

## Editorial: Supreme Court of Pakistan Says Preaching Christianity “Not a Crime”

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The Pakistani Supreme Court has issued a highly significant and welcome ruling, which includes the declaration that the preaching of Christianity “is not a crime, nor can it be made into one.”

The nine-page ruling is a clear and comprehensive denunciation of the way in which “blasphemy” laws are misused in Pakistan.

The court raises issues such as false and malicious accusations, the lack of credible evidence in many cases, and the mob violence with which the accused person is often threatened.

The Supreme Court of Pakistan in Islamabad [Image credit: [supremecourt.gov.pk](http://supremecourt.gov.pk)]  
The ruling came in the case of Christian sanitation worker Salamat Mansha Masih, accused of “blasphemy”, who was granted bail by the court.

Salamat was one of three Christian men facing separate “blasphemy” charges, all of whom were bailed by the Supreme Court on August 23-24.

### “Any doubt exonerates the accused”

Salamat was accused, said Justice Qazi Faez Isa, of “preaching Christianity.” However, said the judge, this could not be considered a crime “because of the fundamental right to profess, practice and propagate religion.”

Justice Isa argued that “many a time false allegations are levelled to settle personal scores and cases are also registered for mischievous purposes or on account of ulterior motives.”

These issues are particularly dangerous in cases relating to Pakistan Penal Code Section 295-C – defiling the name of Muhammad, the prophet of Islam – as this offense carries a mandatory death sentence.

Justice Qazi Faez Isa argued that “blasphemy” accusations are often made “to settle personal scores” or “on account of ulterior motives” [Image credit: [supremecourt.gov.pk](http://supremecourt.gov.pk)]  
Therefore, said Justice Isa, “utmost care must be exercised by all concerned that no injustice in the administration of justice takes place.”

Courts, added the judge, must act “prudently to ensure that an innocent is not convicted wrongly in respect of offenses relating to religion. When there is only the improbable oral testimony of witnesses, then there must be corroboration.”

## **The Right to a Fair Trial**

Justice Isa argued that the publicity afforded to “blasphemy” cases often jeopardized defendants’ right to a fair trial. “Irresponsible and sensational broadcasts and publications repeat what allegedly the accused had said or done,” he explained.

“Oftentimes,” he continued, “righteous zeal, moral outrage, and/or indignation also steers the prosecution to a pre-determined destination by eclipsing the general standard of proof in criminal cases; that is, beyond reasonable doubt.”

The ruling also addressed the possibility of mob violence against those accused of “blasphemy”, describing “instances when tempers were provoked and enflamed by provocateurs, and a mob was collected and enraged to take the law into its own hands, to hurt and even kill the accused, before he was ever adjudged guilty.”

“The law prohibits the taking of the law into one’s hands, let alone to cause hurt or death,” said Justice Isa, adding that this applied equally where the “blasphemy” accusations might be true, or even where the accused had been found guilty.

## **A Welcome Ruling**

The ruling comes as good news for Pakistan’s Christians, many of whom are among those who have suffered greatly over the past few weeks in the terrible floods that have left a third of the country under water.

Barnabas Aid has been among those calling for more to be done to protect Christians – as well as other religious minorities, and often Muslims as well – from spurious accusations of “blasphemy” and the mob reprisals or unsafe convictions that often follow.

All Christians should welcome the Supreme Court ruling, and pray that it will be heeded by the lower courts, Pakistan’s police, and the country as a whole