

Moroccan court acquits man accused of proselytizing

– Man charged with ‘shaking the faith of a Muslim,’ an offence ‘related to the practice of religion’

– By Anne-Bénédicte Hoffner

– La Croix International (22.03.2019) – <https://bit.ly/2U17nvj> – A Moroccan, Y.G., gave “books of the Gospel,” possibly a copy of the New Testament, to a friend and fellow Moroccan. His friend, a Muslim, filed a complaint, “considering this act an attempt to incite him to convert to Christianity.”

The prosecution decided to charge Y.G. with “shaking the faith of a Muslim,” an offence “related to the practice of religion” enshrined in Article 220 of the Moroccan Penal Code, the news site Media24 reported.

Under Article 220, anyone who “uses means of seduction to shake the faith of a Muslim” or who “employs incitements ... to make him convert to another religion, will incur a sentence ranging from six months’ to three years’ imprisonment and a fine of 200 to 500 dirhams (€20 to 50).”

This penalty is also applicable when the suspect tries to convert the other party by exploiting his weakness or needs, or by using educational or health institutions, shelters or orphanages, according to the Moroccan Penal Code.

Released on appeal

On March 28, 2018, Y.G. was acquitted by the local court in Taza, Northwest Morocco. The Royal Prosecutor appealed, and the Court of Appeal handed down its verdict on November 22,

2018, surprising many by upholding the decision of the lower court.

The decision was published in the latter part of February 2019 by the Moroccan media. "Freedom of religion: an important decision by the Taza Court of Appeal," ran the headline on the site of Media24 on Feb. 19.

"Taza Court acquits man charged with proselytising," was the headline a day later in the newspaper *TelQuel*, whose reporter was also able to consult the ruling.

The Appeal Court's decision mentioned the International Covenant on Civil and Political rights, signed by Morocco, which guarantees "freedom to manifest one's religion or convictions."

The mention in the 2011 Constitution of the international conventions signed by the country, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, is a form of recognition of freedom of conscience, one local observer stressed.

"Due to the very firm opposition of two political parties, it could not be formally included in the text of the Constitution adopted in 2001, but in the final analysis, it is present, all the same, in this way," he explained.

The Gospel, a 'celestial book'

The Appeal Court noted "the absence of any material or moral element" that could constitute an infraction, adding that "the facts show that the accused showed no desire to cast doubt on the faith of a Muslim or to incite him to change his religion," according to the Moroccan press.

And "nothing proves that the accused undertook, in a structured and organized manner, to invite the plaintiff to convert to Christianity," it added.

Moreover, the judge further justified his decision by stating that "Muslims believe in the Gospel," which is one of the "celestial books." The matter falls within the framework of the word of God: "We have made you nations and tribes that you may get to know one another," he concluded, citing the Quran.

A local observer said that in this "spectacular and ambiguous (ruling) one senses a gradual awareness that freedom of conscience is an important right, that it is not because a Christian gives a Bible that he endangers the entire community".

He also noted that a store in the capital, Rabat, sells copies of the Bible in Arabic, albeit under surveillance, but in a perfectly legal manner.