

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

This PDF is auto-generated for reference only. As such, it may contain some conversion errors and/or missing information. For all formal use please refer to the official version on the website, as linked below.

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

<https://www.e-ir.info/2023/12/13/you-blaspheme-you-die-the-rise-of-anti-blasphemy-in-pakistan/>

RISHABH CHAWDA, DEC 13 2023

Pakistan, an Islamic state and the leader of the Muslim world, has the strictest laws against blasphemy—broadly understood as an offence against one’s religion—anywhere in the world (Badry 2019). These laws are ill-framed, discriminatory, and susceptible to abuse but there has been little attempt to repeal or reform them. Those accused of blasphemy are unlikely to receive a fair trial and likely to be the victim of extrajudicial violence. One of the recent victims of such violence is Mashal Khan, who was lynched in 2017. This paper studies the death of Mashal to gain a comprehensive understanding of blasphemy laws in Pakistan including their history and evolution and execution. Lastly, this paper examines the reasons behind the resistance of these laws to change. These reasons are the politicisation of blasphemy laws by the political elites and religious groups. The focus of this paper, primarily, is the study of the latter process: how religious groups, along with other benefiting individual actors, congregate around the topic of blasphemy for public attention and political clout. The conclusion of this analysis leaves us with a better understanding of blasphemy laws in Pakistan, their surrounding socio-political and religious context, and the case of Mashal Khan.

The first section of this paper provides an overview of the legislative history of anti-blasphemy. The second section describes the facts of the case. The elements of the case and the practice of blasphemy are then analysed in the third section enabling us to answer why there has been a rise of rampant anti-blasphemy in recent years and why the law has not and perhaps will not change, in the fourth and final section.

Blasphemy laws of Pakistan

1) History of the law

Pakistan’s blasphemy laws are enshrined in Chapter XV of the Pakistan Penal Code (PPC), entitled ‘Of Offences Relating to Religion’. Three of its clauses (295, 296 and 298) were part of the British-era Indian Penal Code of 1860. Clauses 295-A and 297 were added in 1926 to ease Hindu-Muslim tensions. Together these provisions equally protected all the religions in India from (i) defilement of their places of worship, (ii) disturbance of their religious assemblies, (iii) defilement of their places of burial, and (iv) wounding of their religious feelings (Rumi 2018). Offences of blasphemy were focused more on intent and had a maximum punishment of one or two years, with or without fines. Adopted by Pakistan after its independence in 1947, these laws did not undergo any changes until 1980. However, between 1980 and 1986, five more sections were added with significantly different intentions to those of the original provisions.

Sections 295B, 295C, 298A, 298B and 298C were added during the regime of General Zia-ul-Haq as part of his Islamization programme. Section 298-A, the only bailable offence of the five, was instituted in 1980 and it dealt with the “use of derogatory remarks in respect of holy personages” punishable with up to three years imprisonment or a fine or both (Badry 2019). This provision has been used to persecute minority-group Shias, with whom the majority-group Sunnis share an ideological disagreement regarding the role and status of the companions of the Prophet (Rumi 2018). In 1982, the harsh clause 295-B on “defiling, etc. a copy of the Holy Quran” was introduced, punishable with imprisonment for life (Badry 2019: 96). This added a special material dimension to the practice of Islam for

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

Muslims and non-Muslims and “prompted the deepening objectification of religion”. Sections 298 B and C, added in 1984, dealt exclusively with the Ahmadis, prohibiting them from portraying themselves as Muslim (Badry 2019). 298 C declares,

“Any person of the Qadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name), who directly or indirectly, poses as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith ... shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine”.

Finally, in 1986, the most controversial clause 295-C was added. The specific wordings of the clause are:

“Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine.”

The design of this provision is particularly problematic as it lacks the requirement of explicit intent—a significant break from previous blasphemy laws. Phrases such as “imputation, innuendo, or insinuation” and “defiles the sacred name of the Holy Prophet” fail to clearly define the types of behaviours or actions that are tantamount to sacrilege. The inability of these laws to guide public behaviour reasonably—a basic tenet of any law—suggests that these laws should be struck down as unconstitutional.

In fact, the manner of their creation was also unconstitutional. Zia’s blasphemy laws were instituted while the country was still under martial law. These executive ordinances only received the force of proper law when they underwent a “pseudo-legalisation” by the Eighth Amendment to the 1973 Constitution, passed by an unelected parliament (Badry 2019). Another lasting contribution of the Zia regime and “one of the most decisive steps towards the Islamization of the legal system” was the institutionalisation of separate religious courts – the Federal Shariat Court (FSC) and the Shariat Appellate Bench (SAB) of the Supreme Court (SC). This meant the creation of a parallel judicial system and consolidation of the role of the Islamic religious scholars.

