

# **HONOR, PURITY, AND TRANSGRESSION: UNDERSTANDING THE CONCEPT AND PRACTICE OF BLASPHEMY IN PUNJAB, PAKISTAN**

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## **Abstract**

The Blasphemy Laws of Pakistan, inherited from the colonial legislation and amended in favor of the Muslim majority by Zia-ul-Haq in 1980s, have recently become an international concern, especially with regards to their instrumental use against minorities and the consequent violent action. Based on a study of religious speeches, court cases, police reports, and my interviews with the accused and their family members in cases of blasphemy, I argue that in Pakistan the conceptual boundaries of what constitutes blasphemy are vague, both in the legal and the public religious discourse. The cultural concepts of honor, shame, purity, impurity, and transgression shape the perception of blasphemy and the courses of action to be taken in response to a perceived blasphemy. The meaning of blasphemy as a transgression of arbitrary physical or conceptual boundaries that causes dishonor to Islam and the Prophet of Islam and that has to be curbed by defending the honor of the same is ideologically constructed by the religious elite of the mainstream Sunni Islam in Pakistan. Consequently, the meaning of blasphemy, legitimized through dominant religious discourse, can be used in a wide range of circumstances to maintain and reproduce the existing social structure of hierarchy and authority.

## Table of Contents

Acknowledgements .....	i
Abstract .....	ii
Table of Contents .....	iii
Introduction.....	1
Theoretical Framework .....	4
The Historical, Legal, and Political Context of Blasphemy in Pakistan .....	4
Blasphemy in International Scholarship .....	12
Freedom of Speech and Secularism.....	12
Individual Subjectivity and Social Function of Blasphemy .....	13
Methodology and Data Collection .....	15
Accessing the Participants of Research.....	15
Resources available, and my position as a researcher.....	17
Selection of Cases .....	18
Considerations for selecting the cases.....	18
Ethical Concerns regarding Data Collection and Presentation: .....	20
Honor and Transgression: The meaning of Blasphemy.....	22
The Legal Discourse of Blasphemy in Pakistan.....	24
The Public Religious Discourse on Blasphemy .....	28
The conception and practice of blasphemy.....	33
Framing honor: The public expression of love and prevention of shame .....	34
Transgression: Challenging the honor by crossing physical and conceptual boundaries .....	38
Physical Boundaries: The sacred (pure) and the profane (impure) .....	38
Conceptual Boundaries: The belief systems and their authority .....	45
Symbolic Violence: Cultural Production of the Meanings of Blasphemy.....	50
Conclusion .....	58
Appendix 1: Text of the Laws related to religion in the constitution of Pakistan .....	61
Provisions regarding practice of religion (The constitution of Pakistan, 1973).....	61
Text of Offenses relating to religion (Pakistan Penal Code, 1860).....	61
Appendix 2: The Complete Case of Tahir Raza .....	64
References .....	67

## Introduction

The subject matter of my thesis is the conception of blasphemy and the anti-blasphemy practices in everyday lives of the citizens of Pakistan and their relation to the so called “Anti-Blasphemy laws”, as introduced in the country’s Penal Code in 1980s. Blasphemy, from Greek ‘blasphemia’ meaning ‘impious speech’ is generally defined as an utterance or action that defiles or slanders a religious tenet, personality or more broadly a religious order. Pakistan is among the modern states that have some sort of legislature (in the official language English) against speech and actions deemed as blasphemous. The number of registered cases under this legislature and the resulting incidents of violence, mainly the extra-judicial killings of the victims, have increased substantially over the years. Between 1987 and 2012, a total of 1253 persons were accused of blasphemy, out of which 51 were assassinated before, during, or after the court trial (NCJP 2013). Given the high number of blasphemy cases and subsequent killings, it is important to understand what constitutes blasphemy and the course of action it generates as a response. It is also important to note that to date no one has been killed by the state agencies and most of the accused have been acquitted by the lower, middle, or higher courts. However, the cases are registered due to the pressure from the common people who are also responsible for the resulting violence. Therefore, in this thesis, I emphasize the conception of blasphemy by common people and how it is used in various circumstances to respond, accuse, and possibly trigger violent action. The role of the state agencies such as judiciary, though an important factor in analyzing the common beliefs and practices, will be limited in my thesis. Since my analysis and argument is concerned with meanings attached with blasphemy in everyday conception of people and the production and maintenance of these meanings, it is beyond the scope of my thesis to analyze the operation and specific functioning of the state agencies.

In Pakistan, the conceptual boundaries of blasphemy are vague and controversial with regards to its definition, source (mainly Islamic texts), implications and scope. There is no exact word for blasphemy in the local language Urdu but there is a wide range of meanings associated with the concept of blasphemy. At a practical level, the meanings of blasphemy can be constituted, negotiated, extended, and exploited in many ways. In this thesis, I discuss the concept of blasphemy and the forms of practices blasphemy allegations may take. I seek to develop, that blasphemy, though embedded in a religious discourse, cannot be reduced merely to religious or religiously-backed legal structures. Rather, I take the premise that the issue has cultural underpinnings that determine its various expressions in society, at both conceptual and practical levels. Moreover, blasphemy in Pakistan cannot be understood as an issue of freedom of speech or human rights, in isolation from the socio-historical and cultural context it operates in. Thus, I try to explain how cultural concepts shape the idea and practice of blasphemy in Pakistan. More precisely, I argue that blasphemy is an arbitrary concept which is invoked in a wide range of circumstances, and the discourse in which the concept of blasphemy is invoked, expressed, and acted is based upon the concepts of honor, shame, purity, impurity, and transgression. I also argue that the meanings of blasphemy, embedded in the cultural concepts of honor and transgression, are produced and maintained by the mainstream Sunni religious elite through ideological means.

My research comprised of a study of the police reports and case files, as well as structured and semi structured interviews with the accused, their family members, and the civil society workers. My focus during the research has been on the terminology and concepts people invoke while accusing someone of blasphemy, regardless of whether the accusation was true or false. The purpose of this emphasis is to be able to trace what constitutes blasphemy in terms of speech, actions, gestures, etc and how it is articulated in the statements of the accusers and of those voicing

their opinions and sentiments against the accused. I have structured my thesis in such a way that the argument regarding the constitution and reproduction of meanings of blasphemy flows from specific to the general. Therefore, I will begin with a brief account of the historical, legal and political context of Pakistan and give an overview of the international scholarship on the issue of blasphemy and general and how is it applicable to the case of Pakistan. The second chapter of my thesis is about the methods I used for data collection, the challenges and the ethical concerns with regards to methods and data collection. The third chapter gives an account of the terminology used in the legal discourse and in the public/religious discourse while talking about blasphemy and how this terminology invokes and highlights the concepts of honor and transgression. In the fourth chapter, I explicate how honor and transgression are understood and framed as concepts, the cultural underpinnings of these concepts, and the usage of these concepts in different circumstances. In the fifth and the final chapter I discuss the role of Sunni religious leaders in shaping the state ideology, the religio-national identity, and the meanings of blasphemy inherent to these, through Ideological and repressive mechanisms. I conclude the thesis by summing up my argument to illustrate the underlying ‘attitudes’ that encompass the conception of blasphemy and the practices related to it.

## **Theoretical Framework**

### **The Historical, Legal, and Political Context of Blasphemy in Pakistan**

The scholarly literature on the issue of Blasphemy specific to Islamic context is scanty, more so for the particular case of Pakistan. The issue of blasphemy in Pakistan has majorly been studied either from a legal perspective, such as (Siddique and Hayat 2008) or we find empirical research reports--dealing with statistics and case studies--by local organizations and media, for example (HRCP 2012; NCJP 2013). Apart from that, a more general body of literature can be found, dealing with the minorities in Pakistan at a broader level. The literature on minorities in Pakistan ranges from documenting their historical contributions to analyzing the social discrimination and violence they have encountered. Archbishop Saldanha and Emmanuel Zafar have recollected the contributions of the Christian minorities in Pakistan at the national level as well as their patriotic attitudes. On the other hand, there has emerged literature dealing with the trends of Islamization and their effects on minorities, for example, Lys Anzia (2009) analyzed the impact of Talibanization on the minorities of Pakistan (Jivan and Jacob 2012:20).

