

After the Junaid Hafeez Verdict, Time to Face the Truth About Pakistan's Blasphemy Law

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Pakistan's blasphemy law needs to be sentenced to death — not so-called 'blasphemers.'

On Saturday, Multan-based academic Junaid Hafeez became the latest to be given the [death sentence](#) for blasphemy in Pakistan.

The 33-year-old former lecturer at Bahauddin Zakariya University had been arrested in 2013 over alleged “blasphemous” comments on Facebook, after [accusations from an Islamist group](#) that had explicitly taken issues with Hafeez's “liberal views.”

After six years of solitary confinement, and a [problematic trial](#), Hafeez has been sent to the gallows by a sessions court for “outraging religious sentiments.”

Pakistan is one of 13 countries where blasphemy is punishable by death. The constitution's [Islam-specific clauses](#), notably Section 295-C of the Pakistan Penal Code, maintain that the capital punishment is solely for sacrilege against the majority's religion in the Muslim-dominated country.

Furthermore, given that unlike Saudi Arabia or Iran, Pakistan hasn't executed anyone for blasphemy, apostasy, or atheism, the existence of the death penalty for blasphemy against Islam has been taken up by [mobs as sanction for vigilante killings](#). As a result, there have been [over 75 extrajudicial executions](#), and more than 4,000 blasphemy cases registered since the inclusion of Section 295-C in the PPC in 1986.

Islamist mobs haven't spared [Hindus](#), [Christians](#), or [Ahmadis](#) after having their religious feelings outraged, which their country's constitution reaffirms as sufficient cause for taking the culprit's life. For atheists and agnostics, their [apostatizing identity](#) mandates the death penalty.

Meanwhile, the case of Junaid Hafeez and the lynching of [Mashal Khan in 2017](#) underlines that even Muslims aren't safe from the Islam-specific blasphemy law, for they can just as easily be deemed [“not Muslim enough.”](#)

And now, following the adaptation of the Penal Code clauses into the similarly draconian cybercrime laws, [death sentences](#) are being handed out for content that is posted online, resulting in silencing of progressive voices online and the [exodus of anonymous accounts](#).

The few that have been vocally upset about the Junaid Hafeez verdict have long pointed out the drawbacks of the country's blasphemy law. The diminishing voices against the blasphemy law have reiterated how the legislation leaves it open to misuse.

Given how former Punjab Governor [Salmaan Taseer was killed](#) for his criticism of the blasphemy law

- especially now with his [murderer's shrine](#) enjoying a holy status in the capital - these few voices mustering some form of criticism regarding the law, and the farcical trials, are courageous and commendable.

There have been similarly admirable [revisionist efforts](#) to highlight the ostensible flaws in the blasphemy law through study of Islamic jurisprudence.

Yet Pakistan's blasphemy law remains untouched, nay untouchable. And the reason for that is as straightforward as it is ominous.

Critics often speak of "misuse," but what possible use could there be for a law that at best hinders much-needed reform in Islam, and at worst sanctions death for words, cartoons, and other expressions?

No matter how repulsive or offensive it might be, the protection of [free speech](#) - guaranteed by Article 19 of both the Universal Declaration of Human Rights and Pakistan's Constitution - is an inalienable feature of any democracy, unless the speech explicitly calls for violence.

Critique of religion - any religion - is neither a call for violence nor a denial of rights for its adherents, which makes the very idea of blasphemy completely antagonistic to basic human rights. The "evidence" in such cases is intangible sentiments, making the "crime" victimless.

Therefore, the battle against the blasphemy law cannot be won until the democratic principle of basic human rights supersedes religious dogma.

Hence, it should not matter whether there is or isn't any evidence for the allegations against any blasphemy accused. It should not matter which personality, belief, or religion was or was not offended. It should not matter what 1,400-year-old scriptures do or do not sanction for this victimless "crime." Nobody, absolutely nobody, deserves death for outraging, mocking, or blaspheming words in a country that wants to self-identify as a democracy.

Given that such a realization isn't anywhere in sight, one can only take solace in [triumphs like Asia Bibi](#) being found not guilty of blasphemy and managing to escape the country last year, while hoping the same for Junaid Hafeez.

However, it is not its victims but the blasphemy law itself that needs to go. It is not the "blasphemer" but the blasphemy law that needs to be given the death sentence.

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P.S.

• The Diplomat. December 24, 2019:
<https://thediplomat.com/2019/12/after-the-junaid-hafeez-verdict-time-to-face-the-truth-about-pakistans-blasphemy-law/>

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