II) The 1990 FSC judgement and its religio-legal legitimacy

After the Zia regime, these laws were tightened rather than rolled back or modified. The punishment for Section 295-A, dealing with deliberate and malicious acts intended to outrage religious feelings, was increased from two to ten years in 1991. In 1990, the FSC made the death penalty mandatory for the use of derogatory remarks in respect of the Holy Prophet, enshrined in Section 295-C, an extremely controversial and fundamental shift in Islamic jurisprudence. The law initially had an option for life imprisonment in case of conviction, but this became defunct after the judgement.

Advocate Ismail Qureshi is pivotal to the introduction of the death penalty and subsequent removal of life imprisonment in section 295-C despite contentions by secularists and religious leaders. He first moved the FSC in 1984 to prescribe the death penalty for blasphemy against the Prophet, a provision that had no mention so far in the PPC and the Holy Quran (Rehman 2010). Subsequently, a bill seeking the introduction of Section 295-C was moved in the National Assembly the same year. This bill provided for the death penalty, alongside life imprisonment in cases of blasphemy against the Prophet. Many members of the Assembly, including the law minister, did not fully support the bill on two grounds. Firstly, it had no divine backing as the Quran did not prescribe a penalty for blasphemy. Secondly, life imprisonment was sufficient punishment. Interestingly, despite these legitimate contentions and the heated discussions being curtailed, the bill was passed. The aversion towards public debate surrounding blasphemy and anti-blasphemy laws is a recent phenomenon and a peculiar one.

After the death penalty was introduced, Mr Qureshi again filed a petition to the FSC asking for the deletion of the option for life imprisonment from Section 295-C. The FSC, in October 1990, ruled that the alternate punishment should be deleted as it was “repugnant to Islam” and death should be the sole fate of blasphemers of the Prophet (Rehman 2010). This highly problematic decision was based on an “apparently universal consensus (ijma) on the

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

subject across all four Sunni schools of thought” (Mazhar 2019). As unflinching as this scholarly consensus is, leaving no space for any alternative position on blasphemy, there is little philosophical truth or religious credibility to it.

The question of whether blasphemy is a pardonable offence is an old one. This question was asked by Abu Hanifa, the leader of the Hanifa school of jurisprudence, and his students centuries ago. The consensus formed by the Hanifa school, the most prominent one when it comes to religio-legal debates, was that blasphemy is a pardonable offence. In a bid to undercover the mystery of how the court referring to the same sources that firmly establish the permissibility of pardon for a blasphemer arrived at the converse deduction, Arafat Mazhar, a scholar on Pakistan’s blasphemy law, discovered that the source of this contradiction was a misinterpretation on the part of Ismail Qureshi. Qureshi, when building his case for the FSC, misread and misquoted the work of Imam Ibn e Abidin, one of the most revered scholars in South Asia. In a case of history repeating itself, the particular text, written by Imam Ibn e Abidin, that Qureshi referred to was, in turn, a lengthy corrigendum of a previous error in interpretation by a 15th-century Hanafi scholar Al Bazzazzi. When Mazhar pointed out this error to Qureshi, he admitted his mistake, but the cost of that mistake, now solidified as law, continues to be borne by the likes of Asia Bibi every day. Another way in which the 1990 judgement goes against the wisdom of classical Islamic jurisprudence is in its lack of distinction between Muslims and non-Muslims. This has been another age-old debate. In the 19th century, the assertion of the Hanafi school that non-Muslims cannot be awarded the death penalty was challenged by the Ahl-i-Hadith, a movement influenced and funded by the Wahabis of the Arabian Peninsula. A debate ensued and it was established as consensus (ijma) that while non-Muslims can be punished for repeated offences, they cannot be killed for a singular offence of blasphemy. It is interesting to note that this legal position was approved by multiple religious figures whose followers advocate for the death penalty for all blasphemers today. These include Ahmed Raza Khan Bareilvi, the founder of the Bareilvi school of thought and, and Mahmood Hassan Deobandi, the co-founder of the Deobandi school of thought. Together, these two schools form the Hanafi group. Interestingly, Maulana Maududi, the founder of Jamaat-e-Islami, one of the main religio-political parties in Pakistan, is also a subscriber to this belief. Therefore, the provisions instituted under Zia, the 1990 FSC judgement and much of the practice of anti-blasphemy since then goes against the grain of Islamic thought. What is more shocking is how these faulty laws are being used and the effect they have on people like Mashal Khan.

