The Rimsha case

Accusations of blasphemy and desecration of holy books and lodging of cases against citizens on those charges, especially against non-Muslims, have not been a rare occurrence in Pakistan. However, the case of Rimsha, a minor Christian girl from a locality in Islamabad, who was accused of burning what were initially and falsely claimed to be pages of the Quran, was different.

This appeared to be a case of such blatant abuse of law that it caused an upheaval in the conscience of the people and a multitude of them, most of them Muslim, who are second to none in arguing for the sanctity of Islam, lent their voices to the pleas for a fair deal for a minor apparently maltreated on unfounded charges. This publication is a brief compilation of the messages that people from a cross section of society sent to HRCP regarding Rimsha’s case. It is not possible to include all the messages here but those representative of the views shared have been narrated, as have been editorials by mainstream newspapers about the sordid episode.

Where does all of that lead us? Would all these sentiments and reflections evaporate into thin air or should they lead to a positive result? The answer to that lies in how the moulders of public opinion and decision makers choose to engage with this recurring issue.
Perspectives and pleas

On August 23, the Human Rights Commission of Pakistan (HRCP) issued an urgent appeal calling for Rimsha’s release. In its appeal, HRCP said:

“Rimsha is accused of burning pages of Holy Quran. According to some reports, she was carrying a shopping bag to dispose of used pages when she was stopped by someone who asked her to show what she was carrying. Burnt pages of Holy Quran were allegedly found in the bag. Local clerics were alerted. A charged mob gathered outside Rimsha’s house soon after. According to the police, the minor girl has been taken into protective custody for her own safety. Rimsha’s family and other Christians have fled from the area in order to save their lives.

“Rimsha suffers from Down’s syndrome. The charge of blasphemy against a minor Christian girl who is seriously unwell is beyond comprehension.

“This is not the first time in Pakistan that a charge of blasphemy has been followed by intimidation and mobs trying to take matters into their own hands. Blasphemy laws have been misused against religious minorities and unfounded allegations have led to violent attacks against them causing not only loss of life and property but also great fear and intimidation.”

HRCP asked for letters to be written to the authorities in Pakistan urging them to immediately release and provide protection to Rimsha,
her family and to the Christian community that had fled the area; to take all appropriate measures to ensure that all religious minorities particularly Christians feel secure; and to proceed against the miscreants who tried to instigate violence against non-Muslim citizens.

_Razia Jafer, President, Canadian Council of Muslim Women, wrote to President Zardari:_

Rimsha, an eleven-year-old girl with Down’s syndrome, is currently being held in a Pakistani prison on charges of blasphemy. The child unknowingly burned pages from the Quran to make fire, after having found them in a public garbage. How was this illiterate young girl supposed to recognize pages from the Quran? This incident was clearly an innocent mistake, and yet she is being held in a prison intended for adults, not minors. The harsh punishment of this Christian child is an act of intolerance against a religious minority and must be stopped.

You recently stated that vulnerable individuals must be protected from misuse of the blasphemy law. A mentally challenged child is incredibly vulnerable, and these charges against her are inappropriate and cruel. Please protect Rimsha by dropping all charges against her and allowing her immediate release from prison.

_Daood Hassan Hamdani, a Canadian of Pakistani origin, wrote to the Interior Minister and the Supreme Court Registrar:_

I am deeply disturbed and appalled at the dubious charge of blasphemy brought against the little girl, Rimsha Masih, and the bizarre circumstances surrounding her arrest, on August 16, 2012 near Islamabad.

Pakistani media has reported that Rimsha is only 11 years old—14 or 16 year, according to her accusers—and may be suffering from Down’s syndrome or a mental disability. The blasphemy charge against a minor is shocking and, if she is mentally ill, mind boggling.

The accounts appearing in Pakistani media strongly suggest that it is not Rimsha who has violated Islamic teachings; it is the mob that intimated her and her family and the people that whipped up the frenzy.
The behaviour and actions violate the very same teachings of Islam that they pretend to defend. Islam is far too noble a religion to require the protection of fuming mobs attacking women.

I note with appreciation that the President has demanded an explanation of the peculiar circumstances of young Rimsha’s arrest. Likewise, I am confident that the Supreme Court will show the same kind of stellar leadership in this case as it has shown in other cases under the present Chief Justice and ensure justice and protection to Rimsha and her family and other families in the area that have fled their homes out of fear for their lives. In order to prevent such cruel and mean-spirited incidents in the future, it is imperative that Rimsha’s accusers and those who instigated this ugly episode be brought to justice. I also trust that the Supreme Court will do whatever it can to force legislators to amend the blasphemy law to prevent misuse.

Nelson and Vivian D’Souza wrote to Mr. Asif Ali Zardari, the President of Pakistan:

We appeal to you to please immediately release and provide protection to Rimsha, her family and to the Christian community that has fled the area;

To take all appropriate measures to ensure that all religious minorities particularly Christians feel secure;

To take stern action against the miscreants who tried to instigate violence against non-Muslim citizens.

Your help in this matter will be greatly appreciated.

Ron D’Souza, from Australia, wrote to the Prime Minister, Raja Pervaiz Ashraf:

The case of this poor disabled girl has spread around the world and is becoming an embarrassment to Pakistan. I would urge you:

To immediately release and provide protection to Rimsha, her family and to the Christian community in the area;

To take all possible measures to ensure that all religious minorities feel secure;

To take stern action against the miscreants who tried to instigate
Is anyone listening?

violence against non-Muslim citizens.

Thank you for your personal interest in this matter.

Pakistan Zindabad.

Lala Hassan, Co-convener, Asian Muslims Lawyers Human Rights Network for South Asia, wrote:

We demand immediate release and protection of minor girl Rimsha, while judicial inquiry should be conducted about what actually happened. Who gave burnt pages (if found) of the Holy Book to the girl? What was the motive behind the incident?

Although the President of Pakistan has taken notice of the incident, we demand immediate action and justice.

Nasreen Chima wrote to the President, the Prime Minister, the Supreme Court and the Interior Minister:

I, as a concerned member of civil society, am writing with reference to the arrest of Ms. Rimsha, an 11-year old Christian girl, from Mehrabad, on the outskirts of Islamabad, on the charge of blasphemy on August 16 and her detention in Adiala Jail in Rawalpindi on a 14-day remand.

