Germany	Zambia
Ghana	Zimbabwe
Greece	
Grenada	
Guinea	
Guyana	
Honduras	
Hungary	
India	
Israel	
Italy	
Kazakhstan	
Lao PDR	
Lebanon	
Macedonia	
Madagascar	
Malta	
Myanmar	
New Zealand	
Oman	
Palestine	
Paraguay	
Poland	

At the next level down there are 55 countries which meet the next highest level of severity: “Severe Discrimination”. This includes boundary conditions such as *“Religious control over family law or legislation on moral matters”*, and *“‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence”*. Due to this last boundary condition, several states such as Germany, Greece and New Zealand which do retain imprisonable offences for “blasphemy” or similar, make it onto this list.

In total then, there are 85 countries which meet at least one of our criteria for a “severe” boundary condition or worse. In most cases, these countries meet multiple boundary conditions at this level across multiple categories (e.g. under both our “Constitution and law” category and under our “Education and children’s rights” category). This is because usually if one thing is wrong, then several things are wrong, and the violation of various rights or the prevalence of various patterns of activity is likely to coincide together.

It is worth noting that at our current moment in history, the 30-strong list of countries which exhibit “grave violations” against the non-religious, which corresponds with a high prevalence of human rights abuses across various other sectors of society as well, is predominated by Islamic states, or countries with mainly Muslim populations, or with highly Islamized regions within multi-religious nations (e.g. northern Nigeria). While a full analysis of this correlation and its social, political or even theological drivers is outside the scope of this report, it can hardly be controversial to say at least this: that atheism and ‘apostasy’, especially advocating for atheism or fundamentally criticizing religion as such, are often reviled within religious belief structures; these things are often particularly and explicitly reviled within Islam; and most states with an established, enforced or deeply conservative religion today are Islamic. But nor can governments, clerics, or state bureaucracies bear all the blame, since many of the pains and oppression faced by the non-religious in such countries results from social intimidation, including pressure from schools, family, friends. The result of all this – just as many conservative and extremist followers of Islam would probably agree and desire it! – is that it is Islamic states, and Islamic populations, which pose the most prevalent and often the most serious threat to the non-religious people in their societies today.

## **The disproportionate “brutality” of anti-non-religious violence**

In a keynote address to the annual General Assembly of the IHEU this year, the UN Special Rapporteur on Freedom of Religion or Belief, Dr Ahmed Shaheed, spoke of the extreme nature of some of the violence visited upon atheists and humanists. During this speech, he said:

*"There is I think, thanks to the reports that you publish, growing awareness of the plight of humanists around the world. So you find the UN supporting increasing focus on humanists. I also want to stress that in my observations, humanists – when they are attacked – they are attacked far more viciously and brutally than I think in other cases. It's partly because there is this conception that humanists require no protection. So in Bangladesh what we hear are people hacked to death brutally on the streets, or cafes, everywhere... Yameen Rasheed, in the Maldives, he was stabbed thirty-six times. For what? He was simply a freethinker who expressed his ideas, who made jokes about the mullahs and so on and so forth. And of course at the end of that the president went and said 'We cannot tolerate blasphemy'. So you can see that the framework, how that empowers people to attack people they see as not deserving of protection. So this is one dimension that I'm very concerned about: the brutality with which social hostilities are visited upon humanists the world over. You will not find this kind of viciousness in attacks on other communities. Of course the Baha'i and Ahmadis face very serious violations, but I think if you look at specific cases the brutality with which humanists and atheists are attacked exceeds other forms of viciousness that I have come across."*<sup>1</sup>

Of course, any kind of violence that can be visited on one set of people will be visited upon another. Christians - more visible and more numerous - are more often the victims of lynchings in Pakistan. Religious minorities such as the Baha'is in Iran and elsewhere have been bullied and marginalized throughout their history. In Myanmar this year (in the months subsequent to Dr Shaheed's remarks above) the world has seen decades-long tensions coming to the boil as security forces and non-state actors responded with massively disproportionate force to attacks by militant groups, targeting vulnerable Rohingya Muslim civilians with a "clearance operation" utilizing rape and arson, driving Rohingya people from their homes in the hundreds of thousands.

Yet, Dr Shaheed's remarks above point up that when it comes to atheists there is often a disproportionate brutality, in that it is perpetrated on such a relatively small and invisible set of people, and also in that that it occurs in the absence of any long-simmering social tensions such as competition for land or resources (there is no 'atheist people' as such), and that it occurs (barring for example some conflict with Communists) absent any history of communal violence with atheists as such.

Usually, there is at least a passing pretence that states tolerate the mere existence of religious minorities. With only a few exceptions, such as Saudi Arabia and Christianity, even in countries with high levels of religious restrictions on when and how people worship, religious minorities as such are usually able to at least self-identity. But in many of the most threatening nations for the non-

religious, it is prohibitively difficult to 'come out' as a humanist or atheist, and although there are indications of a trickling rise in secularization, still only a small percentage of the population will identify this way in surveys, still fewer in public. Those that do speak out, however mild their tone and approach, can suffer massive opprobrium just for voicing questions and offering criticisms, just for their failure to conform to the religious norms and strictures around them. Of course, attacks on religious minorities certainly occur, all too viciously and too frequently. Often, when they do suffer such attacks, there is long-standing sectarian tension, or broader social tension. But there is certainly a perception, as voiced by Dr Shaheed, that when the non-religious dare even to declare their existence in some countries, let alone to speak up on particular topics, they are disproportionately likely to suffer disproportionate abuse and violence for relatively minor 'offences', or even just for existing.

## Humanists forced to choose: be invisible, or a target

In most of the worst-performing countries in this report, the non-religious are caught in a dilemma.

On the one hand, they can remain invisible, perhaps conforming to religious practices for the sake of an easy life, and be largely safe. Most of the time they are invisible. Unlike most sizeable religious minorities there is not even a pretence that they are welcome to their idiosyncratic beliefs or permitted to build their churches. Rather, the non-religious cannot freely associate or express themselves in daily life, and outside of online networks they cannot build the non-religious equivalents of religious associations in the 'real world', as humanists do in 'Western' countries, for example.

On the other hand, if they so much as state their non-religiousness, let alone offer any rationale for it, or advocate for explicitly humanist ideas or values beyond that, then they are immediately shouted down for trying to "proselytize", or as a cause of "hurt sentiments" or "offence". It is very often an all-or-nothing scenario: silence, or be immediately regarded as a pariah and a provocateur.

## The second invisibility

There is a second sense in which the non-religious are often invisible, and it has been much less talked about.

When non-religious people speak out on some social or political or ethical issue, driven by some sense of personal conviction, driven by conscience, driven by principles, this underlying complex of convictions - which we might call their humanist values - often goes unreported. There

<sup>1</sup> <http://racjonalista.tv/un-special-rapporteur-on-the-human-rights-situation-in-the-iran-ahmed-shadeed/>

can be many reasons for this. Most obviously, there is the aforementioned social pressure not to openly state your non-religiousness. But sometimes, even when it is known, the media and even some NGOs, can be observed to skirt around or even flatly disregard this aspect of their motivation. A humanist driven by their values to work and campaign for change, and who perhaps is threatened or attacked for their efforts, may get written up in the press as a 'blogger', an 'activist', a 'student'... All of which they may be and which are fine things to be! But what if their convictions and motivation are lost? The issue becomes more stark with a comparison: an attack on a Christian peace campaigner, for example, would likely be reported as such – "a Christian peace campaigner" – and any attack regarded as an attack not just on their person but on their religious convictions. To disregard humanist convictions is to give the non-religious a second coat of invisibility paint, and perhaps makes it harder for the world to understand them and the threat that they face.

We can begin to remove this second invisibility. It will require media and NGOs reporting on humanist activists to ask the right questions and to refuse to skirt around secularity because it might be 'offensive' to some. It will also require humanists to claim and be more confident of their convictions, by whatever label.

And it will require breaking the over-focus on that pithy phrase 'religious freedom' when it comes to thinking about the right we all share: to freedom of thought, conscience and religion (Article 18, Universal Declaration of Human Rights). The narrow formulation 'religious freedom' means that too many commentators, lawmakers and sometimes even international institutions, forget or ignore that Article 18 protects also our political convictions, our critical thoughts, and broader philosophies of life or worldviews that fall outside the spectrum of specifically religious belief.

## The warning

Many western and European countries are currently engaged in national and intra-national debate about rising nationalism and authoritarianism (this was the main subject of our Editorial Introduction last year). These debates are often thereby seriously questioning the inevitability of social and political progress generally. The warning carried by this report is not only that we record in several countries incidents and trends of active persecution, as if they just happened, independently and spontaneously. Rather, it is that this looks very much like a pattern of regression on a global scale.

The rhetorical opposition and very real threats to democratic norms extends far beyond 'fake news' and Twitter bots (as potentially serious as those issues are). Any remaining notion that secularism and human rights must inevitably establish themselves, especially in

countries with many conservative religious citizens, must now be cast aside as deeply complacent and apathetic. Humanists everywhere, in safe countries and hostile, must make a massive and principled effort, making great use of international cooperation and solidarity, to assert their values and to claim their rights, including their right even to exist.



# General Introduction

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The IHEU Freedom of Thought Report is a unique annual report and online resource, looking at the rights and treatment of the non-religious in every country in the world.

Specifically, this report looks at how non-religious individuals—whether they call themselves atheists, agnostics, humanists, freethinkers, or are otherwise just simply not religious—are treated because of their lack of religion or absence of belief in a god. We focus on discrimination by state authorities; that is systemic, legal or official forms of discrimination and restrictions on freedom of thought, belief and expression, though we do also try to include some consideration of extra-legal persecution or persecution by non-state actors, social discrimination, and personal experience where possible.

In setting the parameters of this survey we focus on the global human rights agreements that most affect the non-religious: the right to freedom of thought, conscience, religion or belief; the right to freedom of expression; and, to some extent, the rights to freedom of assembly and association. We consider national laws that compromise or violate these rights, or which otherwise enshrine discrimination against the non-religious. Of course, laws and practices affecting the non-religious often impact on religious groups, usually religious minorities in a national context, so we also consider corresponding impact from discriminatory laws on other groups. And sometimes we also consider wider social and ethical issues indicative of the marginalization of humanist values.

Our findings show that the overwhelming majority of countries fail to respect the rights of humanists, atheists and the non-religious. For example, there are laws that deny atheists' right to identify, revoke their right to citizenship, restrict their right to marry, obstruct their access to or experience of public education, prohibit them from holding public office, prevent them from working for the state, or criminalize the expression of their views on and criticism of religion. In the worst cases, the state or non-state actors may execute the non-religious for leaving the religion of their parents, may deny the rights of atheists to exist, or may seek total control over their beliefs and actions.

## A secularizing world

Any rights violations and discrimination are important, even when only small numbers of people are affected. However, the non-religious are not necessarily a very small group. Atheists (those who do not believe in any god), and humanists (those who embrace a morality centered

on human welfare and human flourishing that does not appeal to any supernatural or divine entities), and others who consider themselves non-religious, constitute a large and growing population across the world. A detailed survey in 2012 revealed that religious people make up 59% of the world's population, while those who identify as "atheist" make up 13%, and an additional 23% identify as "not religious" (while not self-identifying as "atheist"). The report by the WIN-Gallup International Association<sup>1</sup> is in line with other recent global surveys. It shows that atheism and the non-religious population are growing rapidly—religion dropped by 9 percentage points and atheism rose by 3 percentage points between 2005 and 2012—and that religion declines in proportion to the rise in education and personal income, which is a trend that looks set to continue. Even in countries which at first glance seem to have few self-identifying non-religious people, it should be remembered that often it is these states or societies that are most oppressive of non-religious views.

Far from thinking that a country with seemingly very few non-religious people is probably not contravening the rights of the non-religious, commentators should probably recognise that the apparent absence of non-religious voices may well indicate that the non-religious are self-censoring their views in response to oppressive laws or social taboo, or that they are being actively silenced, as this report documents all too often.

## Freedom of thought under the human rights framework

The right to freedom of thought, conscience, religion or belief protects the individual conscience of every human being. This right was first stated by the global community in 1948 in Article 18 of the Universal Declaration of Human Rights. It states:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."  
— Article 18, Universal Declaration of Human Rights

This simple but powerful statement was given the force of international law by Article 18 of the International Covenant on Civil and Political Rights in 1976. In 1981 it was given broader application and detail by the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Just as freedom of thought, conscience, religion or belief protects the right of the individual to follow a religion, it also protects the right to reject any religion or belief, to identify as humanist or atheist, and to manifest non-religious convictions through expression, teaching and practice. As the United Nations Human Rights Committee explains (General Comment 22):

"1. The right to freedom of thought, conscience and religion (which includes the freedom to hold beliefs) in article 18.1 is far-reaching and profound; it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others...

2. Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms 'belief' and 'religion' are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions."

Thus, it is not necessary to describe atheism as a religion, or as analogous to religion, to guarantee atheists the same protection as religious believers. On the contrary, atheism and theism are protected equally as manifestations of the fundamental right to freedom of thought, conscience, religion or belief.

Religious believers and non-believers are equal in human rights because they are all human, irrespective of their religion or beliefs. Just as the profession of religion is protected as a manifestation of belief and conscience, so is the atheist's criticism of religious beliefs and practices. Just as speaking in support of one's religious convictions and moral values can be of fundamental meaning and importance to the individual, so can advocating core humanist values of democracy, freedom, rationalism, or campaigning for human rights, equality and the principles of secularism. As the United Nations says, "religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life"<sup>2</sup>.

Article 18 protects atheists' right to be atheist and to manifest their atheist beliefs, and non-beliefs, in public as well as in private, in teaching as well as in practice. The right to freedom of religion or belief is therefore central to our examination of the status of atheists and other non-religious people around the world. But there are other rights that are necessary for people to express their conscience, thoughts and beliefs.

## Other rights and freedoms

The right to freedom of expression is, obviously, necessary for people to express their beliefs, but also to explore and

exchange ideas. As stated by Article 19 of the Universal Declaration of Human Rights, the right to freedom of expression includes the right to share ideas and, crucially, the freedom of the media that is necessary for the free exchange of opinions as well as news:

"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, Universal Declaration of Human Rights

In addition to expressing their thoughts through private discussion or public media, people also have the right to associate with others who share those beliefs, and to express their thoughts at meetings, including public assemblies and demonstrations. These rights are protected by Article 20 of the Universal Declaration of Human Rights: "Everyone has the right to freedom of peaceful assembly and association" (Article 20).

It's no coincidence that these three rights are stated together in the Universal Declaration of Human Rights: Articles 18, 19, and 20 are intertwined, and generally stand or fall together. Our survey therefore looks at violations to the freedoms of expression, assembly and association, as well as freedom of thought, conscience, religion or belief, to show how non-religious people are prevented from, or persecuted for, expressing their atheist ideas or humanist values.

The countries with the worst records on freedom of thought are usually the countries with the worst records on human rights overall. This is no coincidence: when thought is a crime, no other freedom can survive for very long.

## Rights violations and discrimination against the non-religious

### Apostasy and blasphemy laws

In some countries, it is illegal to be, or to identify as, an atheist. Many other countries, while not outlawing people of different religions, or no religion, forbid leaving the state religion. And in these countries the punishment proscribed in law for "apostasy" (converting religion or declaring oneself not of a religion) is often death. In fact, we document 22 countries which criminalize apostasy. In 12 of those countries (Afghanistan, Iran, Malaysia, Maldives, Mauritania, Nigeria, Qatar, Saudi Arabia, Somalia, Sudan, United Arab Emirates, Yemen) "apostasy" is in principle punishable by death. Pakistan doesn't have a death sentence for apostasy but it does for "blasphemy", and the threshold for blasphemy can very low. So, in effect you can be put to death for expressing atheism in 13 countries.

More common than crimes relating to simply being an atheist are the criminal measures against expressing atheist views. Many countries have “blasphemy” laws that outlaw criticism of protected religions, religious beliefs, religious figures, or religious institutions. For example, Pakistan has prosecuted more than a thousand people for blasphemy since introducing its current anti-blasphemy laws in 1988. Dozens of those found guilty remain on death row, and there are repeated calls from Islamist leaders to lift the effective moratorium, enforce the death penalty, and make death the only sentence for “blasphemy” convictions.

The ‘crime’ of criticising a religion is not always called “blasphemy” or “blasphemous libel”; some countries outlaw “defamation of religion”; sometimes is included under hate speech laws (i.e. some hate speech laws outlaw expressions that fall well below any sensible standard of actually inciting hatred or violence); some quasi-“blasphemy” laws outlaw instead “hurting religious sentiments” or “insulting religion”. As documented in this report, there are legal restrictions against expressing “blasphemy”, defaming or insulting religion or religious beliefs, or offending religious feelings etc, in 74 countries. This is higher than some other lists put the figure. Our report does include laws which use variants of the word ‘blasphemy’ or ‘defamation of religion’, ‘hurt sentiments’, ‘insult’, etc, and including anti-hatred laws where those laws appear to be usable to restrict what should be legitimate free expression about religion. We do not include laws which appear genuinely to prohibit incitement to hatred only.

Of these countries with “blasphemy”-type restrictions, 43 allow for a prison term for this crime. And the crime of “blasphemy” is punishable by death in a further 6 countries: Afghanistan, Iran, Nigeria, Pakistan, Saudi Arabia and Somalia. In addition, most of the twelve countries which punish “apostasy” with death also sometimes treat ‘blasphemy’ as evidence of apostasy.

‘Apostasy’ and ‘blasphemy’ laws get a lot of attention because they are often fairly quantifiable and certainly within the context of human rights discourse there is a wide consensus that they constitute human rights violations. There are other laws that severely affect those who reject religion however.

### **Other discriminatory laws**

Some countries have family law that in effect excludes atheists from getting married (unless they pretend to be religious) or will remove parental rights from parents known to be atheists. Some countries require that certain public officers are restricted to persons of a particular religion, thereby excluding the non-religious. Some governments require citizens to identify their religion (for example on state ID cards or passports) but make it illegal, or do not allow, for them to identify as an atheist or as non-religious.

Sometimes, the purpose of citizens identifying their religion is not to discriminate against atheists—or any religion—but to ensure government benefits are given to people in accordance with their faith, or that religious laws enforced by religious courts will apply to them on certain matters, especially family matters. However in many such countries this means that atheists are marginalized.

In fact, discrimination against the non-religious is often caused, not by a desire to hurt atheists, but by the desire to help one or more religion. The promotion by the state of religious privilege is one of the most common forms of discrimination against atheists. Freedom of religion or belief requires equal and just treatment of all people irrespective of their beliefs. But when states start to define citizens not by their humanity but by their membership of a religious group, discrimination automatically follows. For example, in Lebanon the entire system of government is based on sectarian quotas, with different rights and roles available to Sunni Muslims, Shiite Muslim and Maronite Christians, etc. This practice not only codifies and encourages religious discrimination but it also discourages people from leaving the religion of their birth, because they will lose all the state privileges that come with belonging to that religion.

Religious privilege is also seen in many countries’ public services and public education. The most common and substantial of these privileges is religious control of state-funded schools. For example, in Northern Ireland 94% of state funded schools are religious in character. This not only reinforces sectarianism beyond the school gate, but also excludes the non-religious. In England and Wales, 16% of state-funded school places (or 1.2 million children), are subject to admission policies that discriminate against atheists.

Family law, also known as “personal status law”, is the set of laws that control marriage, divorce, inheritance, child rearing and child custody—all of family life. More than that, personal status law also determines the individual’s relationship with the community and state: for example, a wife has different legal rights and legal relationships than an unmarried woman. Many Muslim countries give control of family law to the Sharia courts operating Muslim, not civil, law. Other countries, usually those with historically large religious minorities, have voluntary religious family courts for the different religious communities. Unfortunately for freethinkers who may have left, or want to leave, the religion of their family, these “optional” religious family courts can become a trap that is far from voluntary, where opting out may raise suspicions of apostasy or threats of social exclusion or abandonment by one’s family.

In compiling this evolving, annual report, we also found that religious privilege is not only a form of discrimination in and of itself, but it is also a signifier of more general societal discrimination against atheists. When a religion

is singled out as special, then it generally follows that the members of that religion receive advantages not available to others. Even when there is just a vague state preference for generic religion, or belief in a god, it may reinforce societal prejudice and discrimination against the non-religious. Therefore, we also consider in this report religious discrimination, or religious privilege, even when its supporters claim it is merely ceremonial or symbolic. We agree that some religious signalling by the state is sometimes “only” a matter of symbolism, but what it symbolizes is the state’s preference for religion or for a particular religion, and the second class status or disfavours of the non-religious.

## References

1. [wingia.com/web/files/news/14/file/14.pdf](http://wingia.com/web/files/news/14/file/14.pdf)
2. UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

# The Ratings System

Every country in this report is assessed against a range of “boundary conditions”. These are statements which may or may not apply to each country. Each boundary condition is associated with one of four thematic strands (these are the

vertical columns in the table below). Also, each boundary condition is placed at a given level of severity (these are the coloured horizontal rows in the table below). The following table lists all the possible boundary conditions.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<b>GRAVE VIOLATIONS</b>			
<p>Complete tyranny precludes all freedoms of thought and expression, religion or belief Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, subject to severe punishment</p> <p>The non-religious are barred from holding government office</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence</p> <p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<b>SEVERE DISCRIMINATION</b>			
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<b>SEVERE DISCRIMINATION</b>			
State legislation is partly derived from religious law or by religious authorities		<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>'Apostasy' is outlawed and punishable with a prison sentence</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<b>SYSTEMIC DISCRIMINATION</b>			
<p>There is systematic religious privilege</p> <p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<b>MOSTLY SATISFACTORY</b>			
<p>There is a nominal state church with few privileges or progress is being made toward disestablishment</p> <p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>	<p>State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional</p> <p>State-funded schools provide religious education which may be nominally comprehensive but is substantively biased or borderline confessional</p>	<p>Religious courts or tribunals rule directly on some family or 'moral' matters; it is legally an opt-in system, but the possibility of social coercion is very clear</p> <p>Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious</p>	<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>
<b>FREE AND EQUAL</b>			
<p>The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief</p>	<p>No formal discrimination in education</p>	<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>	<p>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</p>
<b>FREE AND EQUAL</b>			
<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>	<p>Insufficient information or detail not included in this report</p> <p>No condition holds in this strand</p>

How countries are rated

Only the boundary conditions which are found to apply to a given country are shown in that country’s own “ratings table”. Below is an example ratings table which would be found on a country’s individual page.

In the individual country ratings table, rows at the edges of the table are omitted when no boundary conditions were found to apply in those rows. In the example, there is no green row and no dark red row, because no strand was found to meet boundary conditions at the lowest level or at the highest level of severity.

A “signal light” summary system sits alongside the title of each country on its individual page. The “signal light” shows the worst rating received in each strand. In the example table above, the worst-rated boundary conditions applying in the left-most two strands are both at the middle level of severity: orange. The worst-rated boundary conditions applying in the right-most two strands are both at the second highest level of severity: red. (They don’t always come in pairs like this!)



Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general  State-funding of religious institutions or salaries, or discriminatory tax exemptions	Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	Expression of core humanist principles on democracy, freedom of human rights is somewhat restricted
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious  Concerns that secular or religious authorities interfere in specifically religious freedoms

Example ratings table for one country

Here is an example “signal light” summary which corresponds to the example ratings table above.

The “signal light” is designed to give an at-a-glance visual summary of the country’s rating within the scope of this report.

Const/Govt	Edu/Child	Society/Comm	Expression

A “signal light” shows that the worst boundary conditions applied in this example country were at levels, 3, 3, 4 and 4.

### Another look at the full list of boundary conditions

It is common for a condition on the more free end of the spectrum (except for the “Free and equal” conditions) to be superseded by a condition on the more severe end of the spectrum. In this case, the less severe condition may remain implicit, and not listed against the country in the report. For example: if blasphemy is punishable by a maximum sentence of “death”, then the less severe boundary condition stating that blasphemy that is punishable by “imprisonment” may be omitted in an individual country’s ratings table.

The table is designed to break the boundary conditions into separate “strands” of concern, allowing for a clearer visualisation of what information is available or included in the Report. This means that as we gather more information we will be doing a better job at identifying gaps in our own coverage. As stated in earlier edition of this Report, given the way the ratings are designed, some ratings are likely to get worse over time simply because we are satisfied that additional, more severe boundary conditions have been met.



Omission of a boundary condition in the ratings box does not necessarily mean that that condition does not hold in reality; it may be that that information is missing from the Report. We are always interested in new sources of information.

The bottom, grey row does not contribute toward the “severity” rating of a country. Only the null conditions “No condition holds in this strand” or “Insufficient information or detail not included in this report” appear at this level.

## Cautions

*It should be noted that this report cannot claim to be exhaustive.* While all sovereign nations are recorded in this report, some “overseas territories” are not detailed and are not necessarily without discrimination on freedom of thought. Likewise, the individual cases listed as “Highlighted Cases” in this report are examples, not exhaustive lists.

*Lack of transparency in some countries makes comprehensive analysis of those countries more difficult.* In some countries, usually among the worst offenders, the secrecy of courts, or state control of media, or lack of reporting, make it impossible to produce a complete account. In some countries, vague laws or broad legal powers delegated to local authorities make it difficult to ascertain exactly how laws are applied (or not applied) on the ground.

We may still be overlooking serious concerns in some countries where we have little on-the-ground contact and the last thing we want to achieve is to make already marginalised non-religious people feel like their problems are being ignored or overlooked because we’ve given the country a better rating than it deserves, or because we have overlooked issues of concern. If you find yourself in this situation, or you have any other information including mitigation or errata for a given country, please take it as a prompt to reach out to us and make contact via [freethoughtreport.com/contact](https://freethoughtreport.com/contact).



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**This “Key Countries Edition” of the report** contains entries on countries that are mentioned in the introductory material, or which have other significant updates, or regional impact, or which provide a variation in the application of the ratings schema. Countries included in this “Key Countries” edition are not exclusively the worst rated and nor does exclusion of a country from this edition mean that there have not been significant developments or violations in that country. The full report is available in the Online Edition via [freethoughtreport.com](https://freethoughtreport.com) where each country is featured with its own webpage and interactive ratings table.

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# Bangladesh

Const/Govt	Edu/Child	Society/Comm	Expression

Though in theory a secular democracy, the government has frequently given into pressure from Islamist parties, and continues to threaten atheists and others on charges of “hurting religious sentiments”.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
	Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety	Expression of non-religious views is severely persecuted, or is rendered almost impossible by severe social stigma, or is highly likely to be met with hatred or violence  There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious	
State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism  Systemic religious privilege results in significant social discrimination  Religious control over family law or legislation on moral matters  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	Expression of core humanist principles on democracy, freedom or human rights is severely restricted  ‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
There is an established church or state religion	There is state funding of at least some religious schools  Religious schools have powers to discriminate in admissions or employment	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism  Some religious courts rule in civil or family matters on a coercive or discriminatory basis	

## Constitution and government

The constitution and other laws and policies provide for freedom of thought, conscience and religion, as well as freedom of opinion and expression. However, some laws and policies restrict freedom of religion or belief, as well as freedom of expression and media freedom.

An amendment to the constitution passed in 2011 established Islam as the state religion yet reaffirmed the country is a “secular state” and guaranteed “freedom of religion”.

The tension between Islamism and secularism in Bangladesh has resulted in the legal persecution of freethinkers and minority belief groups, which occasionally erupts into violence.

In 2015 there was a string of murders of humanist writers and a secular publishers (see “Atheist blogger murders” and “Highlighted cases”, below). Commenting on the assassination of secular writers, on what happened to be the day before the third such killing in 2015, Sajeeb Wazed, the son of prime minister, told Reuters in May 2015: “We are walking a fine line here... We don’t want to be seen as atheists. It doesn’t change our core beliefs. We believe in secularism. But given that our opposition party plays that religion card against us relentlessly, we can’t come out strongly for him [Avijit Roy]. It’s about perception, not about reality.”

› [reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511](https://www.reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511)

## Education and children’s rights

Religious studies are part of the curriculum in government schools. Students attend classes in which their assigned religious beliefs are taught. Schools with few students from minority religious groups often make arrangements with local churches or temples to hold religious studies classes outside school hours.

Outside this system, serious concerns remain that in many of the pervasive Islamic madrasa schools, the entire curriculum may be reduced to a narrowly Islamist programme, fostering extremism and bigotry.

Two of the killers of Washiqur Rahman Babu, captured at the scene of his murder, claimed to have been instructed to kill him as part of their “religious duty” by staff at their two distinct madrassas (see below).

## Family, community and society

### Religious involvement in state family law

Family law has separate provisions for Muslims, Hindus, and Christians.

The long out-dated and ambiguous “1872 Special Marriage Act III” allows a person of no religious faith to get married. However, both parties have to renounce their belief in front of the ‘Registrar’ as non-believers. Marriage is religiously restricted; marriage between Muslims and Hindus (or members of different religions generally) are not permitted. Couples married under this act are not allowed to adopt; succession, maintenance, custody and guardianship of children and inheritance is not clearly defined either, creating an unclear legal situation.

Social barriers, and potential outrage from religious bodies, make “secular” marriages under unsafe. In addition, the number of available ‘Registrars’ are so few that it’s almost impossible for interested parties to get married under this act.

› [archive.thedailystar.net/law/2012/06/03/advocate.htm](https://archive.thedailystar.net/law/2012/06/03/advocate.htm)  
› [culaw.ac.bd/files/jurnal-2008/Vol.%20XIII,%202008%20\(p.117-%20139\).pdf](https://culaw.ac.bd/files/jurnal-2008/Vol.%20XIII,%202008%20(p.117-%20139).pdf)

Islamic Sharia law plays some role in civil matters pertaining to the Muslim community. There is no formal implementation of Sharia, and it is theoretically not imposed on non-Muslims, however this is very high likelihood that some non-religious individuals would be presumed religious and socially pressured to conform to religious arbitration in family matters.

Family laws concerning marriage, divorce, and adoption differ significantly depending on the religious beliefs of the persons involved. Muslim and Hindu family laws are codified in the legal system. For example, a Muslim man may marry as many as four wives, although he must get his first wife’s signed permission before marrying an additional woman. A Christian man may marry only one woman. Under Hindu law in the country there are limited provisions for divorce, such as impotency, torture, or madness. Hindu widows can legally remarry, and marriage registration for Hindus is optional.

The family law of the religion of the two parties concerned governs their marriage rituals and proceedings; however, marriages also are registered with the state.

There are no legal restrictions on marriage between members of different religious groups.

Under the Muslim family ordinance, women and girls inherit less than males, and wives have fewer divorce rights than husbands. Laws provide some protection for women against arbitrary divorce and polygamy without the consent of the first wife, but the protections generally apply only to registered marriages. In rural areas, couples occasionally do not register their marriages. Under the law, a Muslim husband is required to pay his former wife alimony for three months, but the authorities do not always enforce this requirement.

### Religious tension

Communal violence and political dysfunction remain significant problems in Bangladesh.

Violence against Ahmadi Muslims and Buddhists has increased in recent years. The Buddhists mostly belong to indigenous hill tribes in south-eastern Bangladesh (Chittagong Hill Tracts). In September 2012, following the posting of a photograph of a burnt Quran on Facebook, more than 20 Buddhist temples, along with homes and shops, were attacked and set on fire by Muslim protesters.

The mass migration of Hindus that started in 1947 from Bengal to India, is gradually depriving Bangladesh of religious minorities, and those who remain are frequently subjected to vandalism and murder.

In 2014, allegations of “hurting religious sentiment” rose. On 8 November 2014, in Lalpur village in Ashuganga district, a number of temples were destroyed by a Muslim mob following an allegation that a Hindu person had defamed Muhammad on Facebook. Abuse of the de facto “blasphemy” law to attack minority population is frequent, often in connection with content reportedly posted on social media.

› [bdnews24.com/bangladesh/2014/11/08/temples-vandalised-in-brahmanbaria](http://bdnews24.com/bangladesh/2014/11/08/temples-vandalised-in-brahmanbaria)

In November 2017, a ‘Hindu village’ suffered mass arson attacks after a large Muslim gathered to protest rumours that one resident in the village had made Facebook posts ‘insulting the Prophet Mohammed’. The accused was reportedly in a land dispute and there is no evidence that the posts ever existed

› [independent.co.uk/news/world/asia/bangladesh-village-prophet-mohammed-insulted-facebook-post-islam-muslim-south-asia-a8051841.html](http://independent.co.uk/news/world/asia/bangladesh-village-prophet-mohammed-insulted-facebook-post-islam-muslim-south-asia-a8051841.html)

## Freedom of expression, advocacy of humanist values

### Atheist blogger murders

In 2013, several atheist and freethought bloggers were the victims of physical assaults, as well as government prosecutions for crimes of “blasphemy” in all but name, with one critic of Islam murdered by machete.

In 2015, four more humanist writers were murdered in similar attacks by groups of young men using machetes, followed by twin coordinated attacks on secular publishing houses on 31 October 2015, in which one publisher was killed and others were shot and critically injured. (See “Highlighted cases” below.)

Responsibility for the attacks has been claimed by a variety of Jihadist militant groups, accusing the bloggers of “insulting Islam” or “defaming the Prophet”.

In 2017, one person was arrested on suspicion of being in the group that murdered Avijit Roy. The man is suspected

to have links to the Islamic extremist group the Ansar Ullah Bangla Team.

Though several groups of arrests have been made in 2015, including the arrest of two madrasa students caught at the scene of the murder of Washiqur Rahman, no suspect in this year’s killings has yet come to trial and been found guilty.

