

Progressive Islam in Practice

Takfir Series: Part VII

Muslim Governments & Takfir Laws

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Bangladesh

- Officially, there is no law against apostasy in Bangladesh.
- The constitution ensures freedom of religion and protects secularism.
- Although this is the official government position, both atheists and secularists have been the targets of violent attacks.
- In 2010, the terrorist organization, Hefazat-e-Islam Bangladesh published a hit list of 83 activists, including ex-Muslims. Three years later after the list was published, 8 activists were dead and 31 had fled the country.
- One feminist author, Taslima Nasrin, has been attacked multiple times for her opposition to Shari'a law and she was formally charged by the government for making inflammatory statements.

Brunei

- The Constitution of Brunei includes a provision protecting religious freedom in the country but numerous instances of oppression have been reported against non-Sunni Muslims and religious minorities.
- In 2019, Section 112 of the Penal Code (passed in 2013) came into effect, making apostasy a crime punishable by death.
- The law stated that a Muslim who declared themselves non-Muslim would be punished with death, if the accusation was proved by a confession or two witnesses.
- With evidence only (no confession or witnesses), the accused individual can be sentenced up to 30 years in prison, and 40 strokes.

Egypt

- The Constitution of Egypt offers absolute freedom of belief, and states that practicing religious rituals in places of worship is a protected right.
- Despite these protections, Egypt has a blasphemy law, used to prosecute ex-Muslims and alleged apostates.
- The Supreme Court of Egypt, Egyptian religious authorities, and the Constitution deem it legal for individuals to convert to Islam but prohibits the conversion of Muslims to another religion.
- According to a 2014 poll, 84% of Egyptian Muslims believe that a Muslim who leaves the religion should be put to death.

Malaysia

- Although no federal law against apostasy exists in Malaysia, the individual States have the right to create laws regarding social and religious matters.
- Two States have made apostasy in Islam a crime punishable by death, while four states have made it a crime punishable by jail time.
- No effort has been made by the federal government to challenge or nullify these laws.
- Both federal and state law allow individuals of other religions to freely convert to Islam.
- Individuals who wish to leave Islam may present themselves before the Shari'a Court for approval of their conversion but they are often sentenced to jail, caned, confined or sent to religious rehabilitation centers.

Mauritania

- According to the country's criminal code, apostasy is illegal in the country, punishable by death.
- Individuals accused of apostasy are given three days to repent and failure to do so results in a death sentence, dissolution of family rights, and confiscation of property.
- A number of individuals have been tried under the law, including Jemal Oumar, who was held in prison for critiquing the Prophet. While in prison media outlets across the country offered a reward to anyone who killed him.
- Mohamed Mkhaitir, a blogger and engineer, was also sentenced to death under the apostasy law for an essay critiquing racism in the country and in Islamic history. He was held in prison for nearly 5 years before his release.

Saudi Arabia

- With no criminal code in place, Saudi religious courts mandate the death penalty for anyone found guilty of apostasy.
- A number of individuals have been tried under apostasy law, including two Sunni Muslims who converted to the Ahmadiyya branch of Islam.
- Ahmadis have been banned from entering the country to perform Hajj and foreign workers are often deported.
- Individuals who leave Islam are also in danger and often flee the country or risk the death penalty, like Rahaf Mohammed, an 18 year old girl who fled to Thailand after renouncing Islam.
- Textbooks in schools across the country justify both the exclusion and killing of individuals deemed apostates.

Sudan

- In 2020, the transitional government of Sudan annulled the apostasy law.
- In doing so, they repealed the death penalty for those deemed '*kafir*'.
- The amendment also incriminated the act of *takfir*, making it illegal to accuse another Muslim of apostasy.
- The government announced the passage of the law as part of a larger movement to eliminate all laws violating human rights in the country.
- Prior to the passage of this law, a number of individuals were sentenced to death and executed under the apostasy law including, Mahmoud Mohammed Taha, an academic, who was executed in 1985 for sedition and apostasy.

Tunisia

- In 2014, with the passage of the new Constitution, both accusations of apostasy and violence associated with these accusations were declared illegal.
- In doing so, Tunisia became the first Arab majority country to protect individuals who had renounced Islam.
- However, other stipulations in the Constitution, such as the government's duty to protect the sacred, which is used to penalize freedom of speech, is often used in place of a blasphemy law.
- Moreover, individuals who leave Islam for other religions face enormous social isolation and violence from their family members, and the wider community.

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