She is accused of burning pages of Holy Quran. According to some reports, she was carrying a shopping bag to dispose of used pages when she was stopped by someone who asked her to show what she was carrying. Burnt pages of Holy Quran were allegedly found in the bag and local clerics alerted. A charged mob gathered outside Rimsha’s house soon after. According to the police, the minor girl has been taken into custody for her own safety. Rimsha’s family and other Christians, fearing for their lives, have fled the area.

Rimsha reportedly suffers from Down’s syndrome. The charge of blasphemy against a minor Christian girl who is seriously unwell is incomprehensible.

This is not the first time in Pakistan that a charge of blasphemy has been followed by intimidation and mobs trying to take matters into their own hands. Blasphemy laws have been misused against religious minorities and unfounded allegations have led to violent attacks against them, causing not only loss of life and property but also great
fear and intimidation.

We would like to request you to take the following actions:

1. To immediately release and provide protection to Rimsha, her family and to the Christian community that has fled the area;
2. To take all appropriate measures to ensure that all religious minorities, particularly Christians, feel secure;
3. To take stern action against the miscreants who tried to instigate violence against non-Muslim citizens;
4. To review and modify or repeal all such laws which are tearing apart the fabric of society.

We anxiously wait for a favorable response from you regarding this crucial matter.

*Ayesha Bilal* of Idara-e-Taleem-o-Agahi, Lahore wrote to the Interior Minister, Mr. Rehman Malik:

We write to draw your attention to the arrest of an 11-year old Christian girl, Rimsha Masih, who suffers from Down’s syndrome, for alleged blasphemy. We call upon you to take action to prevent a gross miscarriage of justice and to take steps to protect people from the abuse of the laws on blasphemy.

Rimsha, daughter of Misrak Masih, was arrested from Mehrabad, on the outskirts of Islamabad on the charge of blasphemy on August 16 and sent to Adiala Jail in Rawalpindi on a 14-day remand.

She is accused of burning pages of *Noorani Qaida*, a booklet used to learn basic Arabic and the Quran. She is also said to have put the booklet inside a plastic bag and thrown it into the garbage.

Allegedly, the event occurred on 17 April in Umara Jaffar, a slum in Islamabad’s Sector G-12, where the girl lives with her family. Police filed a First Information Report after a Muslim man, Syed Muhammad Ammad, made a formal complaint.

Four months after the incident, police took Rimsha Masih into custody after a mob of hundreds, threatening to take matters in their own hands, attacked the girl’s family, and tried to lynch Rimsha and her mother. Police are said to have taken the girl to prison for her own
Fearing more violence instigated by Muslim extremists, some 300 Christian families living in the slum fled their homes seeking safety elsewhere. According to local sources, tensions are running high and Muslim fundamentalists are threatening to set fire to Christians’ homes.

Given that Rimsha suffers from Down’s syndrome and is a minor, the charge of blasphemy is beyond comprehension. This is not the first time in Pakistan that an allegation of blasphemy has been followed by intimidation and mobs trying to take matters into their own hands. Blasphemy laws have been misused against religious minorities and unfounded allegations have led to violent attacks against them causing not only loss of life and property but also great fear and intimidation.

We remind you that Pakistan, as a state party to the Convention on the Rights of the Child, is under a legal obligation to ensure full protection of “each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status,” (Article 1 and 2) and to take special measures to ensure the protection and wellbeing of children with disabilities. (Article 23) Furthermore, the principle of due diligence obliges the State to adequately protect people from actions of non-State actors.

As citizens and members of civil society in Pakistan we urge you:

1. To order the immediate release of Rimsha and ensure effective protection for Rimsha and her family

2. To order the deletion of and refuse to enter the unfounded charge of “blasphemy” (sic) in the FIR against a minor who is not culpable either mentally or physically due to Down’s syndrome and age;

3. To order the use of the provisions of the Juvenile Justice System Ordinance for her protection;

4. To permit the girl to be visited by (a) lawyers for her defence; and (b) civil society representatives to provide psycho-social trauma counseling and help;

5. Take immediate steps to protect the life and property of all
Christians of Mehrabad and elsewhere in ICT [Islamabad Capital Territory], currently under severe threat.

6. Take stern action against the miscreants who tried to instigate violence against non-Muslim citizens.

*Ayesha Bilal* of Idara-e-Taleem-o-Agahi also called for protest by the Child Rights Movement. She wrote:

As you may have heard, an 11 year old Christian girl Rimsha Masih has been arrested on charge of blasphemy on August 16, 2012.

Unfortunately, this case is not unique - many Christians and other minority religious groups have been falsely accused of blasphemy with strict repercussions. These cases, especially the case of Rimsha—given the fact that this girl is only 11 years old and has been reported to have Down’s syndrome—reflects a huge failure of our nation to build foundations of tolerance and equity for ALL Pakistanis.

It is high time that we, as representatives of the civil society and advocates of equal rights for all children, take joint action and issue a statement to end the consistent misuse of blasphemy laws in Pakistan and revisiting of the laws themselves. We should also jointly visit the girl’s family in order to investigate the actual scenario and undertake “informed” action for their support.

Let us speak up on this and change the fate of minorities living in Pakistan!

HRCP has drafted a letter that we can send to all authorities on the subject matter. We can send this letter from our separate organizations and jointly as a coalition as well.

*Ayesha Bilal’s plea was endorsed by Mir Anwar Shahzad of Sustainable Development Policy Institute (SDPI), Islamabad, and Aamir Abbas of Cavish Development Foundation, Islamabad.*

*Dr. Zahid Imran* of American Pakistani Physicians wrote to HRCP:

On behalf of American Pakistani Physicians for Justice and Democracy, we support the petitions from various human rights groups regarding the application of blasphemy laws in the case of an 11-year-old Christian girl. This case goes against the traditions of
Islamic justice and teachings of Rehamat-ul-lil Aaleemen, who preached and practised tolerance. Our members have sent individual petitions and urge others to join in this cause while also demanding equal rather better treatment for minorities.