Rafida Ahmed, the widow of Avijit Roy – herself seriously injured in the attack which took his life, receiving blows to the head and losing a finger – said in the months after he was killed, “...no one from the Bangladesh government has reached out to me. It’s as if I don’t exist, and they are afraid of the extremists. Is Bangladesh going to be the next Pakistan or Afghanistan?”

› [reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511](http://reuters.com/article/2015/05/11/us-usa-bangladesh-assassination-exclusiv-idUSKBN0NW04S20150511)

And in a lecture to the British Humanist Association in July 2015, she said:

“The ruling political party in Bangladesh is the Awami League. They are supposed to be the largest secular political party in the country. Yet in the name of political expediency, they have repeatedly bent their knee to religious fundamentalists, acceding to their demands and granting their wishes, in a manner that can only be described as bribery, in order to secure their votes...

...Sheikh Hasina could have slapped down the Islamists. She could have said that no, people have a right to demonstrate, to write, to question, to criticize. But instead, this is what she said: We do not need a new blasphemy law, because we already have a law against ‘hurting religious sentiments’ and we can prosecute the bloggers under that law! So the authorities received the list of suspect bloggers, officials promised to investigate, and then they arrested four of those bloggers from the list and pursued them through the courts. Avijit campaigned tirelessly to free these bloggers.

So, what happens when you give bullies what they want? What happens when you accede to crazy demands? Soon there were one-hundred thousand Islamists marching on the streets of Dhaka demanding not just ‘death to atheist bloggers’, but for the cancellation of planned new education reforms that would have helped girls into education, and yet the government again made concessions. Since 2013 Islamists have been granted demand after demand, while the attackers of those first victims – Ahmed [Rajib Haider] and Asif [Mohiuddin] – were never found.”

› [humanism.org.uk/fighting-machetes-with-pens-a-full-transcript-of-the-2015-voltaire-lecture/](http://humanism.org.uk/fighting-machetes-with-pens-a-full-transcript-of-the-2015-voltaire-lecture/)

In November 2015 the European Parliament condemned the government response to the killings. MEPs urged the Bangladesh authorities to act to end the impunity, to

prevent any further killings, and to ensure the security of all its citizens, regardless their beliefs.

› [humanistfederation.eu/news-fhe.php?pages=eu-resolution-on-bangladesh](http://humanistfederation.eu/news-fhe.php?pages=eu-resolution-on-bangladesh)

### Freethought under threat

In addition to the killings themselves, and lack of security provided to any bloggers under threat, police and government officials have threatened to arrest the bloggers for writing about “atheism”. Freethinkers remain under clear threat and many bloggers have fled the country seeking asylum abroad. A toxic precedent has been set and freedom of thought and expression are under preeminent threat.

› [dw.com/en/atheist-bloggers-flee-bangladesh/a-18708933](http://dw.com/en/atheist-bloggers-flee-bangladesh/a-18708933)

› [arif.eu/archives/424](http://arif.eu/archives/424)

Earlier this year during the International Book Fair at Dhaka University, Islamists seized all printed copies of a book translation by Iranian writer Ali Dasti. Authorities took no action to defend the freedoms of the event, even in the face of death threats.

› [globalvoices.org/2015/02/17/bangladeshi-publisher-faces-death-threats-over-translation-of-controversial-iranian-writers-book/](http://globalvoices.org/2015/02/17/bangladeshi-publisher-faces-death-threats-over-translation-of-controversial-iranian-writers-book/)

Several “hit lists” were circulated, including by mainstream Bangla media, further entrenching the atmosphere of fear. The government has been criticised repeatedly for apparent inability to respond to the threats.

› <http://uk.businessinsider.com/a-radical-islamist-group-has-put-out-a-hit-list-targeting-84-anti-extremism-writers-2015-9>

### De facto “blasphemy” laws

Section 295A of the penal code states that any person who has “deliberate” or malicious” intent to “hurt religious sentiments” can be imprisoned and this has been used in practice to prosecute and imprison atheist and secularist activists.

Similarly, the Code of Criminal Procedure includes several clauses (99a-f) that states “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.”

In early 2013, after tensions of the predominantly secular Shahbag protests and the trial of Jamaat-e-Islami leaders for war crimes, an estimated 100,000 Islamists took to the streets of Dhaka calling for “death to the atheist bloggers”. Jamaat called for a new “blasphemy law” with a death penalty. The prime minister Sheikh Hasina said that no such law was necessary, but only because existing laws against “insult to religion” were “enough” to prosecute the bloggers.

The Islamist protesters demanded the arrests of 84 named bloggers, and four bloggers were arrested and charged (see “Highlighted cases”).

In August 2013, following the unrest by Hefazat Islami against “atheist bloggers”, the Bangladesh government amended the Information and Communication (ICT) Act, criminalizing defamation of religion, creating further the de facto “blasphemy” laws. Any statement published or transmitted by any person if found to cause to hurt or may hurt religious belief, then that person will be regarded as committed an offence. The troubling amendment was created by presidential decree, bypassing any discussion in parliament. The amendment gives police unchecked power against the offender allowing police to act as jury and judge, all at the same time.

› [voicebd.org/node/417](http://voicebd.org/node/417)

› [fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875](http://fidh.org/International-Federation-for-Human-Rights/asia/bangladesh/bangladesh-information-and-communication-technology-amendment-act-likely-13875)

› [icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf](http://icj.wpengine.netdna-cdn.com/wp-content/uploads/2013/11/ICT-Brief-Final-Draft-20-November-2013.pdf)

### Attacks on Freedom of expression

The constitution guarantees freedom of expression, with some restrictions for “public order” concerns, and its media are vibrant and diverse. However, not only does the government show some intolerance of media criticism, but journalists continue to be threatened and attacked with impunity by political and religious groups. This in turn leads to self-censorship on some religious and political topics.

In August 2015, Probir Sikdar, a veteran journalist, was arrested for “tarnishing the image” of a government minister, reportedly after he publicly said that he had been threatened.

› [cpj.org/2015/08/journalist-arrested-in-bangladesh-under-countrys-i.php](http://cpj.org/2015/08/journalist-arrested-in-bangladesh-under-countrys-i.php)

In December 2014 the Bangladesh Telecom regulatory authority proposed that Google and Facebook should implement a locally run “Admin Panel” to control the social media inside Bangladesh. This proposal followed a refusal by both internet companies to release information about certain user accounts.

› [thefinancialexpress-bd.com/2014/12/01/68756](http://thefinancialexpress-bd.com/2014/12/01/68756)

However, in late 2015, Facebook proved amenable to meeting with government officials after the government blocked Facebook, Vibre and a few other social networking services, supposedly in order “to stop posts on the social network that incite religious sentiment and political instability.”

› [en.prothom-alo.com/bangladesh/news/88253/Successful%E2%80%99-govt-now-considering-broader-security](http://en.prothom-alo.com/bangladesh/news/88253/Successful%E2%80%99-govt-now-considering-broader-security)



Restrictions to freedom of expression have increased in Bangladesh since 2014. The authorities have been accused of failing to protect secular and other activists in the face of threats and attacks from armed groups, increasing restrictions on the media sector and the country's legal and regulatory framework". Authorities have significantly increased efforts to interfere in the work of journalists and other media workers. The government has used a range of different tools and tactics to intimidate media and to silence critical coverage on these issues. The crackdown on freedom of expression has become one of the most potent tools of governments authorities to silence public debate and criticism. One of the more recently introduced laws, the Information and Communications Technology (ICT) Act has had a particularly harmful effect on freedom of expression. The law was first passed in 2006 and amended in 2013. "The ICT Act has been used against several individuals including members of human rights NGOs, student activists, and even against a man who was jailed for seven years after sharing a song parodying Sheikh Hasina on his mobile phone". The ICT act has essentially become a 'de facto Blasphemy law' due to the vague wording of its Section 57, which criminalizes "hurting religious sentiments".

› [amnesty.org/en/documents/asa13/6114/2017/en/](https://www.amnesty.org/en/documents/asa13/6114/2017/en/)

### Enforced disappearances

A report by Human Rights Watch published November 2017 concluded that hundreds of people have been forcibly 'disappeared' and in some cases later killed by security services since 2013. In some abductions witnesses say that the perpetrators were identifiable as belonging to the state's infamous Rapid Action Battalion. As well as the disappeared, an alarming number of people have died in detention. The targets are usually opposition activists or critics of the government and state agencies. HRW in the report urged the government, which denies knowledge or authority over the disappearances, to launch an independent investigation and to "prosecute security forces responsible for such egregious rights violations".

› [hrw.org/news/2017/07/06/bangladesh-end-disappearances-and-secret-detentions](https://www.hrw.org/news/2017/07/06/bangladesh-end-disappearances-and-secret-detentions)

› [thedailystar.net/country/bangladesh-enforced-disappearances-human-rights-watch-slams-home-minister-1430080](https://www.thedailystar.net/country/bangladesh-enforced-disappearances-human-rights-watch-slams-home-minister-1430080)

### Highlighted cases

Attacks on humanist or freethinking authors, bloggers and secular publishers in 2015 has gained worldwide media attention. Avijit Roy, an author of books on humanism and science, was killed in February 2015 outside the International Book Fair at Dhaka University, his wife Rafida Ahmed also seriously in the same attack; Washiqur Rahman Babu, a young blogger known as a "progressive freethinker", was killed in March 2015; Ananta Bijoy Das, who blogged against fundamentalism, in favour of science, justice, and free expression, was struck down in May 2015; Niladri Chatterjee (penname: Niloy Neel), a humanist known

as much for his blogging on minority and women's rights as much as for his atheistic views, was killed in his own home in front of his partner in August 2015; and on 31 October 2015, coordinated gun and machete attacks on two publishing houses in Dhaka – both publishers of books by Avijit Roy and other secular authors – took the life of Faysal Arefin Dipon (Jagriti publishers), and seriously injured Ahmed Rashid Tutul (Shuddho-Shor publishers), author and blogger Randipam Basu and poet Tareq Rahim.

Law student Nazimuddin Samad was hacked to death by multiple assailants with machetes at a traffic intersection in Dhaka. Police have yet to name any suspects or confirm whether there was a religious motive, however Al Qaeda affiliate Ansar al Islam has claimed responsibility. Mr Samad regularly spoke out against religious extremism through his Facebook page, writing 'I have no religion' on his profile, and was an organiser of the secular campaigning group Ganajagran Manch.

› [bbc.co.uk/news/world-asia-35983979](https://www.bbc.co.uk/news/world-asia-35983979)

› [edition.cnn.com/2016/04/07/asia/secular-bangladeshi-writer-murdered/index.html](https://edition.cnn.com/2016/04/07/asia/secular-bangladeshi-writer-murdered/index.html)

Secularist blogger Mohon Kumar Mondal, an environmental activist and human rights advocate, was jailed on 26 September 2015 for expressing grief and criticism regarding the death of Hajj pilgrims in the 2015 stampede at Mecca. Mondal had criticised the Saudi authorities for failing to avert the tragedy and for not respecting the bodies of the dead. He also questioned the rationality of the ritual in which stones are cast at the devil, and was accused of "insulting Islam".

› [ibtimes.co.uk/mohon-kumar-mondal-bangladesh-arrests-secularist-blogger-after-he-criticises-islam-1525243](https://www.ibtimes.co.uk/mohon-kumar-mondal-bangladesh-arrests-secularist-blogger-after-he-criticises-islam-1525243)

Atheist blogger Julhas Uddin was jailed for alleged "contempt of religion" on 1st August 2015.

› [kalerkantho.com/print-edition/news/2015/08/01/251027](https://www.kalerkantho.com/print-edition/news/2015/08/01/251027)

A schoolboy named as 'Dipu Biswas' was arrested for making "offensive remarks about Islam" on Facebook, in September 2015. His family were forced to hide as "tension" rose in the area.

› [thedailystar.net/backpage/schoolboy-arrested-magura-149506](https://www.thedailystar.net/backpage/schoolboy-arrested-magura-149506)

Former minister Latif Siddiqui was jailed in November 2014 after surrendering to police on a case filed by an opposition political party for "hurting religious sentiments". He is facing 22 different cases on 18 different counts, all for the same offence of allegedly making anti-Hajj remarks at a discussion in New York in September. He has been expelled from the ruling party and a writ has been filed to vacate his seat.

Ong Sing Marma, a student, and member of an indigenous population in Boroichhari, Kaptai upazila, was arrested on 9 October 2014 under section 57 for posts on



Facebook deemed to be “hurting religious sentiment”, after supposedly posting images on Facebook that were “demeaning Islam and the Holy Quran”. A case was filed against him under ICT act. Local people staged a demonstration demanding the arrest of the youth, blocking Kaptai-Chittagong highway.

› [dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment](http://dhakatribune.com/bangladesh/2014/oct/09/1-held-rangamati-hurting-religious-sentiment)

On 31 March 2014, teenaged bloggers Kazi Mahbubur Rahman Raihan and Ullash Das were sent to jail for Facebook comments supposedly “insulting” to Islam and Prophet. This was only after they had been attacked and beaten by a mob. Fellow bloggers allege that an Islamist student organization distributed false propaganda material which rallied the mob against the two bloggers and led to their arrest.

› [advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/](http://advocacy.globalvoicesonline.org/2014/04/01/teenage-bloggers-in-bangladesh-arrested-for-blasphemous-facebook-posts/)

In February, 2013, the atheist blogger Ahmed Rajib Haider (pen name: Thaba Baba), was murdered in a machete attack at his home. His head was hacked open with a machete the day after he took part in the Shahbag movement, a major rally against leaders of the country’s largest Islamic party. He was associated with secularist views in line with Shahbag.

› [google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhmT32zJswg](http://google.com/hostednews/afp/article/ALeqM5gvgXRcLgESI9K6wFCyhmT32zJswg)  
› [hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx](http://hindustantimes.com/world-news/Bangladesh/Militant-atheist-blogger-stabbed-in-Bangladesh/Article1-989966.aspx)

The month prior to the murder of Ahmed Rajib Haider, Islamist militants had attempted to murder another atheist blogger, Asif Mohiuddin. Mohiuddin survived that attack, thanks to emergency surgery, only to be arrested on April 3, 2013, and charged with “offending Islam and its Prophet”.

At the same time, three other secularist bloggers—Subrata Adhikari Shuvo, Mashiur Rahman Biplob, and Rasel Parvez—were arrested on similar charges. The arrests all came after Islamists gave the government a list of 84 bloggers they wanted charged and if possible sentenced to death (though the punishment does not exist). The blogs of all four secularists were shut down by the government. All four bloggers spent significant stretches in jail and on trial throughout 2013 and 2014.

› [iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists](http://iheu.org/story/arrests-atheist-bloggers-shows-bangladesh-authorities-are-walking-trap-set-fundamentalists)

On January 4, 2012, the principal of a technical college, Yunus Ali, was arrested for keeping a copy of Taslima Nasrin’s book *Shame* in the school library. The book tells the story of a Hindu family persecuted in Bangladesh. It

was deemed blasphemous and banned by the Bangladeshi government in 1993.

Nikhil Naushad were sent to jail for poetry published in the magazine *Kheya*. Naushad served 127 days, the editor received 2 years jail under section 57 of ICT Act.

The feminist author and atheist activist Taslima Nasrin remains in exile from Bangladesh because of the threat of death or government persecution should she return to her homeland. Taslima’s application for a passport has never been answered. Bangladesh Embassies across the globe have taken a non-cooperation stance in relation to Nasrin. Her recent request to attain a Power of Attorney document by embassy officials were denied.

### Testimonies

*“[The new law banning “defamation of religion”] has now become almost a fear instigating tool inside Bangladesh against any Atheist or non-believer. This is the tool Pakistan used to rapidly turn into a fundamentalist, broken nation. That we see today, Bangladesh is not far.”*

— Anonymous

*“If you are a true activist, you are the most vulnerable person in the country. You could be arrested by the government or be targeted by an Islamist.”*

— Bangladeshi secular activist

# Belgium

Const/Govt	Edu/Child	Society/Comm	Expression

Belgium, a nation of 10.8 million, has a federal constitution with three levels of power. The Communities (French, Flemish, German), the Regions (Walloon, Flanders, Brussels) and the Federal State each have their own

responsibilities, mandates and scope. Over 40% of Belgium’s population are identified as non-believers/ agnostics (no religious affiliation) or atheists.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The state is secular, with separation of religious and political authorities, not discriminating against any religion or belief	No formal discrimination in education	No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state	No fundamental restrictions on freedom of expression or advocacy of humanist values

## Constitution and government

The Belgian Constitution states that:

*“Enjoyment of the rights and freedoms recognised for Belgians must be provided without discrimination. To this end, laws and federal laws guarantee among others the rights and freedoms of ideological and philosophical minorities”*  
*“Freedom of worship, its public practice and freedom to demonstrate one’s opinions on all matters are guaranteed”*  
*“No one can be obliged to contribute in any way whatsoever to the acts and ceremonies of a religion or to observe its days of rest”*

### Religion or belief neutrality

The government provides subsidies (payment of salaries, maintenance and equipment for facilities and tax exemptions) for officially recognized religious or belief groups agreed with parliament. In determining which groups to recognize, the government examines organizational and reporting requirements. The religious or philosophical opinion group must have a structure or hierarchy, a “sufficient number” of members, and a “long period” of existence in the country. It must offer “social value” to the public, abide by the laws of the state, and respect public order.

The existing recognised groups include Catholicism, Protestantism-Evangelicalism, Judaism, Anglicanism (separately from other Protestant groups), Islam, Orthodox (Greek and Russian) Christianity and Secular Humanism. Unrecognised groups do not receive government subsidies, but may worship freely and openly.

### Some controversies

A 2011 study of total public support at all levels of government noted that subsidies were not proportionate to the relevant populations. The Catholic Church received a more than the proportion of its adherents.

The Belgian government has curtailed the wearing of external religious signs in public functions. In Flanders, GO-Schools (Schools of the Flemish Community) have the authority to ban children from wearing the veil at school. Whether these infringe rights of some Muslim Belgians remains a contested subject.

## Education and children’s rights

The public education system, from kindergarten to university, requires strict neutrality, except with regard to the views of teachers of religion or secular “moral” education. (Education was one of the first aspects of Belgian politics to be administratively separated between the French and Flemish communities.)

Until 2015, either religious or secular “moral” instruction was mandatory in all public schools, but provided according to the student’s preference between either the religious or secular, broadly humanist classes. While based on a principle of equality between religious and secular views, some have objected that the courses as such may still constitute instruction with no overall opt-out available, and that — in lieu of a unified citizenship, ethics or philosophical education for all — students are still segregated by religion or belief.

On this basis, in early 2015, the constitutional court found that to compel the student to undertake either one or the other was a breach of their human rights, and that an option to take neither should be implemented in the French

Community.

› [laicite.be/communiqués-de-presse/la-cour-constitutionnelle-a-tranche-les-cours-de-religion-et-de-morale-sont-facultatifs](http://laicite.be/communiqués-de-presse/la-cour-constitutionnelle-a-tranche-les-cours-de-religion-et-de-morale-sont-facultatifs)

Private authorized religious schools following the same curriculum as public schools are known as “free” schools. They receive government subsidies for operating expenses, including building maintenance and utilities. Teachers in these schools, like other civil servants, are paid by their respective community governments.

Family, community and society

There have long been concerns, which deepened significantly in 2015, about radical Islamism in parts of Belgium. Terrorists involved in undertaking the November 2015 Paris attacks were linked to Belgium, and Brussels was on high terror alert in the weeks following that attacks. There is some suggestion that Salafist clerics supported by Saudi Arabia have for decades undermined attempts by Moroccan immigrants to integrate, and the Belgian government is currently under significant pressure to “revise” diplomatic relations with Saudi Arabia.

› [independent.co.uk/news/world/europe/paris-attacks-how-the-influence-of-saudi-arabia-sowed-the-seeds-of-radicalism-in-belgium-a6745996.html](http://independent.co.uk/news/world/europe/paris-attacks-how-the-influence-of-saudi-arabia-sowed-the-seeds-of-radicalism-in-belgium-a6745996.html)

› [sputniknews.com/politics/20151127/1030848900/belgium-saudi-arabia-tax.html](http://sputniknews.com/politics/20151127/1030848900/belgium-saudi-arabia-tax.html)

In October 2015, after an 18 year investigation by Belgian authorities members of the Church Of Scientology appeared in court to “face charges of fraud, extortion, running a criminal organization, violating privacy laws and practicing illegal medicine”. If convicted the church could in theory be banned from the country although it seems that this would be unlikely in practice.

› <http://m.huffpost.com/us/entry/562fbd51e4b06317990facd7?ncid=fcbklnkushpmsg00000014>

## Freedom of expression, advocacy of humanist values

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. Internet access is unrestricted. Belgians have access to numerous private media outlets. The concentration of newspaper ownership has increased in recent decades, leaving most of the country’s papers in the hands of a few corporations.

# Egypt

Const/Govt	Edu/Child	Society/Comm	Expression

During the Arab Spring protests in 2011, long-time President Hosni Mubarak resigned and was later replaced in an election by the Muslim Brotherhood-supported Mohammed Morsi. Morsi was himself overthrown in

2013 leaving the country to be ruled by the military under President Abdel Fattah el-Sisi. Egypt is a member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>State legislation is partly derived from religious law or by religious authorities</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is severely restricted</p> <p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>There is systematic religious privilege</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

The current 2014 constitution is an amended version of the 2012 constitution signed in to law by the Morsi administration. The new constitution was signed into law after a referendum in January 2014. It has been criticised by human rights groups for putting too much power in the hands of the military. The Muslim Brotherhood and various socialist groups boycotted the vote.

The Egyptian constitution is based on positive (mainly secular) law as well as Islamic hanafi law. It places Islam at its core whilst only recognising other "Abrahamic" religions (Islam, Judaism and Christianity) as legitimate forms of worship. Other religion or belief minorities, even those with a demonstrable presence such as Baha'is and the non-religious, are not recognised.

The constitution begins, "In the Name of Allah, Most Gracious, Most Merciful", and part 1 of the document lays out the role of religion. Article 2 describes Islam as "the religion of the State. [...] The principles of Islamic Sharia are the main source of legislation." Courts must refer to the principles of Islamic law, if the positive law is missing legal dispositions. While the Islamic law does not touch the penal code, it is mainly in family law that such legal dispositions are absent. Christians and Jews can refer to their own laws instead of the Islamic law. The constitution states that the religious al-Azhar university is the "main reference in theology and Islamic Affairs".

### Discrimination in practice

"Atheists are one of Egypt's least-protected minorities" according to one human rights group, and a campaign to turn "youth" away from atheism, with several prominent atheists arrested and convicted, is ongoing (see "Anti-atheist campaign", below).

According to the law, every citizen is theoretically equal and discrimination based on religion is criminalized in

the penal code. In practice, however, there is significant discrimination, with disproportionate use of the law against religious minorities, and atheists have been repeatedly maligned by media and by government officials.

The constitution distinguishes between freedom of belief and freedom to practice religion. It states that the freedom of belief is absolute (Article 64), however, in the same time it limits the freedom to practice religion. Since 1913, the Egyptian penal code has not included an article on apostasy or conversion. However, a conversion from Islam has legal consequences in family law, regarding marriage, child custody and inheritance (see below).

### Restrictions and tensions around belief identities

Egyptian State ID cards include a section on religion and only members of the three "divine religions" can be recognized. Many elderly members of Baha'i or other minority communities further lack birth and marriage certificates. In 2009 the situation was slightly but not sufficiently improved, when two Baha'is were given permission to have a dash ("-") in the religion section. Muslim-born individuals who leave Islam are not allowed to change the religion field on their identity card. Since the Arab spring, the ID card issue has become a major campaigns issue for the Coptic Christian minority as sectarian tensions have increased.

The state tries to prevent sectarianism and religiously founded violence by monitoring imams and publishing weekly instructions for their sermon contents. Sectarian tension exists throughout the country. In Upper Egypt, however, Christians especially are targeted for kidnapping and extortion.

The ministries may ban or confiscate books and works of art, if they consider them as offensive to public morals or detrimental to religion. President al-Sissi issued a decree in January 2015 that allows the ministries to ban any foreign publications that are deemed offensive to religion. The government further appoints imams and pays their salaries.

## Education and children's rights

Muslim and Christian students are required to take Islamic and Christian courses respectively, in public schools, in all grades. Non-religious and religious minority students must choose one or the other course; they may not opt out or change from one to the other.

The Ministry of interior prohibits the wearing of hijab in primary schools. Upon a written request of a girl's parents the hijab can be allowed in secondary schools.

› [state.gov/documents/organization/222499.pdf](http://state.gov/documents/organization/222499.pdf)

## Family, community and society

In family law, the government recognizes Islam, Christianity, and Judaism as a basis for religious rulings. Cases involving individuals who are not Muslim, Christian or Jewish are adjudicated based on civil law, though in practice it is highly likely to be socially impossible for some individuals to opt out due to pressure to conform to religion.

### Marriage

In marital affairs Jews and Christians can apply their own laws, if both spouses belong to the same denomination (ta'ifa). In mixed marriages and in matters of inheritance and adoption the court always refers to Islamic law.

A marriage between an "apostate" and a Muslim will be declared void. The involvement of religion in family law greatly restricts interreligious marriages, disadvantages women, and privileges Muslims over other religious and non-religious individuals. For example, non-Muslim men must convert to Islam to marry Muslim women, although non-Muslim (Jewish or Christian) women need not convert to marry Muslim men. A non-Muslim woman who converts to Islam, however, must divorce her husband if he is not Muslim and is unwilling to convert, and custody of children is then awarded to the mother.

Sharia prevents Coptic men and Muslim women from marrying each other and does not recognize a marriage outside the country between such individuals. Coptic Orthodox laws prohibit all mixed marriages; in situations where these laws conflict with sharia, sharia takes precedence.

Societal pressure relating to religious interpretations of law can represent a threat. For example, in November 2015 a Muslim woman in al-Fayoum was reportedly beheaded by her relatives for marrying a Christian man.

› [tahrirnews.com/posts/339531/](http://tahrirnews.com/posts/339531/)

### "Apostasy" surge

During the 1990s and the 2000s there was a surge in

apostasy accusations between siblings and others, trying to obtain a judicial decree that a family member had "renounced" Islam in order to disinherit the "apostate" and accrue their share of an inheritance.

"Apostasy" accusations were also used as a weapon against intellectuals and politicians; there was no direct punishment, however it was a way to ridicule or marginalize them, and the consequences for their personal life regarding marriage for instance were far-reaching.

In recent years court trials do not focus on "apostasy" itself, but use the rationale of "public order" to persecute the non-religious, atheists and political critics (see "Blasphemy laws" below).

### Women

Besides marriage, the religious family laws discriminate against women also in relation to divorce, child custody and inheritance. No law criminalizes domestic violence and sexual harassment of women is a major problem on the streets. Other forms of violence against women, as for instance female genital mutilation (FGM) and child "marriage" are prohibited by law, but continue in some areas.

The law provides for women filing for divorce the Islamic principle of "khul", which allows a Muslim woman to obtain a divorce without her husband's consent, but only provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. The minor children of Muslim converts to Christianity, and in some cases adult children who were minors when their parents converted, automatically remain classified as Muslims because the government does not recognize conversion from Islam, irrespective of the religion of the other parent.

## Freedom of expression, advocacy of humanist values

### "Blasphemy" law

The Egyptian Criminal Code explicitly outlaws blasphemy. Nestled among prohibitions on advocating "extremist thoughts", "instigating sedition" or "prejudicing national security", Article 98 (f) outlaws "disdaining and contempting any of the heavenly religions or the sects belonging thereto". Demeaning any of the Abrahamic religions or harming "national unity" carry jail terms from six months to five years and/or fines of up to LE1,000. In addition, the desecration of religious symbols is punishable by up to five years in prison and/or fines of up to LE500 (Article 160).

The propagation of atheism in words, writing, or other means, is punishable by sentences of up to five years imprisonment. The law has been used to limit the freedom of speech of religious and non-religious groups and individuals alike.



Blasphemy cases have been increasing since 2011. According to the Egyptian Initiative for Personal Rights (EIPR), from 2011 to 2013, courts convicted 27 of 42 defendants on charges of contempt for religion.

› [umn.edu/humanrts/research/Egypt/criminal-code.pdf](http://umn.edu/humanrts/research/Egypt/criminal-code.pdf)

### Anti-atheist campaign

What the New York Times described this year as “Egypt’s War on Atheism” has continued into 2015. The “blasphemy” arrests, guilty verdicts, and campaign of intimidation against atheists has been described by Human Rights Watch (HRW) as part of the ongoing “coordinated government crackdown on perceived atheists”. HRW also notes that “Atheists are one of Egypt’s least-protected minorities”.

› [nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html](http://nytimes.com/2015/01/28/opinion/mona-eltahawy-egypts-war-on-atheism.html)

› [hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist](http://hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist)

Beginning in June 2014, the Ministry of Youth, Ministry of Endowments began a media and re-education campaign to “eradicate” atheism. The initiative was linked to a wider campaign that also targeted “religious extremists”, most of whom were associated with the recently outlawed Muslim Brotherhood, and there were overt attempt to explicitly associate atheism per se with threats to national security and extremism. The programme was aimed at “confronting and abolishing [atheism] through religious, educational and psychological means handled by experts in these fields.”

› [al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs](http://al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpbs)

› [english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypt-war-on-atheism.aspx](http://english.ahram.org.eg/NewsContent/1/151/120204/Egypt/Features/Egypt-war-on-atheism.aspx)

The backlash against the apparent growth of atheism, increasingly associated with young people and expressed on social media, has come primarily from government leaders and Islamic clerics and scholars. However in November 2014 it was reported that Christian churches held a joint conference and were “joining forces” with Egypt’s Al-Azhar to fight the spread of atheism. The new Egyptian Council of Churches organized, in late October 2014, a workshop for young people discussing the “dangers” of atheism.

› [madamasr.com/news/govt-announces-campaign-save-youth-atheism](http://madamasr.com/news/govt-announces-campaign-save-youth-atheism)

› [worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism](http://worldbulletin.net/africa/148163/egypts-muslim-christian-authorities-unite-against-atheism)

IHEU is deeply concerned that these organised, authoritarian programmes against the organic growth of non-religious thinking, while pretending to be a “scholarly” response to a social trend or a lawful process in favour of public order or national cultural identity, the authorities are in fact maligning atheists as dangerous and a threat to the state and society, in such a way that demonizes individual atheists and presents a clear threat to atheists’ freedom of thought and expression.

## Highlighted cases

In February 2015 an Egyptian court sentenced a student of Suez Canal University, Sherif Gaber Abdelazim Bakr, to one year prison with hard labour for posting content on Facebook which “professed atheism” and “insulted” Islam, as well as “defending homosexuality”. He was initially arrested in 2013 in a dramatic raid, with armoured cars surrounding his house in the middle of the night. The arrest followed his science teacher, in April of that year, asserted that homosexuals should “be crucified in the middle of the streets” and Gaber challenged him, suggesting that he should stick to a scientific understanding. Following this incident, a lecturer from the university printed and distributed posts from Gaber’s Facebook page that questioned religion. In front of a class, the lecturer declared that he would submit them as evidence to the university’s president and the prosecutor general. Following an earlier guilty verdict in late 2013, for “contempt of religion” and “spreading immoral values and abnormal thoughts” Gaber paid fines in order to escape jail. But the case was ongoing, and after the 2015 verdict he fled into hiding. He resurfaced in summer 2015 making pro-science videos, though they have since disappeared from his Youtube channel.

› [afteegypt.org/law\\_unit/2015/01/10/9084-afteegypt.html](http://afteegypt.org/law_unit/2015/01/10/9084-afteegypt.html)

› [huffingtonpost.com/2015/02/19/sherif-gaber-sentenced\\_n\\_6714770.html](http://huffingtonpost.com/2015/02/19/sherif-gaber-sentenced_n_6714770.html)

› [al-bab.com/blog/2015/february/atheist-sentenced-in-egypt.htm#sthash.mIHII9N.dpuf](http://al-bab.com/blog/2015/february/atheist-sentenced-in-egypt.htm#sthash.mIHII9N.dpuf)

› [patheos.com/blogs/friendlyatheist/2015/07/15/egyptian-atheist-sentenced-to-prison-but-hiding-from-police-is-now-releasing-pro-science-youtube-videos/](http://patheos.com/blogs/friendlyatheist/2015/07/15/egyptian-atheist-sentenced-to-prison-but-hiding-from-police-is-now-releasing-pro-science-youtube-videos/)

In January 2015, atheist activist Karim al-Banna was sentenced to three years jail for “insulting the divine” after declaring his atheism online. The prosecution, led by a infamous Islamist lawyer, had tried to demand that Al-Banna be sent to prison without trial, and the defence complained that they were not given time to make a case; a campaigner described the trial as “highly politicised... the prosecution has tried to prove him guilty by whatever means possible.” Though the January sentence was initially suspended, the prosecution appealed and the suspension was overturned in March 2015. With the three-year sentence now due to be enforced, Al-Banna, who did not attend the retrial, went into hiding. Karim al-Banna had been arrested in November 2014 in a cafe in Cairo for announcing his atheism on Facebook and therefore “insulting Islam”. Karim al-Banna’s own father testified against him and stated that he had found his son to be owning provocative books, and that his son “was embracing extremist ideas against Islam” (the ‘extremism’ here refers only to his atheist position, there has never been any suggestion of actual militancy or similar). Banna’s name had earlier been included in a list of “known atheists” in a local daily newspaper, after which he was harassed by neighbours. Banna himself went to file a complaint against

the neighbours, but police accused him of insulting Islam.