The lynching of Mashal Khan

On April 13th, 2017, Mashal Khan, a twenty-three-year-old student of journalism at the Abdul Wali Khan University in Mardan in the Khyber Pakhtunkhwa province in Pakistan was killed by a mob angered by Mashal and his friends’ alleged blasphemy. These allegations came primarily from a fellow university student Wajahat Khan with whom Mashal had had multiple ideological arguments. In these conversations, Wajahat said in his recorded statement to the police, Mashal’s friends Abdullah and Zubair also shared his ideas. The mob was also aggravated by a false rumour that Mashal and his friends ran a Facebook page where they published blasphemous materials and promoted support for the Ahmadis, a minority sect in Islam historically persecuted by religious fundamentalists. The university administration is also implicated in the lynching. In his statement to the police, Abdullah reports that he was called into the office of the Chairman of Mass Communication the day of the lynching and pressured to attest to Mashal’s blasphemy. Upon denying to do so, the assistant registrar posted a notice online earlier declaring the rustication of Khan and his friends pending an investigation into their blasphemous activities. This notice, which came days after Khan, a constant critic of the university, went on a regional news channel and highlighted the corruption and criminal activities of the administration, rang a death knell for Khan. A mob gathered outside the university, checking exiting vehicles to prevent Mashal from leaving. They started chanting slogans against Mashal and the Ahmadis. They found and attacked Abdullah, forcing him to chant verses of the Holy Quran even though he repeatedly denied being an Ahmadi. He was beaten up by the mob. Fortunately, the police arrived on time, and he was saved. Meanwhile, Mashal hid in his room on the second floor of the university hostel after being informed by his friends that the mob was looking for him. The mob, swelling in numbers, eventually found him in his room and started assaulting him. One of the students in the mob, Imran Ali, fired at Mashal with his gun. The mob dispersed after the bullets ran out and reassembled on the ground floor of the hostel. Mashal’s friends found him within an inch of his life and started carrying him down the stairs in an attempt to save him. On the ground floor, however, the mob took his body back and started beating a lifeless Mashal. The entire lynching was captured on mobile phone cameras and

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

uploaded and distributed quickly over the internet (BBC Newsnight 2017). The perpetrators, not bothered about hiding their identities, wanted to send a message. The message was simple: “you blaspheme, you die.”

The Khyber Pakhtunkhwa government ordered a judicial inquiry the day after the lynching. The event that shook the nation prompted a *suo moto* notice by the Chief Justice of Pakistan. Supreme Court judicial proceedings were initiated shortly after. A thirteen-member Joint Investigation Team (JIT) was also instituted by the court. The JIT’s 308-page report declared the lack of evidence against Mashal, Abdullah and Zubair and called the lynching premeditated murder. The role of student organisation leaders and the university administration was also clearly outlined. According to the JIT report, Ajmal Mayar (president of the university employees’ union), Sabir Mayar (head of the Pakhtun Students Federation), and Asad Katlang (an employee of the university) had met and discussed the need to get rid of Mashal as “he is a threat to the party”. The report also reprimanded the police for their incompetence. There were more than twenty-five police officers on campus grounds when Mashal was killed who due to either inability or unwillingness did not intervene. When asked why not, the police said the mob was too big to take on. The report was submitted to the Supreme Court and the Anti-Terrorism Court (ATC). Sixty-one people were initially charged and fifty-seven of them had been arrested within a few days of the lynching. The remaining four were on the run but later surrendered to the police in June 2018. The ATC announced its verdict in February 2018 handing the death sentence to Imran Ali, the prime accused (ARY News 2019). It also awarded life-imprisonment to five other convicts and a four-year sentence to twenty-five others. Twenty-six suspects, however, were acquitted for lack of evidence. Out of the four absconding individuals, two were acquitted and the remaining two were imprisoned for life. Mashal’s father has appealed against the acquittals and lower sentences.

Elements of the practice of blasphemy laws

I) Mala fide accusations

This case is a complex one that sheds light on the socio-political context surrounding the issue of blasphemy in Pakistan in recent times. Firstly, the role of various actors with differing stakes in the death of Mashal Khan shows the instrumentalisation of the accusation of blasphemy by various elements in society to meet their petty ends. The popular narratives of the university administration meting out revenge for the criticism it faced, or the student organisation leaders worried about the growing influence of Mashal are representative of how the weight of an accusation of blasphemy is leveraged for personal, professional or political gains. The loose wording and weak design of the law leave space for abuse of this kind.