_F. John sent the following letter to President Zardari:_

I am always horrified when I read of the increasing number of Christians in Pakistan being persecuted on grounds of suspicion of having committed blasphemy but this past weekend I was especially shocked to read that a young Christian girl, suffering from Down’s syndrome, has been accused of blasphemy and is in police custody.

Mr. President, I am sure that you as a father can imagine how terrified and confused Rimsha must be and I am also sure you must be aware of the need of the Christian minority in Pakistan to be protected by the Pakistani Government against such outrageous allegations.

I am writing to appeal to you, as Pakistan’s leader, to:

1. order the immediate release Rimsha and to ensure protection to her, her family and to the Christian community who have fled the area in fear;

2. take all appropriate measures to ensure that all religious minorities in Pakistan, particularly the Christians, feel secure; and

3. take stern action against the miscreants who try to instigate violence against non-Muslim citizens.

Mr. President, please deal with this matter as one of priority. I am confident that you have the power and authority to protect the citizens of Pakistan.

_The Christian Conference of Asia said in an open letter to the Member Churches and National Council of Churches in Pakistan:_

It is with great shock and disbelief that we received the news
about Rimsha, a Christian girl with Down’s syndrome, in Pakistan, who may be punished by death after she was reportedly seen holding burning pages of the Quran. We are also dismayed that she has been arrested under the blasphemy law in Pakistan, which states that defaming Islam is a capital offence. The news reached us during the Asian Church Leaders Theological Conference, convened by the CCA, at Hsinchu city in Taipei from 22 - 27 August 2012. All the 56 participants are equally distressed by this news, have prayed with deep concern and convey feelings of solidarity to all the Christians in Pakistan.

It is unfortunate that this incident has been blown out of proportion by the public who have not taken the time or the effort to consider the vulnerability and innocence of this helpless girl who is now in a state of shock and to make matters worse is separated from her parents who are also under protective custody, fearing the anger of the public. We also view with concern the religious tensions that have forced Christians to temporarily flee Mehrabad, the Islamabad neighborhood where Rimsha resides, and the disruption it has caused in the lives of people.

While expressing our solidarity with the churches in Pakistan and those who are always under the threat of the law that hangs over them as the proverbial sword of Damocles, we hope and pray for a review of this blasphemy law that does not take into account the helplessness of children who are defenseless and unaware of any act of theirs. We would urge the Church and civil society to call for a revision of not only the blasphemy law but all such laws that discriminate and punish people on the basis of religion and gender, so that democratic institutions remain just and fair and can function without fear or favor. Please let us know if we can do anything to be of assistance.

_Frah Chaudhry wrote to President Zardari:_

I want to bring attention to a recent mail I received regarding an 11-year-old girl named Rimsha. She has been charged with burning the Quran and under the blasphemy law been arrested by the authorities.

I do not know all the details of the law, but I do know that under
Islamic law a minor is excused of her or his wrongdoings. Why would it be any different for a non-Muslim? As the email states, Rimsha is already suffering from Down’s syndrome. Chances are that she is not even aware of her action and the impact. The charge of blasphemy against a minor Christian girl who is affected by a serious disease is unfathomable.

I, therefore, ask the government to look into the following so that there is a sense of security amongst the non-Muslims. Even in the Quran, it says to provide security for the minorities despite their beliefs. Islam is a peaceful and forgiving religion. Let’s keep it that way. I urge you to:

1. Immediately release and provide protection to Rimsha, her family and to the Christian community in the area;
2. Take all appropriate measures to ensure that all religious minorities feel secure;
3. Take stern action against the miscreants who tried to instigate violence against non-Muslim citizens.

The Women Action Forum attacked the arrest of Rimsha. A newspaper report based on the WAF statement said:

ISLAMABAD: The Khawateen Mahaz-e-Amal (Women’s Action Forum) on Wednesday condemned the arrest of an 11-year-old Christian girl suffering from Down’s syndrome on fabricated charges of “blasphemy” (sic) on August 17.

According to a joint statement issued by all chapters of the national platform for women’s rights, death threats and harassment by Muslims have spread panic among the residents of the Christian Colony of Mehrabad (near Golra village).

The statement also read the forum was outraged at the inhumanity of the people who lodged a first information report (FIR) on Jumatul Wida, adding that they strongly condemned this act, which violated the sanctity of Ramazan.

The statement read further the WAF condemned the Islamabad police and the Interior Ministry administration for allegedly violating law of the land by arresting a minor girl not culpable under the blasphemy law; not seeking to apply the Juvenile Justice System
Ordinance (JJSO); allegedly keeping her in a male police station overnight; reportedly shifting her to Adiala Jail; reportedly not permitting lawyers or civil society representatives to visit her at either place of incarceration; and for failing to protect the life and property of non-Muslim citizens of Pakistan.

The forum demanded that Interior Minister Rehman Malik and the Islamabad inspector general (IG) immediately take following steps: (i) release and shift the girl to a shelter/crisis centre in the utmost secrecy for her protection and safety; (ii) delete and refuse to enter the unfounded charge of “blasphemy” (sic) in the FIR against a minor who is not culpable either mentally or physically due to Down’s syndrome and age; (iii) use the provisions of the JJSO for her protection; (iv) permit the girl to be visited by (a) lawyers for her defence; and (b) civil society representatives to provide psycho-social trauma counselling and help; (v) take immediate steps to protect the life and property of all Christians of Mehrabad and elsewhere in ICT [Islamabad Capital Territory], currently under severe threat.

“We hang our heads in utter shame at the treatment our minorities, particularly Christians, Hindus and Ahmadis, are receiving at the hands of both Islamist extremists and government functionaries, whose fundamental duty is to protect their life, property, honour and dignity,” the statement concluded.

The statement was strongly supported by Fauzia Viqar of Shirkatgah Women’s Resource Centre, who called for a joint press conference by rights organizations and a protest demonstration, and Umme Laila (HomeNet Pakistan) and Samson Salamat (Centre for Human Rights Education).

Marc Bonhomme, from Quebec, Canada sent a letter to Prime Minister Raja Pervaiz Ashraf.