› [dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/](http://dailynewsegypt.com/2015/03/14/student-in-hiding-after-prison-sentence-for-atheism-confirmed/)  
› [theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist](http://theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist)  
› [uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html](http://uk.news.yahoo.com/egypt-student-gets-3-jail-term-atheism-152045719.html)

In October 2014 Ahmad and Sally Harqan (Nada Mandour) were attacked in their home by a group of men. After fleeing the scene Ahmad and Sally (who was pregnant) arrived at a police station, only to be assaulted by the police and imprisoned overnight. Ahmad is an atheist and an activist. His friends and supporters told IHEU that the arrest was linked to a complaint filed against him by several academics, in connection with his appearances on Egyptian and international media during which he discussed atheism and the right to express atheism. They were released by the prosecutor.

› [onaeg.com/?p=1986213](http://onaeg.com/?p=1986213)

Describing himself as a humanist after dissenting from Christianity, Ayman Ramzy Nakhla was interviewed on al-Nahar TV in April 2014. The interviewer, Reham Said, noting Nakhla's occupation as a college librarian, explained his rejection of religion by suggesting he was "confused" by reading too many books.

› [youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB\\_\\_r](http://youtube.com/watch?v=oESeyFgtpbE&list=PLx2EFu656F-ErXUFQaZ6ywgMFFm2zB__r)

In the weeks following the interview, the education minister announced that Nakhla was being suspended from his job and referred to the public prosecutor for spreading ideas that were "atheistic and abnormal for Egyptian society". He was accused of "denying the existence of God and denying religions, prophets and holy books, directly by satellite and indirectly within the educational institution".

› [al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf](http://al-bab.com/blog/2014/may-june/egypt-to-eliminate-atheism.htm#sthash.E4Wp4e1S.dpuf)

On September 14, 2012, during the riots over the "Innocence of Muslims", Alber Saber was arrested after a mob formed outside his home and demanded his arrest for "insulting religion". Saber was a prominent activist for secular democracy in Egypt. Raised in a Coptic Christian household, Saber is an atheist who operated the Egyptian Atheists page on Facebook and has been a vocal critic of fundamentalist Islam. Saber was reportedly beaten after a prison guard announced his charges to others in Saber's cell. On December 12, 2012, Saber was sentenced to three years in prison. Upon being released on bail, Saber was able to escape Egypt, and is now living abroad.

In late July 2012 a Coptic Christian teacher, Bishoy Kamel, 32, was arrested in the southern governorate of Sohag over an accusation that he posted images "insulting" to Islam on his Facebook page. Police were reported by al-Ahram newspaper as saying Kamel could be charged

with blasphemy and would face up to five years in prison if convicted. The images he allegedly posted were cartoons depicting the Prophet Mohammed and Egypt's new President Mohamed Morsi. Mohamed Safwat, who filed the charges against Kamel, reportedly argued that the teacher had also "insulted members of his own family." Kamel admitted to managing the Facebook page under investigation but denied the charges, claiming his account had been hacked. In September 2012 Kamel was sentenced to six years in prison for blasphemy.

On 4 April 2012, An Egyptian court sentenced 17-year-old Christian boy, Gamal Abdou Massoud to three years in jail for publishing cartoons on his Facebook page that "mocked" Islam and the Prophet Mohammad. Massoud was also accused of distributing some of his cartoons to his school friends in a village in the southern city of Assiut, home to a large Christian population. The child's court in Assiut sentenced Gamal Abdou Massoud to three years in prison "after he insulted Islam and published and distributed pictures that insulted Islam and its Prophet." The cartoons, published by Massoud in December, had already prompted some Muslims to attack Christians, with several Christian houses burned and several people injured in the violence.

In February 2012, a Christian school secretary named Makram Diab was sentenced to six years in prison for "insulting the Prophet Mohammed." A mob of 2,500 Muslims rallied outside the courthouse and demanded Diab be sentenced to death. Diab was apparently convicted on the testimony of Muslim colleagues, who stated he had made offensive remarks.

On 12 October, 2011, a court gave Ayman Yusef Mansur, 24, a three-year prison sentence with hard labor because he allegedly insulted the dignity of the Islamic religion with criticism on Facebook. The court did not make available what exactly Mansur posted on Facebook to draw the sentence.

On February 22nd, 2007 An Egyptian court sentenced a blogger, Abdel Kareem Soliman, aka Kareem Amer, to four years' prison for insulting Islam and the president. Soliman's trial was the first time that a blogger had been prosecuted in Egypt. He had used his weblog to criticise the country's top Islamic institution, al-Azhar university and President Hosni Mubarak, whom he called a dictator. On 27 October, 2007, he was sentenced for Facebook posts deemed offensive to Islam, along with being seditious toward Hosni Mubarak. He was released on 17 November 2010, upon which he was re-detained by security forces and allegedly tortured.

## Testimonies

*"I come from a Muslim family and discovered my unbelief in my teenage years. To come out as an atheist to my family*



*and close friends was not exactly acceptable, but it was not a danger. Some people didn't like to hear that and tried to ignore me. Others tried to talk to me friendly to convince me about my "fault". Until today, my mother tries to bring me back to Islam every time I talk to her. It is the same with many family members and it is really annoying.*

*To break fasting in public or to criticize Islam or religion publicly would be hard. And Christians face more discrimination in Egypt, it is for instance hard for them to get a promotion at work. In general I would say that the normal society silently tolerates a person being atheist, although they don't really understand and accept it. They might think that you are crazy or stupid and you lose your credibility as an ethical and honest person. But being gay or an unveiled woman brings more problems than being atheist itself. Consequently, you can think and believe whatever you want, as long as you keep it to yourself, but any public manifestation of it raises anger."*

– Mahmoud

*"I did not come out as an atheist in Egypt although only some of my friends knew that I am. The reason was that I already struggled with my family and at work just because I don't practice Islam. For my family part, I used to spend most of my time on my own in front of my computer, almost everyone didn't speak to me, didn't want to share anything with me just because I had different ideas.*

*For work, most of companies in Egypt don't hire Christians just because they are Christians, so I didn't have other choice but stay Muslim in their eyes. Even then, everyone at work was wondering why I am not veiled, why I don't do Ramadan or why I don't pray. I actually once had a terrible problem with my boss back then... because she doesn't like my outfits and that everyone at work say that I am kind of a slut because I am not covered enough.*

*Since my life was hell as an atheist in Egypt, I had to leave. Only now I can say out loud to my family that I am an atheist, and only now they accept it."*

– Anonymous

Iceland has a multi-party parliamentary system. It is the most sparsely populated country in Europe.

*This country is found to be improving, with long-awaited education reforms introducing a more comprehensive religion, ethics and critical thinking course, and the repeal of “blasphemy” legislation in 2015.*

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<div>There is systematic religious privilege</div> <div>Preferential treatment is given to a religion or religion in general</div> <div>There is an established church or state religion</div>			
	<div>No formal discrimination in education</div>	<div>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</div>	<div>No fundamental restrictions on freedom of expression or advocacy of humanist values</div>

Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, the state financially supports and promotes Lutheranism as the country’s official religion.

The Evangelical Lutheran Church of Iceland (ELCI), is called the National Church and is a state church, which enjoys considerable legal, social, and financial advantages not available to other religions and life stance groups.

Since 1987 the State has allotted a certain monthly amount to all religious groups, and since 2013 also to secular life stance groups, for each registered member 16 years old and older. This is irrespective of whether the individual pays income tax or not. The National Church gets an additional 32.8% income from the government into special funds and pays the salaries of their priests, three bishops, and the bishop’s office staff. The National Church states that it is only getting paid for the large amount of land it leased to the State in 1907 and then sold to it in 1997, but secularists point out that this deal is highly abnormal since the State has to pay the wages indefinitely i.e. forever. In 2016 71.55%

of Icelanders were registered in the National Church which means that the 28.4% of the population who are not members are taking part in its cost despite belonging to other life stance groups or belonging to none.

The National Church also enjoys the privilege of having a Department of Theology at the University of Iceland where it educates and trains its students for 5 years to become clergy and the government pays the salaries of the teachers there. Additionally, the National Church has 6-8 paid chaplains working at the University Hospital of Iceland paid by the health care system. The National Church is protected in the constitution and that is the only clause that requires a national referendum to be changed or abolished. It is thus deeply rooted with legal protection and a wide spectrum of privileges within the Icelandic fabric of governance.

People who are not registered in any religious or secular life stance organization cannot avoid paying the tax. Instead, their money goes directly into the state treasury.

A law passed on January 30, 2013 guarantees equal legal status and funding for secular lifestance organizations. The Icelandic Ethical Humanist Association, Siðmennt, (an IHEU member organization) – applied for and was granted such

status on May 3, 2013. Of the 45 registered groups it is now the 11th largest.

› [iheu.org/sidmennt-becomes-first-registered-secular-life-stance-organization-iceland/](http://iheu.org/sidmennt-becomes-first-registered-secular-life-stance-organization-iceland/)

## Education and children's rights

A new school curriculum took effect in 2013. Instead of a course focused entirely on Christianity (as it was under the previous 2008 law) the curriculum now provides a course which is labeled "religion" but includes ethics and critical thinking. It is particularly focused on human rights and democracy. The new curriculum states that Icelandic education should be shaped by "Christian heritage" but it also mentions the goals of equality, tolerance, love, and respect for human values.

In 2011 the Reykjavik City Council revised its regulations regarding the interaction of schools and churches. Religious groups are prohibited from conducting any activities, including the distribution of proselytizing material, in the city's public schools (grades one through ten) during school hours. Any student visits to houses of worship during school hours must be under the guidance of a teacher as part of a class on religion. Such instruction may not involve the active participation of students in a religious service. The Minister of Education urged other municipalities to adopt similar rules and some have done so.

## Family, community and society

Icelandic society is increasingly secular and the recent changes to education, removing religious instruction/indoctrination, and the repeal of the "blasphemy" law, may be attributed in part to this general shift, and to the steady, principled pressure applied by Siðmennt and others to uphold secular rights and values.

Before 2013 newborn babies were automatically registered into the religious organization of the mother. The law was amended in 2013 and since then the requirement for registration is that both parents must belong to same congregation. Otherwise the child is registered as no religion.

The Icelandic Ethical Humanist Association, Siðmennt, has been offering secular ceremonies since the 1980s. The civil confirmation program began in 1989 and now 8.6% of Icelandic teenagers of confirmation age have chosen the 2017 Siðmennt program. Since 2008 Siðmennt has also conducted other secular ceremonies: baby namings, weddings, and funerals. Siðmennt has 40 trained celebrants. In 2016 these celebrants conducted 260 humanist ceremonies, up by 30% on the previous year; some evidence of the continuing diversification and

secularization of community norms.

## Freedom of expression, advocacy of humanist values

The rights to freedom of association and peaceful assembly are guaranteed by the constitution and protected in practice. The constitution guarantees freedoms of speech and the press. In June 2010, parliament unanimously passed the Icelandic Modern Media Initiative, which mandates the establishment of stringent free speech and press freedom laws and focuses on the protection of investigative journalists and media outlets. In 2016 there has been increased concern within Icelandic society and media attention given to the matter of hate speech. In November 2016 several people were formally charged with the crime of hate speech.

### "Blasphemy" law abolished

Before 2015, the penal code established fines and imprisonment of up to three months for those who publicly deride or belittle religious doctrines or worship, with penalties of fines and up to two years in prison for assault – including "verbal" assault – on an individual or group based on religion.

Recognised as a de facto "blasphemy" law, the prohibition was scrapped in July 2015. The motion to abolish was brought to parliament by the Pirate Party earlier in the year in part as a response to the <em>Charlie Hebdo</em> massacre in Paris, and won popular and cross-party support. Siðmennt commented: "Often, countries where there is a lack of democracy and freedom are criticized for punishing people for blasphemy even with death sentences. When those countries are criticized, their spokespeople frequently point out, correctly, that similar laws are in force in "Western" democracies. Therefore, it sends a vital message to the rest of the world if Iceland has repealed its blasphemy law. Nations which maintain blasphemy laws with serious consequences should not be able to point to Iceland and say that it has the same kind of law."

› [end-blasphemy-laws.org/2015/07/blasphemy-law-abolished-in-iceland/](http://end-blasphemy-laws.org/2015/07/blasphemy-law-abolished-in-iceland/)

# India

Const/Govt	Edu/Child	Society/Comm	Expression

India is the world’s most populous democracy, religiously pluralistic, and for many years proud, in the main, of its secular constitution.

*This country is found to be declining. New concerns about freedoms of belief and expression have been raised under the presidency of Narendra Modi.*

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism	‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general			Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
Anomalous discrimination by local or provincial authorities, or overseas territories			Some concerns about political or media freedoms, not specific to the non-religious
	No formal discrimination in education		

## Constitution and government

India is a secular republic and its constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association.

However, some state-level laws and policies restrict this freedom, and there continues to be some violence between religious groups and organized communal attacks against religious minorities.

Since the ascension of prime minister Modi there are many concerns of a rise in Hindu nationalism, both socially, and on the part of officials appearing to elevate and promote a politicised Hindutva or Hindu nationalist agenda.

Several state or federal laws introduced under the ascendent BJP government are designed to promote patriotism, or Hindu national identity in particular.

Between 2013 and 2015, three prominent rationalists were assassinated, apparently because of their work combating superstition or Hindu nationalism (see “Highlighted cases” below). The authorities were quick to promise action, but were also accused of prematurely ruling out extremist Hindu nationalist parties.

### Beef bans

One recurring social and legal issue is the slaughter of Indian cows for beef. Millions of Indians do eat beef, especially members of the so-called Dalit “caste”, as well as Muslims and Christians. It is often an important source of protein and, for many, income. But the animals held sacred by Hindus have become a touchstone issue in law as well as a source of violence (see “Cow vigilantism” below).

In May 2017, the government implemented a “ban” on the sale of cattle for slaughter. While sometimes presented as an “animal welfare” measure, the move was widely linked to rising Hindu nationalism and was described as “fascist”

by some opponents. Several states in which beef is more widely eaten or economically important strongly criticised and resisted the ban.

› [latimes.com/world/la-fg-india-cow-slaughter-20170526-story.html](http://latimes.com/world/la-fg-india-cow-slaughter-20170526-story.html)

› [bbc.co.uk/news/world-asia-india-40089689](http://bbc.co.uk/news/world-asia-india-40089689)

In July 2017 the Supreme Court suspended the beef ban law, after Muslim petitioners in Tamil Nadu had argued that the ban infringed their right to choose what they ate. Overturning the ban, the presiding Chief Justice arguing that “the livelihood of people should not be affected by this”.

› [bbc.co.uk/news/world-asia-india-40565457](http://bbc.co.uk/news/world-asia-india-40565457)

## Education and children’s rights

There are a mixture of state and private schools, and some disparity between different states in this large and varied democracy. There has been debate for decades about whether India’s famous constitutional secularity, in a socially very religious country, should mean the exclusion of religion from the classroom, or its inclusion either with instruction for all, or under a comparative framework, and there were even experiments with a secular moral education.

Today, generally, the religious affiliation of children may be obvious from symbolic religious attire, and this is not discouraged or unlawful, but in this religiously diverse society the placing of undue influence on children through religious instruction is usually avoided in favour of inclusive secular norms, and parents who felt that their children were being wrongfully exposed to unwanted religious instruction would have legal recourse.

In 2002 the Supreme Court ruled that, “Children must be made aware of [the] basics of all the religions of the people of India. They should know the commonalities and learn to respect differences wherever these exist.”

Dating back to the British Raj, some Christian and even some secular schools do offer Christian instruction, as an optional extra.

The more religious nature of some private Islamic schools, and the taboo in some Muslim communities against educating girls, may be largely responsible for Muslims underperforming in literacy statistics.

## Family, community and society

### Rise of violence against religious minorities

The presidency of Narendra Modi has been linked to a rise in Hindu nationalism, with reports of attacks on religious minorities still increasing. Statistics on inter-communal violence show a 30% increase in the first half of 2015 with a

total of 330 attacks, of which 51 were fatal, compared with 252 attacks, 33 of which were fatal in the same period of 2014. However these statistics pale in comparison with the anti-Muslim riots in 2002 in Gujarat, with more than 1000 people killed in violent clashes after 60 Hindu pilgrims died in a fire on a train.

› [bbc.co.uk/news/magazine-33241100](http://bbc.co.uk/news/magazine-33241100)

2013 saw a rise in violence in the lead up to the election of Modi with 60 people were left dead after violence flared up between Muslims and Hindus in Muzzafarnagar. Since then smaller incidents of violence have been reported. “Just like those riots, now Hindus in the villages are trying to drive Muslims out of the villages – repeated attacks have created an atmosphere of fear,” says Mohammad Jamshed, whose brother-in-law, Deen Mohammad, was left paralysed after being shot at a demonstration demanding for police action to halt the violence against Muslims.

A number of BJP politicians have made derogatory remarks about minorities, including Giriraj Singh who is quoted as having said that “those opposing Modi will have to go to Pakistan” and Niranjan Jyoti who implied that non-Hindus were bastards by saying “should the country be led by sons of Ram [a Hindu god] or by sons of bastards?” Sakshi Maharaj also said that “each Hindu woman should mother four children in order to protect the predominance of Hindus”.

Despite these remarks Mukhtar Abbas Naqvi, Minister for Minorities says that “you cannot judge the government with isolated incidents of violence or isolated statements by some ministers.”

### Cow vigilantism

Many Hindus regard the Indian cow as a sacred creature, which is worshiped and decorated during festivals. The slaughter of cows is a highly sensitive issue across much of India. Accusations of keeping and slaughtering cows for beef has resulted in many riots. The beginning of the most recent wave of mob violence may be associated with the well-publicised case of the brutal killing of Mohammed Akhlaq in Dadrri on 28 September 2015, following a rumour that his family was in possession of cow meat. There were further incidents in the next few years and in 2017, an increasing number of attacks by self-declared gau rakshaks (cow vigilantes) spurred nationwide protests under a campaign called “Not in My Name”. Attacks have included mob lynching and gang attacks on individuals and families. In July 2017 a mob lynched a man who was accused of carrying beef in his car in Jharkhand, and a Local BJP leader was among the two people that were arrested in this case.

## Freedom of expression, advocacy of humanist values

Freedom of expression is protected by the constitution and there is a vigorous and diverse range of media outlets. Independent television and print sectors have grown substantially over the past decade. However, radio remains dominated by the state and private radio stations are not allowed to air news content.

Despite the vibrant media landscape, journalists continue to face a number of constraints. The government has used security laws, criminal defamation legislation, hate-speech laws, and contempt-of-court charges to curb critical voices.

In September 2017, journalist Gauri Lankesh was shot dead by three assailants outside her home in Bangalore. She had been an ardent critic of Hindu nationalism and extremism. She had been in the process of appealing a conviction for defamation in 2016 after publishing an article accusing members of the Bharatiya Janata party of theft. State police say it is too early to speculate on the motive of her killers but it is widely suspected that the murder is linked to her work.

› [theguardian.com/world/2017/sep/05/indian-journalist-gauri-lankesh-critical-of-hindu-extremists-shot-dead-in-bangalore](http://theguardian.com/world/2017/sep/05/indian-journalist-gauri-lankesh-critical-of-hindu-extremists-shot-dead-in-bangalore)

Internet access is largely unrestricted, although some states have passed legislation that requires internet cafés to register with the state government and maintain user registries. Under Indian internet crime law, the burden is on website operators to demonstrate their innocence. Potentially inflammatory books, films, and internet sites are occasionally banned or censored.

### **Murder of Indian rationalists**

Between 2013 and 2015 well known rationalists Govind Pansare, M. M. Kalburgi and Narendra Dabholkar were each murdered in eerily similar circumstances across three different cities in India (see Highlighted Cases below).

The killings were carried out in similar style: Two motorbike borne assailants were involved, with the rear passenger firing at the victim. The bullet casings found on site were all 7.65 mm in size, fired from Indian made pistols. These similarities have led the Bombay High Court to reach the conclusion that these ‘well planned’ attacks show a ‘clear nexus’ between the killings that proves that there must be some organisational involvement.

› [thehindu.com/news/national/gauri-lankesh-murder-similar-murders-different-investigations/article19631544.ece](http://thehindu.com/news/national/gauri-lankesh-murder-similar-murders-different-investigations/article19631544.ece)

While the Karnataka police investigating the Kalburgi case have yet to make any arrests, officials investigating the other two murders have and are filing charges. The accused of both cases are potentially linked to a Goa based rightwing Hindu radical group Sanatan Sanstha whose members in the past have been linked to a deadly 2009 bombing in Goa and is suspected of receiving backing from Maharashtrawadi Gomantak Party politicians Sudin and Deepak Dhavalikar and even the BJP.

› [thewire.in/177260/political-patronage-kept-sanatan-sanstha-afloat-go](http://thewire.in/177260/political-patronage-kept-sanatan-sanstha-afloat-go)

All three men were supporters of ending the practice of superstitious beliefs in Indian society, and spoke out frequently against the current wave of Hindutva nationalism.

Narendra Dabholkar had campaigned for years against the ‘godmen’ who defraud superstitious villages by performing illusions presented as divine miracles, and in particular he campaigned for a bill to expressly outlaw such practices. Following his assassination, anti-superstition laws have been passed in Maharashtra and Karnataka, pushed through by those state legislatures following pressure from both the media and supporters of the murdered rationalists, including Maharashtra Andhashradhha Nirmulan Samiti, the organisation Dabholkar helped to found.

› [timesofindia.indiatimes.com/city/pune/fast-probe-cry-gets-louder-in-dabholkar-murder-case/articleshow/60149478.cms](http://timesofindia.indiatimes.com/city/pune/fast-probe-cry-gets-louder-in-dabholkar-murder-case/articleshow/60149478.cms)

› [fairobserver.com/region/central\\_south\\_asia/india-right-wing-politics-hinduism-narendra-modi-news-12819/](http://fairobserver.com/region/central_south_asia/india-right-wing-politics-hinduism-narendra-modi-news-12819/)

### **“Insult” and “blasphemy”**

Section 295 of the Indian Penal Code criminalises “insulting religious beliefs”; it 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.”

In 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.

However, after receiving several petitions from NGOs, civil rights groups and individuals citing the misuse of the Act by authorities to make illegitimate arrests, in March 2015 the Supreme Court struck down Section 66A of the Information Technology Act declaring it unconstitutional.

› [timesofindia.indiatimes.com/india/Supreme-Court-strikes-down-Section-66A-of-IT-Act-which-allowed-arrests-for-objectionable-content-online/articleshow/46672244.cms](http://timesofindia.indiatimes.com/india/Supreme-Court-strikes-down-Section-66A-of-IT-Act-which-allowed-arrests-for-objectionable-content-online/articleshow/46672244.cms)

*“Political parties have often spoken in different voices about Section 66A. The Supreme Court’s historic decision is a crucial victory for free speech and expression, and a reminder to the government about the importance of respecting this right...”*

– Shameer Babu, Programmes Director at Amnesty International India.



› [amnesty.org/en/latest/news/2015/03/india-supreme-court-upholds-online-freedom-of-expression/](https://www.amnesty.org/en/latest/news/2015/03/india-supreme-court-upholds-online-freedom-of-expression/)

In January 2015, the well-received and record-breaking high-grossing Bollywood film titled “PK”, satirised problems with religion through the eyes of an alien in human form. It was criticised by Hindu nationalists who disliked its satire on “godmen” and called for a ban on the film and the arrest of its star Aamir Khan and the filmmakers.

› [theguardian.com/film/2015/jan/02/bollywood-film-pk-hindu-nationalist-protests-india-aamir-khan](https://www.theguardian.com/film/2015/jan/02/bollywood-film-pk-hindu-nationalist-protests-india-aamir-khan)

Director and writer Rajkumar Hirani responded by explaining, “In fact, with PK, I am saying that we are humans first and not Hindus or Muslims. Everyone should have the freedom to live and get settled with whoever they want to”.

› [financialexpress.com/article/lifestyle/showbiz/aamir-khans-pk-is-saying-we-are-not-hindus-or-muslims-first-director-rajkumar-hirani/30791/](https://www.financialexpress.com/article/lifestyle/showbiz/aamir-khans-pk-is-saying-we-are-not-hindus-or-muslims-first-director-rajkumar-hirani/30791/)

### Freedom of assembly and association

There are some restrictions on freedoms of assembly and association. Section 144 of the criminal procedure code empowers the authorities to restrict free assembly and impose curfews whenever “immediate prevention or speedy remedy” is required. State laws based on this standard are often abused to limit the holding of meetings and assemblies. Nevertheless, protest events take place regularly in practice.

## Highlighted cases

In March 2017, the Times of India reported that an atheist and ex-Muslim, H Farook (age 31), had been killed by four assailants in Tamil Nadu state. He was apparently targeted over an atheistic WhatsApp group and his Facebook page, where he posted “rationalist” messages including views critical of religion. A realtor named as “Ansath” of Muslim background reportedly surrendered before the judicial magistrate court in connection with the murder. A police spokesperson said: “Farook’s anti-Muslim sentiments had angered people, which could be the possible motive for murder.” Two men have appeared in court in relation to the murder as of October 2017.

› [iheu.org/rationalists-murdered-liberties-threatened-state-intolerance-rises-india/](https://iheu.org/rationalists-murdered-liberties-threatened-state-intolerance-rises-india/)

On 16th February 2015, Govind Pansare and his wife Uma were shot at by two men on motorcycles outside their house having returned from a morning walk, he later died of his injuries. He was a senior left-wing politician of the Communist Party of India (CPI), a writer and rationalist, having often spoken out against right-wing groups. Pansare was a member of the Kolhapur Anti-Toll Committee having taken a lead in the campaign. Comparisons have been drawn between this attack and the earlier murder of anti-superstition activist Narendra Dabholkar (below). Raghunath Kamble, general secretary of CPI’s Kolhapur unit has said that a few months before Pansare had

received anonymous letters, saying “Tumcha Dabholkar Karu [you would also be killed like Dabholkar]”. Kamble said that Pansare had received threats several times in the past but that he would “ignore such threats and continued with his work.” Hamid Dabholkar (Narendra Dabholkar’s son) criticised those dismissing similarities in the two cases, pointing out that both Dabholkar and Pansare were rationalists and opponents of right-wing extremism, and had been threatened several times.

› [indianexpress.com/article/india/politics/kolhapur-senior-cpi-leader-govind-pansare-wife-injured-in-firing/](https://www.indianexpress.com/article/india/politics/kolhapur-senior-cpi-leader-govind-pansare-wife-injured-in-firing/)

In August 2015, M.M. Kalburgi, a 77 year old rationalist scholar and college professor, was shot dead in his home in the southern state of Karnataka. As in the case of Govind Pansare, two unidentified male assailants on a motorbike were responsible. Kalburgi had received death threats following his criticism of idol worship during a seminar in 2014. In a statement to the Hindustan Times newspaper his daughter Roopadarshi said that “There was a threat to my father from groups that couldn’t digest his views on caste and communalism. The role of these groups should be probed...”

› [time.com/4016747/mm-kalburgi-india-murder-rationalist-idol-worship-hindu-nationalism/](https://www.time.com/4016747/mm-kalburgi-india-murder-rationalist-idol-worship-hindu-nationalism/)

On August 20, 2013, leading anti-superstition campaigner Narendra Dabholkar was shot and killed by two men on a motorbike. The murder came just days after the state government pledged to re-introduce an anti-superstition bill, aimed at making it an offence to exploit or defraud people with ‘magical’ rituals, charms and cures. This bill was closely associated with Dabholkar’s work, and was opposed by many rightwing and Hindu nationalist groups who labelled it “anti-Hindu”. Dabholkar was a long-time activist in India’s rationalist movement, founder-president of Maharashtra Andhashraddha Nirmoolan Samiti (MANS), an anti-superstition organization, and a leader of the Federation of Indian Rationalist Association, a member organization of the International Humanist and Ethical Union. The anti-superstition bill was passed into law soon after Dabholkar’s assassination.

› [iheu.org/story/leading-indian-rationalist-assassinated-gunmen](https://iheu.org/story/leading-indian-rationalist-assassinated-gunmen)

In April 2012, the Catholic Church filed a complaint under Section 295 of the country’s penal code against Sanal Edamaruku, president of the Indian Rationalist Association. Edamaruku had reportedly exposed a supposed “miracle” by revealing that a weeping Jesus on the cross was actually the result of a leaky drain. The local police requested Edamaruku turn himself in and face the charges. He now lives in exile in Finland.



# Malaysia

Const/Govt	Edu/Child	Society/Comm	Expression

Malaysia is a federal, multi-territory constitutional monarchy, split across two land masses: Peninsular Malaysia and East Malaysia. There is a degree of freedom of religion or belief among the significant non-Muslim religious minorities including Christians, Buddhists and Hindus. However, rising attention on the small number (~1%) prepared to identify as non-religious has lead government officials and police to threaten atheists and deny that there is a right to express atheism under the Malay constitution. Ethnic Malays are subjected to strict

state controls over an enforced, homogenous religious identity, including mandatory Sharia laws, and in two states hudud enactments mandating death for “apostasy”.

*This country is found to be declining, with human rights including freedom of thought and expression under serious assault. In August 2017 government ministers threatened to “hunt down” atheists photographed at an atheist meetup in Kuala Lumpur.*

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious	‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death  It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed  It is illegal or unrecognised to identify as an atheist or as non-religious
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)  State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism  Systemic religious privilege results in significant social discrimination  Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views  Religious control over family law or legislation on moral matters  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	Expression of core humanist principles on democracy, freedom or human rights is severely restricted  ‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p> <p>Legal or constitutional provisions exclude non-religious views from freedom of belief</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism</p> <p>Some religious courts rule in civil or family matters on a coercive or discriminatory basis</p> <p>Discriminatory prominence is given to religious bodies, traditions or leaders</p> <p>Religious groups control some public or social services</p>	<p>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</p> <p>Criticism of religion is restricted in law or a de facto 'blasphemy' law is in effect</p>
<p>Official symbolic deference to religion</p> <p>Anomalous discrimination by local or provincial authorities, or overseas territories</p>			<p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

## Constitution and government

The constitution protects freedom of religion, as well as freedom of expression. However, portions of the constitution as well as other laws and policies restrict these freedoms in practice.

Malaysia has a narrow concept of human rights, having signed only two of the eight legally enforceable human rights treaties derived from the Universal Declaration of Human Rights, and even then the state asserts constitutional exemptions to these treaties and to the Universal Declaration itself, asserting that only "those fundamental liberties provided for" in the Constitution will be upheld, rendering its signature to the UDHR essentially an empty gesture.

The government's ban on the use of the word "Allah" by non-Muslims in Malay-language Bibles and other Christian publications was upheld on 14 October 2014, the court of appeal overturning a 2009 decision that such a ban was unlawful. The appeals court found that the freedom to practice a religion other than Islam is lawfully limited by Islam's status as the national religion, notwithstanding the constitution's guarantee that "other religions may be practiced in peace and harmony" which is intended to protect the sanctity of Islam! The full scope of the "ban" on the use of "Allah" by non-Muslims remains unclear, with some officials saying it is limited to the Catholic

Herald, which was the subject of the case; however the precedent and basis of the judgment appear to have wider implications. The case has proved a high-profile, ongoing source of tension between religious communities.

## Education and children's rights

Islamic religious instruction is compulsory for children from Muslim background in public schools; students from non-Muslim backgrounds are required to take non-religious morals and ethics courses. Minority religion classes may in some cases also be held during the school day. At primary and secondary public schools, student assemblies frequently commence with recitation of an Islamic prayer. Grants are given selectively to private Islamic schools only, on and on agreement they allow government supervision and adopt a government-approved curriculum. Girls, particularly in peninsular Malaysia, may be required wear the tudung (head covering).

It was reported in April 2017 that a 11-year-old school boy suffered abuse at an Islamic religious school in the state of Jahor. The boy along with fellow school children had been whipped on the legs with a water hose by an assistant warden. This case has led to closer scrutiny of 'Tahfiz' schools where students learn to memorize the Koran. These schools are privately run and registered with the state religious department rather than the state educational

department.”To this day, we do not know who are actually in charge of regulating tahfiz schools,” Noor Azimah Abdul Rahim, chairman of the Parent Action Group for Education, told Reuters. The case follows controversy over a proposed bill that would have introduced stricter forms of the Islamic penal code, including punishments such as whipping.

› [independent.co.uk/news/world/asia/malaysia-religious-islamic-school-boy-11-beaten-dies-legs-amputated-a7703096.html](http://independent.co.uk/news/world/asia/malaysia-religious-islamic-school-boy-11-beaten-dies-legs-amputated-a7703096.html)

## Family, community and society

### The “threat” of atheism, humanism and liberalism

In May 2014, Prime Minister Najib Razak labelled “humanism and secularism as well as liberalism” a dangerous threat to Islam and the state. Speaking at the opening the 57th national Quran Recital Assembly, he characterised secular worldviews as dangerous ideologies, saying:

“They call it human rightism, where the core beliefs are based on humanism and secularism as well as liberalism. It’s deviationist in that it glorifies the desires of man alone and rejects any value system that encompasses religious norms and etiquettes. They do this on the premise of championing human rights.”

› [themalaymailonline.com/malaysia/article/pm-says-human-rightism-humanism-secularism-new-religion-threatening-islam](http://themalaymailonline.com/malaysia/article/pm-says-human-rightism-humanism-secularism-new-religion-threatening-islam)

The idea that even divergent opinions within Islam are “deviant” and a dire threat to national security is a frequent accusation made by members of the Malaysian government. IHEU commented at the time:

“This is a sad reflection on Najib’s personal understanding of human rights, in particular his total failure to grasp the scope and necessity of freedom of thought, religion and belief.

