

Hearings on Religious Freedom in India and Pakistan: Mr. Mujeeb Rahman Appendix

CHRONOLOGY OF LEGISLATION ON OFFENSES RELATED TO RELIGION.

1974. Constitutional 2nd amendment Act passed declaring Ahmadis non-Muslim. ----- The amendment is Ahmadi-specific and denies the right of self-identification.

1977. Amendments were made in the Election Laws introducing a system of separate electorate providing special reserve seats for Non-Muslims minorities --- The law affected other Non-Muslims minorities as well who felt handicapped. Ahmadis were completely disenfranchised as they would not identify themselves as Non-Muslims and would not avail the reserve-seats.

1978. A Division Bench, of Lahore High Court declared that notwithstanding the constitutional amendment Ahmadis were free to practice their faith as before and that state could not prescribe religion for them. The judgment was not appealed against and became final.

1984. During the Martial Law regime of Gen. Zia-ul-Haq by Ordinance XX of 1984 Section 298 B & C were added to the Pakistan Penal Code prescribing 3 years imprisonment and unlimited fine for any Ahmadi who "poses" as Muslim or call his faith as Islam or preaches or propagates his faith. Certain epithets, titles and religious practices were also denied to them and 3 years imprisonment and unlimited fine were provided for violation. --- The law is Ahmadi-specific.

1980. Section 298-A was added to PPC providing 3 years imprisonment or fine or both for defiling the name of the wives or members of the family or the righteous Caliphs and companions of the Holy Prophet (PBUH).-----The law is general but has obvious Shia and Sunni undertones.

1982. Section 295-B added to the PPC providing life imprisonment for "whoever willfully defiles, damages or desecrates a copy of the Holy Qura'an or use it any derogatory manner or for any unlawful purpose.-----The provision was added when a copy of Holy Qura'an meant to be presented to Gen. Zia-ul-Haq contained a booby trap in it.

1986. 295-C added in the PPC providing for defiling the name of Holy Prophet (PBUH) punishable with death, or imprisonment for life and fine.

1991. Federal Shari'at Court declared the life imprisonment to be un-Islamic and thus death sentence became mandatory punishment of the offense of blasphemy.-----The law is general but has been used against Christians and Ahmadis.

1997. The Anti-Terrorism Act, 1997 was promulgated. The declared object was to provide for the prevention of terrorism, sectarian violence and for speedy trial of heinous offenses -----
The law has been extensively used against Ahmadis for acts having no nexus with terrorism.