Shagufta Anjum Syed wrote to President Asif Zardari and endorsed HRCP’s appeal.
Is anyone listening?
Editorials

The editorials published by the mainstream newspapers in Pakistan on Rimsha’s case are reproduced below.

Another mad act

According to news reports, 11-year-old Rifta [sic] Masih has been sent to Adiala Jail for committing blasphemy. She was caught tearing and dumping a few pages of Quranic text while playing outside her home in Islamabad. The act enraged Muslims in the neighbourhood who immediately tried to intimidate and pressurise the police to arrest the girl and her mother. What this mob did not take into account is that the girl is afflicted with Down syndrome and that without having the ability to think, how could she know that she was soiling something holy and revered? This is not the only case of so-called blasphemy followed blindly and taken up as a matter of life and death. Even those who dared speak against the abuse of this law had to pay with their lives like the late Governor Punjab Salmaan Taseer and Federal Minister of Minorities Shahbaz Bhatti. Condemnation of the arrest of Rifta [sic] Masih has poured in from all quarters. Advisor to the Prime Minister for National Harmony Dr Paul Bhatti has talked to lawyers for the release of the girl and to take actions against those who have influenced the police for registering a case against the girl and her mother. He has also spoken to the religious scholars who would look into the matter after Eid to determine if the act was intentional or
deliberate, since the victim is just a child, and an ill one at that.

This case is peculiar for the insanity of those who could not understand the difficulty of a mentally challenged person, that too a minor. This case shows the depth of the abyss into which people have fallen in Pakistan. If only these people could know what respect for our Prophet (PBUH) and the Quran means, they would perhaps find little time left from soul searching to throw stones at others. Depreciating Islam to killing, maiming, intimidating people is one of the biggest disservices these custodians of religion are doing to their faith, more so when the target is minorities. The blasphemy law needs thorough revision and redefinition. Bypassing the legal course of action followed in an ordinary case, the blasphemy law is made a tool in the hands of people who use it for their personal interests as and when they like. The most shocking part of the Rifta [sic] Masih case has been the role of the police who gave in to the pressure of a mob. This is where the rub lies. The blasphemy law has become a death warrant at the hands of mob vigilantism. Safeguards against false and irrational accusation of blasphemy are therefore the urgent need of the hour.

—Daily Times, August 20, 2012

**Height of absurdity**

There appears to be no limit to the brutality and inhumanity the blasphemy law and its misuse has inflicted on our society. The latest case is especially shocking. It features an 11-year-old Christian girl with Down’s syndrome, a mob and an arrest by the police of the handicapped child. People have reported that the child was spotted desecrating pages of the *Noorani Qaida*, a booklet used to learn the basics of the Holy Quran outside her home in a slum located near Islamabad. There are many versions of the exact tale with some accounts stating she was merely ruffling through a garbage bag, which contained papers that people said included Quranic verses.

But, where there is no doubt is the fact that following the whipping up of frenzy, the police arrested the child who they agree is not mentally stable and unable to answer questions. Her parents have been taken into protective custody. Numerous Christian families have fled the area after receiving threats. The US government and local human
rights groups have taken notice of this act of cruelty committed under the guise of the blasphemy law.

Time and again, we have seen the most terrible acts enacted in the name of the blasphemy law. Just months ago, a mentally unwell man was burnt alive in Punjab after being snatched from a police station following accusations that he had committed blasphemy. It is uncertain what has become of that case. A significant number of victims said to be suffering mental disease remain in jail. Others are behind bars as a result of acts of victimisation or to settle petty disputes. Last year, former Punjab governor and, a few months later, a cabinet minister were shot dead for speaking out against the blasphemy law and the terrible incidents it had introduced to our society.

The president has sought a report on this latest case. This is all very well but we wonder when the government will gather the courage to amend a law that has been repeatedly used in the most hideous fashion against those who are unable to defend themselves. We wonder how many more such cases will emerge before change can be introduced and events such as those that took place in this case will be brought to an end. —The Express Tribune, August 23, 2012

**Blasphemy law**

Once again Pakistan finds itself highlighted in the international press for the most unsavoury of reasons. The issue, the infamous ‘blasphemy law’ or Section 295-C of the Pakistan Penal Code, and the misuse to which it lends itself quite regularly now, is far from new. Public discourse was stirred even before the case of Aasia Bibi who was convicted of blasphemy in 2010, and there was some hope that a reconsideration of the law would become possible. Unfortunately, the matter has been allowed to die down, not least because of the fear of a hostile reaction from extremists and other quarters, and especially after the killing of Punjab governor Salmaan Taseer in 2011. Now, yet another person has been accused of committing ‘blasphemy’. The 11-year-old girl, a member of the impoverished Christian community that lives in the rural areas around Islamabad, is said to be mentally challenged. Following allegations that the child desecrated religious texts, human rights activists have said that a number of Christian families from her area have fled, no doubt in fear of bloody reprisals.

Section 295-C in its current form can mistakenly or wilfully be
used to do serious harm. The PPP government, which has been virtually silent on the issue since Mr Taseer’s assassination last year, has been unable to deal with the issue forcefully. True, President Asif Ali Zardari has taken ‘serious note’ of the incident and has sought a report from the interior ministry but this is hardly enough. Far more effort is needed to overcome the resistance to a review of this law. It is unfortunate that much of this resistance comes from ordinary Pakistanis whose emotions are easily stirred to the point of boiling rage at the mere suspicion of blasphemy. The existence of this law only implies tacit support for the actions of enraged rabbles. In the case of the 11-year-old, the police station where she was kept after being taken into custody was surrounded by a mob comprising hundreds of angry men demanding she be tried for blasphemy. Such hurdles must be overcome. The call for a review of Section 295-C needs to be renewed and the right-wing lobby which has in the past threatened or resorted to violence in this regard needs reminding that the law is man-made. —Dawn, August 23, 2012