*“On the one hand he asserts that under Maqasid Shariah he will uphold the welfare of every citizen regardless of religion or other status, and yet in fact he denies the very essence of Article 18 rights: that every citizen must have freedom of thought, freedom of belief, freedom of religion. To rule out what he calls “apostasy” as Najib does, is to completely deny this long-established human right. It is not a matter of interpretation; he simply denies this basic human right to which his country is a signatory. ... These freedoms [of thought and expression] are not an alien agenda, they are a minimum standard for people to be able to live a fulfilled life and are the only way to achieve the progressive country which Najib says he wants to develop.”*

– Sonja Eggerickx, then-president of the IHEU

› [iheu.org/humanism-and-secularism-are-threat-to-islam-and-the-state-says-malaysian-prime-minister/](http://iheu.org/humanism-and-secularism-are-threat-to-islam-and-the-state-says-malaysian-prime-minister/)

In 2015, the president repeated similar slurs, but with reference to sexual minorities, drawing a direct moral equation between terrorist groups “like the Islamic State” with “lesbians, gay, bisexuals, and transgenders” who call for equality.

› [hrw.org/news/2015/08/25/love-not-terrorism-najib](http://hrw.org/news/2015/08/25/love-not-terrorism-najib)

## Government threat to “hunt down” atheists

In August 2017 members of an atheist meetup group affiliated with the Atheist Republic Facebook page posed for a photograph at a social event in Kuala Lumpur. Those in attendance were smiling and making ‘peace’ signs towards the camera. The photograph was circulated widely online, leading to death threats and a government-led witch hunt against members of the group. See Highlighted Cases below.

The government said it would launch a “detailed investigation” into whether any Muslims had joined the group. A Deputy Minister in the Prime Minister’s Department Dr Asyraf Wajdi Dusuki asked that the Malaysian Communications and Multimedia Commission (SKMM) should intervene as the group involved “the faith of Muslims in the country”. “If it is proven that there are Muslims involved in atheist activities that could affect their faith, the state Islamic religious departments or Jawi could take action. I have asked for Jawi to look into this grave allegation,” he told reporters.

› [themalaymailonline.com/malaysia/article/deputy-minister-probe-underway-on-muslims-joining-atheist-club](http://themalaymailonline.com/malaysia/article/deputy-minister-probe-underway-on-muslims-joining-atheist-club)

A Minister in the Prime Minister’s Department Datuk Seri Shahidan Kassim said the public should aid authorities in locating groups like the Kuala Lumpur affiliate of Atheist Republic so that action could be taken.

*“The (Federal Constitution) does not mention atheists. It goes against the Constitution and human rights... I suggest that we hunt them down vehemently and we ask for help to identify these groups.”*

– Datuk Seri Shahidan Kassim

› [themalaymailonline.com/malaysia/article/atheists-in-malaysia-should-be-hunted-down-minister-says](http://themalaymailonline.com/malaysia/article/atheists-in-malaysia-should-be-hunted-down-minister-says)

Inspector General of Police Khalid Abu Bakar warned Muslims or Malays against attending such events, saying that it was not their ‘right to attend’ such events as they were against the Malaysian constitution. The Inspector General went on to say that “the police would scrutinise the existing laws to enable appropriate action to be taken should the atheist group cause anxiety for Muslims.”

› [thestar.com.my/news/nation/2017/08/17/muslims-attending-atheist-events-may-face-syariah-charges-igp/](http://thestar.com.my/news/nation/2017/08/17/muslims-attending-atheist-events-may-face-syariah-charges-igp/)

› [thediplomat.com/2017/08/beware-the-war-against-aseans-atheists/](http://thediplomat.com/2017/08/beware-the-war-against-aseans-atheists/)

In a statement, International Humanist and Ethical Union president Andrew Copson said that criminalising apostasy contradicts the right to freedom of thought and belief. IHEU also condemned the comments made by Dr Kassim, 'non-religious people have freedom of thought, freedom of expression and freedom of association, just like the religious and it is his talk of "hunting" human beings... which represents a grave human rights violation.'

› [iheu.org/iheu-deplores-backlash-hunt-atheists-malaysia/](http://iheu.org/iheu-deplores-backlash-hunt-atheists-malaysia/)

### **Claim that atheism is "unconstitutional"**

Following the verbal attacks on the Atheist Republic meetup, the liberty to hold or to express atheist views has been targeted by government ministers, claiming atheism is "unconstitutional" and punishable under Sharia and sedition laws. There is no clause prohibiting atheism in the constitution.

› [themalaymailonline.com/malaysia/article/putrajaya-freedom-of-religion-does-not-equal-freedom-from-religion](http://themalaymailonline.com/malaysia/article/putrajaya-freedom-of-religion-does-not-equal-freedom-from-religion)

### **Homophobia**

In Malaysia, sexual contact between two people of the same gender is illegal. LGBT rights are largely unrecognised in the country, with social attitudes being strongly influenced by Islam, the official religion. Human Rights Watch has stated that "discrimination against lesbian, gay, bisexual and transgender (LGBT) people is pervasive in Malaysia".

A teenager identified as Navheen was killed on the 17 June, 2017 in a violent attack where he was beaten, burnt and raped for hours allegedly by his classmates. Navheen was out celebrating with a friend, when he ran into six or more of his classmates that began to beat the two using helmets, according to reports. It is believed that his classmates had consistently bullied Navheen in the past for being "effeminate" and "gay". The attack came shortly after the Malaysian Health Ministry had announced a competition encouraging contestants to make anti-gay videos which demonstrated how to prevent homosexuality and deter people from identifying as transgender.

› [pinknews.co.uk/2017/06/17/teen-killed-in-vicious-homophobic-attack-where-he-was-beaten-burnt-and-raped-for-hours/](http://pinknews.co.uk/2017/06/17/teen-killed-in-vicious-homophobic-attack-where-he-was-beaten-burnt-and-raped-for-hours/)

In March 2017, Malaysian religious police raided the private residence of a lesbian couple, arresting them along with another occupant.

› [thestar.com.my/news/in-other-media/2017/03/01/foreigner-caught-for-khalwat-with-two-lesbians/](http://thestar.com.my/news/in-other-media/2017/03/01/foreigner-caught-for-khalwat-with-two-lesbians/)

Enforcers regularly conduct raids on hotels and make arrests for 'close proximity' between unmarried persons.

› [themalaymailonline.com/malaysia/article/married-couple-sues-jawi-after-traumatic-khalwat-raid](http://themalaymailonline.com/malaysia/article/married-couple-sues-jawi-after-traumatic-khalwat-raid)  
› [https://www.youtube.com/watch?v=K-XfBxPI\\_Jo](https://www.youtube.com/watch?v=K-XfBxPI_Jo)

## **Freedom of expression, advocacy of humanist values**

### **Death for "apostasy"**

Despite contradicting federal law, the state governments of Kelantan and Terengganu passed hudud enactments in 1993 and 2002, respectively, making apostasy an offence punishable by death. Despite their long-standing nature, no one has been convicted under these Sharia laws and, according to a 1993 statement by the Attorney General, the rulings could not be enforced without a constitutional amendment. (Amending the penal code is the exclusive prerogative of the federal government.)

### **Enforced religious identity**

The constitution defines all ethnic Malays as Muslim and severely restricts what kind of Islam may be practiced in the country.

Every Malaysian citizen over the age of 12 must carry an identification card, a 'MyKad', which must state the bearer's religion. This requirement alone appears to breach the International Covenant on Civil and Political Rights (ICCPR) under which States have no right to demand to know the religion of any of their citizens; a point reinforced by Section 3 of General Comment 22 of the Human Rights Committee: "In accordance with articles 18.2 and 17, no one can be compelled to reveal his thoughts or adherence to a religion or belief." In addition, the government has a history of limiting how citizens can identify their religion.

The Prime Minister reiterated in May 2014 that:

*"We [the nation] will not tolerate any demands or right to apostasy by Muslims, or deny Muslims their right to be governed by Shariah Courts and neither will we allow Muslims to engage in LGBT activities".*

– Prime Minister Najib Razak

The state sanctioned brand of Sunni Islam is defined and enforced via a central federal authority, as well as a constellation of state authorities, including the parallel Sharia-court systems. Practice of any non-Sunni variant of Islam is prohibited, with Shia Muslims notably targeted by religious enforcement, resulting in arrests of both local and foreign adherents.

› <http://www.freemalaysiatoday.com/category/nation/2016/10/12/jais-arrests-50-pakistani-shia-muslims/>

Nationally, Muslims who seek to convert to another religion must first obtain approval from a Sharia court to declare

themselves “apostates.” This effectively prohibits the conversion of Muslims, since Sharia courts seldom grant such requests and can impose penalties (such as enforced “rehabilitation”) on “apostates”.

### **Pervasive Sharia and “blasphemy”**

Articles 295-298A of the Malaysian Penal Code provide penalties for those who commit offenses against religion. The penalties include up to three years in prison or a large fine. Prosecutions for blasphemy usually target those who offend Islam, but an insult to any religion can give rise to prosecution.

Authorities at the state level administer Sharia laws through Islamic courts and have jurisdiction over all Muslims.

The degree of their enforcement vary by state. State governments impose Sharia law on Muslims in some cultural and social matters but generally do not interfere with the religious practices of non-Muslim communities; however, debates continue regarding incorporating elements of Sharia law, such as khalwat (being in close physical proximity with an unrelated member of the opposite sex), into secular civil and criminal law. Although specific punishments for violation of khalwat vary from state to state, it is typically punishable by some combination of imprisonment up to two years, a fine of RM 3,000 (\$940), or several strokes of the cane.

In July 2017 a state in Malaysia introduced public caning for people who break Sharia law, despite strong criticism from politicians and rights campaigners. The Islamist PAS party approved the law in the Kelantan state assembly, where they are the ruling party. Islamic law is followed throughout the country but it is usually restricted to personal and family issues, and unlike the majority of Malaysia the northern province already has strict Sharia laws in place including a ban on night clubs and cinemas. The majority of the people in Kelantan are Muslims, but there are also Christians, Buddhists and Hindus. Caning was introduced as part of an effort to streamline sentencing under Islamic criminal law, it “can now be carried out inside or outside of prison,” said Kelantan deputy chief minister Mohd Amar Nik Abdullah. “This is in line with the religion, which requires that sentencing must be done in public.”

› <http://www.independent.co.uk/news/world/asia/malaysian-state-public-caning-sharia-law-break-islamic-muslim-a7838941.html>

### **Media and political freedoms**

Freedom of expression is constitutionally guaranteed but severely restricted in practice. The declining situation in recent years has been described as risking a “political meltdown”.

› [theguardian.com/global/2015/oct/30/malaysia-risks-a-political-meltdown-with-its-attack-on-free-speech](http://theguardian.com/global/2015/oct/30/malaysia-risks-a-political-meltdown-with-its-attack-on-free-speech)

Parliament reformed the restrictive Printing Presses and Publications Act in April 2012. However, the revised law retained the home minister’s authority to suspend or

revoke publishing licenses but allowed such decisions to be appealed to judicial review. The amendments also eliminated the requirement that publications and printers obtain annual operating permits. Another legal change in 2012, made owners and editors of websites, providers of web-hosting services, and owners of computers or mobile devices used to publish content online accountable for information published on their sites or through their services.

State broadcasters and publishers reflect government views. Most private publishers and broadcasters are controlled by parties or business groups allied with the government, and they generally censor programming according to government guidelines. Books and films are directly censored or banned for profanity, violence, and political and religious material.

The internet has emerged as a primary outlet for free discussion and for exposing cases of political corruption. The government has responded in recent years by engaging in legal harassment of critical bloggers. The Malaysian Communication and Multimedia Commission (MCMC), an agency responsible in part for regulating the internet, has been known to monitor online content and order outlets or bloggers to remove material it views as provocative or subversive.

Recent years (2016-2017) have seen an increase in arrests in response to social media posts deemed as ‘insulting’ or defamatory towards senior government officials or members of the monarchy.

› <http://www.freemalaysiatoday.com/category/nation/2017/03/20/superman-arrested-over-beauty-and-the-beast-fb-posting/>

› <http://www.themalaymailonline.com/malaysia/article/student-arrested-over-facebook-posting-about-adenan>

› <http://www.thestar.com.my/news/nation/2017/07/05/man-nabbed-facebook-post-insulting-king/>

› <http://www.straitstimes.com/asia/se-asia/malaysia-police-arrest-man-for-posting-remarks-insulting-johor-princess-on-instagram>

Freedoms of assembly and association are limited on the grounds of maintaining security and public order. The Peaceful Assembly Act, passed in late 2011, lifted a rule requiring police permits for nearly all public gatherings. However, other provisions were seen as a bid to restrict rather than safeguard freedom of assembly, including a prohibition on street protests and the levying of excessive fines for noncompliance with this rule. For example, in early 2015 the Peaceful Assembly Act was used to bring charges against peaceful protesters including opposition activists.

› [hrw.org/news/2015/09/10/malaysia-drop-criminal-cases-against-peaceful-protesters](http://hrw.org/news/2015/09/10/malaysia-drop-criminal-cases-against-peaceful-protesters)



## Highlighted Cases

Eric Paulsen, personally non-religious and a recurring, legitimate critic of the government – especially in connection with the imposition of Islamist extremism – has been repeatedly harassed by the authorities. In January 2015 he was arrested and then in February charged with “sedition” for a 9 January tweet which read “Jakim [the Malaysian Islamic Development Department] is promoting extremism every Friday. Govt. needs to address that if serious about extremism in Malaysia.” In March 2015 he was again arrested, for tweeting about merely hypothetical problems in implementing Islamic hudud norms in Malaysia. His message read: “Do not simply believe that everything will be okay with hudud implementation – no basis that hudud will run smoothly in Malaysia”. Critical users tagged Inspector-General of Police Tan Sri Khalid Abu Bakar into their angry replies, leading Abu Bakar to announce that Paulsen should “watch his habit and mouth” when discussing sensitive topics such as religion, and asking, “Who is Eric Paulsen to question whether the hudud law is fair or not? ... I will review the tweets he sent out and the police will take action.” The Jakim tweet case is ongoing as of December 2015. Paulsen was arrested and detained but has not been charged in the Hudud tweet case, however several older “sedition” cases against others that were investigated in early 2015 have subsequently been brought to court.

› [themalaysianinsider.com/malaysia/article/jakim-can-sue-eric-paulsen-for-libel-says-lawyer-bernama](http://themalaysianinsider.com/malaysia/article/jakim-can-sue-eric-paulsen-for-libel-says-lawyer-bernama)

› [themalaysianinsider.com/malaysia/article/human-rights-lawyer-eric-paulsen-nabbed-for-sedition-in-kl](http://themalaysianinsider.com/malaysia/article/human-rights-lawyer-eric-paulsen-nabbed-for-sedition-in-kl)

The Kuala Lumpur “consulate” of the online group Atheist Republic were targeted in an anti-atheist backlash, following publication in August 2017 of a photograph from a meetup event which went viral. The government said it would launch a “detailed investigation” into whether any “Muslims” had joined the Atheist Club(!). A Deputy Minister in the Prime Minister’s Department Dr Asyraf Wajdi Dusuki asked that the Malaysian Communications and Multimedia Commission (SKMM) should be involved as it involved “the faith of Muslims in the country” and: “If it is proven that there are Muslims involved in atheist activities that could affect their faith, the state Islamic religious departments or Jawi could take action. I have asked for Jawi to look into this grave allegation.”

› [themalaymailonline.com/malaysia/article/deputy-minister-probe-underway-on-muslims-joining-atheist-club](http://themalaymailonline.com/malaysia/article/deputy-minister-probe-underway-on-muslims-joining-atheist-club)

Another government minister said the public should aid authorities in a “hunt” for atheists so that action could be taken:

*“The (Federal Constitution) does not mention atheists. It goes against the Constitution and human rights... I suggest that we hunt them down vehemently and we ask for help to identify these groups.”*

– Datuk Seri Shahidan Kassim

› [themalaymailonline.com/malaysia/article/atheists-in-malaysia-should-be-hunted-down-minister-says](http://themalaymailonline.com/malaysia/article/atheists-in-malaysia-should-be-hunted-down-minister-says)



# Maldives

Const/Govt	Edu/Child	Society/Comm	Expression

Though most famous internationally as a popular tourist destination, Maldives has been described as undergoing a battle between liberal and literal interpretations of

Islam, with serious human rights violations linked to fundamentalists, and attacks on perceived atheists and homosexuals in recent years.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>Religious authorities have supreme authority over the state</p> <p>State legislation is largely or entirely derived from religious law or by religious authorities</p>		<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>'Apostasy' or conversion from a specific religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>		<p>The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p>	<p>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>There is an established church or state religion</p> <p>State-funding of religious institutions or salaries, or discriminatory tax exemptions</p>	<p>There is state funding of at least some religious schools</p> <p>Religious schools have powers to discriminate in admissions or employment</p> <p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

## Constitution and government

The constitution and other laws do not permit freedom of religion or belief. While freedom of expression is guaranteed by the constitution, it is not respected in practice. The constitution designates Islam as the official state religion, and other articles in the constitution appear to make the practice of Islam mandatory. The government and many citizens at all levels interpret the constitution as imposing a requirement that all citizens must be Muslims.

The government follows civil law based on Islamic law, and this civil law is subordinate to Islamic law. In a situation not covered by civil law, and in certain cases such as divorce and adultery, Islamic law is applied.

Mosques are required to register with the government. The government maintains and funds most mosques.

The constitution stipulates that the president must be Sunni. The constitutional language on the fundamental rights and duties of citizens does not provide for the right to freedom of religion or belief. Furthermore, the constitution precludes non-Muslims from voting and holding public positions.

The constitution does not prohibit discrimination based on religious preference; religion is excluded from a list of attributes for which people should not be discriminated against.

## Education and children's rights

Article 36 of the constitution states that it is imperative for parents and the state to provide children with primary and secondary education and section (c) of that article states schools are required to "inculcate obedience to Islam" and "instill love for Islam."

The Ministry of Islamic Affairs mandates Islamic instruction in schools and funds salaries of religious instructors.

Older schools in particular are traditional Islamic or Quaranic schools.

› [classbase.com/countries/Maldives/Education-System](http://classbase.com/countries/Maldives/Education-System)

## Family, community and society

The government certifies imams, who are responsible for presenting government-approved sermons. By law, no one may publicly discuss Islam unless invited to do so by the government, and imams may not prepare sermons without government authorization.

### Family law

By law, a Maldivian woman cannot marry a non-Muslim

foreigner unless he converts to Islam first. A Maldivian man, however, can marry a non-Muslim foreigner, if the foreigner is from a religion that is allowed under Islamic Shariah, i.e., Christianity and Judaism. A Maldivian man cannot marry a non-Muslim foreigner from a religion not allowed under Islamic Sharia unless that person converts to Islam prior to marriage.

## Freedom of expression, advocacy of humanist values

The constitution guarantees freedoms of expression and the press. However, journalists and media outlets routinely face legal harassment and physical assault for reporting anything critical of the government.

### Atheism and criticism of Islam

In 2014 police officials confirmed that they were investigating atheist social media for non-compliance with this prohibition (see "Highlighted cases", below).

The law prohibits public statements that are contrary to Islam and violators face penalties ranging from two to five years in prison or house arrest.

### Kidnap and intimidation of atheist Facebook users

In June 2014, around 40 men, including known religious extremists and local gang members, abducted several young men who had advocated for secularism and/or gay rights, in a spate of kidnappings in Malé City, with the apparent aim of intimidating online secular activists and taking over "blasphemous" pages. (See "Highlighted cases" below).

Analysts have raised concerns over the growing threat of extremism in the Maldives. A recent report by the US State Department expressed concern over radicalization of youth groups and said funds are being raised in the Maldives to support terrorism abroad. Maldivian media have also said they feel threatened by religious extremists and gangs.

› [jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam](http://jihadwatch.org/2014/06/maldives-muslims-kidnap-atheists-force-them-to-accept-islam)

## Highlighted cases

Human rights defender and blogger Yameen Rasheed, who work as an IT professional, was found stabbed to death in the stairwell of his apartment in April 2017. He had been an ardent campaigner for justice in the case of the apparent 'enforced disappearance' of his friend Ahmed Rilwan (see below). Yameen had also made a series of satirical posts about the spread of radical Islam and the Maldivian government through his blog The Daily Panic. And he was previously arrested along with others in 2015 after taking part in an anti-government rally in the capital. Mr Rasheed had in the past reported receiving regular death threats

to police, but had failed to get a response and often his complaints were dropped without investigation. Four men on trial for the murder denied the charges in November 2017.

› [nytimes.com/2017/04/23/world/asia/yameen-rasheed-dead-maldives-blogger-dead.html](https://www.nytimes.com/2017/04/23/world/asia/yameen-rasheed-dead-maldives-blogger-dead.html)

› [theguardian.com/world/2017/apr/23/maldives-blogger-yameen-rasheed-stabbed-to-death-in-capital](https://www.theguardian.com/world/2017/apr/23/maldives-blogger-yameen-rasheed-stabbed-to-death-in-capital)

› [raajje.mv/en/news/21058](https://raajje.mv/en/news/21058)

In a series of kidnappings in June 2014, several perceived atheists and homosexuals in Malé city were detained and intimidated by large gangs of approximately 40 men. The abductees were interrogated on their beliefs, tested on passages from the Quran, and asked to recite the Shahadha (Islamic creed). The men were accused of atheism and homosexuality, and threatened with death. They were forced to hand over their Facebook account passwords and pressured to identify the administrators of the ‘Secular Democratic Maldives Movement’ and ‘Maldivian Atheists’ on Facebook. The Maldivian Democratic Party made a statement on the kidnappings, saying, “The extremists blindfolded the young people, took them to remote locations against their will, threatened them with sharp weapons, threatened them with death, issued sentences in a vigilante trial and are now implementing these sentences...” Sources suggest all individuals were later released, but were locked out of their social media accounts and warnings about “blasphemy” appeared on the commandeered pages. Minivan News reported that members of the vigilante group had been photographed in a meeting with Islamic Minister Sheikh Mohamed Shaheem Ali and youth groups who were protesting against homosexuality and the “harassment” of Islam, along with a meeting with the Home Minister Umar Naseer.

› [minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)

During the period of the kidnappings, a group of men including a man referred to in Minivan News by the pseudonym Adam Ghafoor were attacked by a mob of eight at a café. The attackers accused them of atheism and homosexuality. (The group had met for breakfast after having been at a gym, and so were dressed in shorts and t-shirts, which attire seems to have sparked the accusation of homosexuality.) One of the attackers is reported as having said, “You homosexual atheists are destroying our country – we will not stand back and watch you do it.” He asked Ghafoor to recite the Shahada. Members of the group then attacked Ghafoor and threatened him with further violence or death if they saw him again.

› [minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)

One of the Facebook Pages hijacked on 8 June 2014 was named ‘Colourless’. It had been run by liberal activists, and

had 4,865 members, with the aim of bringing a “divided nation to a common ground as a platform to advocate peace, love and harmonic co-existence.” Having stolen passwords, the new administrators changed the group’s banner to the black Shahadha flag, and the whole page was later deleted. One of the administrators, Jennifer Latheef, said that she and the other administrators had received death threats along with warnings from Facebook users over the preceding months to remove comments they found offensive. The group decided to allow free speech but asked members not to attack or insult the religious beliefs of others. Another Facebook group called ‘Shariah4Maldives’ then posted pictures of the administrators.

Having covered the kidnappings, a Minivan News journalist Ahmed Rilwan who had himself been linked to the Maldivian Atheists Page, then disappeared in August 2014. Reports suggest that he was abducted at knife point from outside his apartment building. Minivan News, an independent online publication, subsequently received a death threat in the form of a machete through their premises door and an SMS text reading: “You will be killed next”. Minivan News and Raajje TV were then issued with arson threats and evacuated by police. A report commissioned by the Maldivian Democracy Network NGO, linked radicalised gangs to the disappearance. The Maldives Police Service subsequently announced the arrest of three suspects in connection with Rilwan’s disappearance, but also criticised marches protesting their slow handling of the case. Journalists for a number of news publications that covered the story have received anonymous threats warning of further violence if they don’t drop their coverage. Meanwhile, Rilwan’s family, friends and colleagues have continued to raise concerns about the speed and current conclusions of police investigations.

› [independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html](http://independent.co.uk/voices/comment/voices-in-danger-in-the-maldives-its-not-just-knives-that-journalists-are-being-threatened-with-9791754.html)

› [ifj.org/uploads/media/South\\_Asia\\_Press\\_Freedom\\_Report\\_2013.pdf](http://ifj.org/uploads/media/South_Asia_Press_Freedom_Report_2013.pdf)

There were rumours that Rilwan was connected to the Maldivian Atheist Facebook Page, thought prominent fellow blogger Hilath Rasheed (see also Rasheed’s own case below) said in September 2014 that he knew the admins at least by nickname, and that Rilwan was not one of them. The accusation was a “cheap trick”, he said, to turn the public against Rilwan so they would move on and forget that the authorities had failed to bring anyone to justice in connection with his disappearance.

› [vnews.mv/25749](https://vnews.mv/25749)

Officials confirmed in March 2013 that they were investigating “anti-Islamic” social media activity. Though the “investigation” had a broader purview, the Facebook Page “Dhivehi Atheists/Maldivian Atheists” appears to have been at the forefront. The Page had been accused of

“insulting God” and posting “offensive” cartoons, by the religious conservative Adhaalath party. Liked by 300 users, the majority of the posts were in local Dhivehi language, and the page encouraged Maldivians to leave Islam and “choose the path of science and reason”. Several posts made by visitors accused various people of being behind the Page and threatened to kill them. Many visitors have stated that the administrator had been identified as a woman.

› [sun.mv/39714](http://sun.mv/39714)

› [minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245](http://minivannewsarchive.com/politics/police-investigating-anti-islamic-activity-on-social-media-80245)

A closed (i.e. private) group called “Against Dhivehi Atheists / Maldivia” [facebook.com/groups/standagaistdhivehiathiest/](https://facebook.com/groups/standagaistdhivehiathiest/) says of itself: “The main purpose of this group is to report to facebook about the page [Dhivehi-Atheists-Maldivian-Atheists] Please add as much friends as you can, and spread the message”. This tactic may have worked, since as of December 2015 the original page [facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/](https://facebook.com/pages/Dhivehi-Atheists-Maldivian-Atheists/) is not accessible.

On June 2 2012, Ismail Khilath ‘Hilath’ Rasheed was attacked with a knife outside his house, narrowly escaping a fatal injury. Rasheed, an openly gay blogger and journalist who advocates for freedom of religion and a fierce critic of Islamic fundamentalism, had previously been threatened online in an article published on [Muraasil.com](http://Muraasil.com). Rasheed was also the main victim in an attack by Islamist extremists on a silent protest in 2011. Rasheed has since left the Maldives.

› [minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978](http://minivannewsarchive.com/news-in-brief/democracy-suffers-in-maldives-in-the-face-of-rising-fundamentalism-asia-sentinel-39978)

› [minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753](http://minivannewsarchive.com/politics/perceived-atheists-and-homosexuals-targetted-as-campaign-of-attacks-continues-86753)

› [minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438](http://minivannewsarchive.com/society/maldivian-journalist-threatened-with-beheading-4438)

In June 2010, Mohammed Nazim asked a Muslim preacher, at a large public event, how Islam viewed people such as himself who had tried to believe in Islam but could not. The preacher replied that Islam requires the death penalty for those who leave Islam. Several members of the enraged crowd attempted to attack Nazim and he was hustled away by the police. The Islamic Ministry arranged for Nazim to receive “religious counseling” before determining if he should be executed for apostasy. During this prison counseling, Mohammed saved his life by assenting to embrace Islam.

One month later, Ismail Mohamed Didi faced the same choice as Mohammed Nazim: believe or die. He chose death. On July 13 2010, the 25 year-old air traffic controller was found hanged from the control tower of the Maldives international airport, after killing himself to escape

persecution for his rejection of religion. Shortly before his death, Ismail Mohamed Didi wrote that he had “foolishly admitted my stance on religion” to work colleagues and the news had “spread like wildfire.” He added that “A lot of my close friends and girlfriend have been prohibited from seeing me by their parents. I have even received a couple of anonymous phone calls threatening violence if I do not repent and start practicing Islam... Maldivians are proud of their religious homogeneity and I am learning the hard way that there is no place for non-Muslim Maldivians in this society.”

› [examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives](http://examiner.com/article/atheist-asylum-seeker-commits-suicide-maldives)

# Mauritania

Const/Govt	Edu/Child	Society/Comm	Expression

Mauritania bridges the Arab Maghreb and western sub-Saharan Africa; its Arab-Berber population tend to live in the north and black Africans in the south. It is one of the world’s poorest countries, with about one fifth of the population living on less than \$1.25 per day. Slavery has

been described as a major human rights issue, with the world’s highest proportion of slaves, mostly the black Africans, in indenture that is socially justified with reference to Islam. Mauritania is a member of the League of Arab States and the Organization of Islamic Cooperation (OIC).

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>The non-religious are barred from holding government office</p>		<p>There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious</p> <p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>		<p>Systemic religious privilege results in significant social discrimination</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p> <p>Religious control over family law or legislation on moral matters</p> <p>It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization</p>	<p>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</p>
<p>Preferential treatment is given to a religion or religion in general</p> <p>There is an established church or state religion</p>	<p>Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)</p>	<p>Discriminatory prominence is given to religious bodies, traditions or leaders</p>	

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
			<p>Some concerns about political or media freedoms, not specific to the non-religious</p> <p>Concerns that secular or religious authorities interfere in specifically religious freedoms</p>

Constitution and government

The Constitutional Council and the High Council of Magistrates are required, when taking an oath of office, to make a promise to God to uphold the law of the land in conformity with Islamic precepts.

The preamble of Mauritania’s 1991 constitution declares a “right to equality” and the “fundamental freedoms and rights of human beings”; Article 1 of the constitution notes that, “the Republic guarantees equality before the law to all of its citizens without distinction as to origin, race, sex, or social condition”. However, the constitution and other laws and policies restrict freedom of religion or belief. The Constitution defines the country as Islamic, recognising Islam as the only religion of its citizens, with Islam as “the religion of the people and the state”.

The law and legal procedures of Mauritania are based on Sharia. Sharia crimes such heresy, apostasy, atheism, refusal to pray, adultery and alcoholism are all contained in Mauritania’s Penal Code. The Code includes punishments of lapidation, amputation and lashings. Sharia norms are also reflected in Mauritania’s 2001 Personal Status Code (a legal code which regulates all matters related to marriage, divorce, family and inheritance issues). Its Article 311 states that for difficulties of interpretation as well as in cases where the Code is silent, reference should be made to Sharia.

Education and children’s rights

Classes on Islam are compulsory in the curricula of both public and private Islamic schools; their attendance is mandatory.

Family, community and society

Non-Muslims are restricted from having citizenship status. Muslims who convert from Islam lose their citizenship and property rights. Article 11 of the Press Act is used to ban proselytizing by non-Muslims; the Act prohibits the publication of any material that contradicts or threatens Islam. Non-Muslims are only allowed private worship after they are granted permission to do so from the state.

Freedom of expression, advocacy of humanist values

Press freedom is guaranteed by the constitution. In reality, privately run newspapers face closure for publishing material considered offensive to Islam or threatening to the state. Self-censorship is also practiced by journalists to some degree, when they cover issues relating to Sharia or slavery, for example, and activists against slavery have been frequently harassed and persecuted.

› [iheu.org/iheu-calls-on-un-to-do-more-to-protect-mauritanian-anti-slavery-campaigners/](https://iheu.org/iheu-calls-on-un-to-do-more-to-protect-mauritanian-anti-slavery-campaigners/)

Death for “apostasy”

Article 306 of the Mauritanian penal code, stipulates apostasy as a crime punishable by death. Anyone found guilty of converting from Islam is supposed to be given three days to repent and if the individual concerned does not do so, they will face confiscation of their property, or the death sentence.

However, in the case of Mohamed Cheikh Ould Mkheitar (see “Highlighted cases” below), he was found guilty of “apostasy” and sentenced to death — despite “repenting” — in a one-day trial in late December 2014.

Apostasy, “adultery”, and homosexuality are among the capital crimes in Mauritania. There appears to have been a moratorium on the death sentence since 1987, but Mkheitar remains in jail, along with around 52 persons convicted on “terrorism” charges over the years.

› [opinion-internationale.com/dossier/pas-de-contraainte-en-islam-il-faut-liberer-mohamed-cheikh-condamne-a-mort-pour-ses-idees-en-mauritanie/la-condamnation-a-mort-de-mohamed-cheikh-ould-mohamed-ould-mkhaitir-un-cas-de-dysfonctionnement-de-la-justice](https://opinion-internationale.com/dossier/pas-de-contraainte-en-islam-il-faut-liberer-mohamed-cheikh-condamne-a-mort-pour-ses-idees-en-mauritanie/la-condamnation-a-mort-de-mohamed-cheikh-ould-mohamed-ould-mkhaitir-un-cas-de-dysfonctionnement-de-la-justice)

“Spreading atheism”

It has been observed that the charge of “spreading atheism” has been used not only to silence writers and activists but for political means also. A number of left-wing activists and writers have highlighted what they see as a systematic campaign which accuses them of spreading atheism. They have attributed this to the Muslim Brotherhood seeking to undermine the leftist movement and to make people fearful of it. Left-wing activists have been called upon to repent to



God and integrate themselves into Muslim society, fatwas signed by a group of Mauritanian religious scholars have been issued accusing some activists of apostasy, and the Supreme Council for Fatwa and Grievances has issued a statement calling on activists on social media to “stop offending Islam and the Prophet and spreading atheism”.

