



Impunity For Hatred – Peter Jacob

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In most countries, blasphemy is treated as a criminal offence though some laws consider it to be an administrative offence (Italy). There are other laws that provide a remedy against defamation or incitement to religious hatred through lawsuits, keeping the punishment mostly to fines and penalties.

Countries treating blasphemy as a crime but not imposing severe punishments include Sudan and Indonesia where the maximum punishment is five years imprisonment. In Jordan, Turkey and Germany, it is three years and Brazil has one year imprisonment and fine.

The US does not have a blasphemy law whereas in the UK the blasphemy laws have been neutralised or set aside by subsequent laws and precedents on civil liberties. These countries have an insignificant number of cases and violence related to blasphemy.

Pakistan stands with Saudi Arabia, Yemen, Iran and Afghanistan where punishment for blasphemy extends to death penalty. Pakistan stands out in them too with a record number of blasphemy cases.

While official statistics are awaited, Awaz-e-Haq Itehad, an NGO network, collected data of 1,438 persons accused of blasphemy between 1987 and October 2014. This data shows that religious minorities, which form less than four percent of the population figure, make about fifty percent of those accused of blasphemy (Ahmadis 501, Christians 182, Hindus 26 – the religion of 10 victims could not be ascertained). Among the 60 persons who were killed in connection

with blasphemy allegations since 1990, 32 were religious minorities and 28 Muslims. Twenty of the total were either attacked in police custody or killed by policemen, while 19 were killed in mob attacks.

The province of Punjab is the locus of the monumental abuse of human rights where 1,086 – or 76 percent – incidents took place. About 1,097 houses were looted and damaged in Khanewal, Sangla Hill, Kasur, Gojra and Lahore. Seventeen churches in Khanewal and Korian along with 10 schools and hostels were put on fire in different attacks related to blasphemy allegations between 1997 and 2013. Twenty-one percent of the remainder of blasphemy allegations and violence occurred in Sindh.

The incidents of alleged blasphemy and their aftermath in 2014 so far reflect a continuing vulnerability of lawyers and judges besides those accused and their families. In March, a Hindu temple was set on fire in Larkana after accusations of blasphemy surfaced. Later that month, Sawan Masih, the accused in the blasphemy case of Joseph Colony received a death sentence by the court which held its trial inside the jail for security reasons. On the other hand, the 133 people accused of arson in Joseph Colony one year ago were released on bail.

In May, Rashid Rehman, the lawyer representing a university teacher accused of blasphemy, was murdered after being threatened during a court hearing. In July, a Facebook message by an Ahmadi was made an excuse in Gujranwala to wage a mob attack on houses belonging to Ahmadis; this ended with three women killed and caused one miscarriage.

In September, two inmates accused of committing blasphemy in Adiala Jail Rawalpindi were fired upon by a jail guard indoctrinated by the man convicted of murdering former governor Salmaan Taseer. One of the victims, Muhammad Asghar, sustained serious injuries while Pastor Zaffar Bhatti had a narrow escape. In October, the death sentence against Aasia Bibi was confirmed by the Lahore High Court. On November 3, Shama, a brick kiln worker who was seven month pregnant, and her husband Shahzad were burnt alive over allegations of committing blasphemy.

The continuing trends include safety of the accused and their families and communities at risk, especially if they are non-Muslims; the administrative machinery is challenged by the ability of the instigators to perpetrate mob violence; vulnerability of lawyers and judges, who lack protection to facilitate the justice system; and weak policing and administration as their resources and energies are over stretched due to rising crime and terror in the country.

Each incident of alleged blasphemy forms a chain of injustices where each step leads to more violence and legal injustice. The routine administrative measures and the judicial system have failed terribly in stopping these systemic human rights violations.

Governments have been quick to provide emergency response in most cases of arson and killing related to blasphemy allegations. About Rs100 million have been spent from our tax money on reconstruction of houses and other monetary compensations and restoring facilities such as roads, electricity, gas and water.

On the victim's side, prolonged litigations, detentions, court expenditures, loss of livelihood, temporary and permanent displacement of thousands of families are accompanying circumstances that are extremely crushing. To calculate the fear and emotional cost that the people have to bear is beyond the scope of a newspaper column.

Democratic countries have expanded the scope of religious and other freedoms for citizens to create a level playing ground for minority religions and sects whereas freedom in our case means impunity for perpetrators of hatred and violence.

The judicial inquiry on the Gojra incident held by Justice Iqbal Hameeduddin had recommended the way forward. For five long years, there has been no progress on the implementation of the recommendations of the inquiry. The government should form a high-powered implementation committee to see that these recommendations are put to effect in the shortest possible time.

Source: PakColumnist

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