



**[TO BE INTRODUCED IN THE YOUTH PARLIAMENT OF
PAKISTAN]**

A

Bill

Further to amend Pakistan Penal Code (Act XLV of 1860).

WHEREAS it is expedient further to amend the Pakistan Penal Code (Act XLV of 1860) for the purposes hereinafter appearing:

It is hereby enacted as follows:

1. Short title and commencement:-

(1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2012.

(2) It shall come into force at once.

2. Amendment in Article 295-B of the Pakistan Penal Code (Act XLV of 1860)..

In Pakistan Penal Code (Act XLV of 1860), for Article 295-B, the following shall be substituted.

“A mentally stable adult, of no less than 18 years of age, capable of lucid Menes Rea, who damages or desecrates a copy of the Holy Quran or of an extract from or uses it for any unlawful purpose, in presence of at least 5 witnesses of stable mind, shall be punishable with imprisonment up to five years.”

3. Amendment in Article 295-C of the Pakistan Penal Code (Act XLV of 1860)..

In Pakistan Penal Code (Act XLV of 1860), for Article 295-C, the following shall be substituted.

"A mentally stable individual, of no less than 18 years of age, capable of lucid Mens Rea, who by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defile the sacred name of Holy Prophet Muhammad (peace be upon him) or any of the known 124,000 Prophets, in front of at least 5 witnesses, shall be punished with imprisonment up to five years and shall also be liable to a fine."

STATEMENT OF OBJECT AND REASONS

The minorities in Pakistan are caught up in a grave situation, with gory incidents occurring. Rimsha's case provoked international concern because of her young age and reported mental problems. A wild wave of sectarianism has engulfed the society, which has resulted in unethical sentiments of religious prejudices. The armed religious extremists are playing havoc in the society. A situation of religious intolerance has spread suffocation in our lives. The doors of dialogue are being closed. Religious fundamentalism has grown beyond proportions. Muslim clerics are demanding complete imposition of Islamic Shariah in Pakistan, making it applicable also to the non-Muslim citizens.

The minorities in Pakistan have already suffered seriously on account of sectarian legislation which has thrown non-Muslim citizens out of the mainstream of national life. They are no more part of the mainstream activities of the state and are being discriminated against in all fields of life. The claim of the minorities as equal and respectable citizens is at

stake. The life and property of people in minority community is no longer safe. A sense of insecurity is growing fast among the minorities.

The Christians are being roped in false cases under the blasphemy law. They are being murdered by zealots to win heavens for themselves. They take the law in their hands and do not even wait for the judicial verdict. The judgements of the superior courts have proved that this law on blasphemy is being ruthlessly abused for settling personal scores and, of course, for religious persecution. This law is proving to be a sword hanging on the heads of non-Muslims and the secular-minded people.

Bishop John Joseph, Roman Catholic Bishop of Faizalabad, who was an ardent spokesman for peace and inter-religious dialogue, had waged a struggle on war footing against fundamentalism, religious intolerance, and discriminatory laws, particularly against the amended provisions of the law about blasphemy. And in order to give an impetus to the struggle and focus world attention on this crucial issue, he sacrificed his life for the just cause on May 5, 1998. He shot himself right in front of the iron gate of the Sessions Court of Sahiwal, which convicted Ayub Masih a charge of blasphemy and sentenced him to death vide its judgement passed on April 27, 1998. This death sentence has once again raised fear and panic amongst the minority communities in Pakistan as the law of blasphemy casts the net wide open to rope in anyone - Christians and Ahmedias more easily, maybe due to personal malice or religious prejudice.

The death of Bishop John Joseph excited a wave of anger among the Christians. They spontaneously came on the roads to publicly mourn the death of their leader and demonstrate their will to continue the struggle against oppression and discriminatory laws, including the law on blasphemy. The peaceful processions were brutally suppressed by the police and the state apparatus.

In order to underplay the impact of the self-sacrifice of Bishop John Samuel, the Muslim clerics treacherously launched a move to field a counter version that the Bishop was murdered by a Catholic Father due to some rivalry. The print media was fully used by the clerics in a malicious way so as to diffuse the zealous spirit among the Christians. However, they have miserably failed in their nefarious designs.

Sd/

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