There were calls for the left-affiliated Aqlam Horra (free pens) website to be shut down after it published an article, entitled “Religion, Religiousness and Masters,” (which was subsequently deleted and apologised for). A Mauritanian businessman had said he would pay just under \$14,00 to whoever killed the writer responsible for the article.

## Highlighted cases

In late December 2014, Mohamed Cheikh Ould Mkheitir was sentenced to death for “apostasy”. As a 28-year-old blogger, he had been arrested in January 2014, for allegedly publishing an article seen by some as insulting Muhammad and constituting an act of apostasy. His writing in fact sought to highlight the indentured servitude in Mauritanian society, often socially justified with reference to national cultural identity and in particular to Islamic tradition.

› [iheu.org/iheu-condemns-death-sentence-for-apostasy-handed-to-writer-in-mauritania/](http://iheu.org/iheu-condemns-death-sentence-for-apostasy-handed-to-writer-in-mauritania/)

Following Mkheitir’s initial arrest, there were a number of protests condemning his writing (though with a low level of internet penetration, and at around 50% one of the lowest remaining levels of literacy in the world, there is good reason to think that the content of his blogs was not really a direct motivator for many of the protesters). There were numerous calls, including by imams, scholars and professors, for his execution. One preacher, Abi Ould Ali, offered EUR 4,000 to anyone who killed Mkheitir. The Mauritanian government and opposition parties supported the protests. President Mohamed Ould Abdel Aziz said, “We will apply God’s law on whoever insults the prophet, and whoever publishes such an insult.”

After his death sentence was handed down in December 2014, there were again popular celebrations. Jemil Ould Mansour, leader of Mauritanian Islamist party Tawassoul, welcomed the conviction, saying that Mkheitir had got “the fate he deserves”.

› [bvoltaire.fr/philippe-franceschi/peut-sauver-mohamed-cheikh-ould-mkheitir,149711](http://bvoltaire.fr/philippe-franceschi/peut-sauver-mohamed-cheikh-ould-mkheitir,149711)

Ensaf Haidar, the wife of Saudi blogger Raif Badawi (see Saudi Arabia > Highlighted Cases), protested Mkheitir’s sentence in August 2015, writing: “Millions of people around the world rallied to the support of Raif Badawi; who will care for a poor young man in Mauritania? He will be executed for blasphemy – by those who insist that Isis does not represent Islam.”

› [independent.co.uk/voices/comment/millions-of-people-rallied-to-the-support-of-raif-badawi-who-will-care-for-a-poor-young-man-in-10466040.html](http://independent.co.uk/voices/comment/millions-of-people-rallied-to-the-support-of-raif-badawi-who-will-care-for-a-poor-young-man-in-10466040.html)

In early November 2017, Mkheitir’s sentence was reduced by an appeals court in Nouadhibou, down to two years imprisonment. Having already served four years he is due to be released. The re-sentencing was followed once again by riotous demonstrations calling for Mkheitir’s execution. The IHEU has called for his safety to be ensured.

› [washingtonpost.com/world/africa/mauritania-blogger-sentenced-to-death-is-released-on-appeal/2017/11/09/00573942-c565-11e7-9922-4151f5ca6168\\_story.html?utm\\_term=.5d2f6adbd727](http://washingtonpost.com/world/africa/mauritania-blogger-sentenced-to-death-is-released-on-appeal/2017/11/09/00573942-c565-11e7-9922-4151f5ca6168_story.html?utm_term=.5d2f6adbd727)  
› [aa.com.tr/en/africa/security-disperse-protests-in-mauritanian-capital/962148](http://aa.com.tr/en/africa/security-disperse-protests-in-mauritanian-capital/962148)  
› [iheu.org/mauritanian-blogger-accused-apostasy-released-immediate-safety-paramount/](http://iheu.org/mauritanian-blogger-accused-apostasy-released-immediate-safety-paramount/)

# Nigeria

Const/Govt	Edu/Child	Society/Comm	Expression

In Nigeria, approximately half of the population are Muslims, about 40 percent are Christians, and roughly 10 percent are of traditional indigenous religions or no religion. While the constitution guarantees religious freedom, the

state endorses numerous anti-secular and theocratic policies. The government and non-state militia such as Boko Haram constantly violate the rights to freedom of thought and expression.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
			'Apostasy' or conversion from a specific religion is outlawed and punishable by death  'Blasphemy' or criticism of religion is outlawed and punishable by death
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)  State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism  Systemic religious privilege results in significant social discrimination  Religious control over family law or legislation on moral matters  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
Preferential treatment is given to a religion or religion in general		Some religious courts rule in civil or family matters on a coercive or discriminatory basis  Discriminatory prominence is given to religious bodies, traditions or leaders	

## Constitution and government

The Nigerian Constitution protects freedom of religion and allows religious conversion. Section 10 of the constitution states, 'The Government of the Federation of a State shall not adopt any religion as State Religion.'

However, sections 275–279 of the Constitution give constituent states the power to establish their own Sharia courts on civil matters. Abiding by Sharia law is required for Muslims in some states but optional in others and enforcement differs by state. Rulings and procedures are

sometimes difficult to find. Christians are not obliged to abide by Sharia law in any of the 12 states.

Proselytizing in public is illegal in some states, on the grounds that it deters ethnic conflict. Religious groups are required to have permits to build places for worship and hold public gatherings. Christian and Islamic groups are required to register with the Corporate Affairs Commission (CAC) to do so. Religious discrimination is prohibited by law, but there are significant inter-religious social tensions.

## Education and children's rights

It is a requirement for all students in the public education system to receive instruction either about Christianity or Islam, though the constitution states that institutions cannot subject students to instruction in a religion other than that inherited from their family. In practice, Christian education classes are not offered in many Northern states and Muslim education classes are not always provided in Southern states.

The Constitution states:

*"Section 38:2 No person attending any place of education shall be required to receive religious instruction or to take part in, or attend any religious ceremony or observance if such instruction, ceremony or observance relates to a religion not approved by his parent or guardian."*

*"Section 38:3 No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination."*

› [nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#Chapter\\_4](http://nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm#Chapter_4)

According to the constitution students are not obliged to receive education of a religion that is not their own. However, Islamic or Christian religious education is mandatory in public school students in many regions in the country. State authorities sometimes claim that students are allowed to not attend religious instruction or to request a teacher to offer alternative instruction. However, there has been a lack of teachers in 'Christian Religious Knowledge' in many schools in the north, and there has been reports that Muslim students could not access 'Islamic Religious Knowledge' in public schools in Enugu and Edo States. There seems to be an underlying assumption that people in the country are either Christian or Muslim, and must receive religious instruction in one or the other religion.

› [ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c](http://ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c)

## Family, community and society

The introduction of criminal law aspects of Shari'a, the continued state use of resources to fund the mosque construction, education of Kadis (Muslim judges), pilgrimages to Mecca (Hajj), and religious instruction in schools, mean that Islam is often regarded, and is in effect, the de facto state religion of numerous northern states.

Some states had also used government funds to pay for Christian pilgrimages to Jerusalem. In general, states with a Christian or Muslim majority favour and give privileges to the majority faith, to the exclusion of religion or belief minorities.

## Sectarian divide

Muslims in some predominantly Christian states have complained about being denied permission to build mosques in predominantly Christian southern states. Christians in the predominantly Muslim northern states have claimed that local government officials used zoning laws to delay or prevent the establishment of new churches. Some have made claims that the enforcement of zoning laws was selective. Government officials have been commonly reported to have discriminated against people whose religious beliefs are different from their own, notably in hiring or contract awarding. Religious and ethnic discrimination also exist in private businesses' hiring practices and purchasing patterns.

The deep entanglement of religion and state perpetuates parallel legal systems for different religious and ethnic groups and Sharia judgments' arbitrary nature have raised questions concerning legislation. Whether politically, ethnically, and religiously fragmented Nigeria can survive official Sharia institutions' internal contradictions remains uncertain.

› [evangelicalfellowship.ca/page.aspx?pid=684](http://evangelicalfellowship.ca/page.aspx?pid=684)  
› [democracyweb.org/religion/nigeria.php](http://democracyweb.org/religion/nigeria.php)  
› [ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c](http://ncbuy.com/reference/country/humanrights.html?code=ni&sec=2c)

## Boko Haram

The country has been afflicted in recent years by the terrorism of Boko Haram, with abductions, massacres and bomb blasts in Abuja. The abduction of around 200 school girls early in 2014 by Boko Haram prompted the sharing of the #BringBackOurGirls hashtag around the world, but most abductees from Chibok and other towns remain lost. The government and armed forces were accused of hesitation, inaction and incompetence in addressing the terrorist threat; and deaths and kidnappings number in the thousands. Sectarian tension was on the rise in 2014 and attacks continued in 2015. Boko Haram caused more deaths in terror attacks in 2014 than ISIS. A more concerted military response in 2015 and 2016 appears to have diminished Boko Haram's strength.

## Freedom of expression, advocacy of humanist values

Nigeria has “one of the most vibrant and varied media landscapes in Africa” according to Freedom House, with press that are usually willing and able to criticise at least the most unpopular government policies, for example. However, there is sometimes interference by officials and regulators in response to critical coverage of sensitive policies such as corruption and national security.

› [freedomhouse.org/report/freedom-press/2016/nigeria](https://freedomhouse.org/report/freedom-press/2016/nigeria)

### **Religious intimidation, violence and impunity**

In January 2016, a Sharia court in Kano state (northern Nigeria) handed a death sentence for “blasphemy” to a Muslim cleric, Abdulazeez Dauda, an adherent of a local faction of the Tijaniya sect, founded in Senegal by Sheikh Ibrahim Niasse. In a secretive trial, Dauda was accused of saying that “Niasse was bigger than Prophet Muhammad”. Rumours of this “blasphemy” had earlier sparked violent protests in Kano city, and during the trial of Dauda’s followers there were clashes, and the court was set on fire. Dauda was sentenced to death in January; several of his followers had already been sentenced to death for the same “blasphemy” in 2015. The governor of Kano state welcomed the ruling as a “triumph of the rule of law”.

› [bbc.co.uk/news/world-africa-35241608](https://bbc.co.uk/news/world-africa-35241608)

› [globalvoices.org/2015/07/02/nigerians-are-shocked-by-the-kano-nine-death-sentence-for-blasphemy/](https://globalvoices.org/2015/07/02/nigerians-are-shocked-by-the-kano-nine-death-sentence-for-blasphemy/)

The same pattern of religious intimidation, violence, and impunity occurred again in 2016, on 2 June, with the murder of a female Christian market trader, again in Kano state. She was reportedly hacked to death by five Muslims who accused her of “blasphemy” against the prophet Mohammed. The Sharia court acquitted all five accused of the gruesome murder.

› [conatusnews.com/why-is-there-no-justice-for-victims-of-blasphemy-killings-in-nigeria-.html](https://conatusnews.com/why-is-there-no-justice-for-victims-of-blasphemy-killings-in-nigeria-.html)

## **Highlighted cases**

In June 2014, Mubarak Bala was assessed as needing psychiatric help because he was “an atheist”, and held against his will at a psychiatric ward in Kano, northern Nigeria. His father, formerly a senior member of the Islamic religious authorities, had orchestrated Mubarak’s detention, after Mubarak had refused to keep quiet about his atheistic views on religion. Mubarak was – with some violence – bundled off to the psychiatric hospital by members of his own family. Told that he could not leave the hospital, Mubarak raised the alarm by social media, on a mobile he had managed to smuggle and keep hidden from the staff. He tweeted about his circumstances to friends and followers. IHEU worked with online activists and local humanists to verify the case, instruct a lawyer, and propel Mubarak’s cries for help into international media. His case then received media attention locally. Bala was freed after nearly three weeks, due to a strike at the hospital. Mubarak said that the domestic and international pressure helped to convince his family that he must be free to be, and express

himself as, an atheist.

› [iheu.org/?s=mubarak+bala](https://iheu.org/?s=mubarak+bala)

› [bbc.co.uk/news/world-africa-28158813](https://bbc.co.uk/news/world-africa-28158813)

The Nigerian Humanist Movement has been denied registration as an organization for many years. Antagonists have linked the group to gay rights, presuming this to stand against its merits (and in reality it may well contribute to authorities’ refusal to progress a registration).

› [gamji.com/article9000/news9553.htm](https://gamji.com/article9000/news9553.htm)

› [dialogueseriesnew.blogspot.de/2011/10/usa-africa-dialogue-series-humanism-and.html](https://dialogueseriesnew.blogspot.de/2011/10/usa-africa-dialogue-series-humanism-and.html)

# Pakistan

Const/Govt	Edu/Child	Society/Comm	Expression

Pakistan is approximately 97% Muslim and the remaining 3% are Christian, Hindu, Buddhists or others. The country has suffered chronic sectarian violence against religious and non-religious minorities, with Shia Muslims subjected to the majority of the violence, and many extremely serious incidents against the Christian minority. For individual non-religious persons to speak out is uncommon, but those

revealed or alleged to be non-religious tend to provoke swift condemnation.

The legal environment in Pakistan is notably repressive; it has brutal blasphemy laws, systemic and legislative religious discrimination and often allows vigilante violence on religious grounds to occur with impunity.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
The non-religious are barred from holding government office	Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety	There is a pattern of impunity or collusion in violence by non-state actors against the nonreligious	'Blasphemy' or criticism of religion is outlawed and punishable by death
The non-religious are barred from some government offices (including posts reserved for particular religions or sects)  State legislation is partly derived from religious law or by religious authorities	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination  Prohibitive interreligious social control (including interreligious marriage bans)  Religious control over family law or legislation on moral matters  It is made difficult to register or operate an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization	Expression of core humanist principles on democracy, freedom or human rights is severely restricted
There is an established church or state religion  There is a religious tax or tithing which is compulsory, or which is state-administered and discriminates by precluding non-religious groups  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools  Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)		

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
			Some concerns about political or media freedoms, not specific to the non-religious

## Constitution and government

The constitution establishes Islam as the state religion. Despite the constitution's promise of adequate provisions for minorities to practice their religious beliefs freely, many of Pakistan's laws and policies restrict freedom of religion or belief. The Muslim majority is afforded more protections than the non-religious or minority religious groups. The relatively common sectarian and religiously motivated violence against minorities and individuals in Pakistan often goes unpunished.

### Islam and a confused legal system

Pakistan's penal code encompasses a number of Islamic legal provisions. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdictions that reflect differences in civil, criminal, and Islamic jurisprudence. For certain criminal convictions under the Hudood Ordinances, including those for rape, extramarital sex, alcohol, and gambling, the Sharia bench of the Supreme Court and the FSC serve as appellate courts. The FSC has the power to review, of its own accord, cases in lower courts that relate to Hudood laws and apply to Muslims and non-Muslims.

### Anti-secular government

Government funding is available for Islamic clergy and the building and maintenance of mosques. This funding comes from a 2.5% tithe the state levies on all Sunni Muslims. The funds are re-distributed amongst Sunni mosques, madrasahs, and charities. No other religious or non-religious groups are tithed.

It is a constitutional requirement that the president and prime minister be Muslim. All senior officials, including members of parliament, must swear an oath to protect the country's Islamic identity.

For lawmakers and others to critically discuss the Islamist nature of the law, such as suggesting reform of blasphemy laws (see below) or any broader secular reforms, exposes the critic to potential assassination.

› [aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me](http://aeon.co/essays/pakistan-s-political-islamists-tried-to-kill-me)

## Education and children's rights

In some places, schools, teachers and students – girls in particular – have frequently been subject to violence and terrorism by the Taliban and other extremist groups. Many children are unable to attend schools, many schools are

run down, and the madrasa, which in some areas provide the only available education, are notorious for teaching revisionist history and hatred of non-Islamic religions and people.

### Hate on the curriculum

In state-run schools, Islamic studies are compulsory for all Muslim students. Whilst non-Muslims are not required by law to take Islamic studies, and are offered ethical studies as an alternative in some schools, in practice no alternative to Islamic studies is usually available and by consequence many non-Muslims are required to take Islamic studies.

A report by International Crisis Group (ICG) in 2014 found that Pakistan's education system is in crisis. Among various problems including millions of children out of school, the report found that education tended to promote a nationalist worldview excluding minority views and beliefs, and that the madrasa sector flourishes, often as a direct response to poor state provision. Madrasa schools are only nominally regulated, and many of these seminary-type schools propagate "religious extremism and sectarian violence". The report found that: "the state will have to do far more than just increase the numbers of schools and teachers. Curriculum reform is essential and overdue. Provincial governments must ensure that textbooks and teachers no longer convey an intolerant religious discourse and a distorted narrative, based on hatred of imagined enemies, local and foreign."

› [crisisgroup.org/asia/south-asia/pakistan/education-reform-pakistan](http://crisisgroup.org/asia/south-asia/pakistan/education-reform-pakistan)

Both the National Commission for Justice and Peace, and the United States Commission on International Religious Freedom, have reported the existence of textbooks, educational content and teaching that sought to devalue religious minorities in "an alarming number of schools". In August 2013, the Khyber Pakhtunkhwa education minister said they would return Quranic passages about jihad to the curriculum.

› [uscirf.gov/sites/default/files/Pakistan%202014.pdf](http://uscirf.gov/sites/default/files/Pakistan%202014.pdf)

### Forced "conversions"

Forced "conversion" to Islam is a serious problem faced by some minorities in the country, usually targeting young women and girls as a way of forcibly marrying them into Muslim families.

› [bbc.co.uk/news/world-asia-29008267](http://bbc.co.uk/news/world-asia-29008267)

On 24 November 2016, the Sindh province assembly enacted the Sindh Criminal Law (Protection of Minorities) Bill, 2015, proposed by a Hindu minority MP, Mr Nand



Kumar Goklani, in 2015. This is Pakistan's first law criminalizing forced conversion, under which perpetrators face a prison term of up to five years.

› [pakistanchristianpost.com/detail.php?hnewsid=6198](http://pakistanchristianpost.com/detail.php?hnewsid=6198)

## Family, community and society

### No such thing as “No Religion” in personal identity or family life

The government designates religious affiliation on identity documents such as passports and in national identity card applications. Applicants must state their religion when applying for a passport. “No Religion” is not accepted as an answer.

Neither civil nor common law marriage are recognised in Pakistan, and religion predominates over family life and law in a variety of extremely prejudicial ways, including:

Marriages are registered according to one's religious identity (although there is no legal recognition of the non-religious, and no mechanism for the government to register marriages of e.g. Hindus and Sikhs).

The marriages of non-Muslim men remain legal upon conversion to Islam. However, if a non-Muslim woman converts to Islam and her marriage was performed according to her previous religious beliefs, the marriage is considered dissolved.

Children born to non-Muslim women who convert to Islam after marriage are considered illegitimate.

The children of a Muslim man and a Muslim woman who both convert from Islam are considered illegitimate, and the government has the power to take custody of them.

## Freedom of expression, advocacy of humanist values

The right to freedom of expression, including media freedom, is frequently violated in Pakistan.

### Establishing “blasphemy” laws

Chapter XV of Pakistan's Penal Code contains a number of sections that institute blasphemy and religious defamation laws: 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 defaming of the Quran; Article 295-C bans the use of insulting remarks about the Prophet; Article 298 prohibits people from saying anything that had the deliberate intent to wound religious feelings; and article 298-B punishes any misuse of epithets, descriptions, or titles reserved for certain holy personages or places.

The blasphemy laws are further bolstered by the Anti-

Terrorism Act, which states that any action, including speech, intended to incite religious hatred is punishable by up to seven years' imprisonment. Whilst applicable nationwide, the country's blasphemy laws are used predominantly in the Punjab province.

Blasphemy laws carry the death penalty or life in prison, and tend to target non-believers, religious minorities and dissenting Muslims. Though there has been an effective moratorium on carrying out the death sentence in recent years, dozens of people at least remain on death row, and furthermore those accused of blasphemy are often murdered before or after any trial takes place (see below).

Notably, for a charge of blasphemy to be made in Pakistan an allegation is all that is required – and it may be highly subjective, since the law does not provide clear guidance on what constitutes a violation. Proof of intent or evidence against the alleged is not necessary and there are no penalties for making false allegations.

### The real victims of “blasphemy” laws: those who are accused

Most blasphemy cases are either brought by those wishing to undermine minority groups or by those wishing to eliminate individuals against whom they have a grudge. The mere accusation of blasphemy against someone can result in the accused's life being endangered.

Mullahs will often come to court to intimidate the judiciary, and obtaining a lawyer to ensure a fair trial is often impossible.

Those accused of blasphemy, and who have been acquitted by the courts, often either flee Pakistan or are assassinated on their release from jail. Clerics and radicals have been found to have brought forward cases of blasphemy after fabricating evidence.

Prosecuting those who commit murder in the name winning retribution against ‘blasphemers’ is also problematized by Islamists and others who intimidate or threaten prosecutors. In 2017 the lead prosecutor of the killers of Mashal Khan (see Highlighted Cases below) was forced to quit reportedly under extreme pressure from the families of the accused.

› [dawn.com/news/1366186](http://dawn.com/news/1366186)

Blasphemy laws are also used specifically against the minority Ahmadi community. Pakistan's Penal Code 298 contains anti-Ahmadiyya blasphemy legislation. Whilst Ahmadis have the Quran as their holy book, they can be punished with up to three years in prison by just referring to their faith as Islam. At the end of 2013, a 72-year-old doctor and member of the Ahmadiyya community, Masood Ahmad, was imprisoned for ‘posing as a Muslim’ and heresy after being secretly filmed reading from the Koran at his surgery. In May 2014, A Pakistani mob killed an Ahmadi woman member two of her granddaughters after an Ahmadi was

accused of posting blasphemous material on Facebook.

According to the National Commission for Justice and Peace, the authorities prosecuted a total of 1,170 blasphemy cases between 1987 and 2012, with scores of new cases being brought every year.

### **“Blasphemy” law: some individual victims**

Perhaps the most famous cases of those killed extrajudicially are Salman Taseer and Shahbaz Bhatti. The then-governor of Punjab state, Salman Taseer, was gunned down by his own bodyguard, Mumtaz Qadri, in broad daylight at Islamabad’s Kohsar Market on 4 January 4 2011. Qadri said he killed Taseer over what he called the politician’s vocal opposition to blasphemy laws of the country. Two weeks after Taseer was killed, the only Christian minister in the federal cabinet, Shahbaz Bhatti, was gunned down in Islamabad. He too was a critic of the blasphemy laws.

The politicians are only the most high profile of numerous other cases in which individuals are either locked up for many years awaiting various long-drawn out stages of the trial process, or are hurt or killed extrajudicially. The victims frequently include children, minorities, and other vulnerable people.

In June, 2017 Taimoor Raza was accused of making a post that made “derogatory” remarks about the Prophet Mohammad and his family in a way that was interpreted as “sectarian”. According to reports, he was initially arrested after allegedly playing “blasphemous” material on his phone at a bus stop in Bahawalpur. The counter terrorism board found him guilty and has sentenced him to death. Taimoor Raza’s attorney complains that his client is sentenced under two irrelevant and contradictory articles. Rana Amjad Sattar, chief executive of the Humanist Society Pakistan (an IHEU Member Organization), said: “‘Blasphemy’ is just a powerful religious taboo and no government should be enforcing this taboo, still less punishing so-called ‘blasphemers’ with imprisonment or death! Taimoor Raza must be released.”

› [iheu.org/anti-terrorism-court-hands-death-sentence-blasphemous-facebook-post/](http://iheu.org/anti-terrorism-court-hands-death-sentence-blasphemous-facebook-post/)

Human rights activists and politicians in Pakistan banded together to successfully secure the release of a jailed 9-year-old Christian boy and his mother, who could have faced the death penalty after they were accused of burning the Quran. According to the London-based charity British Pakistani Christian Association, 9-year-old Izhan was at school in the town of Quetta on 20 October when he was accused of burning a copy of Islam’s holy book.

› [christianpost.com/news/9-year-old-christian-boy-accused-burning-quran-tortured-four-days-police-finally-released-from-jail-171150/](http://christianpost.com/news/9-year-old-christian-boy-accused-burning-quran-tortured-four-days-police-finally-released-from-jail-171150/)

In September 2016, Nabeel Chohan, a 16-year-old Christian boy in Pakistan ‘Liked’ an “inappropriate” photograph

on Facebook of the Kaaba in Mecca, one of the holiest sites in Islam. He was arrested on blasphemy charges and is awaiting trial. A police official, told the AFP news agency the informant had lodged a complaint over “hurting religious sentiments of Muslims and desecrating the religious place”.

› [al-monitor.com/pulse/afp/2016/09/pakistan-religion-blasphemy.html](http://al-monitor.com/pulse/afp/2016/09/pakistan-religion-blasphemy.html)

In July 2016 a Hindu named Amar Lal was arrested on “blasphemy” charges, accused of “desecrating” the Quran. Police claims Amar is suffering from psychotic disorder.

› [christiansinpakistan.com/ghotki-a-hindu-booked-over-blasphemy-accusations-local-hindu-community-fearful-of-reprisal/](http://christiansinpakistan.com/ghotki-a-hindu-booked-over-blasphemy-accusations-local-hindu-community-fearful-of-reprisal/)

On 12 July 2016, police said they were searching for a Christian man, Nadeem Masihm, facing blasphemy charges after a Muslim friend accused him of insulting Islam in a poem. Masihm is alleged to have sent his friend the controversial poem on WhatsApp. The incident occurred in the town of Sara-e-Alamghir in Punjab province. Police said they were having to guard a local church to avoid any violence following the incident.

› [ndtv.com/world-news/pakistani-police-on-the-hunt-for-christian-charged-over-poem-1430510](http://ndtv.com/world-news/pakistani-police-on-the-hunt-for-christian-charged-over-poem-1430510)

On 3 June 2016, it was reported that Pakistan’s national TV regulator banned two TV hosts after a discussion about blasphemy and the status of a religious minority sparked controversy. The Pakistan Electronic Media Regulatory Authority said it banned Hamza Ali Abbasi, one of the country’s biggest TV stars, and Shabbir Abu Talib from hosting their Ramadan-themed shows after receiving over a thousand complaints. Mr. Abbasi asked Islamic scholars during the broadcast on the channel Aaj TV if the state had the right to declare a group of people infidels or non-Muslims. He referred specifically to the Ahmadiyya Muslim community, widely regarded as blasphemers and as non-Muslims.

› [blogs.wsj.com/indiarealtime/2016/06/21/pakistan-tv-hosts-banned-after-blasphemy-discussion/](http://blogs.wsj.com/indiarealtime/2016/06/21/pakistan-tv-hosts-banned-after-blasphemy-discussion/)

In January 2016, a 15-year-old boy, Mohammad Anwar, cut off his own hand after being told he was a blasphemer by a local cleric. The boy had raised his hand when the imam asked if anyone did not believe in the prophet, which reportedly the boy misheard. The imam accused him of “blasphemy” in front of the whole congregation, to which the boy responded by going home and cutting off his own hand, before delivering it to the imam on a plate, presumably as a sign of his own contrition for the “blasphemy”. The boy’s self-mutilation was welcomed locally and praised by his own parents.

› [independent.co.uk/news/world/asia/pakistani-teenage-boy-cuts-off-own-hand-after-imam-accused-him-of-blasphemy-a6820846.html](http://independent.co.uk/news/world/asia/pakistani-teenage-boy-cuts-off-own-hand-after-imam-accused-him-of-blasphemy-a6820846.html)

Shafqat Emmanuel and Shagufta Kausar, from Gojra,

Pakistan, were found guilty in January 2016 of allegedly sending a text message which ‘blasphemed’ against the Prophet Mohammed to their local imam, in 2013. The Christian couple sentenced to death over the ‘blasphemous’ texts, despite being illiterate. Their lawyer said the imam was motivated by a personal grudge, and that the SIM card presented in court was bogus. The couple claim they were tortured into confessing to the crime.

› [telegraph.co.uk/news/worldnews/asia/pakistan/10751110/Christians-in-Pakistan-sentenced-to-death-over-a-text.html](http://telegraph.co.uk/news/worldnews/asia/pakistan/10751110/Christians-in-Pakistan-sentenced-to-death-over-a-text.html)

In November 2014 a married Christian couple, Sajjad Maseeh (or Shehzad Maish), 27, and Shama Bibi (or Samah), 24, who was pregnant, were attacked by a mob of around 1,200 people after rumors that they had burned verses from the Quran. After their legs were broken to prevent them running, they were set alight and thrown in a kiln. As is often the case, the origin of the rumours have subsequently been linked to an interpersonal conflict, in this case, “revenge for unpaid bills”. The viscerally shocking nature of this case has reverberated through the ‘blasphemy’ law debate in Pakistan, prompting more than usual pressure on police to convict members of the mob who killed them. In November 2016 five of the killers were sentenced to death. An editorial in The Nation broadly welcomed the death sentences for the killers, adding: “Avenging Samah and Shehzad Maish isn’t enough, we must prevent future deaths. The root cause of the problem, the blasphemy laws, are still in place in their nefarious form, as is a politico-religious complex designed to protect them.”

› [christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html](http://christianitytoday.com/gleanings/2014/november/into-fiery-furnace-christians-pakistan-burned-blasphemy.html)  
› [nation.com.pk/editorials/25-Nov-2016/a-measure-of-atonement](http://nation.com.pk/editorials/25-Nov-2016/a-measure-of-atonement)

In March 2014, a Christian man from Lahore, Sawan Masih, was convicted of making derogatory remarks against the Prophet Muhammad in a row with a Muslim friend. After the allegations surfaced, hundreds of Muslims attacked the Lahore’s Christian Joseph colony, torching homes. His trial was held in jail due to fears for his safety. Masih was sentenced to death. He argues that the real reason for the blasphemy allegation was a property dispute between him and his friend.

In 2013, a girl from a Christian family, Rimsha Masih, spent several weeks in an adult jail (her family said she was 11 years old) after being accused of ‘blasphemy’ by a local Muslim cleric. Following significant national condemnation by Pakistan’s standards, and international concern, the charges were dropped. Rimsha and members of her family were eventually given refuge in Canada. The cleric, Hafiz Mohammed Khalid Chishti, who had first given police the burned papers as evidence against her, was arrested 1 September 2013, accused by members of his own congregation of desecrating these pages of the Quran himself in order to provoke violence against the local Christian population, a motivation which was in line with

some of his previous rhetoric. However, the charges against Khalid Chishti were dropped when witnesses withdrew their accusations against him.

› [telegraph.co.uk/news/worldnews/asia/pakistan/9530596/Rimsha-Masih-Christian-girl-arrested-for-blasphemy-released-from-Pakistan-prison.html](http://telegraph.co.uk/news/worldnews/asia/pakistan/9530596/Rimsha-Masih-Christian-girl-arrested-for-blasphemy-released-from-Pakistan-prison.html)  
› [theguardian.com/world/2013/jul/01/pakistan-girl-accused-blasphemy-canada](http://theguardian.com/world/2013/jul/01/pakistan-girl-accused-blasphemy-canada)  
› [bbc.co.uk/news/world-asia-23739778](http://bbc.co.uk/news/world-asia-23739778)

Muhammad Asghar, a British businessman who returned to live in Pakistan in 2010 was arrested for blasphemy and sentenced to death after he wrote letters claiming he was a prophet. Asghar has a history of mental illness, including a diagnosis of paranoid schizophrenia. In September 2014, he was shot in the back by a prison guard. There are fears for his personal safety in prison.

### “Blasphemy” online

From 2010 onward, the government has been aggressive in its blocking of online “blasphemous” content. For example, perceived blasphemous content on Youtube is blocked by the Pakistani government, and the social-networking site Twitter has also been subject to blocking, as well as complicit in the censoring of material on its platform. In May 2012, Twitter was blocked briefly, and again in September that year. In May 2014, the Pakistan Telecommunication Authority requested the removal of some material, much of which mocked Islam and other religions, claiming that it was “blasphemous,” “unethical” and violated Pakistan’s Penal Code. Twitter used its Country Withheld Content tool, which blocks content in a particular nation, to comply and block several dozen Twitter accounts. After international protest, including by the IHEU, in June Twitter restored access to tweets and the accounts it had blocked.

› [iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/](http://iheu.org/twittertheocracy-campaign-after-social-network-blocks-blasphemy-in-pakistan/)

### Signs of change... and fading hope

In the past several years there have been a few preliminary efforts by responsible parties to reign in the malign influence of ‘blasphemy’ laws in Pakistan. However, such efforts have often been countered by Islamist voices and by pressure in the opposite direction.

In September 2013, the Council of Islamic Ideology recommended against amending the blasphemy laws to add procedural safeguards, noting situations of misuse or fraud could be penalized through other sections of the Penal Code. In December, the Federal Shariat Court (FSC) stated that the death penalty is the sole appropriate punishment for blasphemy and recommended the removal of life imprisonment as an option when sentencing. The government considered this recommendation, but those found guilty of ‘blasphemy’ seem to enter a permanent holding situation on death row, under a de facto moratorium.

In a rare call for reform by senior authorities, in November 2014 the Lahore High Court released comments on the Asia Bibi case, saying that in their judgement on the case (16th October) they had had no choice but to uphold the earlier death sentence, but called on the government to change the law to implement higher standards of evidence in such cases.

› [worldwatchmonitor.org/2014/11/article\\_3483230.html/](http://worldwatchmonitor.org/2014/11/article_3483230.html/)

In addition a spate of high-profile blasphemy prosecutions (including Asia Bibi and Muhammad Asghar) as well as extrajudicial killings (including Sajjad Maseeh and Shama Bibi) in the second half of 2014, may have spurred some clerics and political leaders to relatively outspoken criticism of the “misuse” of such laws.