Pakistan was created as a Muslim Majority country, in response to the “Pakistan Movement” at the time of decolonization and partition of the Indian sub-continent by the British government. The roots of the “Pakistan Movement” go back to the nineteenth century India when Muslims of the Indian sub-continent started movements for revivalism and reform of Islam against the political subordination and cultural hegemony of the British colonizers. The ideological basis of these modernist movements was that Islam in India had to be protected from the westerners by returning to the originals of the Quran and the Hadith. Institutions of Islamic education such as Dar-al-ulum (Hanafi/Sunni school of thought) at the Deoband were formed that had the authority to issue fatwas



and to closely monitor the social and religious conduct of the Muslims (Hasan 2003:17). The “Pakistan Movement” emerged as a political movement led by the religious elite belonging to institutions as that of Deoband, and demanded a separate state for the Muslims of the sub-continent.

However, at the time of its creation in 1947, it was never envisaged whether Pakistan would be an Islamic or a secular state, or whether a particular Islamic school of thought would become the state religion (Ahmed 2004). Thus, the movement for Pakistan, based on the ideology of a separate state for the Muslims of the Indian sub-continent, managed to recruit people from different religious sects, cultural and political orientations into the body of supporters for the creation of the independent state of Pakistan (Ibid). However, after its creation, the conflicts and controversies between different groups regarding their political aspirations and preferences came to the fore front. Consequently, the legislature, as the Constitution of Pakistan, became a site of active construction and imposition of religious ideology.

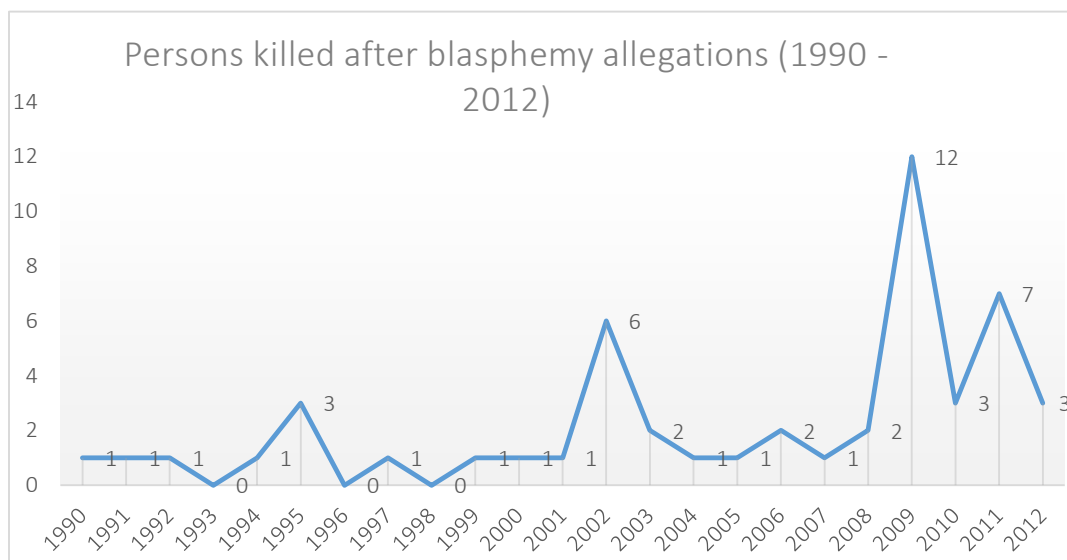
The state of Pakistan had inherited its legal structure from the colonial legislation, which contained laws, introduced by Macaulay, against disrespect and defilement of any religion or religious symbol (Ahmed 2009:181). In the post-colonial Pakistan, these laws from Indian Penal Code were revised to protect only Islam—the religion of the majority—and more strict punishments for the violators were introduced by General Zia-ul-Haq in 1980s (Ibid 183). The new legislation laid special emphasis on preventing disrespectful acts and speech regarding Prophet Mohammad. These changes were made to fit the idea of making Pakistan an “Islamic State”—advocated for by the Sunni mainstream religious leaders, who envisioned “Islamic State” as the “Sunni Islamic State” (Jahangir and Jilani 2003:17–18). The version of Islam thus incorporated as the state religion was the mainstream Sunni Islam which was to affect the constitution and practice of the

meanings associated with blasphemy. The construction of the meanings and the inculcation of the Sunni ideology was further facilitated by the proliferation of the Sunni Islamic institutions (Daar-ul-ulums/madrasahs), in the decades following the amendment of the blasphemy laws by Zia-ul-Haq (Nasr 2000:140). According to a study by Nasr (2000),

In 1947 there were 137 madrasahs in Pakistan.' Today even the smallest divisions of Punjab have just as many, and Pakistan as a whole has an estimated 8000. The proliferation of madrasahs belonging to Deobandi, Brelwi and Ahl-i Hadith schools of Sunni Islam, began in the mid-1970s, and has continued at a phenomenal pace since. In Punjab, where the rise in numbers has been most notable...the number of madrasahs increased three and a half times between 1975 and 1996, from over 700 to 2,463 ... In Lahore the increase was from 75 to 324, and in Faisalabad, which is today one of the principal centers for militant madrasahs, the increase was from a handful to 112 (P. 142).

The statistical data of the blasphemy cases in Pakistan, since the amendment of the law in 1980s, demonstrate strong relationship with the rise of Sunni Islam and the proliferation of Sunni Madrasahs. The number of persons killed in blasphemy cases has been increasing since the 1980s (see graph 1), and almost 75 percent of the cases are located in Punjab, the province with largest number of Madrasahs (see graph 2 and map 1). Lahore and Faisalabad are the cities with the highest number of registered cases of blasphemy (see table 1), and not surprisingly, also the cities with largest number of Madrasahs according to the above study (NCJP 2013).

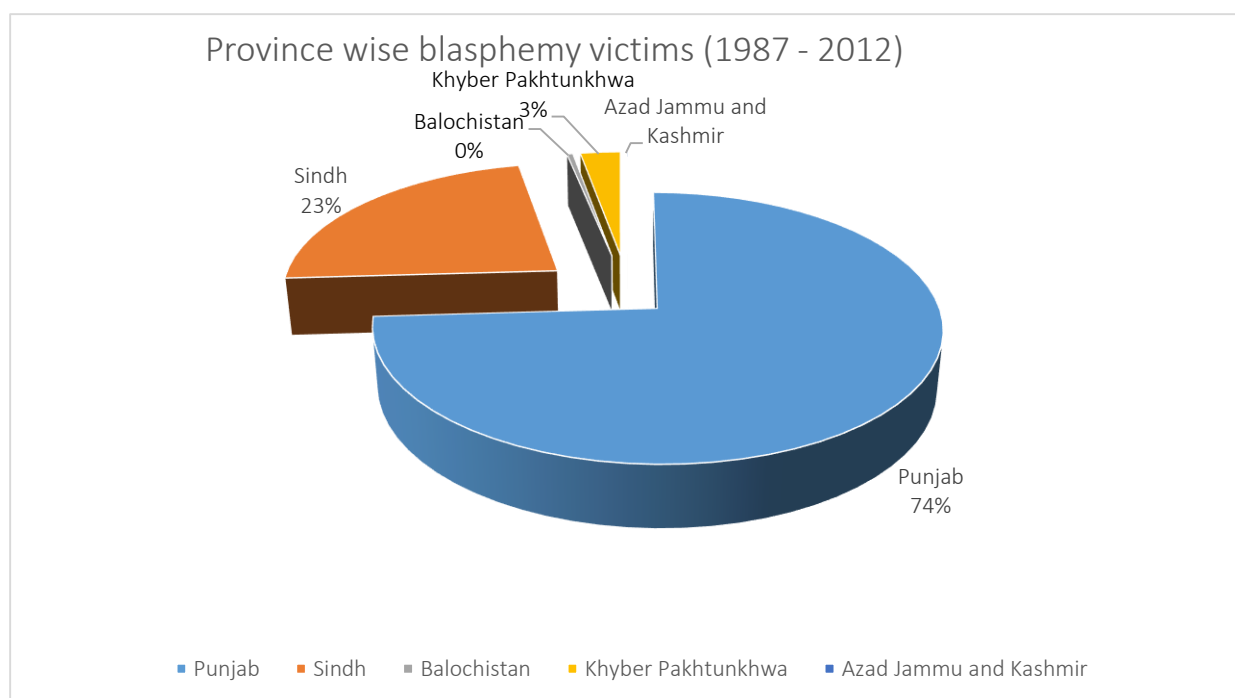
Graph 1: Persons killed after blasphemy allegations<sup>1</sup>



This graph represents the number of people killed after blasphemy allegations (extra judicially) over the years from 1990 to 2012. In the last twelve years, as compared with the 1990 till 2000, number of killings have increased by five times.