There has been a lot of research on the rise of false accusations involving blasphemy. Recent research suggests that at least forty per cent of cases which did not result in a conviction were related to private disputes (Rumi 2018). An analysis of case law on Pakistan’s blasphemy laws by the International Commission of Jurists indicated steeper odds. They found that out of 25 cases reviewed, mala fides were found in the complaints and testimonies of the witnesses in 15 cases, indicating that the law was frequently used to deal in bad faith. A contributing factor in the growth of false accusations is the social tension surrounding the blasphemy. Blasphemy has become a successful tool of coercion because it is a form of indirect harm to one’s competitor or enemy. Oftentimes, the threat of accusing someone is enough. Anyone accused of blasphemy, especially if not economically or socially privileged, must either flee the country, wait years for justice, go into hiding, or await torture, assault, assassination or lynching—like in the case of Mashal Khan.

II) Indifference towards intent

Like in the law, there has been erosion from the public realm of the requirement of intent. Actual cases wherein intentionality has been irrelevant involve a child making a spelling mistake, inadvertently replacing the word ‘naat’ which means praise, with ‘laanat’ which means ‘condemnable’ when writing about the Prophet, an individual photocopying a textbook with torn pages, thereby leading to the name of the Prophet being printed next to the word ‘cheat’, and lastly, a person shouting slogans against a police officer named Umar Daraz, thereby defiling Umar, the second Sunni caliph of Islam (Rollier 2019). This widespread indifference towards intention is a remarkable shift from the original intention of anti-blasphemy law and its practice before the 1980s.

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

Mashal Khan considered himself a ‘humanist’. His father Muhammad Iqbal was a poet and Mashal, who also wrote poetry, had inherited much of his father’s liberal disposition. Photographs of his room taken after his death show posters of Karl Marx and Che Guevara on the wall (BBC Newsnight 2017). Ever since his school days, Mashal was a brilliant student. He won a scholarship to pursue engineering in Russia but had to leave his degree midway and return owing to financial difficulties. When he returned to Pakistan, he decided to study journalism and enrolled himself at Abdul Wali Khan University. At university, he stood out for his academic achievements and liberal thoughts. He often used to engage in debate surrounding Islam and politics, even at times with religious fanatics. This is eventually what got him in trouble. People used to consider him an atheist and agnostic, but Mashal was a follower of Islam. He was deeply interested in the Sufi tradition. He also used to carry prayer beads with him. Declarations of his faith, however, did not matter to the mob that labelled him as anti-Islamic. The JIT report has already established no proof of blasphemy. However, even if we consider that Mashal did blaspheme, there is a clear lack of intent. Mashal’s last communication with a friend before his death was a text saying, “They are falsely saying I insulted the Prophet.” (BBC Newsnight) Eye-witness accounts report that Mashal was murmuring an Islamic verse—the Shahadah—in the last moments before his death (BBC Newsnight).

III) Vigilante justice

This brings us to the third phenomenon linked with blasphemy that has been on the rise: vigilante justice and extrajudicial killings. Even though the intentions behind Mashal Khan’s murder are arguable, the weapon used to kill him was an angered mob that considered him a serial blasphemer. A mere rumour of alleged blasphemy was enough to draw a huge mob of angered individuals, ready to kill. These mobs, and individuals engaging in extrajudicial violence, are often driven by a sense of righteousness in their disregard for the law. Eyewitness accounts from the lynching of Mashal Khan mention the mob encouraging participation by saying, “Come beat him, you will be rewarded by God”. The hope for divine rewards offers one explanation for vigilantism.

A deeply ingrained culture of hero-worship of vigilantes and social support for their actions also contributes to the rise of this form of violence. While there were rare protests after the murder of Mashal Khan, especially in his hometown, these were much smaller in comparison to the rallies organised in support of his killers (BBC Newsnight). After the ATC judgement, thousands of protestors gathered in Mardan holding banners reading: “Mashalyon [Mashal supporters], stop us if you can!” (Farhan 2018). Religious leaders addressing the gathering declared Imran Ali, the chief culprit, and the others as “heroes”. Aizaz, one of the suspects who was acquitted, was received and garlanded enthusiastically by the crowd. Ironically, he then went on stage declaring that anyone who committed blasphemy would meet the same end as Mashal. Various prominent religious leaders attended rallies like these, firmly establishing, through their speeches, the righteousness of the gruesome violence in the public psyche. The law and its inefficacy to punish blasphemers were postulated as a justification for the mob to take it in its own hands. The blame of the death was deflected onto Mashal himself.