› [samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse](http://samaa.tv/pakistan/22-Nov-2014/asma-hopes-fall-in-blasphemy-laws-abuse)

In 2015 some “blasphemy” accused were granted pre-trial bail, and there was political discussion of reviewing the sentences of some long-standing “blasphemy” cases, with individuals in prison facing years-long waits for hearings.

In October 2015, the Supreme Court told the killer of Salman Taseer, his own security guard Mumtaz Qadri, that it was not a legitimate defence of murder that he was enforcing the Islamic norm against “blasphemy” by carrying out the assassination, and that criticising “blasphemy” laws could not itself be construed as “blasphemy”. While a previous judgement had overturned Mumtaz Qadri’s death sentence, the Supreme Court restored the conviction for terrorism on 7 October 2015. The IHEU commented that when the death sentence had earlier been quashed, “We were therefore able to give a qualified welcome for what was a “muddled, but realistic best imitation of justice” available. Today, however, the Supreme Court has upheld the earlier terrorism conviction and thus restored the death sentence. As we said in March [2015], not only are we against capital punishment on principle, the risk here is also that this killer — already regarded as a hero by anti-“blasphemy” zealots — will be elevated to full martyr status.” When Mumtaz Qadri was hanged to death on 29 February 2016 the execution sparked street protests and the police were put on high alert; media was instructed not to dwell on the hanging, presumably for fear of fueling disorder among those who regard Mumtaz Qadri as a hero.

› [iheu.org/statement-on-terrorism-conviction-against-mumtaz-qadri/](http://iheu.org/statement-on-terrorism-conviction-against-mumtaz-qadri/)

› [dawn.com/news/1242637](http://dawn.com/news/1242637)

› [theguardian.com/world/2016/feb/29/pakistan-hangs-mumtaz-qadri-who-killed-blasphemy-law-governor](http://theguardian.com/world/2016/feb/29/pakistan-hangs-mumtaz-qadri-who-killed-blasphemy-law-governor)

In September 2016, all 46 people accused of attacking a church and the house of Christians in a neighborhood near Lahore’s Sanda police station were cleared. Reports suggest that the mob had attacked the Christian neighborhood after accusing one of the residents of blasphemy. The judge said that as well as police procedural failings, members of the Christian community had not come to court to complain; but

advocate Nadim Anthony, a council member of the Human Rights Commission of Pakistan, said: “How a Christian can appear before Court when he has no protection? Christians and Ahmadis are the most vulnerable segments in our society and avoid recording statements against Muslims because they fear backlash.”

› [deccanchronicle.com/world/neighbours/030916/pakistan-court-clears-all-accused-in-church-attack-case.html](http://deccanchronicle.com/world/neighbours/030916/pakistan-court-clears-all-accused-in-church-attack-case.html)

In 2017, the High court in Islamabad asked the Pakistani government to make changes to the laws in order to prevent people from being falsely accused of blasphemy. The judicial request, while not demanding a repeal of the law, asked for the same punishment for those who falsely allege blasphemy as for those who commit the crime. Currently, the false accuser faces imprisonment of up to between two years and life, although such a sentence is rare. This request however has mostly been ignored by Parliament and after a number of similar unsuccessful attempts, there is little optimism for this latest recommendation.

› [aljazeera.com/indepth/features/2017/08/pakistan-court-seeks-amend-blasphemy-law-170814120428595.html](http://aljazeera.com/indepth/features/2017/08/pakistan-court-seeks-amend-blasphemy-law-170814120428595.html)

In 2017 a proposal to allow Ahmadiyya to vote without having to declare themselves “non-Muslims” was quickly withdrawn after Islamists vociferously objected. Despite the withdrawal of the plan Tehreek-e-Labaik Pakistan (TLP) (an Islamist political party strongly supportive of the “blasphemy” laws and which appears to be gaining strength following the execution of Mumtaz Qadri) staged a disruptive protest and forced the government to back down. Not only was the proposal to extend Ahmaddiya voting rights withdrawn, but several wider concessions were made by the government as well. These concessions include a national council to counter any “deviant teaching” that Mohammad was not the final prophet and an investigation into whether there was a “conspiracy” to extend voting rights of Ahmadiyya. The agreement makes the continue imprisoned in Pakistan of Christian “blasphemer” Asia Bibi a pivotal issue, with new guarantees that she will not be sent abroad.

› [ucanews.com/news/hopes-for-blasphemy-reforms-fade-as-radicals-gain-ground-in-pakistan/80850](http://ucanews.com/news/hopes-for-blasphemy-reforms-fade-as-radicals-gain-ground-in-pakistan/80850)

### 2017 crackdown on “blasphemy” and “atheists”

“Blasphemy” accusations in Pakistan are almost always linked to violence and injustice. In 2017 in particular, there were a series of “blasphemy” related incidents that include: enforced disappearances in January, a crackdown on social media including the arrest of several users and the blocking of various websites through the first few months of the year, and the murder of university student Mashal Khan in April (see Highlighted Cases below). On the murder of Mashal Khan, a spokesperson for Atheist and Agnostic Alliance Pakistan (an IHEU Member Organization) said:

*“...in a country like Pakistan, when the police stand by as mobs of students who are supposed to be interested in*



*'higher learning' commit this atrocity, it is lawless... There will be no justice while 'blasphemy' is a crime and people feel they can get away with murder.'*

› [ihcu.org/humanist-murdered-fellow-university-students-alleged-blasphemy/](http://ihcu.org/humanist-murdered-fellow-university-students-alleged-blasphemy/)

Two men accused of “atheism” were arrested in March: Abdul Waheed (who has been linked to the pen name Ayaz Nizami) and blogger Rana Noman. The exact accusations remain unclear, but comments by officials and the public suggest that both will be tried as “blasphemy” cases and that they also therefore face possible death sentences.

### Apostasy

Pakistan has no specific statutory law that criminalizes apostasy. A 2007 proposed parliamentary bill, which sought to punish male apostates with the death penalty and female apostates with life imprisonment, failed to pass. Nevertheless, some have suggested that the principle that “a lacuna in the statute law was to be filled with reference to Islamic law” could potentially apply to the crime of apostasy.

› [loc.gov/law/help/apostasy/index.php#pakistan](http://loc.gov/law/help/apostasy/index.php#pakistan)

### Freedom of the press

Despite all the restrictions on free expression, Pakistan's media is diverse and varied. This notwithstanding, blasphemy laws and other laws are used by the state to justify censorship. Pakistan is also one of the world's most dangerous places for journalists. They are targeted by non-state actors such as terrorists and criminals, as well as by political, military, and intelligence operatives. In 2016, the International Federation of Journalists reports in 2016 that 102 journalists have been killed in the country since 2005. Impunity in cases concerning murdered journalists remains the norm.

› [ifj.org/campaigns/end-impunity-2016/end-impunity-2016-pakistan/](http://ifj.org/campaigns/end-impunity-2016/end-impunity-2016-pakistan/)

### Highlighted cases

Mashal Khan, a student who referred to himself as a ‘humanist’ on his Facebook page, was murdered by his fellow university students for alleged blasphemy. According to Pakistani media, a large group of students were involved in the attack that occurred on the 13 April 2017 after Khan was accused of posting “blasphemous” content online. Khan had called himself “The Humanist” on his Facebook page. Khan appears to have posted routinely against discrimination and in favour of human dignity. Khan was reportedly shot in the head and then beaten with sticks. Video footage circulated on social media showed his lifeless body being attacked. Police were reportedly present during the attack but claimed they were unable to intervene due to the large number of attackers present. The official police report into Mashal's death says there is no evidence supporting any blasphemy allegation. 53 suspects went on trial in 2017. Mashal Khan's father, Iqbal Khan, is reported

to have said he rejected any attempt at “reconciliation” by the families of those who killed his son, saying “If someone wants it [reconciliation] then he should watch the videos of the brutal killing of my son.”

› [tribune.com.pk/story/1382848/journalism-student-killed-mardan-university-alleged-blasphemy/](http://tribune.com.pk/story/1382848/journalism-student-killed-mardan-university-alleged-blasphemy/)

› [samaa.tv/pakistan/2017/09/iqbal-khan-rules-reconciliation-mashal-khans-killers/](http://samaa.tv/pakistan/2017/09/iqbal-khan-rules-reconciliation-mashal-khans-killers/)

In January 2017, several bloggers and activists accused of atheism or blasphemy were forcibly disappeared apparently by state security services. When they were released, some reported having been tortured in detention. As part of the same ‘crackdown’, in March 2017 Abdul Waheed was accused of being behind the pen name “Ayaz Nizami”, and another blogger Rana Noman were arrested and accused of publishing “blasphemy” online. While there were protests to release the ‘disappeared’ activists and bloggers, many others protested against them. Abdul Waheed's arrest in March was greeted by the trending hashtag “#HangAyazNizami” on social media.

› [ihcu.org/pakistan-harassing-persecuting-non-religious-guise-blasphemy/](http://ihcu.org/pakistan-harassing-persecuting-non-religious-guise-blasphemy/)

› [ex-muslim.org.uk/2017/03/details-on-the-cases-of-ayaz-nizami-and-rana-noman/](http://ex-muslim.org.uk/2017/03/details-on-the-cases-of-ayaz-nizami-and-rana-noman/)

› [nation.com.pk/24-Mar-2017/blasphemy-crackdown-fia-arrests-2-suspects-from-karachi](http://nation.com.pk/24-Mar-2017/blasphemy-crackdown-fia-arrests-2-suspects-from-karachi)

In October 2016, police reportedly registered a case under Section 295-A PPC against a man named only as Aslam alias Saeen Achhu. Aslam is accused of denying “Allah, all the prophets including Holy Prophet Hazrat Muhammad (PBUH), all the holy books, angels and the prayers, fast, Zakat and Haj.” A petitioner is cited as providing recordings of “blasphemous” conversation with Aslam. (As of November 2016 there is very limited information available on this case.)

› [nation.com.pk/national/15-Oct-2016/gcci-scci-stress-joint-efforts-to-boost-exports](http://nation.com.pk/national/15-Oct-2016/gcci-scci-stress-joint-efforts-to-boost-exports)

Fauzia Ilyas is the founder of the Atheist & Agnostic Alliance Pakistan (AAP), which claims over 3,000 supporters. With strict “blasphemy” and apostasy laws, the very existence of the AAP appears to have been taken as prima facie evidence of a crime. Custody of Fauzia's daughter was granted to her ex-husband, a devout Muslim, apparently on the basis of Fauzia having left Islam. In 2015 a Lahore court initiated criminal proceedings against Fauzia and issued an arrest warrant. Fauzia has fled to Netherlands where she is currently seeking asylum, along with her colleague and current husband, A. Gilani, a spokesperson for AAP.

In 2013, Junaid Hafeez, a visiting lecturer of English in Bahauddin Zakaria University (in Multan, the Punjab province), was arrested and jailed on blasphemy charges after a student affiliated with Islami Jamiat Talaba, accused Hafeez of insulting the Prophet Muhammad on Facebook. There was no evidence for this allegation. Hafeez remains in jail.

Rashid Rehman, a lawyer who agreed to defend Junaid Hafeez, has since been murdered. Rehman was special coordinator for the Human Rights Commission of Pakistan in Multan. The Hafeez trial had been conducted in jail because of the threat to his life, and Rehman himself received death threats for representing Hafeez and he reported them to the Multan Bar Association, however no measures were taken to provide him with security. His colleagues at the human rights commission also urged the government to provide him with security. In May 2014, two men walked into Rehman's offices and shot him dead. They have not been caught and activists complain of the government seeking to bury the case.



# Saudi Arabia

Const/Govt	Edu/Child	Society/Comm	Expression

The Kingdom of Saudi Arabia is an Islamic state governed by an absolute monarchy in tandem with a powerful religious elite. Since 2014 Saudi law defines “the promotion of atheism” as an act of “terrorism”. Accusations of apostasy or promoting atheism have been made in recent years, with individuals facing possible death sentences and serving long jail terms.

The Saudi government has claimed to be making improvements in terms of respecting civil liberties and human rights; however most improvements have been

minimal, and a highly restrictive regime persists. In 2017 the Crown Prince pledged reforms including to lift the ban on women driving, however many human rights campaigners and prisoners of conscience remain behind bars. Most forms of public religious expression must be consistent with the government’s particular brand of Sunni Islam.

Saudi Arabia is a member of the League of Arab States (LAS), the Organization of Islamic Cooperation (OIC), and the Gulf Cooperation Council (GCC).

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p>State legislation is largely or entirely derived from religious law or by religious authorities</p> <p>Quasi-divine veneration of a ruling elite is enforced, subject to severe punishment</p>	<p>Religious indoctrination is utterly pervasive in schools</p> <p>Religious instruction in a significant number of schools is of a coercive fundamentalist or extremist variety</p>	<p>Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious</p> <p>It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities</p>	<p>Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed</p> <p>‘Apostasy’ or conversion from a specific religion is outlawed and punishable by death</p> <p>‘Blasphemy’ or criticism of religion is outlawed and punishable by death</p> <p>It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed</p> <p>It is illegal or unrecognised to identify as an atheist or as non-religious</p>
<p>The non-religious are barred from some government offices (including posts reserved for particular religions or sects)</p>	<p>Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative</p>	<p>Systemic religious privilege results in significant social discrimination</p> <p>Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views</p> <p>Prohibitive interreligious social control (including interreligious marriage bans)</p>	

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
There is an established church or state religion		Religious control over family law or legislation on moral matters	
State-funding of religious institutions or salaries, or discriminatory tax exemptions			

## Constitution and government

The monarchy of the house of Al Saud holds supreme political authority, existing by formal arrangement in tandem with a highly influential clerical bloc (the Ulema) lead by the house of Al ash-Sheikh.

This monarchical-religious symbiosis was forged under an oath sworn by both families dating back to 1744, to this day considered the founding basis of the “pact” between both houses. The pact commits the house of Al Saud to “perform jihad against the unbelievers”, while “in return”, Muhammad ibn Abd al-Wahhab (the founder of Wahhabism) would be “leader in religious matters” in perpetuity.

› [goo.gl/UF0liF](http://goo.gl/UF0liF) [A History of Saudi Arabia, Madawi al-Rasheed]

There is no freedom of religion or belief in Saudi Arabia. Wahhabism – commonly described as an “ultra conservative” or “fundamentalist” branch of Sunni Islam – is functionally recognized as the state religion. According to Article 1 of the Basic Law of Saudi Arabia (its equivalent to a constitution), “The Kingdom of Saudi Arabia is a sovereign Arab Islamic state with Islam as its religion; God’s Book and the Sunnah of His Prophet (God’s prayers and peace be upon him) are its constitution.”

The country’s laws are based on Sharia law.

### Human rights violations

With a population of 29 million, the Kingdom is one of 12 countries given “the worst-possible rating of 7 for both political rights and civil liberties” by Freedom House (2015).

› [freedomhouse.org/report/freedom-world/2015/saudi-arabia](http://freedomhouse.org/report/freedom-world/2015/saudi-arabia)

Saudi Arabia is routinely and severely criticised by many human rights organizations internationally, including for the poor treatment of migrant workers, massive religious and political suppression of freedom of thought, expression, and association, and especially women’s rights (including a ban on women driving and a semi-formalized “guardianship” system which robs women of privacy and freedom of movement), as well as maintaining an unfair and unpredictable justice system that is often utilized to

punitively suppress human rights advocacy and to crush any sign of political dissent.

In a government reshuffle under new King Salman in 2015, the head of the Mutaween (religious police), Sheikh Abdul Latif al-Sheikh, considered to be somewhat sympathetic to women’s rights, was replaced by Abdulrahman al-Sanad, who was previously sacked by King Abdullah on grounds of his criticism of intermingling young men and women in co-ed universities. King Salman also appointed as his personal adviser the controversial cleric Saad al-Shethri, known as a hardliner against Christians, Jews, and Shiites. The female Deputy Minister for Education was also removed (see “Education and children’s rights”, below) with no new women being appointed. These moves were widely seen as entrenching or setting back the reform agenda.

› [middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866](http://middleeasteye.net/news/new-saudi-king-orders-cabinet-reshuffle-280880866)

› [ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls\\_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html](http://ansamed.info/ansamed/en/news/sections/politics/2015/03/03/saudi-arabia-education-minister-says-no-to-sports-for-girls_1dcbf24c-8f27-4270-9e8f-01c56c158cae.html)

Since then, Crown Prince Mohammad bin Salman, designated in June 2017 as the successor to King Salman, has apparently orchestrated a series of arrests in what has been described by the House of Saud as an anti-corruption purge, though many commentators regard it as a crackdown on the Crown Prince’s likely opponents and detractors. In 2017 the Crown Prince pledged some liberalizing reforms, including an end to the ban on women driving, though they will take some time to implement. It remains unclear how deep or serious the push for reform is and whether it heralds an approach more accepting of human rights.

### Geopolitical power

Despite its severe deficit on civil liberties and human rights, Saudi Arabia nevertheless retains a high Human Development Index, largely thanks to its massive oil export industry, and a sizeable population of expatriate workers. The population includes 2.5 million Bangladeshis who migrated in the main after the war for independence, in which Saudi provided significant support against the Bengali nationalist call for independence.

Saudi Arabia has lukewarm, rocky or outright hostile relations with a number of other Middle Eastern countries, in particular Iran.

Outside the region, its close political allies and major trading partners (often themselves highly dependent on Saudi oil exports) include: China, India, Indonesia, Japan, Pakistan, Singapore, South Korea (with Asia importing 66% of total Saudi oil exports); Canada and the United States (with North America importing 17% of total Saudi oil exports); Belgium, France, Italy, Netherlands, Spain, and United Kingdom (with Europe importing 12% of total Saudi oil exports) (as of 2013 figures).

› [atlas.media.mit.edu/en/profile/country/sau/](http://atlas.media.mit.edu/en/profile/country/sau/)

Early in 2015 the Kingdom of Saudi Arabia along with the GCC countries (except Oman) went to war in Yemen. The air campaign has been widely accused of indiscriminate bombing with significant civilian casualties. In September 2015, the Saudi coalition struck a wedding party killing 135 people and many more incidents of bombing in densely populated areas causing numerous casualties are widely regarded as probable war crimes.

› [aljazeera.com/news/2015/10/yemen-151007015252750.html](http://aljazeera.com/news/2015/10/yemen-151007015252750.html)

› [foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/](http://foreignpolicy.com/2015/10/15/u-s-support-for-saudi-strikes-in-yemen-raises-war-crime-concerns/)

The Saudi coalition is accused of obstructing humanitarian aid, blocking supplies coming in from the Persian Gulf and creating famine and disease. Amnesty International testifies to the use of cluster bombs. The conflict falls along sectarian lines, testing the regional balance of power between Sunnis and Shiites.

› [amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/](http://amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/)

## Education and children's rights

The problem of propagation of religious hatred in the classroom remains significant in Saudi Arabia. According to the United States Commission on International Religious Freedom, the textbooks used in secondary schools from 2013 to 2014 "continued to teach hatred toward members of other religions and, in some cases, promote violence. For example, some justified violence against apostates and polytheists and labelled Jews and Christians 'enemies.'"

› <http://www.uscirf.gov/sites/default/files/USCIRF%202014%20Annual%20Report%20PDF.pdf>

Since the first girls' schools were founded in the 1960s, until 2002, girls' education was controlled under the auspices of the Directorate of Girls' Education managed by the religious Ulama. Girls' education has been closely linked to the state religion administered by the Wahhabi religious hierarchy:

*"The purpose of educating a girl is to bring her up in a proper Islamic way so as to perform her duty in life, be an ideal and successful housewife and a good mother, ready to do things which suit her nature such as teaching, nursing and medical treatment."*

– Helen Chapin Metz, ed. *Saudi Arabia: A Country Study*. Washington: GPO for the Library of Congress, 1992

In 2002, in an incident known as the Meccas girls' school fire, the Saudi religious police prevented girls from evacuating their school during a fire, insisting that they must obey the religious dress code. The incident left 15 girls dead in the flames.

› [hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized](http://hrw.org/news/2002/03/14/saudi-arabia-religious-police-role-school-fire-criticized)

As a response, King Abdullah removed Saudi girls' schools from the religious authorities. Since 2002 girls' education has been the responsibility of the Ministry of Education also responsible for boys' education.

In 2009 King Abdullah appointed a female Deputy Minister in charge of girls' schooling, namely Norah Al-Faiz. She was the first woman to chair at ministerial level. However, in 2015 in a government reshuffle, King Salman dismissed Norah Al-Faiz, after her work on the cause of girls' sports programmes in state-run schools prompted opposition by religious conservatives. No women were appointed in the new government setting. The newly appointed Minister of Education Ministry, Azzam Al-Dakhil, vowed not to allow sporting activities for girls in public schools.

## Family, community and society

Public non-Muslim places of worship are not allowed, and the right of non-Muslims to practice their religion in private is not fully protected. The intractable connection between state identity, the ruling royal family and the religious establishment results in significant pressure on all citizens to adhere to the official government interpretation of Islam. Rejection of that interpretation is conceived of as rejection of the instruments of the state or sedition.

### Religious police

The Commission for the Promotion of Virtue and Prevention of Vice (CPVPV), which enforces public morality and restrictions on public religious manifestations and practice, is known for being especially intolerant of minority religions and disbelief. It is not subject to judicial review and reports directly to the King.

In 2016 following public outcry at incidents of the 'police' acting beyond their remit and subjecting individuals to harassment, detainment, beatings and lashings, their powers were curbed and their presence on the streets was greatly diminished.

A year later, many celebrated the anniversary of their

fading. However others reportedly welcomed their gradual return later in 2017, albeit with diminished powers.

› [arabnews.com/node/1076321/saudi-arabia](https://arabnews.com/node/1076321/saudi-arabia)

› [bloomberg.com/news/articles/2017-06-26/saudi-religious-police-return-just-with-a-little-less-vengeance](https://bloomberg.com/news/articles/2017-06-26/saudi-religious-police-return-just-with-a-little-less-vengeance)

## Freedom of expression, advocacy of humanist values

Despite the huge predominance of religion over political and social affairs, a widely-cited 2012 poll found that nearly 25% of Saudi Arabians interviewed identified as non-religious, including 5% prepared to described themselves as “A convinced atheist”.

› [redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf](https://redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf)

### Blasphemy and apostasy

“Blasphemy” is conceived as a deviation from Sunni Islam and thus may also be treated as “apostasy”. Apostasy is criminalized and mandates a death penalty, and the criminal accusation of “apostasy” is sometimes deployed against people (including writers, activists, artists, or lawyers) who show any serious sign of pushing at the outer boundaries of freedom of expression, or who are critical of the religious authorities, and whose views (rightly or wrongly) are termed “atheist” or as “insulting to religion”. The death sentence (usually by beheading and crucifixion) is also used to address “crimes” of “witchcraft” and “sorcery”.

### Atheism and “terrorism”

In March 2014, the Government brought into law new anti-terrorism legislation, which defines atheism as terrorism. Article 1 of the new law defines one form of terrorism as: “Calling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based.” Since the government system is grounded in Wahhabi interpretations of Islam, non-believers are assumed to be enemies of the Saudi state.

This legislation not only frames non-believers as terrorists but, along with related royal decrees, creates a legal framework that outlaws as terrorism nearly all thought or expression critical of the government and its understanding of Islam.

*“Saudi authorities have never tolerated criticism of their policies, but these recent laws and regulations turn almost any critical expression or independent association into crimes of terrorism...”*

— Joe Stork, deputy Middle East and North Africa Director, Human Rights Watch

› [hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights](https://hrw.org/news/2014/03/20/saudi-arabia-new-terrorism-regulations-assault-rights)

## Freedom of expression, advocacy of humanist values

The punishment for any perceived criticism of the ruling family or the state’s interpretation of Islam is harsh and often secret or obscure in nature. Accordingly, many cases and convictions for free thought and expression are not made public which makes it very difficult to accurately report on the full extent of Saudi repression.

Following a 2011 amendment to the country’s press law by a royal decree, the press is prohibited from criticizing the government or related officials, with violations potentially resulting in fines or forced closures of the press concerned. Articles deemed offensive to the religious establishment or the ruling authorities are prohibited. Domestic media are controlled by the state. The royal family owns major stakes in news outlets in multiple countries, providing them with a dominant regional influence.

The government has also sought to control online media, blocking access to hundreds of thousands of websites, which it considers immoral or politically sensitive. All websites, blogs and anyone posting news or commentary online are required by law to have a license from the Ministry of Information. Failure to do so, can result in a fine or possible closure of the website concerned.

There have been numerous arrests and convictions for social media comments, postings, and activism by human rights defenders, many falling under a vague “state security” classification precluding them from royal pardons.

› [amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o](https://amnestyusa.org/news/news-item/saudi-arabia-must-release-all-prisoners-of-conscience-immediately-and-unconditionally-irrespective-o)

### Other Human Rights Issues

Saudi Arabia has not ratified the ‘International Covenant on Economic, Social and Cultural Rights’ nor the ‘International Covenant on Civil and Political Rights’, however, it is a party to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

Excessive police powers without judicial oversight and increasing lack of free expression have been worsened by the Penal Law for Crimes of Terrorism and its Financing (the “terrorism law”), with its vague and overly broad provisions.

The rights to freedom of assembly and association are denied in practice. The government frequently detains political activists who stage demonstrations or engage in other civic advocacy.

LGBT people are denied the right to sexual autonomy. Married men are prohibited from engaging in homosexual acts and can be stoned to death for such acts. As can non-Muslims who commit “sodomy” with a Muslim.

Other punishments handed out to those found guilty of homosexuality include chemical castrations, imprisonment and execution. In 2014, a Saudi Arabian man was sentenced to three years in jail and 450 lashes after he was caught using Twitter to arrange dates with other men. A court in Medina, convicted him on the charge of “promoting the vice and practice of homosexuality.” The newspaper Al-Watan reported that the man was arrested following an entrapment ploy by the CPVPV.

Some women continue to protest for the right to drive and move in public without a chaperone. But despite the Kingdom sometimes saying it has made progress on women’s rights, those protesting have sometimes been met with punitive treatment. In December 2014, Loujain Hathloul and Maysaa Alamoudi were arrested at the border with the United Arab Emirates for driving. Their case was referred to the Specialized Criminal Court, which deals primarily with cases related to state security and terrorism.

## Highlighted cases

In 2017 a death sentence for “atheism” was upheld against Ahmad Al Shamri. He was convicted of apostasy in February 2015, having been arrested on charges of ‘atheism and blasphemy’ for allegedly uploading a series of videos on social media in 2014. Shamri, in his 20s, from the town of Hafar al-Batin, made an insanity plea deal. His defence added that Shamri was under the influence of drugs and alcohol at the time of making the videos. However, he lost the appeals court case and the supreme court ruled against him in April 2017.

› [iheu.org/man-sentenced-death-atheism-saudi-arabia/](http://iheu.org/man-sentenced-death-atheism-saudi-arabia/)  
› [independent.co.uk/news/world/middle-east/saudi-arabia-man-sentenced-death-atheism-ahmad-al-shamri-hafar-al-batin-appeal-denied-a7703161.html](http://independent.co.uk/news/world/middle-east/saudi-arabia-man-sentenced-death-atheism-ahmad-al-shamri-hafar-al-batin-appeal-denied-a7703161.html)

In November 2015, Palestinian poet and artist Ashraf Fayadh was sentenced to death for “apostasy”, a sentence to be carried out by beheading by sword. Fayadh, a member of the British-Saudi art organization Edge of Arabia, was first arrested in August 2013, in connection with his poetry. In a series of trials he has been accused of “spreading atheism”, insulting “the divine self”, insulting the Prophet Muhammad, discrediting the Quran and Hadith, and objecting to concepts of fate as acts of God. Even “having long hair” has been cited against him, as well as supposedly “having relationships” with women and having photographs of them on his mobile phone (the photographs appear to be simple side-by-side photographs with friends and colleagues). Despite having no access to a lawyer and thus violating the right to a fair trial, at the conclusion of the retrial, on 24 November 2015, Fayadh was sentenced to death. He has said he will appeal.

› [pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/](http://pen-international.org/11/2015/saudi-arabia-sentences-poet-to-death/)  
› [arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/](http://arablit.org/2015/01/13/imprisoned-poet-ashraf-fayadhs-frida-kahlos-mustache/)

› [esohr.org/en/?p=658](http://esohr.org/en/?p=658)

In December 2013, Raif Badawi, a blogger and creator of a “Liberal Saudi” blogging platform, intended to foster debate on religion and politics, was accused of “apostasy” and eventually sentenced to 10 years in prison, 1,000 lashes with a fine of 1 million Saudi riyals for “insulting Islam”. Badawi was first jailed in 2012 for violating Saudi Arabia’s IT law and insulting religious authorities through his online writings and hosting those of others on his website. His sentence at that time was 7 years in prison and 600 lashes. There has been an international outcry over Badawi’s case, with many civil rights groups including IHEU and many states including Canada and the USA, raising his plight at the UN Human Rights Council.

› [iheu.org/un-iheu-calls-immediate-release-saudi-prisoners-badawi-fayadh-al-shamri/](http://iheu.org/un-iheu-calls-immediate-release-saudi-prisoners-badawi-fayadh-al-shamri/)

Raif Badawi’s lawyer, Waleed Abu al-Khair, was imprisoned for “breaking allegiance with the king,” “making international organizations hostile to the kingdom,” and “setting up an unlicensed organization.”

In 2012, a Saudi journalist and poet, Hamza Kashghari, was extradited from Malaysia and imprisoned without trial for twenty months due to a series of tweets considered by the authorities to be insulting toward the Prophet Mohammed. Another poet, Ashraf Fayadh, was jailed without charge in January 2014 after someone suggested that his poems contained “atheist ideas”.

# Sudan

Const/Govt	Edu/Child	Society/Comm	Expression

Sudan, an Arab republic in which the predominant religion is Islam, has long suffered from severe ethnic strife and has been plagued by internal conflict. The country has a poor human rights record, with particular issues over ethnic

cleansing and slavery. Sudan is member of the League of Arab States (LAS), as well as the Organization of Islamic Cooperation (OIC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
State legislation is largely or entirely derived from religious law or by religious authorities		Government figures or state agencies openly marginalize, harass, or incite hatred or violence against the non-religious  It is illegal to register an explicitly Humanist, atheist, secularist or other non-religious NGO or other human rights organization, or such groups are persecuted by authorities	Expression of core Humanist principles on democracy, freedom and human rights is brutally repressed  'Apostasy' or conversion from a specific religion is outlawed and punishable by death  It is illegal to advocate secularism or church-state separation, or such advocacy is suppressed
	Religious instruction is mandatory in all or most state-funded schools with no secular or humanist alternative	Systemic religious privilege results in significant social discrimination  Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views  Prohibitive interreligious social control (including interreligious marriage bans)  Religious control over family law or legislation on moral matters	Expression of core humanist principles on democracy, freedom or human rights is severely restricted  'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence

## Constitution and government

2014 saw a continuation in egregious and systematic violations of freedom of thought by the Sudanese government, with religious discrimination remaining prevalent, apostasy and blasphemy still criminalized,

continued restrictive application of Sharia-based provisions, and the application of public order laws allowing floggings for undefined acts of "indecentcy" and "immorality".

The Interim National Constitution, adopted in 2005, remains in force as the constitution of Sudan. For the past 20 years,



the ruling National Congress Party (NCP) has grounded many of the provisions of the 1991 Personal Status Law, the 1991 Criminal Code, and state-level public order laws on its interpretations of Sharia. All Sudanese citizens, including all non-Muslims, are subject to these laws.

The 1991 Criminal Code allows for floggings for undefined honour-based offences, reputation and public morality issues. Public order laws further implement the 1991 Criminal Code's prohibitions, where religiously-grounded morality laws and corporal punishments are imposed through the Public Order Regime with violations being subject to lashes or a fine, or both. Laws relating to public morality and order prohibit indecent dress and the brewing or selling of alcohol. They are vague and subject to the interpretation of local law enforcement agents.

### **Discriminatory implementation of the law**

Religious discrimination is prevalent in Sudan. Whilst Muslim men are allowed to marry Christian or Jewish women, a Muslim woman cannot marry a non-Muslim man. The implementation of criminal and civil law in terms of penalties imposed can depend upon the religion of the perpetrator involved. For example, whilst Muslims might be punished with lashes if caught producing or consuming alcohol, Christians are typically not punished if caught for the same crime. The justice minister has the power to release any prisoner who memorizes the Quran during his prison term.

## **Education and children's rights**

All schools are required to teach Islamic education classes, but some public schools excuse non-Muslims from these classes.

## **Freedom of expression, advocacy of humanist values**

There have been numerous reports of print runs being confiscated. Journalists also face intimidation and violence. In July 2014, Osman Mirghani, Editor in Chief of al-Tayyar, was hospitalised after his offices were stormed by gunmen. Concerns from civil society have been expressed about the lack of a fair trial in cases where arrested civilians are being subjected to military trials.

› [gov.uk/government/publications/sudan-country-of-concern/sudan-country-of-concern-latest-update-30-september-2014](http://gov.uk/government/publications/sudan-country-of-concern/sudan-country-of-concern-latest-update-30-september-2014)

### **"Apostasy" and "blasphemy"**

Apostasy or conversion to a religion other than Islam is outlawed and may be punishable with the death penalty. By law, a person convicted of conversion has an opportunity to recant.

There are reports that in November 2015, up to 27 Muslim

men were arrested for "apostasy", on the accusation that they were Quranists (deny the authority of the Hadith), and were facing trial.