Logic, not emotion, is law

The President took immediate notice of report of the arrest of an 11 year old suspected Down’s syndrome patient, arrested for allegedly desecrating pages of a tutorial book intended to teach the Quran. Rimsha Masih was taken to jail after an FIR was registered. As local and international media have been unequivocal in supplying the information that the child is suffering from a disabling condition, from birth, it is clear that even if the incident did occur, the child cannot and must not be held accountable for actions which she clearly did not have the mental faculty to think through and imagine the consequences of. Such a case should immediately be resolved by the constitution of a medical board to rule authoritatively on the mental stability of the child, following which, the matter can be justly resolved, with dignity and without emotion, according to the law. Too often rash impulse rules our behaviour. This is unacceptable. Humanity and empathy, especially for those less able than ourselves, is what Islam preaches. The facts must be established, and if, as seems evident, the child is unwell, the law will no doubt take the required view, which we now pin our hopes on. Meanwhile, treatment while in jail must be extended to her, for the obviously traumatising experience of being incarcerated, especially for someone suffering from a debilitating mental
disability. The people’s faith in the courts is absolute. They have every hope that the court will keep all aspects in view, while hearing the case. —*The Nation, August 23, 2012*

**Ulema speak out**

Is some semblance of sanity finally returning to a country that is fast gaining a reputation for growing intolerance toward minorities? In an unprecedented but heartening move, the All Pakistan Ulema Council has joined hands with the Pakistan Interfaith League to call for justice for Rimsha Masih, the minor girl accused on August 16 of burning pages carrying holy verses. Tahir Ashrafi, the chairman of the Council, has declared Rimsha a test case for Pakistan’s Muslims, Pakistan’s minorities and for the government. “We don’t want to see injustice done with anyone. We will work to end this climate of fear,” he said. Together with the Interfaith League, Ashrafi has demanded an unbiased investigation into Rimsha’s case and action against those who abuse the blasphemy laws to settle personal disputes. News that the Council - an umbrella group of Muslim clerics and scholars, which includes representatives from certain hardline groups - has come together with an organisation that represents Christians, Sikhs and other religions, came at the same time that the medical board constituted to ascertain Rimsha’s age determined that she was 14 years old. This is an important development given that age will play a vital role during Rimsha’s trial and could see her case dealt with under the more lenient Juvenile Justice System. However, issues of Rimsha’s age and faculties should not be allowed to crowd out the larger problem, which relates to the law in Pakistan and to the inability of the law enforcement system to protect and serve the downtrodden and the vulnerable.

The move by certain Muslim leaders to support Rimsha’s cause unequivocally is a positive one. One can only hope that other similar organisations will follow suit and come around to seeing the cruelty and irrationality with which minority communities - an integral part of Pakistan - have been treated. Already, much has been said about the growing campaign against Pakistan’s religious minorities, with forced conversions, assassinations and mob intimidation of places of worship increasingly leading minorities to question if there is still a place for them in Pakistan. More than ever before then, it is now time for Muslims leaders, and the Pakistani government, to convince
Pakistan’s vulnerable that they are indeed free to go to their churches, temples or any other places of worship and that “we are all citizens, and equal citizens, of one state.” —The News, August 29, 2012

**Blasphemy case**

It is a measure of the sensitivity of the matter that the voice of a lone Islamic cleric on the latest in the series of blasphemy cases is considered to be a big step forward. The case of a Christian girl accused of blasphemy has received wide publicity and the matter is before court. A hearing is fixed for today and the first points for the court to arbitrate on are: whether she can be allowed bail and whether the girl is a minor and entitled to trial under the law for juveniles. Around the legal proceedings, a much bigger argument continues to be carefully presented. This view is informed by the principles of tolerance and fairness — and to a great extent defined by the fear that is today associated with discussions involving religion. Rights activists have called for the girl’s protection and newspapers have written on it. Most have qualified their take before they press for something as basic as a fair probe, and before expressing their concern over the frequency of blasphemy cases. Her young age has been mentioned and a common reaction is based on reports that the girl may be suffering from Down’s syndrome. Still others are asking if the girl accused of desecrating religious texts can actually read.

The voice of the chairman, All Pakistan Ulema Council, is different from others since clerics and religious scholars here have seldom demanded fairness in matters involving blasphemy charges. Religious parties are cautious not to move beyond routine statements issued on special days when it comes to the minority’s complaints against the majority in Pakistan. By choosing to air his views on the current case, the APUC chairman appears to be trying to lift the debate to a level where it needs to be conducted. He seems to be trying to initiate a discussion among the knowledgeable, in the interest of fairness that is so central to religion and in the interest of law and legal interpretation that leaves little room for misuse and error. The APUC chief said that with some rational, unbiased handling, the case could well turn out to be a watershed in Pakistan’s history, and that accusers in such cases
must also be open to accountability. These are valid points that need to be followed up on. —Dawn, August 30, 2012

A concert banned

The fight between extremism and moderation is an unequal one. On one side, you have a tiny but vocal minority that deploys threats and violence as a primary tool in the battle, while on the other side, there is the vast majority that simply wants to get on with life with minimum fuss. It is precisely this urge to avoid conflict which led authorities in Bhurban to cancel an Eid concert that was denounced by local clerics. While no one would want attending a concert to be a life-threatening experience, we have to be careful not to cross the line from caution to appeasement. By giving in to the most extremist elements in society, the government is announcing that it has no will to stand up for the rights of its citizens. Already, too many concessions have been given to those relying on mob rule to enforce their version of morality.

Although the case of Rimsha Masih, who was arrested for ‘blasphemy’, is far more worthy of outrage than the cancellation of a concert, a connection can be drawn between the two events. In both cases, the state should know better than to simply capitulate to those who seek to marginalise and threaten anyone who angers them. In both cases, authorities have erred on the side of fear. For the rest of us, silence should not be an option.

By granting religious obscurantists their every wish, we are rapidly acquiescing to the shrinking of public space. The elite will always have their parties behind closed, heavily-guarded doors, but for everyone else, there is simply no avenue for entertainment left. In public parks, we have to be careful of vigilante TV anchors demanding marriage licences. At concerts and theatres, there is worry that the content will be deemed un-Islamic and raided by vigilante mobs. The end result will be a country that is repressed, without culture and increasingly insular. This may be the Pakistan that the mullahs may want to create but it is not the Pakistan we should want to inhabit. —The Express Tribune, August 30, 2012

The plot thickens: the Rimsha Masih case

The tables have turned in the Rimsha Masih case. A couple of days ago, prayer leader Khalid Jadoon was baying for a stern
In Jadoon’s case, all that was sufficient to arrest him was the word of a witness who alleged that he added some burnt pages of the Qur’an to the ones Rimsha supposedly had to strengthen the blasphemy charge. And, if enough people believe this, he stands the risk of being killed before the court of law pronounces a judgment on the issue. This incident should show even the far right that no one is safe from clunkily drafted, easily misused laws. Not even the self-appointed guardians of the faith. Not even those who are the first to wield the pitchforks.