While the prescription of vigilantism is less subtle, the government also encourages it. The Pakistan Telecommunication Authority, a government-controlled body, sent out a message shortly after Mashal’s killing warning that sharing of blasphemous material is punishable by law. Messages expressing regret and condolences came much later. The Dawn reported that sympathy messages from Prime Minister Nawaz Sharif and opposition leaders such as Bilawal Bhutto came only after it had been established that Mashal Khan was a good Muslim who performed namaz regularly (Hoodbhoy 2018).

IV) Role of the law

The law plays a big role in the systemic encouragement of vigilantism in Pakistan. An asymmetry is present in the standard of conviction when it comes to those accused of blasphemy and those accused of extrajudicial violence. The burden of proof in the former cases is on the accused and this burden shifts to the accuser when it comes to the latter. In many cases, especially in lower courts, individuals accused of physical violence are acquitted on the grounds of weak witness testimonies, technical irregularities, or insufficient evidence (Rollier 2019). As we saw in the Mashal Khan legal proceedings, twenty-six individuals were exonerated for lack of evidence. This level of scrutiny is rarely applied for alleged blasphemers. Intent is not a requirement, as already mentioned. This significantly lowers

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

the threshold for conviction. Weak testimonies, devoid of explicit mention of details, are permitted as judges, lawyers and witnesses fear that repeating these accounts would invoke fresh charges of blasphemy. For example, in *State v. Salamat Masih* in 1995, the prosecution witnesses refused to produce or to repeat the incriminating evidence saying that doing so would result in desecration (Rollier 2019). For the same reason, opportunities to cross-examine the witness are passed over by the defendant's lawyers. Tensions are high in the courtrooms during blasphemy trials due to the presence of religious clerics and militants who are watchful of the proliferation of further blasphemy and instil a fear in the judge making it harder for him to acquit the accused.

V) *Role of social media*

Social media also has a definitive part to play in the recent rise of anti-blasphemy agitation. Pakistan infamously imposed a three-year ban on YouTube after a trailer of a blasphemous film, *The Innocence of Muslims*, was posted online in 2012 (Zia 2014). This reaction of banning the entire platform instead of the video was seen by many as excessive and as another instance wherein the government had succumbed to the will of the religious groups. This is, however, representative of underlying anxieties surrounding the internet. Afiya Shehrbano Zia, a feminist researcher based in Karachi, writes this “cyber generation gap” goes back to the Lawyers’ Movement of 2007-09 where young neophyte activists in their protest for the restoration of the democracy, the Constitution and the judiciary resorted to cyberactivism, circulating mobile phone videos of protests on Facebook and other platforms for global viewing. Therefore, the fear of mass communication of blasphemy online arguably prompts knee-jerk reactions, whether it be banning YouTube or lynching blasphemers. All these factors combine to result in exponential growth of extrajudicial killings. While there were only two cases from 1946 to 1987, this number has increased to fifty-seven from 1987 to 2014 (Mazhar 2019).

What prompts the rise of anti-blasphemy?

The question of why the blasphemy laws, although problematic, persist till date is not a new one. The dominant explanation among scholars is regarding their usage as a political tool. Religious parties who are strong advocates for blasphemy laws enjoy significant popularity in Pakistan. Their considerable street power also means that attempting to reform these laws would invariably result in large scale protests. Therefore, successive governments did not attempt to reform these laws, or made them more stringent to boost their influence. These laws also became a useful tool for incumbents to attack political opponents. In the end, blasphemy laws became an instrument of political actors and their ends (Rollier 2019).

However, to understand the rise of anti-blasphemy, we need to look beyond the political apparatus of Pakistan to its society and religion. What are the social factors behind its sensitivity and popularity? There are two important ones to consider: (i) competition over limited resources and the economy of blasphemy, (ii) the rise of a new kind of Islam (Rollier 2019).

I) *Competition for scarce resources*

Blasphemy cases, due to their public visibility, become platforms for intense competition between various actors vying for public attention, religious goodwill, economic gains, career advancements or abroad asylum opportunities. While blasphemy accusations result in condemnable violence, there are tangible benefits that arise from these controversies for religious groups, lawyers and even accused groups.