› [bloomberg.com/news/articles/2015-12-03/sudan-tries-27-on-apostasy-charge-that-may-bring-death-sentences](http://bloomberg.com/news/articles/2015-12-03/sudan-tries-27-on-apostasy-charge-that-may-bring-death-sentences)

The "apostasy" death sentence handed to a Christian woman, Meriam Yahya Ibrahim, provided the most well-publicised case of apostasy in 2014. Ibrahim self-identified as a Christian and maintained she was never Muslim having been raised by her Christian mother, but Sudan insisted that since her father was a Muslim, so was she, and she should not have converted. She was released after international outcry on the issue. She was subsequently allowed to leave Sudan.

Whilst the law does not explicitly ban proselytizing, the vaguely worded apostasy law criminalizes both apostasy and acts that encourage apostasy, which could be understood to include proselytization.

"Blasphemy" is criminalised; it can be punished by six-months' imprisonment, flogging or a fine, or both.

## **Highlighted cases**

In May 2017 **Mohamed Salih** (or in some source Mohamed al-Dosogy) was arrested for "apostasy" after writing to a Sudanese court that he wanted to change the religion listed on his national identification card from 'Islam' to 'atheist' or 'non-religious'. It was widely reported that under Sudan's "apostasy" law he faced a possible death sentence. Within days, however, the case was dismissed following a psychiatric and al-Dosogy was released by the court. The test purported to find that Mohamed was not mentally competent to stand trial. Mr al-Dosogy's defence reportedly rejected the court's decision, saying the defendant never asked the court to submit him to a psychiatric test.

With its historical metropolis, Istanbul, the only city in the world said to be straddling Asia and Europe, Turkey has long been pulled ideologically in divergent directions. In recent years, the famous secularism of Atatürk has been under tremendous pressure from the Islamist-leaning government of President Recep Tayyip Erdoğan and the ruling Justice and Development Party (AKP). Turkey is a member state of the Organization of Islamic Cooperation (OIC).

*This country is found to be declining due to a sustained assault in recent years on Turkey’s long-held secularist principles, as well as freedom of expression and social liberties generally in decline. The party in government continues to push for the Islamization of society. The response to an apparent coup in 2016 has been widely condemned domestically and abroad as a massive overreaction, spiralling into a “purge” of thousands of officials and a crackdown on civil society. There are widespread allegations of the use of torture against alleged coup plotters.*

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence
Preferential treatment is given to a religion or religion in general	Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Some religious courts rule in civil or family matters on a coercive or discriminatory basis	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
State-funding of religious institutions or salaries, or discriminatory tax exemptions			
Official symbolic deference to religion			Some concerns about political or media freedoms, not specific to the non-religious
			Concerns that secular or religious authorities interfere in specifically religious freedoms

Constitution and government

The current constitution protects freedom of religion or belief, guaranteeing equal protection before the law, irrespective of “philosophical belief, religion and sect”. It also lists secularism as one of the fundamental characteristics of the republic. However, the principles of

secularism have been under sustained assault under the ruling AKP and in particular under the presidency of Recep Tayyip Erdoğan.

Since the founding of the Republic, Turkey has experienced deep tensions over the issue of religious freedom. For many years, Muslim women who wore headscarves were banned

from attending universities and schools, working for the civil service, and even entering state buildings. The number of non-Muslims, declined due to state pressure, punitive taxation, seizing of their properties, and widespread governmental and societal hostilities, which included violent attacks and murder.

In 2002, Turkey entered a new phase with the election of the AKP. On the one hand, the AKP government has lifted limits on women with headscarves, enabled non-Muslims to open associations, established a process to return seized properties to non-Muslim foundations, and supported the restoration of multiple Jewish and Christian religious and cultural heritage sites.

› [uscirtf.gov/sites/default/files/TurkeyTextbookReport.pdf](https://www.uscirtf.gov/sites/default/files/TurkeyTextbookReport.pdf)

However, there are wider concerns about Erdoğan's Islamization of the political scene, the rollback of secular protections, and his attempts to monopolize power.

From 2012 and onward, the AKP government began attracting wide criticism for its statements and policies on a broad spectrum of political, and religious matters. Non-religious Turks, and those not from classically understood Sunni Muslim traditions, feel that they are being pressured to adopt or adhere to a particular political ideology, rooted in the 'Hanafi' school of Sunni Islam.

There are several constitutional provisions and other laws and state practices that infringe on freedom of religion or belief and go against the principle of secularism.

The state allocates substantial funds to provide religious services for Sunni Muslims: to pay the salaries of imams, construct mosques and oversee pilgrimage.

Following re-election in October 2015, the president Recep Tayyip Erdoğan stated that constitutional reform is a "priority", aiming to greatly increase the president's own "executive" powers, a move widely seen as a further worrying signal of increasing autocracy.

› [theguardian.com/world/2015/nov/04/turkeys-president-erdogan-says-new-constitution-should-be-priority](https://www.theguardian.com/world/2015/nov/04/turkeys-president-erdogan-says-new-constitution-should-be-priority)

There have been continuing purges by Turkey's president, Recep Tayyip Erdoğan, following the failed coup on 15 July. The crackdown includes the night-time arrests of members of the opposition, pro-Kurdish Peoples' Democratic Party (HDP). More than 36,000 people have been arrested since the coup, and 100,000 have been sacked (mainly from state jobs).

› [cpj.org/blog/2016/11/turkey-crackdown-chronicle-week-of-november-13.php](https://www.cpj.org/blog/2016/11/turkey-crackdown-chronicle-week-of-november-13.php)

› [economist.com/news/europe/21709991-president-erdogan-keeps-purging-turkey-locks-up-dissidents](https://www.economist.com/news/europe/21709991-president-erdogan-keeps-purging-turkey-locks-up-dissidents)

Within a context of tension between different communities, and also the non-compromising attitudes of both the government and minority groups, the issue of religious freedom has become deeply politicized. "Most concerning,

is that there is an increasing use of hate speech and derogatory language in the media, including with religious or ethnic undertones, and widespread negative attitudes towards minority religions, which often go unchallenged".

› [uscirtf.gov/sites/default/files/TurkeyTextbookReport.pdf](https://www.uscirtf.gov/sites/default/files/TurkeyTextbookReport.pdf)

The country is predominantly Muslim with as many as 99.8% of people identifying as such. However, a 2012 Gallup survey found that 73% described themselves as being "not a religious person" with 3% being described as "convinced atheists".

› [redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf](https://redcresearch.ie/wp-content/uploads/2012/08/RED-C-press-release-Religion-and-Atheism-25-7-12.pdf)

## Education and children's rights

Religion classes at primary and secondary schools are compulsory. Article 42 requires this education to be conducted under the "supervision and control of the state". While these classes cover basic information about other religions, they are predominantly about the theory and practice of Sunni Hanefi Islam.

### Compulsory Religious Education

In Turkey, all children in the fourth grade and above are required to attend a compulsory class on "Religious Culture and Moral Knowledge" (except those children enrolled in private minority schools). There were some reports from Turkey's minority communities indicating that this course and its required textbooks were problematic. If students were to opt-out from taking this course, both students and parents were required to reveal their faith publicly (a violation of the right not to be compelled to reveal a specific religious identity). The textbooks were written with a Muslim worldview and interpretation of other religions, and include generalizations about other religion or belief stances and derogatory language.

In 2014, USCIRF raised this issue with the Turkish Ministry of Education to which the Ministry acknowledged having received similar reports, but said that they had revised the textbooks in 2011. The current books are a clear improvement from previous ones. There are no derogatory statements about non-Sunni Muslim religions, and there are noteworthy passages on religion and science, religion and rationality, being a good citizen, religious freedom, and the origins of differences in Islamic thought.

However, USCIRF found that there remained some major weaknesses that needed attention. The textbooks are still written through the paradigm of the officially-sanctioned interpretations of Islam and Islamic culture. All religious minority traditions in the country are depicted within the Muslim context rather than as distinct traditions. In addition, only superficial, limited, and misleading information is given about religions other than Islam. Atheism is treated alongside a discussion of the perceived risk of Satanism, making a dangerous suggestion about

people who hold no religious beliefs.

Recommendations have been made to include transitioning religious education classes to an elective subject for all children, Muslims and non-Muslims alike.

› [uscirf.gov/sites/default/files/TurkeyTextbookReport.pdf](http://uscirf.gov/sites/default/files/TurkeyTextbookReport.pdf)

### Curriculum

In June 2017 Turkey removed the concept of evolution from its school curriculum, an act widely seen as the latest attempt by the government to erode the country's secular character. Taking effect in September 2017, a chapter on evolution will no longer appear in ninth graders' textbooks as it is considered too "controversial" an idea. "The last crumbs of secular scientific education have been removed," said Feray Aytekin Aydoğan, the head of Egitim-Sen, a union of secular-minded teachers. Over the past five years, analysts have noted how Mr. Erdoğan's government has steadily increased references to Islam in the curriculum and removed some references to the ideas of Mustafa Kemal Atatürk, Turkey's secularist founder. It has also increased the number of religious schools, known as imam hatip schools, and spoken of Mr. Erdoğan's desire to raise "a pious generation" of young Turks.

› [nytimes.com/2017/06/23/world/europe/turkey-evolution-high-school-curriculum.html](http://nytimes.com/2017/06/23/world/europe/turkey-evolution-high-school-curriculum.html)

### Family, community and society

High-level government officials including president Erdoğan continue to promote a more socially conservative and Islamic-inspired rhetoric around individual rights and freedoms.

#### Government sexism

Women have repeatedly been painted by AKP officials as ideally having a separate and more domestic role than men. Violence against women has been on the rise, and in November 2015 the Justice Ministry appeared to suggest responding to the rise by downgrading the sentences given to those found guilty of domestic and sexual abuse and violence, effectively reclassifying violence aimed primarily at women as a "petty crime".

› [secularism.org.uk/news/2015/11/fears-for-womens-rights-in-turkey-as-justice-ministry-to-classify-violence-against-women-as-a-petty-crime](http://secularism.org.uk/news/2015/11/fears-for-womens-rights-in-turkey-as-justice-ministry-to-classify-violence-against-women-as-a-petty-crime)

In a widely reported speech to mark Eid al-Fitr in July 2014, deputy prime minister Bülent Arınç said, "Chastity is so important. It's not just a word, it's an ornament [for women]... A woman should be chaste. She should know the difference between public and private. She should not laugh in public." A social media backlash saw hundreds of women posting photographs of themselves smiling and laughing with the hashtags #direnkahkaha ("resist laughter") and #direnkadin ("resist woman"). A year later during an emergency parliamentary debate on military action against Kurdish militants, he told Nursel Aydoğan, a

pro-Kurdish Peoples' Democratic Party (HDP) member of parliament: "Madam be quiet! You as a woman, be quiet!" She later responded, "I don't take it personally. It is an insult against all women including their own (ruling party) lawmakers."

› [theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter](http://theguardian.com/world/2014/jul/30/turkish-women-defy-deputy-pm-laughter)

› [telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html](http://telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html)

### Freedom of expression, advocacy of humanist values

Freedom of expression is theoretically protected by the current constitution, but is increasingly not respected in practice. Crackdowns on social media in 2014, including an enforced Twitter blackout, gained attention worldwide.

› [theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister](http://theguardian.com/world/2014/mar/21/turkey-blocks-twitter-prime-minister)

Freedom of religion or belief experts, as well as secular, humanist and human rights organizations, are generally concerned by the direction of travel under the AK party regime, and unimpressed by government gestures toward improving the situation for religion or belief minorities, and wider freedoms.

#### Identifying 'atheist' prompts insults, threats, discrimination

In 2015, members of the Turkish Atheism Association (Ateizm Derneği), spoke up about receiving death threats and hate mail, how 'atheist' is used as an insult or equated with Satanism or terrorism, and how the presumption of Islam at birth for most Turkish citizens and discrimination in the workplace act to keep the non-religious from identifying as such.

› [dw.com/en/uneasy-neighbors-in-turkey-atheism-and-islam/a-18475178](http://dw.com/en/uneasy-neighbors-in-turkey-atheism-and-islam/a-18475178)

› [voanews.com/content/turkeys-atheists-face-hostility-death-threats/2720367.html](http://voanews.com/content/turkeys-atheists-face-hostility-death-threats/2720367.html)

#### "Blasphemy" law

Article 216 of the penal code outlaws insulting religious belief, with Article 216.3 stating:

*"Any person who openly disrespects the religious belief of a group is punished with imprisonment from six months to one year if such act causes potential risk for public peace."*

The famous prosecution of renowned Turkish pianist Fazıl Say in 2013 was only one of the most prominent legal actions against Turkish artists, writers and intellectuals who have made statements about religion or about Turkish national identity. However, in October 2015 Fazıl Say's appeal case provisionally acquitted him of the earlier conviction (see "Highlighted cases" below). It remains to be seen whether the court of first instance will accept the

reversal and whether this will set any new precedent as to the unconstitutionality of the “blasphemy” law.

## Highlighted Cases

The Turkish Atheism Association (*Ateizm Derneği*) founded April 2014, and personnel soon received death threats. The Association had its website [ateizmdernegi.org](http://ateizmdernegi.org) blocked in Turkey on 4 March 2015, in a decision the Association protested was “arbitrary”.

› [hurriyetdailynews.com/turkey-blocks-website-of-its-first-atheist-association.aspx?pageID=238&nID=79163&NewsCatID=341](http://hurriyetdailynews.com/turkey-blocks-website-of-its-first-atheist-association.aspx?pageID=238&nID=79163&NewsCatID=341)

The Association has further protested its unequal treatment as an organization in the country, saying in petition statement: “We want politicians to restrain themselves when tempted to make discriminatory statements starting with ‘even the atheists,’” and using terms like “nonbeliever” in a derogatory mode. “We want equal treatment before the law. We do not want to be treated as though we have ‘insulted religious values’ when we express our faithlessness.” The petition also challenges AKP (Justice and Development Party) rhetoric to the effect that Turkey is a country of a “single religion”, calls for the removal of religious affiliation from Turkish identity cards, and requests representation at government meetings with non-Muslim communities from which they are currently excluded.

› [change.org/p/tbmm-ateistlerin-ve-dinsizlerin-yasal-stat%C3%BCs%C3%BC-tan%C4%B1ns%C4%B1n](http://change.org/p/tbmm-ateistlerin-ve-dinsizlerin-yasal-stat%C3%BCs%C3%BC-tan%C4%B1ns%C4%B1n)  
› [hurriyetdailynews.com/turkeys-atheism-association-starts-petition-for-equal-treatment-before-law-and-in-society-.aspx?pageID=517&nID=90788&NewsCatID=339](http://hurriyetdailynews.com/turkeys-atheism-association-starts-petition-for-equal-treatment-before-law-and-in-society-.aspx?pageID=517&nID=90788&NewsCatID=339)

In 2014, Armenian writer and atheist Sevan Nişanyan was given a lengthy prison sentence, ostensibly for building regulation violations, but the prosecution appears selective and is widely regarded as being linked to his writings on national identity, the Armenian genocide, and in particular his criticism of Islam. There is a campaign for his release.

› [al-monitor.com/pulse/originals/2014/01/nisanyan-turkish-jail.html](http://al-monitor.com/pulse/originals/2014/01/nisanyan-turkish-jail.html)

In May 2014, Sedat Kapanoğlu, founder of one of Turkey’s most popular online forums, Ekşi Sözlük (Sour Dictionary) was given a 10-month suspended sentence for blasphemy. A police complaint alleging insults to the Prophet Muhammad were made on a discussion thread at the forum. Some 40 forum members were detained by police and charged with insulting religion. The court ruled that Kapanoğlu had committed the crime of “insulting the religious values shared by a group of society”. The 10-month sentence was suspended, based on the time elapsed since the crime was committed and the means used for it.

The court also gave suspect Özgür Kuru seven months and

15 days in jail on the same charges, but also suspended the sentence. The court acquitted a third suspect, Altuğ Şahin, on the grounds that it could not be detected whether he actually committed the crime of “insulting religious beliefs.” The court also decided to suspend the cases against other 37 suspects. However, all the suspects may be retried if they commit the same crime within three years.

› [hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339](http://hurriyetdailynews.com/court-sentences-founder-of-popular-online-forum-for-blasphemy.aspx?pageID=238&nID=66544&NewsCatID=339)

On June 1, 2012, Turkish authorities charged Fazıl Say, an atheist and world-renowned classical and jazz pianist, with insulting Islamic values in Twitter messages. The cited message echoed the words of famous 11th-century Persian poet, Omar Khayyam, poking fun at afterlife beliefs. Say denied the charge, but was handed a suspended 10-month jail term on 15 April 2013.

› [huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments\\_n\\_3083849.html](http://huffingtonpost.com/2013/04/15/fazil-say-jailed-turkish-pianist-receives-suspended-jail-term-for-twitter-comments_n_3083849.html)

In October 2015, the Supreme Court of Appeals overturned the verdict, citing Say’s own freedom of thought and expression against the prior conviction that he had “insulted” religious beliefs. The court of first instance will now consider the appeal verdict; if they dissent then the process of review will continue.

› [hurriyetdailynews.com/top-appeals-court-reverses-blasphemy-decision-against-turkish-pianist-say.aspx?pageID=238&nID=90336&NewsCatID=339](http://hurriyetdailynews.com/top-appeals-court-reverses-blasphemy-decision-against-turkish-pianist-say.aspx?pageID=238&nID=90336&NewsCatID=339)

In October 2014, a woman not widely named in media reports was arrested for tweeting a picture of her stilettoed feet standing on a Quran. The tweeter was arrested after a complaint from Ankara Mayor Melih Gökçek, who has sued as many as 3,000 people for insulting him.

› [huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet\\_n\\_6035198.html](http://huffingtonpost.com/2014/10/23/turkey-stilettos-quran-tweet_n_6035198.html)

In 2008, Islamic creationist writer Adnan Oktar, better known by his pen name Harun Yahya, successfully sued to block the website of evolutionary biologist Richard Dawkins due to “defamatory and blasphemous” content.

› [theguardian.com/world/2008/sep/18/turkey](http://theguardian.com/world/2008/sep/18/turkey)

## Testimonies

*“It’s getting more and more difficult for a secular minded person to raise children unaffected from religious oppression. Some secular schools in my neighbourhood have been changed to religious curriculum. There is a mandatory “Morale and Religion” class, which teaches basics of Sunni Islam, and I’m afraid my child will be forced to take it. To avoid the class, the school management requires me to declare my religious beliefs. This is against the Constitution, and will make us exposed. Many people don’t bother and that’s how everyone’s signed up to that class. I hear from relatives that their children are*



*compelled to select other “optional” religious courses, because science teachers are not available, but religious teachers always are. Yesterday [4 December 2014], the National Education Council suggested religion class for kindergarten, while protesters were accused of blasphemy. That idea was dismissed for kindergarten, but recommended for the first class in primary school. See the mindset in charge? I am seriously concerned about how I am going to secure my child’s getting a secular education, just as I did myself sixteen years ago. The situation has deteriorated and is much worse than how it was in the 90’s.”*

– Levent Topakoglu

*“Today I found myself deleting the anti-religion and anti-government posts in my timeline. Because I can be charged with ‘causing imminent threat to public peace’ with my posts of atheist humor, according to Turkish penal law 216/3. It could be elements of criticism to religious fanaticism, or just a piece of poetry from 800 years ago. It doesn’t matter to the judges, thanks to an unnecessarily wide understanding of the law. My post doesn’t need to provoke anyone, nor cause hurt. I can be tried anyway. The same is not applied when the head of government can easily call atheists “terrorists” or condemns atheism to be an unwanted result of ‘bad’ education. In a nation where an alarmingly high percentage of citizens deem atheists the least wanted neighbours, followed by homosexuals, I cannot afford to allow our politicians to promote this unfair, non-democratic, non-secular propaganda against non-Sunni Muslims living in Turkey. Are all citizens not deserving of the same protection and consideration under the law of the country in which they reside?”*

– Onur Romano



# Uganda

Const/Govt	Edu/Child	Society/Comm	Expression

Uganda, lying around the north and north-western shores of Lake Victoria, is a predominantly Christian country, with a significant Muslim minority, and a president, Yoweri

Museveni, of some 28 years standing. Uganda is member state of the Organization of Islamic Cooperation (OIC).

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		Government authorities push a socially conservative, religiously inspired agenda, without regard to the rights of those with progressive views	
	Religious schools have powers to discriminate in admissions or employment	There is significant social marginalisation of the non-religious or stigma associated with expressing atheism, humanism or secularism	Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted
	Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives)	Discriminatory prominence is given to religious bodies, traditions or leaders	
Official symbolic deference to religion			

## Constitution and government

The constitution and other laws and policies protect freedom of thought, conscience and religion, as well as freedom of expression, assembly and association. However, in practice the government violates some of these rights, especially the freedom of the press.

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. The law prohibits the creation of political parties based on religion.

## Education and children's rights

The religious education curriculum is comparative in theory, but in practice aims at inculcation. There is considerable latitude for schools to offer what amounts to religious instruction (usually Christian or Islamic) with no practicable opt-outs.

There are a small number of Humanist schools operating without impediment (the International Humanist and Ethical Union and other humanist groups have supported these schools).

## Family, community and society

There is little or no interreligious conflict between the Christian majority and the Muslim minority, though 2014 saw a surge in inter-tribal conflict in the western Rwenzori region, reportedly related to historical kingdom boundaries and militant secessionist movements.

> [crisis.acleddata.com/an-examination-of-recent-ethnic-violence-in-the-rwenzori-region-of-uganda/](https://crisis.acleddata.com/an-examination-of-recent-ethnic-violence-in-the-rwenzori-region-of-uganda/)

Churches and businesses named for religious figures and concepts are predominant in the city streets of Kampala. Marriages of often celebrated with traditional "Introductions" followed by a more Western-style weddings

ceremony. Several Humanist groups operate quite openly and lawfully, though they are not vocal about irreligious elements of Humanism and focus mainly on education, welfare, and broader human rights work.

An Anti-Pornography Act passed in early 2014, and was widely derided as “muddled”, being readable as outlawing not just representation but any sexual behaviours in any context. The law’s lead proponent, former Catholic Priest and government Minister for Ethics and Integrity, Simon Lokodo, championed the law on a puritanical religious basis, and said “if a woman is dressed in attire that irritates the mind and excites other people of the opposite sex, you are dressed in wrong attire, so please you should hurry up and go home and change.” Women should “dress decently” because “men are so weak that if they saw an indecently dressed woman, they would just jump on her”. Shortly after it was passed the Anti-Pornography Law was blamed for inciting a spate of attacks on women wearing miniskirts  
› [indexonensorship.org/2014/03/porn-bill-uganda/](http://indexonensorship.org/2014/03/porn-bill-uganda/)

### Anti-Homosexuality Act passed, ratified and thrown out

In recent years the government including Minister for Ethics Simon Lokodo lobbied to pass an Anti-Homosexuality Bill, citing religious and traditional “moral” grounds for increasing the penalties for gay sex (homosexuality is already illegal). The draft bill received international criticism in its initial stages for proposing a death sentence for what it termed “aggravated homosexuality” (a charge which could be brought in principle simply for multiple incidents of homosexual activity) and earned the nickname “the kill the gays bill”. It is not unusual for MPs to tout their religious (in particular Christian) beliefs and many MPs have backed the new anti-homosexuality legislation each time it has been brought before parliament. International human rights groups have condemned the bill at every stage.

The bill was passed by parliament on 20 December 2014. After years of pressure, President Museveni finally signed the bill into law early in February 2014, supposedly after misinterpreting a “scientific” report on the status of homosexuality.

› [iheu.org/museveni-set-to-sign-ugandas-anti-gay-bill-based-on-false-reading-of-science/](http://iheu.org/museveni-set-to-sign-ugandas-anti-gay-bill-based-on-false-reading-of-science/)  
› [iheu.org/the-anti-gay-law-in-uganda-iheu-analysis/](http://iheu.org/the-anti-gay-law-in-uganda-iheu-analysis/)

However, the law was declared invalid on 1 August 2014 by the Constitutional Court after the speaker was found to have “passed” the bill without quorum in parliament.

### Freedom of expression, advocacy of humanist values

The constitution provides for freedom of speech, but the media have faced substantial, escalating government restrictions and intimidation in recent years. Freedom of assembly is officially recognized but often restricted in practice.

## Highlighted cases

Two leaders of the organization HALEA, Humanist Association for Leadership Equality and Accountability, were attacked in 2014 and their offices vandalized and robbed. The HALEA offices were robbed in July. Group member Joseph Lukyamuzi was attacked at his home in August 2014, and on 30 October 2014 the director of HALEA, Kato Mukasa, suffered an arson attack at his home, all apparently in connection with the rising profile and human rights work of this Humanist organization.

› [iheu.org/humanist-group-needs-help-after-robbery/](http://iheu.org/humanist-group-needs-help-after-robbery/)  
› [iheu.org/after-attack-on-humanist-leader-take-a-stand/](http://iheu.org/after-attack-on-humanist-leader-take-a-stand/)

## Testimonies

*“Being a non-religious organisation, what we do has unfortunately attracted hate from several people who now brand us as Satanic, or “un-African”. I have been attacked on Facebook, and during radio appearances I have been abused on air.*

*... At about 3 am [on 30 October 2014], unidentified persons came to my home, the maid says she heard people moving around the house and trying to open her window and in a few minutes, there was commotion and then there was a bang and the fire started. They set the car ablaze. It is a trying moment to me and my young family, my children are greatly traumatized. Thanks to my good neighbors who came to my rescue and my family was saved. The entire house could have burnt down! I have contacted the police and the ... arson has been reported. ... I will continue working for humanism, doing my job at HALEA more determined than ever. Regardless of the hate and persecutions, our struggle to empower the minds of our people should continue, whether I am around or not.”*

— Kato Mukasa

# United Kingdom

Const/Govt	Edu/Child	Society/Comm	Expression

The United Kingdom (UK) is a constitutional monarchy comprising Great Britain (England, Scotland and Wales) and Northern Ireland, with a total population of about 64 million people. England with the largest population, 53 million, is home to a bi-cameral UK parliament which has devolved a range of powers to the other 3 nations. There are specific

legislative differences in the 4 nations, exercised by their own parliaments or assemblies, reflecting the historical and cultural differences in those nations. A referendum vote in 2016 to “leave the European Union” is widely regarded as having exposed social divisions and as creating political and economic uncertainty.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
There is systematic religious privilege Preferential treatment is given to a religion or religion in general  There is an established church or state religion  State-funding of religious institutions or salaries, or discriminatory tax exemptions	There is state funding of at least some religious schools  Religious schools have powers to discriminate in admissions or employment  Religious instruction is mandatory in at least some public schools (without secular or humanist alternatives	Discriminatory prominence is given to religious bodies, traditions or leaders  Religious groups control some public or social services	
Official symbolic deference to religion  Anomalous discrimination by local or provincial authorities, or overseas territories	State-funded schools offer religious instruction with no secular or humanist alternative, but it is optional	Religious courts or tribunals rule directly on some family or ‘moral’ matters; it is legally an opt-in system, but the possibility of social coercion is very clear	Some concerns about political or media freedoms, not specific to the non-religious

## Constitution and government

UK laws and policies protect freedom of religion or belief, as well as freedom of expression, association and assembly. However, religious privileges and legal exemptions, some linked to the established state church, are cause for concern.

### National churches

The Church of England was created in a schism from Rome in the 16th century when the king made himself head of the church. The monarch must by law be a confirmed member of the Church of England and is described as the ‘Defender of the Faith and Supreme Governor of the Church of England’ as well as being Head of State. Though usually considered “ceremonial”, this religiously-restricted and hereditary role does have some non-trivial powers. The monarch approves the appointment of Bishops.

The Church of Scotland is not formally established, however the Church of Scotland’s role as the “national church” is enshrined in legislation, and senior ministers from the Church play a prominent role in national ceremonial matters. The monarch takes an oath to preserve and defend the Church of Scotland. In Wales and Northern Ireland there are no constitutional links between churches and monarchy, but Northern Ireland Protestants assert a loyalty to the monarch (often considered part of their case for remaining in the UK).

### Religious privileges and exemptions

26 ‘Lords Spiritual’ (consisting of the Archbishops of Canterbury and York, plus 24 diocesan bishops) sit in the House of Lords (the upper chamber of parliament) as of right, where they speak and vote on legislation – a privilege not awarded to any other group, and without public accountability.

The UK state provides preferential treatment in the finance of church buildings. In 2012, places of worship were singled out for compensation for the removal of the zero Value Added Tax (VAT) rating concession for alterations to listed buildings. The government also helps fund the repair and maintenance of all listed places of worship for religious groups nationwide (without any comparable funding for secular alternatives) and contributes to the budget of the Church Conservation Trust, which preserves disused Church of England buildings of architectural or historic significance.

Exemptions from employment equality legislation allow employers with a “religious ethos” to discriminate in their employment practices on grounds of religion or belief. This extends to recruitment, promotion and disciplinary practices. However, UK law additionally allows discrimination on grounds of sexual orientation. Moreover, religious groups are increasingly being contracted by the central and local government to run services for the general public and are allowed to exercise these exemptions even when running such public services. These exemptions are separate from those where a “genuine occupational requirement” can be shown for a postholder to be of a particular religion or belief.

## Education and children’s rights

### Faith schools, discrimination, and selection

Faith schools (including Church schools) are a significant part of the UK education system. 34% of state-funded schools in England, 14% in Scotland, 15% in Wales and 94% in Northern Ireland are designated with a religious character, and in Great Britain their proportion is increasing. Wales and Northern Ireland have both Catholic and Protestant schools; England additionally has Jewish, Muslim, Hindu, Sikh and other Christian schools. In Scotland, most faith schools are Roman Catholic in nature.

A high proportion of these state-funded religious schools (the legislation is complex) can discriminate against students in their admissions policies, and against some or all teachers in their employment policies, on religious grounds. In October 2015, a report from the Fair Admissions Campaign found “near-universal noncompliance” with the statutory rules on admission of pupils by religiously-selective state schools in England.

› [fairadmissions.org.uk/an-unholy-mess-new-report-reveals-near-universal-noncompliance-with-school-admissions-code-among-state-faith-schools-in-england/](http://fairadmissions.org.uk/an-unholy-mess-new-report-reveals-near-universal-noncompliance-with-school-admissions-code-among-state-faith-schools-in-england/)

This added to earlier findings that showed that religious selection causes extensive socio-economic and ethnic segregation.

› [fairadmissions.org.uk/groundbreaking-new-research-maps-the-segregating-impact-of-faith-school-admissions/](http://fairadmissions.org.uk/groundbreaking-new-research-maps-the-segregating-impact-of-faith-school-admissions/)

However, in late 2016 the Government proposed lifting a 50% limit on religious selection in admissions that has applied to all new state-funded schools since 2007. › › ›

› [humanism.org.uk/2016/09/13/government-publishes-plans-to-allow-full-religious-discrimination-in-school-admissions/](http://humanism.org.uk/2016/09/13/government-publishes-plans-to-allow-full-religious-discrimination-in-school-admissions/)

Separately, the British Humanist Association (BHA) also had a long-running legal complaint against the UK Government at the European Commission, challenging the breadth of permissible employment discrimination. It believes that religious schools in Great Britain are allowed to discriminate more broadly than EU law permits.

› [humanism.org.uk/2015/02/20/european-commission-re-opens-investigation-whether-uk-faith-school-laws-break-european-employment-laws-uk-government-shifts-position/](http://humanism.org.uk/2015/02/20/european-commission-re-opens-investigation-whether-uk-faith-school-laws-break-european-employment-laws-uk-government-shifts-position/)

### Religious education

In England and Wales, all state schools are obliged to teach religious education (RE). Most religious schools can give confessional education (meaning that confessional teaching is funded by the state) but legislation mandates that RE is non-confessional in other state schools where the syllabus is required to “reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain” (these are generally taken to be Islam, Hinduism, Sikhism, Judaism and Buddhism). Detailed syllabuses for RE are prepared for individual local authorities by advisory bodies they are required to set up on which local religious interests sit with teachers and local councillors.

Increasingly, Humanism is included in RE. However the Department for Education (DfE) recently excluded Humanism from age 16+ examination syllabuses, in spite of majority public support (including almost 90% of consultation respondents) for its inclusion.

› [humanism.org.uk/2015/02/12/government-rejects-consensus-subject-experts-public-religious-leaders-marginalises-humanism-gcse-levels/](http://humanism.org.uk/2015/02/12/government-rejects-consensus-subject-experts-public-religious-leaders-marginalises-humanism-gcse-levels/)

The DfE’s claim that this narrow examination syllabus would meet the statutory requirement for RE was challenged on the basis of human rights law in a case brought by three humanist families with support from the British Humanist Association. In November 2015 the High Court ruled against the DfE, saying that non-religious views such as Humanism must be given parity with religions in RE; the judge described the Government’s claims to the contrary as an “error of law”. The judgment potentially has significant implications, establishing a duty on the state to treat religious and non-religious worldviews with equal respect; however, to date the DfE has refused to acknowledge anything more than a technical defeat.

› [bbc.co.uk/news/education-34921857](http://bbc.co.uk/news/education-34921857)

› [humanism.org.uk/2015/11/25/judge-rules-government-](http://humanism.org.uk/2015/11/25/judge-rules-government-)

## **broke-the-law-in-excluding-humanism-from-school-curriculum/**

In Scotland, most faith schools are Roman Catholic in nature. The Roman Catholic Bishop's Conference in Scotland retains the right to set the religious education curriculum (RERC) and sex and relationships education. Whilst only 15% of schools in Scotland are 'denominational' in nature, all of Scotland's state schools have, to a greater or lesser extent, a Christian influence.

› [humanism.scot/what-we-do/education/](http://humanism.scot/what-we-do/education/)

In Northern Ireland, all religious education is Christian in nature, with the core syllabus having one module that mandates the teaching of two world religions, but otherwise only focusing, from a faith-based perspective, on Christianity.

