

Why 150 Islamic Leaders Are Calling for This Christian Woman's Hanging

After more than seven years in prison, the first Pakistani Christian woman to be sentenced to death for blasphemy has had her Supreme Court appeal delayed, amidst renewed Islamist calls for her to die.

Aasiya Noreen, commonly known as Asia Bibi, in prison since the summer of 2009, was arrested for allegedly insulting Islam's prophet when she offered water to a Muslim co-worker.

Two years ago, the Lahore High Court judges explained they had no choice but to reject her appeal on a technicality, given the way Pakistan's laws are written, and turned to lawmakers to craft legislation that would empower trial courts to apply a test that would make future blasphemy convictions much more difficult to achieve. That test was not in place when Bibi, now 51, was tried.

Since then, attempts have been made in the Parliament to at least acknowledge there is an issue over the blasphemy law, but any change would almost certainly mean a public furor that no government would want to risk. This is her final appeal—in Pakistan's highest court, the Supreme Court in Islamabad.

Today, one judge, Iqbal Hameed-ur-Rehman, refused to be one of the three judges to decide on Bibi's appeal because he had previously heard all the details of the case against Mumtaz Qadri, who murdered the Governor of Punjab, Salman Taseer, in January 2011. He said he'd killed the Governor for daring to advocate for Asia Bibi to be freed; many in Pakistan thought he'd done the right thing. The governor had called Pakistan's blasphemy statutes "black laws," calling for their reform and supporting a presidential pardon for Asia Bibi.

In February this year, the Supreme Court refused Qadri's appeal and he was hanged; this provoked violent demonstrations across the country.

The judge Rehman said that, as the two cases were linked, he could not but be biased in his hearing of Asia Bibi's case.

A new date and a new bench of three judges will now be set.

One lawyer and columnist, Asad Jamal, said Rehman did not have any legal grounds on which to refuse to hear Asia Bibi's case, citing the Code of Conduct for Judges of the Islamabad Supreme and High Courts of 2009.

Bibi herself was not in the packed court—for her own security—but her husband was, together with a large number of human activists and journalists. Outside were about 100 policemen.

Some of Bibi's supporters, though extremely disappointed at yet another legal delay, have nevertheless expressed some relief due to the febrile atmosphere.

About 150 top Muslim clerics (muftis) from the radical Islamist group Sunni Tehreek issued a statement which demanded that the government hang Asia Bibi and all other prisoners of blasphemy laws, and demanded a speedy trial of all cases still pending. They also issued a verbal decree that all those who might rescue those accused of blasphemy or who assist in trying to rescue them should be killed.

Bibi's case has attracted worldwide attention and led to much criticism of Pakistan's controversial blasphemy laws.

In July last year, *World Watch Monitor* reported that Bibi had been allowed to take her appeal to the Supreme Court. Commentators praised the Supreme Court for its courage to hear the appeal in the face of strong public sentiment against anyone seen to denigrate Islam, with some calling it a

“historic day for Pakistan.”

In 2014, rumors began to surface that Bibi was suffering from ill health, but her lawyer, Saif-ul-Malook, told *World Watch Monitor* in October last year that she remained safe and well. Bibi’s husband, Ashiq Masih, said at the time he had seen “a glimmer of hope” on his wife’s face.

Malook had previously served as the prosecution lawyer in the murder case of Punjab Governor Taseer. Because of death threats from hardliners, no lawyer would agree to represent Qadri’s prosecution. After months of no representation, Malook took up the case. When the trial judge, Pervez Ali Shah, convicted Qadri and sentenced him to death in October 2011, the judge was threatened and finally went to Saudi Arabia for fear of his life.

However, in October 2015, a landmark Supreme Court decision upheld the judgement that Qadri had no legal justification to take the law into his own hands and reconfirmed his death sentence. This vindicated Malook’s bold prosecution of the case. However, it was this verdict that provoked further backlash against Asia Bibi by extremists.

Despite having suffered so much for the cause of the Christian woman, Taseer’s elder sister said through a Facebook message: “It is not enough for the sentence on Qadri to be carried out—Asia [Bibi], for whom my brother died, has to be released.”

Malook said last year that he remained “quite hopeful” she would be acquitted and released. He said there were insufficient legal grounds against her under either civil or Islamic law.

Pakistan’s Blasphemy Law

The crime of blasphemy was enshrined into Pakistani law under British rule, but strengthened during the years of military

dictator Muhammad Zia-ul-Haq.

However, in recent years Pakistan, which is 96 per cent Muslim, has seen a surge in accusations of insulting Islam, says the Islamabad-based think-tank, the Center for Research and Security Studies.

Analysts say that accusations are frequently used to settle scores, or as a front for property grabs.

Charges are hard to fight because the law does not define blasphemy, so presenting the evidence can itself sometimes be considered a fresh infringement.

If found guilty, defendants can expect the death penalty, but those accused are often lynched or languish for years in jail without trial because lawyers are too afraid to defend them.

“Blasphemy accusations in Pakistan are often used to settle petty vendettas and persecute minority groups,” said Kate Allen, U.K. Director of Amnesty International in December 2014, as part of a plea for the release of Mohammad Asghar, a 70-year-old British Muslim grandfather then also on death row. “Pakistan should get rid of these poisonous blasphemy laws. It’s a complete disgrace that the courts are complicit in these vendettas”.

However, the president of the British Pakistani Christian Association, Wilson Chowdhry, said any changes to the blasphemy law would, in reality, have little effect because of “local police authorities cowing under pressure from mobs led by local imams.”

At least 150 Christians, 564 Muslims, 459 Ahmadis and 21 Hindus have been jailed under blasphemy charges since 1986. Chaudhry said that prior to 1986, only 14 cases pertaining to blasphemy were reported. {eoa}

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