<sup>1</sup> Data taken from Annual Report on Human Rights by National Commission for Justice and Peace, 2012-13 (NCJP 2013)

Graph 3: Province wise distribution of Blasphemy cases



This graph gives a spatial account of blasphemy victims in the last twenty six years. North-Western province of Pakistan, Punjab—with the highest literacy rate among the provinces of the country-- hosts a majority 74 percent of all the blasphemy cases. The following data indicates the cities with the largest number of cases registered in the past twenty six years.

Table 1: Cities with largest number of blasphemy cases registered

Top 20 Cities In Blasphemy allegations		
Sl.	City	No. of cases
1	Chiniot	17
2	Khanewal	20
3	Larkana	23
4	Rawalpindi	23
5	Nankana Sahib	26
6	Shekhupura	27
7	Sanghar	28
8	Hyderabad	29
9	Sargodha	29
10	Jhang	30
11	Muzaffargarh	39
12	Gujranwala	42
13	Peshawar	42
14	Mirpur Khas	55
15	Kasur	55
16	Multan	81
17	Sialkot	88
18	Karachi	97
19	Lahore	101
20	Faisalabad	120

Except 4, all of these cities mentioned in the table 1 are located in the Province of Punjab.

Faisalabad and Lahore have the highest number of registered cases. The following map indicates the geographical location of these cities.

Map 1: Geographical location of the Blasphemy Cases

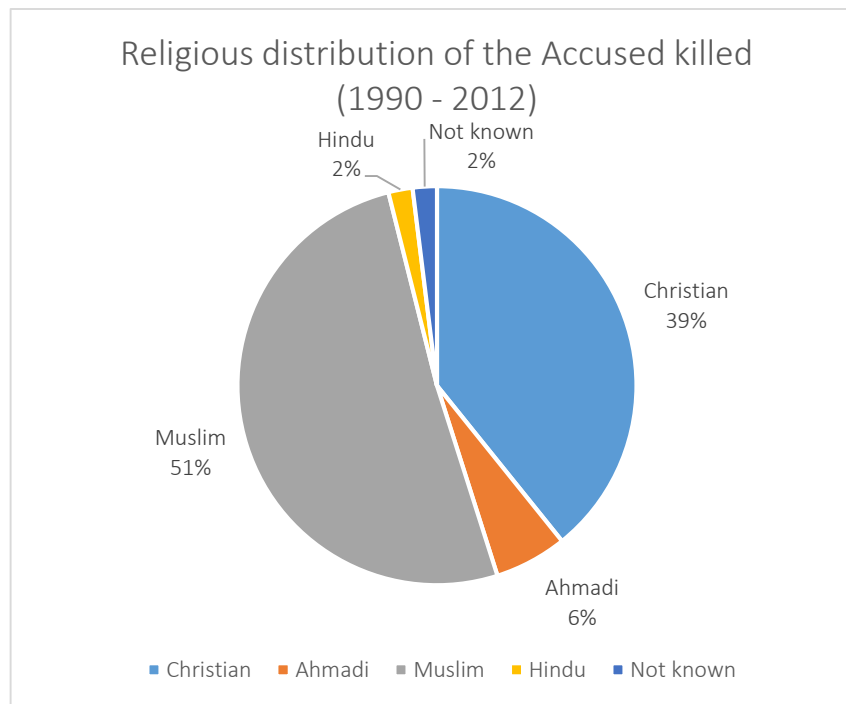


From the map, we can see the concentration of majority of the blasphemy cases in a small geographical area within the whole country. These cities are among the biggest and the most populated cities of the country, along with the much greater access to infrastructure, educational and legal institutions as compared to the rest of the country.

The move towards Sunni Islamic State and the constitution of the blasphemy laws accordingly can be seen as the “Islamization” tool used by Zia-ul-Haq in order to maintain political power (Nasr 2000:18). The construction, facilitation, and support of madrasahs was also a tactic used by Zia-ul-Haq to legitimize his power by creating the dominant discourse (Ibid 145). Thus, It has been

argued that Zia's government set the stage for state-sponsored religion and religious politics (Siddique and Hayat 2008:316) and once a step towards Islamization has been taken, it becomes impossible to reverse it (Jahangir and Jilani 2003:18). Because, "Once the label of religion is attached to a law, regardless of its merit, it becomes an extremely sensitive issue and criticism against it almost accounts to heresy" (Jahangir and Jilani 2003:21). The analysis of the legal construction of blasphemy by Jahangir, Jilani, Siddique, and Hayat (all belonging to the field of law in Pakistan) upholds that these laws are inherently unjust and discriminatory, as well as flawed in their form and design, open to abuse. They have argued that the abusive potential of these laws stands due to their very design, even independent of the social context. Given the social context of increasing religious intolerance, the subversive potential of these laws becomes enormous (Siddique and Hayat 2008:307). These laws provide the legislative umbrella to the extremists, religious zealots and spawn an environment of violence, at the same time they become instrumental in settling personal disputes (Ibid 384). The statistical figures showing around 50 percent of the total victims of violence against blasphemy accused to be non-Muslims (who constitute only 3-4 percent of the total population) illustrate the instrumental use of these laws against the religious minorities (see graph 3).

Graph 3: Religious distribution of the Accused killed



### Blasphemy in International Scholarship

The issue of blasphemy has been highlighted and become a serious concern at the level of international scholarship in the last few decades, apparently after the appearance of controversy about Salman Rushdie's *Satanic Verses* in 1988 and the more recent Danish Cartoons affair (Nash 2008:393). Although there is not much literature available relevant to the case of blasphemy in Pakistan, I will briefly mention the mainstream literature on the issue of blasphemy in general (at global level) and comment upon its applicability to the subject matter of this thesis.

### Freedom of Speech and Secularism

Majority of the theorists have been concerned with the issue of blasphemy as an issue of freedom of speech with respect to secular and/or religious societies. Blackford has discussed the notion of blasphemy with respect the idea of sanctity of private thought as issue of public morality (Blackford 2012). Similar ideas have been discussed by Asad as he locates the co-ordinates of 'blasphemy' in moral and political milieus (Asad et al. 2009:21) He argues, blasphemy is generally



conceived as an issue of freedom where democracy and liberalism are taken as the premises for the notion that ‘free speech’ is the natural and inevitable reality of the ‘secular’ world (Ibid 23). The notion of ‘secular’ has also been problematized, such as by Casanova who argues that secularism does not necessarily correspond to enlightenment (and religion to non-enlightenment) rather the social and historical factors have shaped how it is understood in relation to religion in contemporary times (Casanova 1994:1). Taylor also problematized the notion of secularism as a given premise. He posits the problem of secularism in terms of political ethics which, he argues, may differ given the different spiritual and moral backgrounds of people. Following Rawls’s idea of ‘overlapping consensus’ he comes up with the mode of secularism which is at best an overlapping political philosophy, in which various, different ethical interpretations and backgrounds converge together (Taylor 1998). Along the similar lines, Al-Azmeh also contests the neutrality of secular tide and that secularism has its own share of history in the dialectic process with religion. He remarks that until recently, the question of religion had not entered public life and had not been politicized (Al-Azmeh 2009). Based on this stream of arguments, I contend that the premise of freedom of speech and its association with secularism cannot be taken to understand the case of blasphemy in Pakistan as it essentializes certain practices and beliefs as either religious or secular. However, since there is a complex combination of secular, democratic, and religious elements at work in Pakistani political and social life, the understanding of blasphemy cannot be reduced to either religious or secular concerns. Such reduction also ignores the cultural elements such as the ideas of honor, purity and transgression at play and the role of the actors in determining the particular practices related to blasphemy.

