



U.S. Commission on International Religious Freedom Hearing

Blasphemy Laws and the Violation of International Religious Freedom

Opening Remarks as prepared for delivery

Gayle Manchin, USCIRF Chair

Good morning and thank you for attending the U.S. Commission on International Religious Freedom's hearing today on *Blasphemy Laws and the Violation of International Religious Freedom*. I would like to thank our distinguished witnesses for joining us today to offer their expertise and recommendations.

The U.S. Commission on International Religious Freedom, or USCIRF, is an independent, bipartisan U.S. government commission created by the 1998 International Religious Freedom Act, or IRFA. The Commission monitors the universal right to freedom of religion or belief abroad, using international

standards to do so, and makes policy recommendations to Congress, the President, and the Secretary of State. Today, USCIRF exercises its statutory authority under IRFA to convene this virtual hearing.

Blasphemy is defined as “the act of expressing contempt or a lack of reverence for God or sacred things.” Laws prohibiting blasphemy criminally sanction defamation of religion and seek to punish individuals for allegedly offending, insulting, or denigrating religious doctrines, deities, or symbols, or for wounding or insulting religious feelings.

Across the globe, 84 countries maintain blasphemy laws. In 2017, USCIRF issued a report entitled *Respecting Rights? Measuring the World’s Blasphemy Laws*, authored by two of our witnesses here today, Joelle Fiss and Jocelyn Getgen Kestenbaum. In addition to identifying and compiling many of the world’s blasphemy laws, this report analyzed the laws’ texts pursuant to international human rights standards.

Every identified blasphemy law deviated from one or more internationally recognized human rights principles. Most blasphemy laws, even those with

criminal sanctions, were vaguely worded, did not require intent as an element of the crime, and carried unduly harsh penalties for violators.

Laws criminalizing blasphemy violate the freedom of religion or belief. Religious freedom includes the right to express a full range of thoughts and beliefs, including those that others might find blasphemous. Laws prohibiting blasphemy, by definition, place limits on speech and impede free expression over open discourse concerning religion. Further, these laws aim to protect religions, but human rights laws protect individual believers, not beliefs. Blasphemy laws often empower authorities to sanction citizens who articulate minority views and signal to society that those views are disfavored. In some countries, such as Pakistan, blasphemy laws aim to support the majority religion in a way that impermissibly discriminates against other groups.

The severity of a blasphemy law on the books, however, is only the beginning of the story. To appreciate the full impact of the criminalization of blasphemy on human rights, we must also understand how states enforce these laws. For this reason, USCIRF commissioned a follow-on report to map and analyze publicly reported criminal blasphemy cases from 2014 to 2018. This report, entitled

Violating Rights: Enforcing the World's Blasphemy Laws, identifies global trends in the enforcement of blasphemy laws.

On behalf of USCIRF's Commissioners and staff, I would like to express our gratitude to Joelle and Jocelyn for their work on this groundbreaking report, along with the students and staff at the Benjamin B. Ferencz Human Rights and Atrocity Prevention Clinic at Cardozo School of Law who contributed to this report. The comprehensive data you have compiled and analyzed will be an essential resource for policy makers, advocates, and religious communities to better understand the impact of blasphemy laws and identify opportunities to call for their reform and repeal. I look forward to learning more about the report's findings today.

I will now turn to my colleague, Vice Chair Tony Perkins, to further discuss the enforcement of blasphemy laws through state action and vigilante violence.