

# ORANGE COUNTY REGISTER

## **Doug Bandow: Pakistan's persecution**

By Doug Bandow  
July 18, 2014

The world is aflame, and religious minorities are among those who suffer most from increasing conflict. Pakistan is notable for its failure to protect religious liberty, the most basic right of conscience.

The U.S. State Department recently reported on Pakistan that, “The constitution and other laws and policies officially restrict religious freedom and, in practice, the government enforced many of these restrictions. The government’s respect for and protection of the right to religious freedom continued to be poor.”

Minority faiths frequently face violent attack. Although Islamabad does not launch these assaults, it does little to prevent or redress them. “The government’s limited capacity and will to investigate or prosecute the perpetrators of increasing extremist attacks against religious minorities and on members of the Muslim majority promoting tolerance, allowed the climate of impunity to continue,” explained the State Department.

The most common tool of persecution may be the charge of blasphemy which, explained the U.S. Commission on International Religious Freedom, is used to “target members of religious minority communities and dissenting Muslims and frequently result in imprisonment.”

The blasphemy laws are made for abuse: “The so-called crime carries the death penalty or life in prison, does not require proof of intent or evidence to be presented after allegations are made, and does not include penalties for false allegations,” according to the commission.

With evidence unnecessary, the charge is routinely used in personal and business disputes. Between 1986 and 2006, 695 people were charged with blasphemy. Three Christians have been sentenced to death in the last few months. Many other Pakistanis are in prison awaiting trial.

Penalties are not limited to the law. Explained the group Freedom House: “Regardless of the motives behind their charges and the outcome of their cases, those accused of blasphemy are subject to job discrimination, ostracism from their communities and neighborhoods, and even physical violence and murder at the hands of angry mobs,

forcing many to live in fear.” Since 1990 at least 52 people charged with blasphemy have been killed before reaching trial.

Judges who acquitted defendants and politicians who talked of reforming the blasphemy laws also have been assassinated. In May, gunmen killed a human-rights lawyer who was defending a professor accused of blasphemy.

Although Pakistan is not alone in punishing religious free speech, it has jailed more people for blasphemy than any other nation.

Freedom House published a detailed report on the detrimental impact of blasphemy laws: these measures “impose undue restrictions on freedom of expression” and are “prone to arbitrary or overly broad application, particularly in settings where there are no checks and balances in place to prevent abuses.” In March the Commission issued a special report entitled “Prisoners of Belief: Individuals Jailed Under Blasphemy Laws.”

Pakistan remains a particular problem. The government of dictator Mohammed Zia ul-Haq not only criminalized blasphemy, but, noted Freedom House, also imposed “harsh Shari’a punishments for extramarital sex, theft, and violations of the prohibition of alcohol.”

The impact of such laws fell most heavily on religious minorities and liberals. Noted Freedom House: “It is clear that Pakistan’s blasphemy laws are used politically and applied disproportionately to non-Muslims. Although many other countries have laws against blasphemy, the situation in Pakistan is unique in its severity and its particular effects on religious minorities.”

Unfortunately, there are spillover impacts from abusive blasphemy prosecutions. Warned Freedom House: “Pakistan’s blasphemy laws foster an environment of intolerance and impunity, and lead to violations of a broad range of human rights, including the obvious rights to freedom of expression and freedom of religion, as well as freedom from arbitrary arrest and detention; the right to due process and a fair trial; freedom from torture and cruel, inhuman, and degrading treatment; and the right to life and security of the person.”

Obviously, there is little the U.S. can do directly about policy in Pakistan. However, the International Religious Freedom Act empowers the State Department to designate countries as Countries of Particular Concern.

A government which fails to protect the right of individuals to respond to their belief (or unbelief) in God is more likely to leave other essential liberties unprotected. And a society in which life and dignity of the human person is not respected is more likely to become a hothouse for hostile ideas and beliefs.

As we see in Pakistan today. Rising religious extremism, exemplified by abusive blasphemy prosecutions, threatens the integrity of the Pakistani state – and the security

of its nuclear program. Although Americans cannot control policy in Pakistan, they can help highlight a problem that threatens people in that nation and around the world.

*Doug Bandow is a senior fellow at the Cato Institute and former special assistant to President Ronald Reagan.*