### **Individual Subjectivity and Social Function of Blasphemy**

Another stream of literature, particularly dealing with the Islamic contexts in the modern world emphasizes the dynamic of individual subjectivity and social function. Arguing for individual

subjectivity, Hervieu-Léger writes about religious modernism that focuses on individual as an agent with a sense of ethical responsibility of the self. Thus, in religious modernism, the ritualized religion becomes interiorized in such a way that every individual has a sense of moral responsibility, and by consequence, an individual is subjected to the religious morality (Hervieu-Léger 2001). On the other hand are the proponents of the ‘social function’ of blasphemy, for example, according to Klausen (2009), the reaction of Muslims against the Danish Cartoons was faced with the question of social harmony that was disturbed by such an action. Mahmood (2009) has articulated the notion of blasphemy as serving the social function more strongly by arguing that it is not the content of the speech or action that matters, but how it is received. According to her, blasphemy is not merely a matter of free speech, or a challenge to an established truth, rather it challenges the ‘living relationships’/way of life (Mahmood 2009:46) of the people by disrupting their very subjectivities (the way they relate to the holy signs and symbols). The problem with the frameworks of individual subjectivity and that of social function is that they exclude the social and the individual respectively. In order to understand the way blasphemy is perceived and the practices related to it shaped in Pakistan, we need to go beyond the idea of the individualistic and functional view. I seek to develop that the conception and practice of blasphemy is an intersubjective phenomenon in which individuals are related to each other in a web of social and political relationships, and they act according to their subjective positions in the field to achieve what appears legitimate to them. In the social field, their actions, speech, or gestures are not significant only because of their function, as argued by Mahmood, rather the meaning is important as it determines what constitutes blasphemy as well as how it is dealt with. Moreover, I take the premise that these meanings are grounded in the cultural practices and values, and are produced and maintained through ideological and cultural means.

## Methodology and Data Collection

In this section, I discuss the field of my research, the nature of data I had access to, the methods used to obtain the data and relevant information, the ethical concerns regarding the data collection and the limitations of the data.

My research was mainly conducted in Lahore, Pakistan. According to the last population census data available (1998), 93.9 percent of Lahore's population is Muslim. The city's religious minorities include: Christians (5.80 percent/upto 9.0 percent in the rural areas), Ahmadis (0.20 percent) and a small number of Baha'is, Hindus, Parsis and Sikhs. The participants of my research included those accused of blasphemy and their families, civil society workers associated with various non-governmental organizations operating in Lahore, human rights activists, journalists and lawyers dealing with the blasphemy cases.

My research relied majorly upon *qualitative methods* of data collection. I used the quantitative reports and statistics provided by the institutions such as Human Rights Commission of Pakistan (HRCP) and National Commission for Justice and Peace (NCJP) in order to locate the major indices of spatial and demographical factors in Blasphemy issues. However, to probe further into such variables (identified in the above mentioned reports), I carried out qualitative research. The use of qualitative methods allowed me to gain a deeper understanding of the subjective and experiential aspects of blasphemy (Bernard 2011:20–1), in terms of how individuals relate to the notions and practice of blasphemy and how inter-personal relations are affected by the same.

### Accessing the Participants of Research

Choosing to study the blasphemy cases and seeking to focus on micro level, particularly on persons affected by the anti-blasphemy laws in Pakistan, does not come without its challenges in a country where merely talking about blasphemy laws has now become a bold step calling for criticism by

masses, and even death by the hands of people. The situation has worsened after the killing of the Governor of Punjab, Salman Taseer in 2011, who strived for justice for a Christian woman sentenced to death for charges of blasphemy, and was seeking revision of the anti-blasphemy laws and procedures associated with them. Taseer was shot dead by his own security guard who claimed the murder as his love for the Prophet Muhammad, and was hailed for and turned into a hero by many, for his act- of murder. After this event, and many others like this, the social space for speaking about blasphemy in Pakistan has shrunk remarkably, and much worse is the case if one seeks to do ‘research’ on such an issue.

The threat is even greater for the human rights activists and civil society organizations working for advocacy and/or representation on behalf of the victims. Thus, it was not easy to access the main participants of my research – the victims and their families- in the given situation. I had chosen to get in touch with the victims through the civil society organizations working in the field, for two reasons: (1) Due to the prevailing environment of uncertainty, it would have been extremely difficult to gain trust of the victims and their families. People involved in such cases are usually so disappointed with the situation that they would not expect any good intention from anyone approaching them, and thus would not reveal any information to anyone, especially when they know that they would most probably have to suffer for doing so. (2) Most of such people live in hiding, because they are never sure who would kill them upon knowing that they have been charged with blasphemy. So, it was practically not feasible to locate them, and to approach them directly, putting them and myself in danger.

I had been in touch with the concerned civil society organizations months before going to Pakistan for my research. During the email correspondence, the people working in these organizations were positive, and said that they were open to researchers. However, one of the biggest issues I had to

face when I met them in person after arriving Lahore was that they would let me use their reports, materials, archives, but would not allow me to talk to the victims and their families directly in wake of the ‘security situation’, as explained by them. So, I had to refigure my research methodology according to the situation, and try to convince the relevant people to cooperate with me. Thus, I collected secondary data (mainly from newspaper archives and annual reports compiled by Human Rights Commission of Pakistan and National Commission for Justice and Peace) and interviewed a few activists before I got in touch with Mr. Joseph Francis, through the reference of one of Professors at the Law Department of Lahore University of Management Sciences (where I went for my undergraduate). Mr. Joseph Francis runs a legal aid organization called “Center for Legal Aid Assistance and Settlement” (CLAAS) that provides legal support to the victims of human rights violation. All of the employees working at CLAAS are Christians and the organization has a focus on securing the rights of Christians in Pakistan as an important part of their mission, though they provide legal aid and financial support to victims from other religions also.

### **Resources available, and my position as a researcher**

Mr. Francis allowed me to talk to the victims of blasphemy cases and their families, who are in touch with CLAAS to seek legal assistance. He also gave me access to the files of all the cases of blasphemy; each case file contained all sorts of documents related to that particular case, from the First Information Report at the local Police Station to the Court proceedings and judgments. The material, thus available to me, was unique and enormous in its value as well as in the volume. Another important resource afforded to me by Mr. Francis was that he let me share the workspace with the legal advisors who listen to the stories of the people who come to the organization for help and offer them possible solutions. I was allowed to directly listen to the stories of the people, to take notes, and to talk to them. This kind of access, I think, had both benefits and drawbacks for

me as a researcher. It certainly helped me gain a deeper understanding of the issues and an insight into the range of issues faced by people, especially those belonging to minorities, by indulging in direct conversations with the visitors.

### **Selection of Cases**

I spent almost 40 days working at the CLAAS office. Most of these days, I was there for 8 hours. During all this time, I was engaging in conversations with people: the employees, the visitors, and the lawyers. While this engagement comprises an invaluable part of my research and data that helped me gain a deeper understanding of the issue at hand, I decided to choose particular cases of blasphemy and work on them in greater detail. I chose 15 cases of blasphemy, and studied court files and police documents related to them. Then, I went on to meet the people directly concerned with these cases, that is, the victims and/or their family members. Many of these cases have been resolved and the victims have been acquitted. I met most of these people within the CLAAS office and had semi-structured interviews with them as this format of interview allows having a clear set of guidelines while conducting the interview and at the same time gives space for versatility (Bernard, 2011:157–8). However, in order to meet two of the victims, who are still behind the bars, I had to visit them in their respective prisons.