There is especial heightened intra-Muslim competition between Sunni sub-sects vying for relevance and visibility. Since the 1980s, economic patronage from the Saudis and military support from the Zia-ul-Haq regime have given the Sunni sect of Deobandis an advantage over the numerically greater and relatively moderate Barelvi or Sufi sects (Rollier 2019). In recent times, the Barelvi groups are now attempting to reverse this trend by becoming more visible and politically active around the sensitive topic of blasphemy (Rollier 2019). The meteoric rise of the Barelvi cleric Khadim Rizvi, who used the Asia Bibi blasphemy case as a political launchpad by coming out in support of the Mumtaz Qadri—the killer of Salman Taseer, the Punjab governor who defended Asia and demanded reform in the law—is an example of successful mobilisation around the issue of blasphemy (Shaikh 2020)

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

Highly publicised blasphemy trials also offer concrete career advancement opportunities for lawyers. Religious groups, from where a large number of accusations emerge, often maintain a special team of lawyers to prosecute blasphemers. Acquitting vigilantes and convicting transgressors provides not only a big boost to one’s career as a lawyer but also brings public goodwill. However, there are benefits to be gained on the other side of the legal battle as well. There is a market for conservative lawyers for such cases. Individuals and outfits accused of blasphemy often appoint a Muslim lawyer, preferably someone who has convicted blasphemers in the past (Rollier 2019). This presents a favourable image to the Muslim judge thereby increasing chances of acquittal. Defenders of alleged offenders are paid hefty fees. This money is sourced from civil society organisations and foreign networks of patronage. Rollier notes that sometimes those accused of blasphemy and their family members are also viewed with jealousy and suspicion as they ostensibly profit from the situation by securing asylum abroad. Thus, there is an economy that surrounds the violence of anti-blasphemy. Unfortunately, this economy is characterised by intense competition, often leading to loosening of social bonds within and across communities.

II) Standardisation and Objectification: A New Islam

To feed the attention economy of blasphemy, one can see a process of standardisation and objectification of Islam. Blasphemy in Pakistan is not only restricted to explicit expression of disbelief or disapproval in the Prophet and his teachings but also any harming of the sanctity of the Quran. Therefore, written or spoken communication as well as physical contact with the Quran entail blasphemy, thereby broadening its scope. In the past, dropping a Quran from one’s shopping bag or disposing of a visiting card bearing the name ‘Muhammad’ have invited accusations of blasphemy in the courts. The wide range of instances that could constitute blasphemy brings blasphemy down from the realm of ideological conflict to intentional or unintentional consecration in everyday life. The increasing scope for accusations naturally spurs up the number of accusations bringing more attention and power to the embroiled religious groups. The rise of gruesome killings and the related public trials, debates, and rallies further attract public attention, keeping religious groups constantly relevant.

The cause and consequence of the hypersensitivity towards all kinds of blasphemy—and there are many—is the establishment of a special relationship to everything religious: holy words, books, persons, and names. The fear of irreverence makes religious minorities in Pakistan live under the constant threat of accusations. For example, Christian Punjabis would replace the word ‘Muhammed’, the name of the Prophet, with another name such as ‘Bashir’ in everyday parlance (Rollier 2019). Similarly, they fall silent or lower their voice when the Muslim call for prayer (azan) sounds (Rollier 2019). This “enforced sensitivity” extends to actions as well, especially when it comes to the handling of the Quran (Rollier 2019:65). Since Islamic verses can be written on almost anything—a banner, a visiting card, a newspaper, or a children’s book—one learns to handle seemingly ordinary objects with care (Rollier 2019). People frequently pick up a stray newspaper or a piece of paper lying on the pavement and place it on an elevated spot, out of precaution (Rollier 2019). The increase in the presence of Islamic in public and private life increases the anxiety over desecration. An unexpected result of this phenomenon is that constrained individuals become active participants in constraining others.

Conclusion

The study of the lynching of Mashal Khan revealed various elements of how the blasphemy laws function in Pakistan, especially in recent decades. While these elements are a function of how the law is made, the abuse of the law is also reflective of a blasphemy-obsessed society. A deeper study of the *mala fide* accusations, indifference towards the intent of the accused, killing of the accused before legal proceedings completed and disproportionate impact on minorities point to the construction of blasphemy as a politicised issue. Religious groups competing for public space and attention rally around the blasphemy to remain relevant. A new breed of Islam with followers that are more passionate and with a practice that is more ritualised allows for this pervasion of anti-blasphemy to all quarters of life. In this new Islam and new Pakistan, there seems to be no space for the likes of Mashal Khan and Salman Taseer who are well-intentioned but imbibe a critical attitude.