› [education-ni.gov.uk/sites/default/files/publications/default/files/religious-education-core-syllabus-english-version.pdf](http://education-ni.gov.uk/sites/default/files/publications/default/files/religious-education-core-syllabus-english-version.pdf)

### **No opt out from religious education for students**

Students cannot opt out of RE in any state school (including religious schools) but parents do have the absolute right to withdraw their children. This likely breaks children's human rights, with case law known as Gillick competence seeming to suggest that once a child obtains sufficient understanding and intelligence to be mature enough to make up their own mind on the matter, a child's right to make their own decisions overrides their parents' rights over them.

### **Required collective worship**

In England, Wales and Northern Ireland, every state-funded school is legally required to hold a daily act of "collective worship". In religious schools this is in line with the faith of the school but in schools not designated with a religious character, worship must be "wholly or mainly... broadly Christian", subject to variations approved by their local authority to reflect the school's population – but they cannot substitute a secular equivalent. Parents have the same right to withdraw their children from worship as from RE, save that in England and Wales the right is transferred to the pupil in the sixth form (i.e., at 6+). However, the right is rarely used because it singles out students from their peers and may mean they miss out on secular aspects of the assembly. In Scotland religious observance is required six times a year and older pupils do not have the right of withdrawal.

The BHA reports being frequently contacted by parents whose children have experienced proselytising in school, either because their child attends a religiously designated school, or because of the Christian collective worship that every English and Welsh school has to hold.

› [humanism.org.uk/campaigns/schools-and-education/](http://humanism.org.uk/campaigns/schools-and-education/)

## **Family, community and society**

There has been a marked decline in people's declared

religious affiliation, particularly in Great Britain. The 2011 Census found 59% ticking the Christian box (down from 72% in 2001), 25% (15%) ticking no religion, and 5% (3%) ticking Muslim. Other religions totalled 4% (3%) and 7% (8%) declined to answer.

In contrast to the Census, the British Social Attitudes survey measures religious belonging; in 2016 it found 53% declaring no religion (up from 49% declaring in 2014). A 2015 Scottish Household Survey found that 47% of people in Scotland are not religious.

There is a wide range of Humanist and other non-religious organizations. The British Humanist Association (BHA) is operates principally England, Wales and Northern Ireland and collaborates with the Humanist Society Scotland, and there are other groups including the Humanist Association of Northern Ireland: all these are Members of the IHEU.

### **Marriage law discrimination**

Religious people in the UK have a choice between being married by a civil registrar and being married by a representative of their religion who shares their approach to life. Except in Scotland, non-religious people have no option other than the civil registrar. Each year many hundreds of people in England, Wales, and Northern Ireland choose to have a wedding ceremony performed by a humanist celebrant but their weddings are not legally recognised. In Scotland, however, humanist marriages have been legally recognised since 2005 and in 2015 outstripped Church of Scotland marriages in number.

› [humanism.scot/what-we-do/news/more-than-4200-humanist-weddings-took-place-in-scotland-last-year/](http://humanism.scot/what-we-do/news/more-than-4200-humanist-weddings-took-place-in-scotland-last-year/)

Evidence suggests something similar could be expected in England and Wales. Despite indications that legal recognition of humanist marriages would be popular, fair and easy to introduce, in December 2014 the Government chose to ignore over 90% of respondents to a consultation and reject legalisation. Consultations are ongoing.

› [humanism.org.uk/2014/12/18/labour-pledge-legalise-humanist-marriages-government-blocks-proposals-disappointing-thousands-couples/](http://humanism.org.uk/2014/12/18/labour-pledge-legalise-humanist-marriages-government-blocks-proposals-disappointing-thousands-couples/)

### **One law for all?**

In history the Church of England's canon law and its courts were deeply entangled with the secular law and courts but by now, although canon law is still part of the law of the land, the ecclesiastical system is almost entirely concerned with internal matters to the Church. Other denominations and religions often have their own internal tribunals but again in most instances there is little conflict between the systems. The emergence of sharia councils (not courts) run by local Muslim imams has, however, raised concerns. Their business is almost entirely to provide (or refuse) religious divorces to Muslim women, and there is strong evidence of patriarchal and misogynist behaviour by some councils. A Muslim Arbitration Tribunal operates under the general law on arbitration and occasionally sharia councils are also reported to do so. Concern focusses on rulings



that may stray into matters not legally open to sharia councils – child custody, inheritance and criminal matters. The campaign group One Law For All explains, “Proponents argue that those who choose to make use of Sharia courts and tribunals do so voluntarily and that according to the Arbitration Act parties are free to agree upon how their disputes are resolved. In reality, many of those dealt with by Sharia courts are from the most marginalised segments of society with little or no knowledge of their rights under British law. Many, particularly women, are pressured into going to these courts and abiding by their decisions.”

› [onelawforall.org.uk/about/](http://onelawforall.org.uk/about/)

The Census shows 4.8% of the UK population as Muslims. The number contained within this figure who in fact are secular or non-religious is difficult to establish as the position of those who, having been raised as Muslim, are non-religious, sometimes identifying as ex-Muslim, is difficult: they may be forced to hide their non-religious views, either by social taboo against “apostasy” or outright threats of ostracism or in extreme cases against their lives. Similar problems are sometimes reported within other extremely conservative religious groups – Christian Exclusive Brethren and Charedi Jewish communities, for example. In November 2015 the hashtag #ExMuslimBecause trended in the UK for several days, as part of a ‘coming out’ campaign.

› [bbc.co.uk/news/magazine-34357047](http://bbc.co.uk/news/magazine-34357047)

## Freedom of expression, advocacy of humanist values

UK law, incorporating the European Convention on Human Rights, protects freedom of expression and freedom of association and assembly, and the UK is known for its strong and diverse media and active civil society.

However, sections of the British press have won a wide reputation for malign and unsavoury reporting, subtly or not so subtly playing into far-right nationalist views. A report for the UN High Commission for Refugees (UNHCR) in 2015 comparing press coverage on the migration crisis in Europe, found that “coverage in the United Kingdom was the most negative, and the most polarised. Amongst those countries surveyed, Britain’s right-wing media was uniquely [aggressive] in its campaigns against refugees and migrants.”

› [unhcr.org/uk/protection/operations/56bb369c9/press-coverage-refugee-migrant-crisis-eu-content-analysis-five-european.html](http://unhcr.org/uk/protection/operations/56bb369c9/press-coverage-refugee-migrant-crisis-eu-content-analysis-five-european.html)

The libel laws of England and Wales, which previously had been infamously over-reaching, were reformed in 2013 to make it more difficult to use them to suppress free speech. However, the same libel laws as previously applied are still on the books in Northern Ireland. There is an ongoing campaign for reform there, too.

## “Blasphemy” laws in Scotland and Northern Ireland

“Blasphemy” law in England and Wales was abolished under the Criminal Justice and Immigration Act in 2008. However, two distinct laws in Scotland and Northern Ireland are still on statute. The last successful prosecution for “blasphemy” in Scotland was in 1843, when a bookseller Thomas Paterson was handed a fifteen-month prison term.

Some commentators believe that the Human Rights Act (1998) effectively makes the “blasphemy” laws in Scotland and Northern Ireland inapplicable. This is because under the Human Rights Act all courts in the United Kingdom must interpret the law such that it is compatible with the Convention for the Protection of Human Rights and Fundamental Freedoms, which includes freedom of expression under Article 10. However, prior to the passage of the Human Rights Act, the claim that “blasphemy” law is inconsistent with the right to free expression was tested in the case of *Wingrove v UK* (1997) and was rejected on the basis that the state’s margin of appreciation on free speech could include restrictions on “blasphemy”. It therefore remains unclear whether there could be a prosecution under the laws in Northern Ireland and Scotland as they stand.

In December 2016 the Humanist Society Scotland repeated its call for the Scottish government to abolish the “blasphemy” law. Citing the Freedom of Thought Report, they noted the existence of numerous “blasphemy” laws around the world which remain in use, and “the cruelty with which those who are accused of violating these laws are often punished, by state agents or by non-state actors, including neighbours and relatives.” To have such laws on statute “should be a badge of shame for any progressive nation.”

› [heraldscotland.com/news/14947934.Humanists\\_urge\\_Holyrood\\_to\\_repeal\\_Scotland\\_s\\_blasphemy\\_law/](http://heraldscotland.com/news/14947934.Humanists_urge_Holyrood_to_repeal_Scotland_s_blasphemy_law/)

## Social and ethical issues

There are mixed fortunes in the UK for advocacy of humanist values. In 2014 same-sex marriage was legalised across the UK, except in Northern Ireland, but humanist marriage has been blocked (see above) except in Scotland. Legislation to legalise assisted dying has consistently been rejected by both UK and Scottish Parliaments, despite popular support.

Abortion, while generally legal in most of the UK, remains significantly more restricted in Northern Ireland where it is illegal even in the case of rape and any approved abortion must satisfy the purpose of “preserving the life of the mother”. This can cover adverse physical and mental health risks other than immediate life-or-death situations, but many women from Northern Ireland still need to travel to other parts of the UK (or elsewhere) to obtain the procedure, always at their own expense. From 2017 women from Northern Ireland can now obtain an abortion legally on the National Health Service elsewhere in the UK.

Abortion also remains in criminal law across the UK,



meaning women can be sent to jail for not following the correct procedures around abortion, even if the abortion would otherwise have been performed in circumstances that are allowed. In 2015 the campaign We Trust Women was launched to decriminalise abortion.

› [wetrustwomen.org.uk](http://wetrustwomen.org.uk)

### **Communications privacy and liberties**

In November 2016 the UK passed the Investigatory Powers Act, commonly referred to as “the Snooper’s Charter”. The law grants new “hacking powers” to police and security services, requires internet service providers to store all their customers’ website visits (at domain level) for a year, and requires phone companies to keep metadata on all phone calls. The data may be made available on request, without judicial oversight, to various public authorities, including some bodies which have no direct relationship to national security (e.g. the Department of Work and Pensions and the Food Standards Agency). The Investigatory Powers law has been severely criticised by civil liberties groups and privacy advocates. American whistleblower Edward Snowden called it “the most extreme surveillance in the history of western democracy. It goes further than many autocracies.” Amnesty UK said the law would “violate the human rights of every single person in the UK.” Open Rights Group (ORG) said the law set a dangerous international precedent.

› [theguardian.com/world/2016/nov/19/extreme-surveillance-becomes-uk-law-with-barely-a-whimper](http://theguardian.com/world/2016/nov/19/extreme-surveillance-becomes-uk-law-with-barely-a-whimper)  
› [amnesty.org.uk/blogs/yes-minister-it-human-rights-issue/urgent-stop-ipb-investigatory-powers-bill-snoopers-charter-human-rights](http://amnesty.org.uk/blogs/yes-minister-it-human-rights-issue/urgent-stop-ipb-investigatory-powers-bill-snoopers-charter-human-rights)  
› [openrightsgroup.org/press/releases/2016/ipb-will-reach-beyond-the-uk](http://openrightsgroup.org/press/releases/2016/ipb-will-reach-beyond-the-uk)

Another new law, the Digital Economy Act, came into force in April 2017. It requires age verification procedures on all pornographic websites, and restricts the provision of “extreme” pornography, vaguely defined as material that is “grossly offensive, disgusting or otherwise of an obscene character”. Open Rights Group criticised the bill prior to parliamentary approval as constituting “censorship of legal content”, and argued that it increased the risk of credit card fraud and personal data leaks by requiring sites to collect personal information. ORG adds: “Blocking websites is a disproportionate, technical response to a complex, social issue. The UK’s children need education, not censorship, to keep them safe.”

› [theguardian.com/technology/2016/nov/23/censor-non-conventional-sex-acts-online-internet-pornography](http://theguardian.com/technology/2016/nov/23/censor-non-conventional-sex-acts-online-internet-pornography)  
› [openrightsgroup.org/campaigns/digital-economy-bill-hub/stop-uk-censorship-of-legal-content](http://openrightsgroup.org/campaigns/digital-economy-bill-hub/stop-uk-censorship-of-legal-content)

# United States of America

Const/Govt	Edu/Child	Society/Comm	Expression

The United States of America is a large country of around 315 million people, bordered by Canada to the north and Mexico to the south. Since the end of World War II, the US

has been widely considered the most powerful nation on Earth and remains very influential globally in economic, cultural and political affairs.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
Official symbolic deference to religion  Anomalous discrimination by local or provincial authorities, or overseas territories		Localised or infrequent but recurring and widespread social marginalisation or prejudice against the non-religious	
	No formal discrimination in education		No fundamental restrictions on freedom of expression or advocacy of humanist values

## Constitution and government

The United States receives a relatively good rating in this Report, in consequence of the nation’s strong constitutional protections in favour of freedom of thought, religion or belief and freedom of expression, which are usually upheld in practice. There is also a deep-rooted cultural emphasis on individual freedom.

However, those very freedoms, and openness to challenge, debate and due process – combined with the sometimes also very strong, deeply-rooted Christian conservatism of some Americans – means that secular, humanist and civil liberties groups find themselves facing a continual battle to preserve the inherent secularism of the constitution from persistent challenges, often involving state authorities or officials, or individuals, citing “religious freedom” in an attempt to bypass separation of church and state, to enforce particular religious beliefs in the public sphere, or in some way “establish” religion. Thanks to founding constitutional principles, these battles have usually been won on the side of secularism in the longer term.

### The constitution, “free exercise” and “establishment”

The US Constitution is often considered to be one of the world’s first political secular documents. The secular tradition in US law comes in part from the diverse religious

makeup of the original colonies and the enlightenment idea that no one religion should come to be dominant in politics.

The First Amendment of the United States Constitution protects the right to freedom of religion and freedom of expression from government interference.

*“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”*

The Amendment has two clauses directly relating to the relationship between state and religion. The “Free Exercise Clause”, protects the rights of people to hold whatever religious beliefs he or she wants, and to exercise that belief. This protection has also been extended to the right to non-belief. The “Establishment Clause” forbids the establishment of a state church and prevents the government, both state and federal, from favoring any one religious doctrine. This is often called the separation clause, referring to Thomas Jefferson’s description of “a wall of separation between church and state”.

The Constitution also prevents religious requirements for public office with Article 6 stating: “no religious Test shall

ever be required as a Qualification to any Office or public Trust under the United States”.

Broadly speaking, these clauses combine to create an largely open society in which all people are afforded the same legal rights to practice religion or not; convert from one religion to another, or reconvert altogether; to express beliefs regarding religion; and to participate in all areas of public life.

### Concerns regarding Trump presidency

US president Trump courted and won the support of conservative Christian leaders. Some commentators have noted that since claiming victory, Trump has rowed back on some of the pledges made during the campaign, but policy pledges around conservative religious and nationalist values are being upheld in his post-election statements and appointments. He has said that his promise to appoint pro-gun, pro-life Supreme Court judges would be kept, and responding to the prospect of women finding it harder to obtain an abortion he said: “Yeah, well, they’ll perhaps have to go, they’ll have to go to another state.” He offered the job of Education Secretary to prominent creationist Jerry Falwell but in the end went with billionaire Republican party donor Betsy DeVos, a Christian campaigner against marriage equality and ardently in favour of the school vouchers system. The National Education Association criticised her appointment saying: “her efforts over the years have done more to undermine public education than support students. She has lobbied for failed schemes, like vouchers – which take away funding and local control from our public schools – to fund private schools at taxpayers’ expense.” The voucher system effectively channels taxpayers’ money to religious schools in particular, which do not have to serve families of all religions or beliefs equally. Rabbi Jack Moline, president of Interfaith Alliance, commented: “Americans are always free to send their children to private schools and religious schools, but raiding the public treasury to subsidize private businesses and religious organizations runs against the public trust and the Constitution” and that the move suggests that Trump “has little regard for... the constitutional principle of separation of church and state.” Along with his running mate, Mike Pence, there are various threats to LGBTI rights. Trump has also said he would like to criminalize the burning of the American flag with prison terms or the revocation of citizenship, a policy widely-denounced as contrary to the free expression, as well as being a violation of the human right to citizenship. Executive Director of the American Humanist Association, Roy Speckhardt, comments: “No matter how thin Trump’s veneer of religiosity may be, make no mistake that the Religious Right has just assumed a mantle of power that exceeds their fondest hopes and humanists’ worst nightmares.”

› [patheos.com/blogs/friendlyatheist/2016/11/14/donald-trump-women-may-have-to-go-to-another-state-to-obtain-abortions-under-his-supreme-court/](https://patheos.com/blogs/friendlyatheist/2016/11/14/donald-trump-women-may-have-to-go-to-another-state-to-obtain-abortions-under-his-supreme-court/)  
› [bigstory.ap.org/article/df9a14336c64485cabb5fdc81ded5981/falwell-says-](https://bigstory.ap.org/article/df9a14336c64485cabb5fdc81ded5981/falwell-says-trump-offered-him-education-secretary-job)

[trump-offered-him-education-secretary-job](https://trump-offered-him-education-secretary-job)

› [washingtonpost.com/local/education/trump-picks-billionaire-betsy-devos-school-voucher-advocate-as-education-secretary/2016/11/23/c3d66b94-af96-11e6-840f-e3ebab6bcdd3\\_story.html](https://washingtonpost.com/local/education/trump-picks-billionaire-betsy-devos-school-voucher-advocate-as-education-secretary/2016/11/23/c3d66b94-af96-11e6-840f-e3ebab6bcdd3_story.html)

› [huffingtonpost.com/entry/ignorance-won-can-we-return-to-reason\\_us\\_58233104e4b0334571e0a3a0](https://huffingtonpost.com/entry/ignorance-won-can-we-return-to-reason_us_58233104e4b0334571e0a3a0)

### Trump vs the Johnson Amendment

For many US secularists, president Trump’s tax reforms, particularly the provisions concerning the Johnson Amendment, represent a new threat to “church-state” separation in the United States. They fear that allowing religious leaders (for example, including wealthy and influential mega-churches) to participate in partisan politics will lead to an increase in the involvement of religion in American politics and potentially pool electorate influence in the hands of pastors. Others, such as Jay Sekulow, chief counsel for the American Center for Law and Justice, argues that the Johnson Amendment: “prevents religious leaders from truly exercising their constitutionally-protected free speech rights when they act in their official capacity as a pastor or head of a religious, tax-exempt organisation.”

› [latimes.com/opinion/op-ed/la-oe-balmer-johnson-amendment-20170202-story.html](https://latimes.com/opinion/op-ed/la-oe-balmer-johnson-amendment-20170202-story.html)

There is no restriction on a religious leaders right to act in a partisan fashion, however at present if they do so act, their tax exempt status will be revoked. Roy Speckhardt of the American Humanist Association explains that: “The Johnson Amendment is a key protection for everyone’s constitutional right to be free from religious coercion in government. And Trump’s false claim that it’s silencing ministers is just a smoke screen for his real agenda of setting aside the Johnson Amendment so he can open up churches to be used as political action committees.”

› [americanhumanist.org/press-releases/humanists-rail-trumps-theocratic-speech/](https://americanhumanist.org/press-releases/humanists-rail-trumps-theocratic-speech/)

### “Under God” and “In God we Trust”

Despite the long history of the secular constitution, the Cold War Era in the 1950s saw increased paranoia towards atheism because of its association with Communism. In 1951 the Catholic group “The Knights of Columbus” successfully lobbied to have the words “Under God” added to the pledge of allegiance. The pledge is said during the opening of sessions of Congress, the beginning of numerous state and local government meetings and at the beginning of a school day. It is also popular during the July 4th festivities.

› [oldtimeislands.org/pledge/pledge.htm](https://oldtimeislands.org/pledge/pledge.htm)

Similarly, the United states Motto was established in 1956 as “In God We Trust” and can be found on all paper currency in the US. There have been numerous unsuccessful campaigns since the 1950s, by secular and religious minority groups alike, to secularise both the pledge and the motto. These have included numerous supreme and

appeals court cases, the most recent being in April 2014.  
› [religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/](http://religionnews.com/2014/05/28/atheists-lose-latest-legal-fight-god-trust/)

The Don't Say the Pledge campaign by the American Humanist Association has had some success in 2015, for example establishing precedents against the enforced recitation of the pledge by students in school settings.  
› [americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says](http://americanhumanist.org/news/details/2015-10-student-may-sit-during-the-pledge-of-allegiance-says)

### Religious monuments on government land

The U.S. Constitution prohibits the government from endorsing one religion over the other, but there have been many attempts to establish religion, particularly Christianity, in the form of religious monuments on public property. However, results from a variety of lawsuits have been mixed.

In April 2014, the American Humanist Association successfully challenged plans to erect a memorial honoring war veterans that included an image of a soldier kneeling to a Christian cross. However, in November 2015, the association lost a similar case challenging a 40-foot Christian cross, known as the Peace Cross, in Bladensburg, Maryland.

The holiday season in December often results in an uptick of constitutional violations regarding religious displays on public property. Local governments often place stand-alone nativity scenes (also known as creches) on public grounds, which violates the Establishment Clause. However, local governments have found a way around the law by allowing other religious holiday displays along with the nativity scenes, such as menorahs. A number of local humanist organizations have requested permission to display a HumanLight sign or other display representing humanists, atheists, and freethinkers.

### State Laws

Although the Constitution is secular, there are significant anti-secular issues at the state level. Despite the constitutional prohibition (Article 6) of any "religious test" for public office, there are currently 8 states where the laws directly block those who deny the existence of God or "a supreme being" from holding public office. This can even extend to the banning of atheists from testifying in court. An example of this is the State constitution of Arkansas which explicitly mentions atheists:

"1: Atheists disqualified from holding office or testifying as witness.

No person who denies the being of a God shall hold any office in the civil departments of this State, nor be competent to testify as a witness in any Court."

— [arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf](http://arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf)

Similar laws exist in Maryland, Mississippi, Texas, both Carolinas, Tennessee and Pennsylvania.

› [ffrf.org/faq/feeds/item/14017-religious-tests-for-public-office](http://ffrf.org/faq/feeds/item/14017-religious-tests-for-public-office)

Numerous federal test cases have declared these laws unconstitutional. But there has been insufficient political will to amend them.

## Education and children's rights

The role of religion in American public schools has been a source of heated debate for decades. The Establishment Clause has generally been interpreted as prohibiting the observance or promotion of religion in state-funded schools.

Despite the clear prohibition against public funding for religious schools, there are some cases where state and federal funding can be used to send children to private religious schools through a voucher program. There is an argument to be made that this constitutes indirect funding of religious schools.

› [secular.org/issues/vouchers](http://secular.org/issues/vouchers)

› [americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious](http://americanhumanist.org/news/details/2015-07-stop-vouchers-oppose-government-funding-of-religious)

In 2015, religious and secular groups protested the possible creation of a private school voucher programme under the Elementary and Secondary Education Act (ESEA) under the guise of "portability" of voucher entitlements. The groups protested that "The portability provision undermines Title I's fundamental purpose of assisting public schools with high concentrations of poverty and high-need students and serves as a stepping-stone to private school vouchers..."

› [americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers](http://americanhumanist.org/news/details/2015-10-aha-joins-groups-opposing-private-school-vouchers)

School prayer has been a major heatedly contested issue. Since the 1960s, schools have been forbidden to compose prayers for students or include prayer as part of official school proceedings. Students are allowed to pray in groups or on their own independent of formal school proceedings as long as it is not disruptive. Other expressions of religion, such as religious clothing, are protected under the free exercise clause of the 1st amendment. Despite a recent decline in support a 2011 poll found that 65% of the Americans support school prayer. Over the decades there have been numerous legal cases, many of which have gone as far as the supreme court.

› [aclu.org/religion-belief/aclu-and-freedom-religion-and-belief](http://aclu.org/religion-belief/aclu-and-freedom-religion-and-belief)

› [infidels.org/library/modern/church-state/decisions.html](http://infidels.org/library/modern/church-state/decisions.html)

Many local School districts are run by a board directly elected by the local population. Whilst this direct involvement can be seen as positive, in some cases, it has led to the school board's domination by religious ideologues. This has often lead to school boards

attempting to introduce creationism and intelligent design curricula such as during the *Kitzmiller v. Dover* case in 2005. A more recent and complex case can be found in the East Ramapo School District where the Orthodox Jewish dominated board has been accused of favouring Jewish students who attend Private Orthodox schools whilst defunding the places of up to 9,000 public school students.

› [thisamericanlife.org/radio-archives/episode/534/transcript](http://thisamericanlife.org/radio-archives/episode/534/transcript)

› [nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?\\_r=0](http://nytimes.com/2014/11/18/nyregion/east-ramapo-school-board-is-criticized-by-new-york-city-monitor.html?_r=0)

On June 26, 2017, the Supreme Court sided with religious institutions in a major church-state decision. The American Humanist Association (AHA) expressed serious concern over the ruling that requires taxpayer money to flow to a Missouri church school for playground improvements. David Niose, the Legal Director at the AHA's Appignani Humanist Legal Centre, said: "This decision, requiring the transfer of tax money from hard working Missourians to houses of worship, is an assault on the principle of church-state separation."

› [americanhumanist.org/featured/aha-condemns-supreme-court-ruling-sending-tax-dollars-churches/](http://americanhumanist.org/featured/aha-condemns-supreme-court-ruling-sending-tax-dollars-churches/)

## Family, community and society

### Hobby Lobby

On 25 March 2014, the Supreme Court heard arguments for the cases *Sebelius v Hobby Lobby Stores, Inc.* and *Conestoga Wood Specialties Corp. v Sebelius*. The Hobby Lobby Stores and Conestoga Wood Specialties are both Christian-owned stores that were concerned about the 'contraceptive mandate', which would require that businesses that offer health insurance to their employees must also cover all federally-approved contraception methods for them at no additional cost. The store owners believe that four of those contraceptive methods are equivalent to abortion. They argued that the contraceptives would burden their religious exercise and sought for an exemption. They argued that they were entitled to exemption under the RFRA (Religious Freedom Restoration Act) and the administration had granted exemptions to some churches and religious nonprofit organizations, showing that the mandate could not be the least restrictive means of achieving a compelling state interest. The government had argued that for-profit corporations' owners do not receive such exemptions. However, the Supreme Court eventually ruled in a 5-4 decision that a closely-held company can be exempt from contraceptive coverage under the Affordable Care Act.

› [economist.com/blogs/economist-explains/2014/03/economist-explains-19](http://economist.com/blogs/economist-explains/2014/03/economist-explains-19)

› [msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling](http://msnbc.com/msnbc/hobby-lobby-supreme-court-wins-narrow-ruling)

### Social Pressure on the Non-religious

The US has among the highest religiosity in the western world, though there has been a marked rise in the number

of people identifying as non-religious or religiously "unaffiliated" in recent years.

› [pewforum.org/2015/05/12/americas-changing-religious-landscape/](http://pewforum.org/2015/05/12/americas-changing-religious-landscape/)

Despite strong legal and constitutional protections for the religious and secular alike, the U.S. has long been home to a social and political atmosphere in which the non-religious are sometimes made to feel like lesser Americans or as if atheism is "un-American".

Opinion polls have regularly suggested that the majority of Americans would be less likely to vote for a presidential candidate if they were an atheist. One survey suggested that "No other trait, including being gay or having never held elected office, garnered a larger share of people saying they'd be less likely to support the potential candidate." Other surveys have shown that 60% of Americans (75% of Evangelicals) have a less favourable view of atheists than most other belief groups.

› [pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/](http://pewresearch.org/fact-tank/2014/05/29/americans-are-somewhat-more-open-to-the-idea-of-an-atheist-president/)

› [pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/](http://pewresearch.org/fact-tank/2014/07/16/u-s-evangelical-christians-are-chilly-toward-atheists-and-the-feeling-is-mutual/)

It's worth noting that these surveys actually represent an improvement in the reputation of atheists when compared to similar studies undertaken in previous years. In some states more than others, the prevailing social prejudice against atheists and the non-religious reinforces, and is reinforced by, the political support for religious, especially Christian, privilege. While there is legal remedy for clear discrimination on grounds of religion or belief, it can often go unchallenged in situations where it is difficult, or personally disadvantageous or hazardous, to take a stand against authority, for example in prisons, the military, and even some administrative contexts.

Following the presidential election of Donald Trump in November 2016, right-wing Christian lobby group National Organization for Marriage (NOM) have vowed to work with Trump to reverse equal marriage throughout the country, and to bring about an end to the US's persuasions to equalise marriage abroad.

› [http://www.patheos.com/blogs/friendlyatheist/2016/11/10/anti-lgbt-christians-are-already-working-to-undo-marriage-equality/?utm\\_source=dlvr.it&utm\\_medium=twitter](http://www.patheos.com/blogs/friendlyatheist/2016/11/10/anti-lgbt-christians-are-already-working-to-undo-marriage-equality/?utm_source=dlvr.it&utm_medium=twitter)

## Freedom of expression, advocacy of humanist values

The United States has a strong constitutional tradition, and the constitution famously guarantees freedom of expression. The concept of free speech is deeply embedded in the culture.



However there are concerns following the November 2016 elections that President Trump has repeatedly questioned the right to opinion of various media outlets and individual commentators. In a characteristically blasé tweet of 29 November 2016 he said: “Nobody should be allowed to burn the American flag – if they do, there must be consequences – perhaps loss of citizenship or year in jail!” Whether the first amendment to the US constitution protects flag-burning has been a recurrent question in free speech debate and may be considered a touchstone issue. Trump’s stance is contrary to a Supreme Court decision of 1989 which found that flag-burning was a constitutionally protected expression.

### Atheists in Congress

Anti-non-religious sentiment has fed into the social idea that to be really American is to be religious, especially Christian, which in turn creates an atmosphere in which elected officials, or candidates seeking office, feel the need to play into that idea. There is a clear right to be an atheist, but going public as such, in some states or in some social or political contexts, might have debilitating consequences for your chances of success in life.

For example, there are several Congress members who refuse to list their religious affiliation but only one of the 535 members of Congress claim to be non-religious (Rep. Kyrsten Sinema (Arizona) listed “none” under the category of religious affiliation). One former Congressman, Barney Frank, who had previously suggested he was an atheist, said in his 2015 memoir that, “In fact, I am not an atheist”, and even advised others against using the term.

› [patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/](http://patheos.com/blogs/friendlyatheist/2015/04/06/former-congressman-barney-frank-atheist-politicians-shouldnt-use-the-word-atheist/)

Despite the dearth of known non-religious politicians in Congress, the American Humanist Association suggested in 2014 that dozens have in fact stated privately they are non-religious, but are afraid to “come out”.

› [huffingtonpost.com/2014/08/22/atheist-congress-members\\_n\\_5701377.html](http://huffingtonpost.com/2014/08/22/atheist-congress-members_n_5701377.html)

### Same-sex marriage

In June 2015, the Supreme Court established the right of same-sex couples to marry, in a landmark ruling (Obergefell v. Hodges). Implementation of the decision, which effectively legalised same-sex marriage nationwide, has faced opposition from some conservative religious groups. In one widely-reported case, Kentucky clerk Kim Davis, an elected official, was briefly sent to prison after refusing to comply with the ruling by issuing same-sex marriage licenses, for discriminating against same-sex couples.

### Highlighted cases

There were some mixed signs for secular equality in the justice system in 2015. In February 2015, after a hearing on

charges of DUI (driving under the influence), one Michael Baker was required to attend Alcoholics Anonymous (“AA”) meetings as a condition of his parole, despite being an atheist and despite officially raising objections to his parole officer and again at a hearing in August, and despite being verbally harassed for his atheism by other attendees at the AA meetings he did attend. At the most recent hearing in August, despite recognising the “spiritual basis” of AA, the judge ordered Baker to attend.

*“The state cannot require an atheist to undergo faith-based treatment, as doing so clearly violates the Establishment Clause of the First Amendment. In fact, the Ninth Circuit has twice held that a parolee’s right to be free from coerced participation in AA is a matter of ‘uncommonly well-settled case law...’”*

– Monica Miller, senior counsel, Appignani Humanist Legal Center

› [americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f](http://americanhumanist.org/news/details/2015-09-humanist-group-defends-atheist-sentenced-to-attend-f)

Jason Holden, a humanist inmate at the Federal Correctional Institution in Sheridan, Oregon, was denied the right to form a humanist study group and to identify as a humanist for official purposes. However, in this case, acting on Holden’s behalf, the American Humanist Association’s Appignani Humanist Legal Center reached a favorable settlement with the Federal Bureau of Prisons. “This settlement is a victory for all humanists in the federal prison system, who will no longer be denied the rights that religious individuals are accorded,” commented Roy Speckhardt, executive director of the American Humanist Association. Under the terms of the enforceable settlement, the Bureau must acknowledge humanism as a worldview in parity with theistic religious beliefs, provide information as required, recognise those who wish to identify as humanist for official assignment purposes, and must permit humanist study groups.

› [americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f](http://americanhumanist.org/news/details/2015-07-american-humanist-association-secures-equal-rights-f)

In 2017, a lawsuit was filed by American Atheists alleging that a developmentally disabled child was forcibly baptized against the expressed wishes of his parents by a minister and a court approved mentor. The child, referred to as “V” in the court filing, was taken to a church picnic in August 2016 by the child’s mentor. During the picnic, the mentor and the church’s pastor subjected V to a full-immersion baptism. The lawsuit alleges that V’s court-appointed guardian Margaret Vaughan repeatedly attempted to convert V’s parents and their children and told them that “families need God to raise children.” On August 28, 2016, V’s mentor took V to a picnic at his church and, along with the church pastor, forcibly baptized V, pushing him under water. Since the incident, V is said to have suffered anxiety and emotional distress.

› [atheists.org/2017/03/child-forced-baptism/](http://atheists.org/2017/03/child-forced-baptism/)





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