### **Considerations for selecting the cases**

I started with the statistics for blasphemy cases from past 2 decades which gave me an overview of the demographic features of the blasphemy cases and the change of tendencies over time. Then, I studied a larger number of cases (about 50- all from past two years) from secondary sources such as newspaper archives and reports. This gave me a broader view of recurrent causes of charges, nature of offences, and courses of action related to blasphemy cases. In light of the statistics and the results derived from a general survey of cases, I proceeded to select 15 specific cases. All of the cases I selected were located in Punjab, the province where 74% of all the cases since 1987

have been located (see figure). Out of those, 80% of the cases are situated in Lahore (the city with second largest percentage of registered blasphemy cases since 1987). I had the following considerations in mind while selecting the cases:

- The people involved in the cases, the accused and their families, should be accessible, so that I can talk to them. This was a major challenge, because for most of the cases the people involved were either not available (have left the country or do not reveal where they are living) or not willing to talk. Thus, for each case, I had to first make sure, through the help of the CLAAS employees that the families can be reached and would be willing to talk. Even while having this as my primary concern, and after trying my best to ensure the access, there were still some cases that I selected and studied in detail but could not get to talk to people involved in them. This was due to various reasons; either the concerned people did not appear at the last moment, or they went out of contact during the research.
- The cases should be diverse, mainly with regards to the religious background of the accused. I tried to select cases so as to include affected from across the various religious affiliations, such as Christians, Muslims, Shia Muslims, Sunni Muslims and Ahmedi (Muslims)<sup>2</sup>. I included at least one case each from the aforementioned religious groups. However, in the majority of the cases I studied the accused were Christians (because the NGO where I was working is mainly a Christian NGO and while they deal with cases of people from other religions also, they are mainly in touch with the Christian community and hence the victims belonging to Christian community).

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<sup>2</sup> Ahmediyyas are declared non-Muslims by the constitution of Pakistan, and they are generally believed to be so by the other sects of Muslims. However, they themselves claim to be a sect of Muslims, and to be following Islam.

- Another preference while selecting was that the cases should be resolved<sup>3</sup>, because that gives a greater wealth of material to study (court judgments, etc.) and also makes it easier to get in touch with the people, and also to talk to them about their post-acquittal social experiences.

### **Ethical Concerns regarding Data Collection and Presentation:**

One of the major drawbacks of sharing work space with the legal advisors was that I could not communicate my position as a researcher to the people whom I talked to. People who would come to visit the legal advisors and seek their advice, would usually assume that I was one of them (the legal advisors' team- or an employee of the organization). There was no suitable time and situation available to me to tell the visitors about myself and about my position there. The employees of the organization also told me not to talk to people about it: about myself, my religion, my occupation, and my position as a researcher. In fact, it did not seem to be much of a problem until there were a few cases when the visitors (Christians) took me as an employee (and hence a Christian) and talked against Muslims in front of me, and after some time when they realized (due to someone else mentioning it, or any other reason) that I was not a Christian and hence not 'one of them', they reacted often with embarrassment and occasionally with aggression. Hence, the position I held there as a researcher, put me in the much discussed ethical dilemma of representation often faced by ethnographers and anthropologists, but there was no clear way out of that, and the best possible way to deal with it, in my view, is to mention it in my writing to set out the conditions of my research clearly for the readers.

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<sup>3</sup> By resolved, I mean resolved in favor of the accused, and where the accused has been acquitted by the court. I say so because the cases where the accused is sentenced, are in fact not entirely resolved, because the convicted in such cases are still perusing appeals and petitions and hence the cases are not closed. It is important to note that since the inception of the anti-Blasphemy laws and death penalty for those convicted, no death sentence has been executed by the court.



As already discussed, the data presented here in this paper is extremely sensitive due to the security reasons. Therefore, in order to ensure the safety of the participants of the research, and to avoid any possible unwanted situations, I shall replace the original names with pseudonyms when discussing particular cases. Also, since a lot of material, such as the statements of the accused, and the accusers, the final judgments, etc. are taken from the case files and there is no other way to refer to these files except for using the original names of the victims or the case numbers, I will not divulge the reference to those files for the same reasons as stated above. Thus, unless otherwise stated (such as in case of personal interviews or conversations), when I use examples, or particular statements of the people, they are taken from the respective case files from the CLAAS office.

## **Honor and Transgression: The meaning of Blasphemy**

When trying to understand blasphemy in the context of Pakistan, it is essential to consider the terminology used for Blasphemy in the local language Urdu. However, there is no single word in Urdu that can be seen as the exact translation of the English word ‘blasphemy’. In this chapter, I intend to analyze the terms used for blasphemy in Urdu (all translations are my own unless otherwise mentioned), and the underlying concepts and categories of thought (honor and transgression) associated with them. My analysis will be led by the conceptual framework of Foucault’s discourse analysis and Bourdieu’s symbolic power of language to understand the use of various terms and the meanings of blasphemy constituted by them in the case of Pakistan. I will begin with the text of the statutes usually referred to as ‘anti-blasphemy laws’ of Pakistan Penal Code and go on to examine the statements of the accusers, speeches of religious leaders, and writings of religious scholars in Urdu in order to analyze the terms used to refer to concepts related to blasphemy in the common language of Pakistani Muslims.

Discourse, for Foucault means whatever determines the way in which at a given point in history, one can think, speak or write about a social object or a practice (Foucault 1971). Thus, discourse is historically specific, and hence, grounded in the context, which implies that in a given context, the reality or ‘truth’ is the function of what can be thought, written, or said. Foucault refers to it as ‘discursive conditions of possibility’ which means that social imagination is determined by a particular set of material conditions and their representations (Foucault 1981:6). In this way, discourse constrains and constitutes the reality through ‘discursive construction’ and thus it makes sense to analyze the discourse in order to understand the reality of a particular historical, social, and temporal context in the life of a society. It is important to note that different societies are

characterized by different genealogies and historical conditions, and Foucault's theory of power and discourse clearly concerns the Western Modern State as he argues that the implicit use of power (through discourse) in the modern society has replaced the direct/coercive use of power in the medieval Christian societies. Nevertheless, his theory offers a significant import to understand the notion of blasphemy in the present day Pakistani society because of the following reasons:

- The political structure of Pakistan is that of a modern nation state. Though most of the political history of Pakistan has seen military rule, the state is now on the path of democratic transition and cannot be categorized as an authoritarian state.
- The idea of blasphemy and the inception of anti-blasphemy statutes in the law is driven more by the implicit use of force (through ideology and dominant discourse) than by the coercive use of force. This is why, common people become the tributaries of power and the ones to use violent action to curb blasphemy, and not the state law enforcement agencies.
- The incorporation of the 'anti-blasphemy' laws, though an Islamization tool used by a military dictator, was nevertheless an output of the construction of a particular Islamic ideology as the state ideology, and its dissemination through the society was achieved not through coercion but by generating a particular discourse of religious and political meanings of blasphemy.
- In the case of Pakistan, both repressive and ideological means are used to influence power, however, the ideological construction of meanings is the primary form of exercise of power, which, at times, may be substantiated by the repressive means (which are themselves legitimized through the implicit/ideological means).

The following sections of my thesis will elaborate the use of words, terms, and concepts to constitute the particular meanings of blasphemy as a dominant discourse, and how the legitimization of this discourse is achieved through ideology.

### **The Legal Discourse of Blasphemy in Pakistan**

I shall begin by considering the discourse of the state manifest in the form of the law, framed as Pakistan Penal Code (P.P.C), with English as the official language and the language of the original document. This is also the language of the courtrooms and the legal documents related to courts that include: the local courts (Session courts), the regional courts (High courts) and the national court (Supreme Court). The statutes often described as the “anti-blasphemy laws” of Pakistan are not called so in the original document; rather they are titled “Offences related to religion” following the legacy of the Indian Penal Code constituted by the British rulers. Interestingly, the word ‘blasphemy’ or any of the Urdu or Arabic words commonly used to refer to blasphemy do not appear in the text of the articles under the title of “Offences related to religion.” Rather, offences are described in terms of insult or defiling of Islam’s major tenets and persons (see appendix 1 for full text of the statutes), such as follows:

#### **295-B**

“Defiling, etc. of copy of Holy Quran: Whoever will fully defiles, damages or desecrates a copy of the Holy Quran or of an extract there from or uses it in any derogatory manner or for any unlawful purpose shall be punishable for imprisonment for life.”

