

## Understanding Blasphemy in the Light of man-made law

### News:

The 33-year-old former lecturer at Bahauddin Zakariya University became the latest to be given a death sentence for blasphemy in Pakistan. Junaid Hafeez had been arrested in 2013 over alleged “blasphemous” comments on Facebook. (Source: [the diplomat](#))

### Comment:

This decision has come in a time when the Pakistani Judicial system is already being scrutinized for its recently made decision against General (retd) Pervaiz Musharraf and the suo motu notice against the extension of Army Chief General Qamar Javed Bajwa. The judiciary of Pakistan has not only always failed to provide justice to weak people but also has given benefits to the rich and powerful. What people need to understand is that highlighting these isolated cases and having discussions on a few cases, or even just one case, a year will not change the judicial system. Having hot debates on whether Junaid Hafeez or Mishaal Khan committed blasphemy or not is not going to bring justice to any of them. These are the same courts which have delayed justice to so many innocents. For these judges, it is normal to ignore the blood of innocent children of Jamia Hafsa and to honour the constitution of Pakistan more than the charred bodies of those children. Is there a Judge who is brave enough to sentence Musharraf for selling Aafia Siddiqui, murdering Akbar Bugti or bringing this wretched war to Pakistan which has destroyed so many homes and killed so many people? The answer is no. What is more sacred than the Army? Let's try the Constitution.

The little bit of seasoning that Pakistani law has in the form of Shariah law has always been an eyesore for the liberals. These issues are dragged out to highlight the brutalities of Shariah law. Accused are portrayed as victims and the solution suggested is to abolish the law. This in itself tells that no one dares to say that blasphemy is part of freedom of speech, but they have to come up with stories regarding innocence of the accused. Judges assigned may be trained but their cause is to rise in rank and status. They are as much part of the social system as politicians, bureaucrats and army officers. To give a little understanding of their job: The total maximum salary of an officer in BPS-22, the highest grade in the Pakistan government service, is reportedly around Rs.300,000 per month including basic salary, allowances, and other perks and privileges. This is almost 18 times the monthly average income of Rs.16400 in Pakistan assuming that its GDP per capita is \$1640. The total monthly salary of a High Court or Supreme Court judge, including basic salary, allowances, perks and privileges, reportedly varies from 80 to 100 times the monthly average income in Pakistan. By way of comparison, the annual salary of a judge of the American Supreme Court is reported to be US\$244,000, which is just four times the GDP per capita in the USA of US\$60,000.

Islamic justice system is a part of a whole system, and no isolated part of that system can be implemented while others are being ignored. For application of this whole we need Khilafah. A method of ruling that will truly understand and apply the judicial system according to Shariah law. The judges won't be clowns and puppets but true God-fearing scholars will be dealing with the matters. Judgments will not be for sale and criminals will not be hailed as heroes.

Rasool Allah (saw) said: وَمَنْ كَانَ فِي حَاجَةِ أَخِيهِ كَانَ اللَّهُ فِي حَاجَتِهِ، وَمَنْ لَمْ يَنْصُرْهُ لَمْ يَنْصُرْهُ اللَّهُ. ***“A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother, Allah will fulfil his needs; whoever brought his (Muslim) brother out of a discomfort, Allah will bring him out of the discomforts of the Day of Resurrection, and whoever screened a Muslim, Allah will screen him on the Day of Resurrection.”*** [Bukhari]

Written for the Central Media Office of Hizb ut Tahrir by

Ikhlaq Jehan