There needs to be a blasphemy law. No one has the right to do anything that is offensive to our Islamic faith. This might seem like a violation of free-speech to someone reading this in the west but the prohibited areas of hate speech even in the west are somewhat arbitrarily set. All countries have the right to declare sacrosanct what is sacred to them; if this seems obscurantist to the west, then so be it.

But the existing laws in Pakistan – man-made laws, these – can be changed. They should be subject to debate without those proposing amendments being scared of retribution for even suggesting a change.

Rights activists are making much of the fact that Rimsha Masih is a mentally challenged minor. And, yes, this is a glaring case. But we need to ensure that the laws are not misused even in the case of sound-minded adults. That the blasphemy laws should not become the recourse for those who want to settle absolutely unrelated disputes, in this case, allegedly, the desire to evict the Christian residents from the area.

The love of the Qur’an should be pure. We should not let petty hatred sully it. That would be blasphemous. —Pakistan Today, September 3, 2012

**Blasphemy case**

To anyone familiar with the fabrications that often surround
allegations of blasphemy, the revelation that the imam of a local mosque involved in producing the ‘evidence’ of a young Christian girl’s alleged blasphemous act blatantly tampered with the religious paraphernalia will have come as no surprise. What has come as a welcome surprise is that a witness came forward and that the state took action. Khalid Jadoon, the local imam, has been taken in judicial custody, accused of inserting pages of the Quran into the bag containing other religious material that the girl is alleged to have burned. The muezzin of the same mosque who gave his testimony in an Islamabad court on Saturday claims that the imam wanted to beef up the ‘evidence’ to ensure that the girl’s family would have to leave the neighbourhood for good.

Awful as Khalid Jadoon’s alleged act is, the argument that he himself should now be tried under the blasphemy laws is misplaced. The misuse of religious laws cannot be rectified by turning those flawed laws against those who try to misuse them. Instead, what is needed is a national debate and wide-ranging overhaul of laws that are clearly prone to abuse at the hands of those with personal vendettas and of bigoted thought. If guilty, Khalid Jadoon can and must be punished under a host of laws that criminalise fabricating evidence, giving false testimony and fomenting public disorder. The imam can and should become a very public example so that at least some will be deterred from going down the same shameful path. Additionally, it may give courage to more people like the muezzin, Hafiz Mohammad Zubair, who came forward to give testimony in an environment where keeping quiet out of fear is an all too tempting path for bystanders.

Of course, the immediate concern is the fate of the girl herself and the safety of her family and the other Christian families in the neighbourhood. There is much to be grateful for in the fact that the wheels of justice are for once turning in the right direction but the ongoing damage to the girl, her family and other Christians in their neighbourhood must end quickly. For that to happen, the state must play the role it is required to under the law, on principle and in moral terms. The climate of fear surrounding such matters is deep rooted and will take a long time to overcome. But it cannot be overcome at an individual level. Because the state has shirked many, if not most, of its responsibilities, to its citizens for so long, the problem has grown. And it will keep growing unless forceful action is taken. —Dawn,
False accusation

The alleged blasphemy charge against 14-year old Rimsha Masih suffering from Down syndrome that landed her in Adiala Jail has now taken a strange turn. The mosque imam who made the accusation that she had burnt pages of the Holy Quran now stands exposed as a fraud, cheat, and author of a false accusation. His exposure came when Hafiz Zubair, the muezzin of the mosque of which Khalid Janoon [sic] is the imam, recorded his statement before a magistrate that the complainant Malik Hammad had brought a plastic bag to the imam containing burnt pages of a school textbook that allegedly contained Quranic verses. The imam added some pages from the Quran to the bag to, as he put it, strengthen the case and induce the mass exodus of the Christian community from the locality. Two more witnesses have also deposed that they all tried to persuade the imam not to doctor the ‘evidence’, but he insisted. The imam has since been arrested and sent on judicial remand for 14 days. Meanwhile the poor Rimsha continues to suffer the trauma of being held in jail since even if it is conceded for the sake of argument that the police arrested her and sent her to jail to save her from the rage of the mob that wanted to burn her alive for alleged blasphemy, our creaking judicial process has so far not been able to free her on bail, at the very least, because of bureaucratic paperwork delays and anomalies regarding her legal representation. Each day the poor victim of this trumped up charge spends in jail is further torture for a poor little Christian girl suffering from a mental affliction.

The incident has traumatised the entire Christian community in the country, but especially in Gojra, a village in Punjab that was the recipient of mob violence against its Christian community on similar blasphemy calumnies in 2009. The traumatised survivors of that horror in Gojra have had all their worst nightmares revived and freshened in their deeply wounded memories. Meanwhile a bipartisan group of seven US Senators has urged President Asif Ali Zardari, who had taken notice of the incident, to help in the release of little Rimsha. To those who always raise the objection that foreign countries, and especially the US, have no business poking their noses in our internal affairs, it is time to point out to them that the world is now an
interconnected one. The so-called ‘butterfly effect’ means anything that happens in any corner of the world is bound to attract the attention of the world community, especially in the context, to which the US Senators referred, of the treatment of our religious minorities. If we allow malign elements in our society to carry out such obvious acts of false accusation for ulterior purposes against innocent victims, we can hardly expect anything but brickbats.