#### **295-C**

“Use of derogatory remarks, etc. in respect of the Holy Prophet. 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 Mohammed (PBUH) shall be punished with death, or imprisonment for life, and shall also be liable to fine.”

## **298-A**

“Use of derogatory remarks, etc., in respect of holy personages: Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly defiles a sacred name of any wife (Ummul Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (PBUH<sup>4</sup>), or any of the righteous caliphs (Khulafa-e-Rashideen) or companions (Sahaaba) of the Holy Prophet shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.”

By using the words such as “defiling”, “desecrating” and “derogatory”, the text of these laws makes the definition and application of blasphemy quite general and ambiguous and thus open to a range of interpretations and implications. Thus, the text of the laws does not serve to clarify or precisely point to what is perceived as ‘defiling, desecrating, or derogatory’, terms which can have many subjective meanings associated with them depending upon the context. Nevertheless, the above quoted clauses of the penal code can be seen as “Statements” (components of discursive formations) in Foucauldian sense since they bring about certain effects, are parts of knowledge and of techniques that produce ‘human subjects’ and ‘institutions’ (Foucault 1972:81-2). The ambiguity of what counts as derogatory or insulting is indeed the effect produced by these statements, which is the part of the knowledge in as much as it can be seen in the range of the

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<sup>4</sup> Acronym for “Peace Be upon Him” which is commonly written next to the name of the Prophet Mohammad.

allegations and accusations recorded under the above mentioned sections, and have the power to define the human subjects—both the accuser and the accused—in the actual cases of blasphemy.

However, this very ambiguity is in contrast with the stringent specification of the objects (or personages) of desecration under consideration: the Quran, the Prophet, family of the Prophet, the Caliphs, and Companions of the Prophet—all of which are clearly defined in Islam. This specification also is a statement that has an effect of its own. In order to understand this, we need to look at the ‘social authority’ and the ‘audience’ of these laws, as pointed out by Bourdieu when he argues that linguistic relations are always relations of power. Both Foucault and Bourdieu would agree that the discourse analysis cannot be reduced to a linguistic analysis. In Bourdieu’s terms, “Even the simplest linguistic exchange brings into play a complex and ramifying web of historical power relations between the speaker, endowed with a specific social authority, and an audience, which recognizes this authority to varying degrees, as well as between the groups to which they respectively belong (Wacquant 1989:46)”. Hence, special attention has to be paid to the social position of the people involved in this ‘discourse’. In this case, the laws have been framed by the dictatorial regime of Zia-ul-Haq, under the influence of Jamaat-e-Islami (Sunni Islamic Party) who pushed towards establishing Sunni-Islam, the majority Islamic Sect in Pakistan, as the state religion. Thus, a very clear sectarian inclination can be seen in the formulation of these clauses. None mentions the insult of God; rather the specific personages are mentioned who have to do with specific sects because the sectarian differences within Islam are mainly due to the personages followed by the people. In this case, the caliphs, the companions of the Prophet and the wives of Prophet are considered as holy persons by the mainstream Sunni sect whereas the Shiites (the minority Muslim sect in Pakistan) often criticize these ‘holy personages’, which was attempted to be banned by the mainstream Sunni political parties who have been influential in the formation of

the state's constitution. Thus, the analysis of the text of the laws exhibits the power relations that characterize the 'production' as well as 'reception' of the discourse, as Bourdieu calls it, in a 'linguistic market' which comprises of sanctions and censorships and which defines what can and what cannot be said (Bourdieu 1991).

The power to constitute discourse and meaning cannot be said to be confined with the state authorities, or Sunni political parties, rather diffused through the whole of the society, as Foucault (1979) argues:

Power is everywhere... the manifold relations of force that take shape and come into play in the machinery of production, in families, limited groups and institutions, are the basis for wide-ranging effects of cleavage that run through the social body as a whole (P. 93-4).

Discourse of blasphemy as seen in the text of the laws, therefore, is not merely an effect of the "Power" of some privileged group or person, enacted 'simply as an obligation or a prohibition on those who "do not have it"' (Foucault 1977:27). Instead, it permeates through the society, and this particular discourse of ambiguous definitions and specific objects is just one expression of the complex relations of power which are contingent upon the historical and local circumstances and are acted out in several ways to form the human subjects such that they reenact the similar discourses. The human subjects thus constituted occupy positions, as Bourdieu says, which make them "able and inclined to engage in discourse" which plays an important role in the social constitution of reality (Bourdieu 1991:138). This shall be explicated in the following discussion of public discourse on blasphemy which can be seen as an arena where meaning is actively being constituted (given the ambiguity of meaning of blasphemy inherent in the laws) within the capacities and scope of the people involved.

## The Public Religious Discourse on Blasphemy

In 1920s, a Hindu publisher, Rajpal, had allegedly committed sacrilege against the Prophet Mohammad by publishing a book called “*Rangeela Rasool*” (translation: Colorful Prophet). That was the time of Arya Samaj and Muslim confrontations in the joint Punjab under the British Rule. Since the Indian Penal Code contained clauses concerning offences related to religion, Rajpal was arrested and tried upon complaints of the Muslims but was acquitted by the court in April 1929. Later that year, a young Muslim man named Ilmuddin killed Rajpal in his office in Anarkali, Lahore. Ilmuddin was convicted for murder and was hanged, but has been celebrated as a martyr of Islam and is remembered with the title of “Ghazi” meaning “the successful warrior”. The following statement was quoted in the book titled “Ghazi Ilmuddin Shaheed” (translation: Martyr Ilmudduin-the successful warrior) written by Zafar Iqbal Nageena in Urdu to commemorate and pay tribute to Ilmuddin,

If today someone has the eyes of the soul to see, he can see that the Holy Prophet Mohammad and his pious wives, the mothers of Muslims, are begging the Muslims of Lahore to show their concern for the Prophet by protecting the *namoos e risaalat* (honor of the prophet) from *bey hurmati* (sacrilege) being committed by the use of obscene language against them (Nagina 1988:37).

This statement, made in a public speech by Maulana Syed Attaullah Shah Bukhari, a Sunni Muslim scholar, during the protests against Rajpal, highlights how blasphemy is referred to in common language, and how the meaning of insult is constituted. The terms of *namoos e risaalat* and *bey hurmati* used in the statement underline the prevalent concepts invoked in the discussions regarding blasphemy.



Similar words and phrases are used in the public discourse of blasphemy in the present day Pakistan. In a recent case of blasphemy against Tahir Raza, a Shia Muslim, in 2009, the following speech (attached in the court file and translated by me) was made by a *Mufti* (Sunni Islamic scholar) during a protest demanding the arrest of the accused, after the FIR had been registered (for complete proceedings of the case see appendix 2) as a result of previous protests.

O *ghayoor* (having sense of honor) traders of Chichawatni! The way you have welcomed our procession today with extreme love testifies that this square was rightfully named “Martyrs for the finality of Prophet Square”. The people here are indeed ever ready to sacrifice all they have for the sake of finality of the prophethood.

The crowd started shouting: “Hang Tahir Raza! Whoever is a friend [on the side of] Tahir Raza is a traitor, a traitor! Hang Tahir Raza! Mufti Sahib, step forward, we are with you!” The mufti continued his speech:

I told the District Police Officer (DPO) that you have not done me a favor by registering this case against Tahir Raza. Rather, you have done it for *namoos-e-risaalat* (Honor of the Prophet). Now, you should play the same role with your pen as was played by Ghazi Ilmuddin Shaheed by his knife. This is not an issue between Deobandi and Barelwi<sup>5</sup>. This is not an issue between Shia and Sunni. This is not an issue between the followers and non-followers. This is an issue of *Hurmat-e-Rasool* (the sacredness of the Prophet).

The crowd reaffirmed by shouting again: “*Gustaakh-e-Rasool* be doomed! Whoever is by his side, is a traitor, a traitor!” The phrase *gustakh e rasool* can also be used in alternative ways, as done by the accuser in another case, in his statement against John, a Christian man who worked as a *rikshaw*

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<sup>5</sup>Deobandi and Barelwi are Sects of Islam

driver. The accuser proclaimed: “Suddenly, John started using *Gustaakhana* (insulting/provocative) words against the *shaan e rasool* (grace of the Prophet). Even upon prohibiting, he did not stop. He has committed *Tauheen e risalat* by using *gustakhaana* words against the *shaan* of the last prophet.”

