Punjab's new Blasphemy Bill

What is the issue?

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- Punjab Cabinet recently decided to amend the law to make acts of "sacrilege against the religious books" punishable with life imprisonment.
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- This move is regressive, excessive, and fraught with undesirable consequences.
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What is the context?

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- The Punjab assembly had passed a bill in 2016 for protecting the "Guru Granth Sahib" (holy book of the Sikhs) against sacrilege acts.
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- The Centre had then returned the Bills, saying that protecting the holy book of only one religion would make it discriminatory and anti-secular.
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- Notably, prior permission of the Central or State government is needed to prosecute someone under such sections.
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- Hence, currently, the same bill has been cleared with slight amendments to cover other religious books like the "Bible, Koran and Bhagvad Gita".
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- The bill, if passed, will strengthen the existing 'blasphemy law' which criminalises acts that outrage religious feeling.
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What are the problems with the bill?

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- **Populism -** The 2016 bill was piloted by the Shiromani Akali Dal government following allegations of desecration of the holy book.
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- Back then, opposition to the Bill was then limited to the question whether holy books of other religions did not warrant the same protection.
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- The bill was a clear case of pandering to religious sentiments for political populism, and there was little concern for the long term implications.
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- Considering the tenets of the bill, it may also set off a needless flurry of legislation in the rest of India to pander to different groups.
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- Notably, existing provisions under the “Indian Penal Code” itself is sufficiently strong to protect the sanctity of religious symbols and sentiments.
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- **Disproportionate –** Present Blasphemy Laws (to protect religious faith) already provide for a 3 year jail term for disrespecting religious symbols.
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- But the current bill’s proposal for enhancing the punishment to a “life term” is a little excessive and problematic.
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- **Intention -** Blasphemy laws are largely aimed at preserving public order that might get disturbed by actions that flare up religious sentiments.
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- While the sanctity of the religion is indeed important, a secular state works not to preserve religion but to preserve law and individual freedoms.
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- In this context, actions perpetrated with the deliberate and malicious intention of outraging religious feelings and stir passions is to be curtailed.
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- Hence, while laws need to be a minimum safeguard and limited in scope, the current proposal seeks to appease religious groups disproportionately.
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What is the way ahead?

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- Significantly, ‘sacrilege’ itself is a vague term, and would render the

section too broad, work counterintuitive to freedom of speech.
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- Notably, there is a history of misuse of laws aimed to protect religious sentiments, which is a convenient tool to curtail liberal views.
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- Many fringe groups weaponise these provisions for their own political ends, despite a clear lack of ground to press charges against the accused.
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- Hence, there is actually a case to dilute the existing provisions and no rational to further the pandering of religious groups.
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Source: The Hindu

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