The use of blasphemy laws to persecute religious minorities in Pakistan has received a lot of scholarly attention, especially after the Asia Bibi case. As a result, the discourse on blasphemy has become an ideologically charged,

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

partisan issue and a battleground between liberals and Islamists and majorities and minorities. The case study of Mashal Khan—as an incident of violence against a Muslim majority member — helps us break out of that binary as we look at the complex sociological conditions in Pakistani society that enable the existence of these laws and their misuse. The case foregrounds the potential impact of the anti-blasphemy movement on the religious majority as well. This paper leaves unaddressed the questions of reform of the blasphemy laws. In a country where the political elite, religious groups and the majority of the population do not support the removal or reform of the law, how do we change these draconian laws? In a society where the sentiment of anti-blasphemy seeps down to every individual, where is the hope for blasphemers?

Bibliography

Ali, A. (2017), “IG says no evidence against Mashal, his friends”, *Khyber News*, accessed via: <https://khybernews.tv/ig-says-no-evidence-against-mashal-his-friends/>.

Aljazeera (2019), “Pakistan convicts two over Mashal Khan blasphemy lynching case”, accessed via: <https://www.aljazeera.com/news/2019/3/21/pakistan-convicts-two-over-mashal-khan-blasphemy-lynching-case>.

Akbar, A. and Hassan, F. (2017), “Mardan university student lynched by mob overalleged blasphemy: police”, *Dawn*, accessed via: <https://www.dawn.com/news/1326729/mardan-university-student-lynched-by-mob-overalleged-blasphemy-police>.

Badry, R. (2019), “THE DILEMMA OF ‘BLASPHEMY LAWS’ IN PAKISTAN– SYMPTOMATIC OF UNSOLVED PROBLEMS IN THE POST-COLONIAL PERIOD?” *Politeja*, no. 59, pp. 91–106. www.jstor.org/stable/26916355

BBC, “One year since ‘blasphemous’ YouTube blocked in Pakistan”, accessed via: <https://www.bbc.com/news/av/world-asia-24125457>.

BBC Newsnight (2017), “Murder on Campus: The story of Mashal Khan”, accessed via: https://www.youtube.com/watch?v=ZexWiSO_QUI.

Channel 51 (2017), “Mashal Khan Last Interview with Khyber News”, accessed via: <https://www.youtube.com/watch?v=DOUkmt3j9Lw>.

Dawn Agencies (2013), “PTI lawmakers call for review of blasphemy law”, accessed via: <https://www.dawn.com/news/1045111>.

Dawn (2013), “Timeline: Accused under the Blasphemy Law”, accessed via: <https://www.dawn.com/news/750512/timeline-accused-under-the-blasphemy-law>.

El Fegjery, M., et al. (2017), “Taking Beliefs to Court: Blasphemy, Heresy, and Freedom of Expression under Islamic Law”, Edited by Geneive Abdo, *Islam and Human Rights: Key Issues for Our Times*, pp. 8–12. www.jstor.org/stable/resrep03717.5

Ernst, D. (2017), “Pakistani prof: Student killed by mob over blasphemy claims ‘didn’t understand the environment’”, *The Washington Times*, accessed via: <https://www.washingtontimes.com/news/2017/apr/14/abdul-wali-khan-professor-studentkilled-by-pakist/>.

Farhan, H. (2018), “‘Stop us if you can’: Religious parties in Mardan protest conviction of 31 men in Mashal’s murder”, *Dawn*, accessed via: <https://www.dawn.com/news/1388351>.

Firdous, I. (2017), “Mardan Lynching: JIT says Mashal’s murder was premeditated”, *The Express Tribune*, accessed via: <https://tribune.com.pk/story/1427069/plot-get-rid-mashal-khan-hatched-month-murder-concludes-jit>.

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

Hindustan Times (2017), “HT Quick Take: Pak Law Minister Quits- Is Islamic Fundamentalism Taking Over Pakistan?”, accessed via: <https://www.youtube.com/watch?v=-FEDZI78Blw>.

Hoodbhoy, P. (2018), “Why they lynched Mashal Khan”, *Dawn*, accessed via: <https://www.dawn.com/news/1329909>.