Hence, we see, the recurring terms used are *namoos e risalat*, *shaan e rasool*, *ghayoor*, *hurmat e rasool*, *bey hurmati*, *gustakh e rasool*, *Tauheen e Risaalat*, etc. All of these terms are ‘statements’ in themselves since they produce certain effects as Foucault argued, and they carry the power to do things which is a function of the conditions of their ‘reception’ and ‘authorization’. The authorization to speak those words and to constitute meanings has been invested in the particular group of people (mainstream Sunni Muslims) by the state through the laws. I shall now turn to the analysis of these terms and the underlying concepts brought into the public discourse by the use of these terms.

*Namoos* means honor, whereas *risalat* means prophethood but is commonly used to refer to the Prophet of Islam, Mohammad. Thus, the word *namoos e risalat* means the ‘honor of the prophet’ which highlights the conception of ‘honor’ which is essential to understanding the case of blasphemy in Pakistan, particularly in Punjab, where most of the blasphemy cases are located. Similarly, the term *shaan e risalat* refers to the grace or pride of the prophet, which has similar connotations as honor (in fact, honor is understood as having certain grace and pride) and which needs to be maintained, protected and actively reemphasized to establish a person’s worth as ‘honorable’ or ‘dignified’. The word *ghayoor* refers to the one who has due concern for honor, who knows how to protect the honor and is capable of doing so. Hence, a *ghayoor* or *ghairatmand* (*synonymous*) person will go to any length to defend and even emphasize honor, which in this case is the honor of the prophet: *namoos e risalat* or *shaan e risalat*.

The word *bey hurmati* is derived from the word *hurmat*, which means honor and dignity in common usage. However, the word is from the Arabic “Haram” which means sacred and forbidden at the same time. The word Haram is used in several ways in Arabic, for example, it refers to the forbidden acts or foods, such as alcohol, pork, extra-marital sex etc; they are declared ‘Haram’ or forbidden in Islam (Adamec 2009). It is also used to refer to the forbidden sexual relationships that account for incest, such as the women of a man’s house are included in his haram and hence are sacred or protected. The house of Allah, Kaaba, in Mecca is also called ‘Haram’ since it is sacred and it is forbidden to go inside it for common people. So, the underlying implication of the term ‘haram’ is something forbidden, sacred, out of reach, and not accessible. Even when it has to be accessed, or touched—for example in case of entering the house of God—special ritualistic procedures are involved. So, *bey hurmati* means accessing what is forbidden, or crossing certain boundaries prescribed by various religious interpretations, or not taking proper ritualistic procedures into account when doing certain things. For example, in the following statement by the accuser against Maria Bibi, a Christian woman charged with blasphemy for desecrating the Quran, inappropriate contact with the sacred is emphasized:

She is a Christian and poses herself as a Muslim, and has kept Holy Quran at her home and touches it without performing ablution and deceives people into believing that she is a saint and can help them through Quran. She indulges in black magic which is an utter *bey hurmati* (insult) to the Prophet and to Quran.

The Charge Sheet by the court for the same case reads: “The accused defiled the Holy Quran by using it in derogatory manner, for unlawful purpose, thus committed an offense under section 295-B.” In the case of another girl, Nasreen, accused of burning Quranic verses, the accuser said: “This Christian girl has defiled Quran by burning Quran.” He also used the term *bey hurmati*. Thus, in

common usage, *bey hurmati* is understood as defiling of a sacred object or personality, by touching it, or speaking of it in improper terms (not in accordance with the religious prescriptions as interpreted or followed by the accuser), amounting to ‘transgression’.

The phrases *Tauheen e Risalat* and *Gustaakh e Rasool* are commonly used to refer to blasphemy and the blasphemer respectively. *Tauheen* means insult or dishonor of a revered personality, object or order, thus, *tauheen e risalat* means causing dishonor to the prophet. The word *Gustaakh* has a range of uses, which most commonly mean: insolent, audacious, invulnerable to fear or intimidation, or impudent. It is most commonly used with respect to relations where a certain hierarchy exists, for example between a father and a son where father is considered higher in the relation of hierarchy and should be approached with certain reverence, and any act or expression not conforming to the expected behavior of a son towards a father will lead the son to be called *gustaakh*. Hence, this word cannot be translated as insult or blasphemy; rather it can be best understood as a form of provocation or transgression which is the subtle underlying implication in most incidents of blasphemy allegations and of accusations of ‘*bey hurmati*’ or ‘*tauheen e risalat*’.

This analysis of the public discourse on blasphemy highlights two important concepts which constitute the meaning and social reality of blasphemy within the context of the local language: honor and transgression. The centrality of these two notions to the Punjabi culture and to the understanding of blasphemy within this cultural context will be further developed through the rest of this thesis and their various meanings and expressions will be discussed in the subsequent chapters.

## **The conception and practice of blasphemy**

I have established thus far that the concepts of honor and transgression are integral to the understanding of blasphemy and ways in which it is framed within social interactions. In this chapter, I intend to explicate the culturally specific ideological meanings of honor and transgression, ways in which these concepts have been framed within social interactions, and the connotations and implications of these terms which constitute the meaning and practice of blasphemy and its antithesis. To this end, I argue that sense of honor is an expression of the love for Prophet. The concept of love, especially in Punjab, is defined in terms of honor such that the ultimate expression of love comes to equal the defending of honor. This expression of love, and the defense of honor, are very much public phenomena as it is within the public sphere that honor can be challenged and, subsequently, be defended (Alvi 2013). Moreover, I argue that it is usually a transgression that accounts to challenging one's honor, and in the case of blasphemy, this transgression is understood in terms of purity/impurity and authority. Hence, a contact of the perceptibly impure with the pure, an inappropriate contact of the profane with the sacred, or an attack on the authority of one's belief system is what constitutes a transgression, and hence blasphemy or dishonor, against which the honor has to be defended.

The relation between the conception of blasphemy and that of honor and transgression can be understood in terms of 'framing processes' and 'ideology' (in the Althusserian sense). Although, in the literature on 'framing', 'ideology' is contrasted with 'framing' wherein Ideology is claimed to refer to comparatively stable "pervasive and integrated set of beliefs and values" (in this case, religion) and collective action frames are the "innovative amplifications and extensions of" the existing ideologies (Benford and Snow 2000:613). Thus, the process through which religious

ideology is extended, formulated, and articulated in an interactive event, comprises ‘framing’ of the meaning. It shapes the construction and dissemination of meanings, also called “meaning work” which is described as the contestation “over the production of mobilizing and counter-mobilizing ideas and meanings” (Ibid 613). However, Althusserian conception of ideology is more in line with the notions of framing and “meaning work” since he conceives ideology not as a ‘set of beliefs and values’, but as ‘practices’ that have material existence (Althusser 1971:143-6). Hence, the ‘Ideas’ or ‘representations’ that make up ideology do not have an ideal or spiritual existence, but a material existence within a social apparatus. (Eagleton 2007:103-4). According to Althusser, “there is no practice except by and in ideology” (Althusser 1971:146). Thus, the social totality that is constituted of practices cannot be separated from ideology; rather ideology explains the coherence of the social totality. Therefore, we need to look at blasphemy as a component of social totality, such that the ideas of honor and transgression are actively extended, formulated, and articulated in order to constitute blasphemy as a practice. The whole process can then be seen as ‘framing’ or ‘ideology’ of blasphemy.