The question arises after the unmasking of the Imam’s evil act whether his motive was religious or material. On the basis of the eye witness accounts, it becomes obvious that religion had little to do with it and material interests were central to the mischief. The attempt to create a situation that would drive the Christian community away out of fear would benefit those who coveted their houses and the land they live on. For such mundane considerations are the blasphemy laws abused time and gain. Unfortunately, in the rapid decline into a madhouse that our society is witnessing, calls for repeal/reform of the much abused blasphemy laws cost Governor Salmaan Taseer and Federal Minister Shahbaz Bhatti their lives. How many Salmaan Taseers and Shahbaz Bhattis would have to be sacrificed before sense prevails? How many more Aasia bibis and Rimshas must suffer the torment of false accusation before society and the state wake up to the catastrophic consequences and open misuse and abuse of the blasphemy laws that is taking a heavy toll of our sanity and image worldwide? —Daily Times, September 3, 2012

**Turn in the tide**

With the situation being as bad as it is in our country, it is even more unfortunate to see the terrible evil in our midst. The case of Rimsha Masih, the minor girl suffering from Down’s syndrome, accused of having committed blasphemy in the Mehrabad suburb of Islamabad, is one such example. The girl is in jail today because she was accused of burning pages that contained verses of the Holy Quran. Christians in the area live in a constant state of fear with hundreds of families having fled. Now, we hear that Rimsha was almost definitely framed. The evidence, consisting of burnt pages with Quranic verses inscribed on them, was allegedly planted on the girl by the local mosque cleric Khalid Jadoon Chishti, apparently because he disliked Christians. It is hard to imagine hatred so strong that it could lead to such malicious
victimisation of a mentally-challenged child, completely unable to defend herself.

Chishti has now been arrested for blasphemy himself. Perhaps, as this case turns on its head, an important precedent will be set. Other elements of good have also been seen, pushing away at least some of the clouds of evil. Testimony against Chishti came from another man of religion, who gave Quranic lessons to children in the same area. His demonstration of morality and courage, seen so rarely in cases of blasphemy — given the frenzy and hysteria quickly whipped up around them — has shed new light on the plight of the accused. Perhaps, the brave example he has set will persuade others to act according to their conscience when other similar cases of blasphemy emerge.

As hearings continue in the matter, we also see right before us a demonstration of just how the blasphemy law is misused in the country. Although her bail plea has been adjourned to September 7, it is hoped that Rimsha may soon be released from police custody. Meanwhile, we must hope that Chishti is duly punished under the law for his malicious deed. This may in fact go some way in preventing others from acting in a similar manner, and perhaps, also build opinion against a law that has been misused again and again to victimise people who are weak, often over the most petty issues or prejudices created by decades of intolerance. —The Express Tribune, September 4, 2012

When will Rimsha be released?

A 12-year-old daughter of Pakistan, Rimsha Masih, is in jail without bail for burning pages of Quranic verses even after the police found she was victimised through a trumped-up charge by a local cleric determined to oust the Christian community from the village of Mehrabad, near Islamabad. She suffers from Downs’s syndrome and may not understand why she is being maltreated. Even after the discovery that the cleric was indulging in a criminal plot against the Christian community, she has not been allowed to return home on bail.

A crowd was organised to oust the Christian community upon appeals from mosque loudspeakers. The mob went to the house of Rimsha and started kicking the door asking the parents to hand her
The Rimsha case

over. They finally entered the house and gave a beating to the little girl and her mother. Following this, the police were informed, who immediately took the girl away and put her in jail under the ‘non-bailable’ black law. The Capital Development Authority has reassured those who were evacuated that they will be returned to their homes and their tormentors will be forced under law to relent. The displaced families were made to move to another place where the local inhabitants refused to let them stay temporarily because they feared ‘incidence of crime due to their presence’.

The shock administered by this case of blasphemy has been felt inside Pakistan. It has deepened the despair the outside world feels about our country; and the Christian Church is once again appealing to do something about a law that, as now proved beyond all doubt, is causing harm to Pakistan and its reputation.

This happened on August 16, on the 27th of Ramazan, thus further raising suspicions as to when Rimsha was put in confinement. A few days ago, even after a witness alerted the authorities that the cleric had cooked up the story of burning the Holy Quran by putting scarred pages in a bag that Rimsha was carrying, the police have still not released her. The judiciary is silent so far but the Supreme Court should take suo-motu notice and get the girl placed in a better environment which her age, her health and her innocence deserve.

What people have always said about the law and are still saying is this: “In blasphemy cases, the state institutions just try to defuse the pressure of accusers by registering a case against the accused”. Both the police and the judiciary take the side of the accuser. During the last two decades or so, more than 1,000 cases of blasphemy have been registered and it is believed that a vast majority of these cases were fake. Not even a single accuser in these fake cases has been convicted, implying that the state patronises the accusers at some level.

Laws are usually made after criminal acts are observed in society. In this case, criminal acts have followed the enforcement of the law. The victimisation follows a familiar pattern. In February 1997, the twin villages of Shantinagar-Tibba Colony, 12 kilometres east of Khanewal, in Multan division, were looted and burnt by 20,000 Muslim citizens and 500 policemen. The police first evacuated the Christian
population of 15,000, then helped the raiders use battlefield explosives to blow up their houses and property.

In November 2005, the Christian community of Sangla Hill in Nankana district in Punjab experienced a most hair-raising day of violence and vandalism. Three churches, a missionary-run school, two hostels and several houses belonging to the Christian community were destroyed by an enraged mob of some 3,000 people.

The Supreme Court must act to save Rimsha Masih and, thereafter, declare the blatant misuse and abuse of the blasphemy law against the spirit of Islam and against the ‘grundnorm’ of the Constitution. Or, is it true that like the politicians, the institutions of the state are too scared to act? —The Express Tribune, September 05, 2012

**Turn of the tide?**

Rimsha Masih has now been in jail for over three weeks, after the 11-year-old with Down Syndrome was accused of blasphemy. The case had created widespread fear among Christians, and not just in the Islamabad suburb where Rimsha lived. However, there is some reason for hope. The chances that Rimsha may be bailed out soon have improved following the dramatic developments in which at least two persons stepped forward and testified that the local mosque imam, Muhammad Khalid Chishty, had maliciously planted the evidence consisting of burnt pages containing verses from the Holy Quran on the mentally handicapped child. Chishty is now behind bars and there is evidence the tide could be turning.