Mackey, R. (2017), “Students at Pakistani University Lynch Classmate Falsely Accused of Blasphemy”, *The Intercept*, accessed via: <https://theintercept.com/2017/04/14/students-pakistani-university-lynch-classmate-falsely-accused-blasphemy/>.

Mahmood, S. (2017), “The Mashal Khan Incident in Pakistan: A Short Analysis”, *South Asia Journal*, accessed via: <http://southasiajournal.net/the-mashal-khan-incident-in-pakistan-a-short-analysis/>.

Masud, M. K. (2019), “Modernizing Islamic Law in Pakistan: Reform or Reconstruction?” *Journal of South Asian and Middle Eastern Studies*, vol. 42(2), pp. 73–97. www.jstor.org/stable/10.33428/jsoutasiamideas.42.2.0073

Nasir, M. and Warda, I. (2018), “10 months on: A timeline of brutal lynching of Mashal Khan”, *The Express Tribune*, accessed via: <https://tribune.com.pk/story/1628444/1-10-months-timeline-brutal-lynching-mashal-khan>.

NowThisNews (2017), “Why Breaking Blasphemy Laws in Pakistan Is Punishable by Death | NowThis”, accessed via: <https://www.youtube.com/watch?v=-tYe7mCDhBU>.

Khan, A. (2018), “Mashal Khan: Lighting a flame in our hearts by losing his life”, accessed via: <https://herald.dawn.com/news/1154008>.

Khan, S. (2019), “Liberals in Pakistan fear hate crimes following lynching victim Mashal Khan’s death”, *DW.com*, accessed via: <https://www.dw.com/en/liberals-in-pakistan-fear-hate-crimes-following-lynching-victim-mashal-khans-death/a-48022110>.

Khuldune Shahid, K. (2020), “Pakistan’s Bloodthirsty Blasphemy Law Needs to Be Repealed”, *The Diplomat*, accessed via: <https://thediplomat.com/2020/07/pakistans-bloodthirsty-blasphemy-law-needs-to-be-repealed/>.

Pakistan Today Agencies (2017), “Prime suspects’ confession: Mashal Khan murdered on security incharge’s provocation”, accessed via: <https://www.pakistantoday.com.pk/2017/04/18/prime-suspects-confesses-ion-mashal-khan-murdered-on-security-incharges-provocation/>.

Paracha, N. F. (2014), “The Pakistan zeitgeists: A nation through the ages”, *Dawn*, accessed via: <https://www.dawn.com/news/1109105>.

Raza Rumi (2018) UNPACKING THE BLASPHEMY LAWS OF PAKISTAN, *Asian Affairs*, no. 49 (2), pp. 319-339.

Rehman, I. A. (2010), “The blasphemy law”, *Dawn*, accessed via: <https://www.dawn.com/news/585332/the-blasphemy-law-by-i-a-rehman>.

Rollier, P. (2019). “‘We’re All Blasphemers’: The Life of Religious Offence in Pakistan.” *Outrage: The Rise of Religious Offence in Contemporary South Asia*, edited by Paul Rollier et al., UCL Press, London, pp. 48–76. www.jstor.org/stable/j.ctvh1dx8q.9

Shaikh, Z. (2020), “Rise of a cleric: How did Khadim Rizvi become so influential in Pakistan?”, *Indian Express*, accessed via: <https://indianexpress.com/article/explained/rise-of-a-cleric-how-did-khadim-rizvi-become-so-influential-in-pak-7061673/>.

Webdesk (2019), “Mashal Khan’s father satisfied with ATC verdict in lynching case”, *ARY News*, accessed via:

“You Blaspheme, You Die”—The Rise of Anti-Blasphemy in Pakistan

Written by Rishabh Chawda

<https://arynews.tv/en/mashal-khans-father-satisfied-atc-verdict-lynching-case/>.

Woodrow Wilson Center (2018), “Islamic Law, the Nation State, and the Case of Pakistan”, accessed via: <https://www.youtube.com/watch?v=6wKgYNa6NE4>.

Yousufzai, S. (2017), “Mardan lynching: Mashal’s father wants killers tried in army court”, *The Express Tribune*, accessed via: <https://tribune.com.pk/story/1385477/mardan-lynching-mashals-father-wants-killers-tried-army-court>.

Zia, A. S., (2014), “Freedoms and Bans in the Politics of Contemporary Pakistan.” *Economic and Political Weekly*, vol. 49 (34), pp. 22–25. www.jstor.org/stable/24480908