A number of senior religious scholars have condemned Chishty and his actions. The minister for national harmony, Paul Bhatti, whose brother Shahbaz was shot dead last year for speaking out on the matter of the blasphemy laws has stressed the need to re-think the laws which have been misused way too often. The reluctance to do so can only mean more cases of abuse will emerge. We have now before us clear evidence of how the laws can be treated to ‘punish’ entire communities on the most petty of basis. The government needs to step in and act to ensure that the laws are suitably amended. We simply cannot afford to see more rifts dividing this society. It is necessary that these communities are able to live in harmony – and
that those guilty of the kind of malicious acts Chishty committed are duly punished. —The News, September 7, 2012

**Safely bailed?**

After over two weeks in jail, Rimsha Masih, the minor girl with Down’s syndrome put in jail after being accused of desecrating pages of a *Noorani Qaeda*, has been released on bail. The additional sessions judge hearing the case in Islamabad set a bond of Rs1 million, surprisingly high for a minor who is also suffering from a disability. No verdict has yet been reached in the case, which gained greater complexity after the mosque imam — in the slum area outside Islamabad where Rimsha lived — was accused by witnesses of planting the evidence on her.

For now, Rimsha has regained her freedom. Khalid Jadoon Chishti, the cleric accused of maliciously framing her, will also be tried. He remains in jail for now. But is Rimsha really safe? This is a question that should concern authorities. In the past, given the frenzy whipped up over blasphemy cases, those accused have been killed either during the course of court hearings or even after they were acquitted. Murders have also taken place in jail. The danger right now is that given the emotional outbursts we have seen in the area over the issue, some fanatic may attempt to track down the girl and harm her. Her parents have already fled the Mehrabad suburb where they lived, along with some 200 other Christian families. Christians in other cities have also stated that they were harassed by extremist forces following the incident.

It is important that the right thing is done. In the first place, Rimsha needs to be given security cover by the state. The time has also come to address the entire issue of the misuse of the blasphemy law and ensure that others do not fall victim to it. The process must began [sic] instantly. At the same time, those who falsely implicated Rimsha by planting the burnt pages in her bag, must be duly penalised under the law, so that others will think twice before engaging in similar acts and leading to other helpless people being thrown into prison cells. —The Express Tribune, September 8, 2012

**Rimsha’s release**

For the first time since punishments for blasphemy in Pakistan
were enhanced to the death penalty and life imprisonment, an ‘accused’ has been released on bail. In the past, those released as innocent were either killed or had to leave the country for fear of their lives. This ‘holy law’ has seen innumerable people languishing in jail and having their lives ruined only because an accusation against them is considered beyond investigation or evidential proof. For years, especially since General Ziaul Haq made the amendments to the blasphemy law, civil society, rights groups and the media had been exposing its misuse and how even Muslims, and the minorities, had been targeted in the name of blasphemy. The defenders of the law would always see a conspiracy against Islam whenever a word to amend the existing blasphemy law is advised. However, the truth is that no one, not even the late Governor Punjab Salmaan Taseer or Federal Minister for Minorities late Shahbaz Bhatti condemned the law. They only cautioned against its misuse and had requested revisiting it so that all those loopholes could be plugged that have made the law a tool of harassment. But unfortunately, instead of heeding these rational pleas, the sane voices were muted forever.

Rimsha is released, but obviously her and her family’s life is in danger due to the fanatics having a field day in this country for lack of law and order and timid political will of the government to grab them. On release, Rimsha is transported to an unknown place. Interestingly, on the one hand the authorities held Rimsha in prison and on the other defended her case on every forum and now are providing her safety. This dichotomy of purpose shows the overwhelming fear of the clergy in our decision makers. It is this fear that many think would come into play in going soft on the main culprit Khalid Jadoon, the prayer leader who tampered with the evidence and falsely accused Rimsha of blasphemy. The assassin of Salmaan Taseer, Mumtaz Qadri, was garlanded and none other but the former Chief Justice of the Lahore High Court, Khwaja Sharif is fighting his case and rallied a crowd to protect Mumtaz. If such be the outcome of Rimsha’s case as well, and if Khalid and his like are not prosecuted, Pakistan would slip deeper into fanaticism, allowing daring similar fraudulent attempts on the religious and sectarian front.

The timing is right for the government to reconsider the implications and outcomes of the blasphemy law. This is perhaps the first time that someone from the mainstream clergy has condemned
the arrest of a young girl of diminished mental capacity on blasphemy charges. The heinous practice of misusing the blasphemy law should come to an end. —*Daily Times, September 10, 2012*

**Rimsha’s plight**

As news stories about the violence sparked by the anti-Islam film abound, there is a danger that the plight of the young Christian girl Rimsha Masih will be relegated to the inside pages. Rimsha was accused of blasphemy and released on bail when it emerged that her accuser may have planted the evidence. Bail, however, is not the same as complete exoneration, which is exactly what Rimsha deserves. Now that the police have submitted a written statement to the court declaring that she is innocent and it was a set-up by cleric Khalid Jadoon Chishti, the judge needs to do the right thing and dismiss the case against Rimsha as being frivolous and unfounded. Then, Chishti needs to face trial for falsely accusing this helpless girl and probably putting her life in danger.

The idea of going on trial for Rimsha pales in comparison to the dangers she will likely face should she go back to her home. Those accused of blasphemy have often been targeted by enraged mobs and seldom found security thereafter. Rimsha’s best shot at a normal life lies in a foreign country. Pakistan is no place to live even for those who have merely been accused without any basis of offending religious sentiments. It is now the government’s job to provide her with foolproof security and arrange for her safe passage out of Pakistan. Meanwhile, the prosecution, which has already disgraced itself with its conduct, needs to let go of the case. The prosecutor is now claiming that Rimsha is 21 years old and not 12, as originally claimed. This is a mere smokescreen for bigotry as Rimsha’s age has absolutely no bearing on her innocence.

Ideally, the next step taken by the government would be to repeal the blasphemy laws but that is simply not possible in the current climate. Instead, the laws need to be balanced a bit by making the punishment for false accusations tougher. Politicians, the police and courts need to start treating those who make false accusations of blasphemy with the same toughness they currently reserve for child minorities. —*The Express Tribune, September 25, 2012*
Is anyone listening?

—Daily Express, September 4, 2012