### **Framing honor: The public expression of love and prevention of shame**

The concept of honor is usually invoked in the context of love, within the public sphere. So, we need to understand the framing of the concept of honor in which the notion of love plays a significant role. In the previous chapter, I discussed the case of Ghazi Ilm Din Shaheed who is glorified and celebrated as a hero for having murdered an alleged blasphemer. These are the opening lines of his biography: “The most precious belonging of a Muslim’s life is the love for the Prophet. One who does not have love for the Prophet cannot claim to be a faithful Muslim. Allah said that faithful is one who holds Mohammad dearer than his life, his wealth, his children and his parents (Nagina 1988:8).” Here we see that love and faith are not understood as personal or internal phenomena or feelings; rather they have a manifest public existence. Since a claim is always made

in relation to others and has an element of public expression in it, the love and faith have to be exhibited publicly in order to ‘claim’ one’s belonging to the Muslim community. This is very much in line with the Islamic tradition of declaring one’s faith by reciting *kalma (Shahada)* which is the verbal testimony required to be a Muslim, and one cannot be a Muslim but by declaring so verbally and audibly. Moreover, in the above statement, the love for the prophet is seen as central to one’s existence as a Muslim, and the tone implies that this love has to be *expressed*. The writer continues:

Martyr Ilm-ud-Din was neither a Saint, nor a pious follower of religion. He was not a leader of any group or party. Yet his martyrdom and his public testimony to *hurmat-e-Rasool* (Sacredness of the Prophet) earned him that prestige/honor that has not been granted to even thousands of pious people, thousands of emperors, thousands of famous scholars (Nagina 1988:9).

The source of highest honor, for a Muslim in this context, is thus framed as defending the honor of the Prophet by any means possible, in order to express his love for the Prophet publicly, and to ‘claim’ his belonging to the Muslim community and a status higher than the rest of the Muslims. Personal piety, following the teaching of the Prophet, or any other components of religion do not have the status equal to that of successfully defending the honor of the prophet and demonstrating one’s greatest love for him.

On January 4, 2011, Salman Taseer, then Governor of Punjab, was murdered by one of his security guards, Mumtaz Qadri, in Islamabad. While his murder was a time of chaos and disillusionment for the whole country, the right wing groups were celebrating and hailing the murderer for having proved to be a ‘true lover of the Prophet’ (Walsh 2011a) and showered him with flower petals when he appeared in the court (Walsh 2011b). Allama Hanif Qureshi, the cleric from the local mosque where Qadri used to pray, had an important role in ‘framing’ the event as it happened

since Qadri is said to have made up his mind to kill the Governor to prove himself as a lover of the Prophet, after listening to the following speech by Qureshi (translated from a youtube video):

We are the believers and the lovers of Prophet Mohammad, and we declare it publicly: If our state does not punish the blasphemer of Prophet Mohammad, we ourselves have enough courage to operate the guns, shoot, and even behead the blasphemers... no law can stop us. The punishment for the blasphemer is death! (Anon 2012).

The crowd shouted after him: “The punishment for the blasphemer is death!” Then the whole crowd started chanting: “We are slaves, slaves of Prophet Mohammad. In his slavery, we can even sacrifice our lives. Our lives are useless without Prophet’s love in our hearts.”

The speaker resumed his speech:

We are very polite people. We are the people who maintain peace and safety. But we swear upon the dignity of Allah, that we cannot stand a word against our beloved Prophet Mohammad. We cannot see the one who insulted the Prophet alive. If the administration is listening, we ask them to remove the ‘Dog’ out of the government. He cannot disrespect the Prophet and stay alive in Pakistan. Go and kill him.

The obligation to protect and emphasize the honor is, thus, derived from the conception of love, and the apparently opposite ideas of love and violence are juxtaposed together to frame the conception of what is blasphemous and ways in which it should be dealt with. The interpretive frames are generated within an “active, processual phenomenon” in order to contend and construct reality (Benford and Snow 2000:614), such that violence is legitimized through love, and a ‘hero’ is constituted as one who can kill, for the sake of love and is hence capable of defending the honor. In this process, the actors, such as religious clerics delivering sermons and the participants play



the role of ‘signifying agents’ who constitute meanings, by making attributions regarding “who or what is to blame” (Benford and Snow 2000:615). Hence, we see that the conception of honor and expression of love lead to blasphemy allegations and shape the resulting practices at the same time, through the active process of framing and unconscious interpellation into ideology (Eagleton 2007:208).

Blasphemy allegations and the resulting violence can also be compared to the cases of honor killings in Punjab where men can be punished for having sexual relationships with women who constitute the ‘forbidden zone’ (Alvi 2013:186). Recall that the term *haram* also means forbidden zone, and in case of honor killings, women of one’s house (his haram) is attacked by another man and “the duty to protect them is a man’s source of honor, and failing to do so brings humiliation (sharam/shame) whose public announcement is unbearable” (Ibid 186). As already mentioned, both the women with whom sexual relations are forbidden, and God’s house are called by the same name, and are inherently prone to sacrilege due to their sacred status. Thus, a sacrilege against the women or the religion (sacred objects or personages) has to be defended in public and the perpetrator has to be punished to restore the honor of the family/clan/community and to uphold their social status. In this way, blasphemy allegations are very similar to honor killings except that the honor in this case is the religious honor understood as the honor of the prophet and/or Quran which needs to be preserved, upheld, protected, and reemphasized by punishing those who transgress and inflict shame. It is also important to note that in case of women too, men’s role as the protectors of honor is one of the legitimate and publicly acceptable expressions of love as it is in the case of Prophet.

As a practice, then, blasphemy is connected with a challenge to one’s honor which can be perceived in many different forms. For example, Hina Arbab, daughter of a senior bureaucrat, was recently

charged with blasphemy by the man whom she was supposed to marry after she fled the forced marriage. It can hardly be seen as a coincidence that Hina challenged the honor of a man by fleeing the marriage with him, and she was accused of having caused dishonor to the Prophet. The incident points to the underlying perception of challenge to one's honor and its framing as blasphemy.

### **Transgression: Challenging the honor by crossing physical and conceptual boundaries**

Having argued that blasphemy is framed to be an issue of honor that needs to be defended which provides the motivation to curb blasphemy by means of anti-blasphemy laws, punishments, and practices, I now turn to discuss *what* challenges the honor. In other words, I seek to develop what is perceived as a threat to one's honor, especially when one's honor is conjoined with the honor of the prophet. I argue that it is usually a transgression that counts as a challenge to one's honor, leading to blasphemy allegations, either of physical nature by improper contact of physical objects, space, persona, etc., or of conceptual categories of thoughts, beliefs, and authority. The two forms of transgression, physical and conceptual, can be ontologically associated with the categories of threats (not mutually exclusive) from outside and from within respectively. Thus, the physical threats are usually threats from the non-Muslims, whereas the conceptual threats are usually from fellow Muslims. These two aspects can thus be seen as two analytical levels, which will be discussed one by one, starting with the physical nature of transgressions, by non-Muslims.

### **Physical Boundaries: The sacred (pure) and the profane (impure)**

Most common blasphemy allegations I came across while studying the cases are regarding the desecration of the Quran or the Prophet, while some are concerned with the insult of the companions or the family of the Prophet Mohammad. I did not come across any blasphemy allegation which involved the insult of God, in any form of expression. This has to be understood with reference to the abstract conception of God in Islam, who has no physical existence. "Say:

He is Allah, The One and only. Allah, the Eternal, Absolute. He begets not, nor is He begotten. And there is none like unto Him." (Al-Qur'an 112:1-4). The God in Islamic tradition does not have any concrete figure or representation and any attempt to personify or objectify God in physical form is strictly forbidden. God in its abstract form also points to sacred as an abstraction. However, in the context of South Asia, we see that sacred as an abstraction often has a physical expression such that the physical objects, places, and persons (such as amulets, shrines, saints, etc.) are associated with it. Such an association between the sacred and the physical fosters a culture of veneration and reverence of objects, places and persons associated with religion. The physical, thus, is not merely an expression of the sacred, but is central to the perception of the sacred and holy in the South Asian culture and to the conception of blasphemy within this cultural context.

Blasphemy, accordingly, has to be framed in terms of physical desecration and any attempt of desecration of God has to be perceived in terms of desecration of sacred physical entities. Consequently, most of the blasphemy allegations are concerned with either Quran or the Prophet. The high reverence of Quran can be seen as a cultural phenomenon where the emphasis is laid on physical reverence of the 'holy book'. Regardless of whether one can read or understand the content of Quran, the 'book' is kept in specially prepared beautiful covers, it is placed on high places, it cannot be touched without ablution, it cannot be held without sitting in proper position, one cannot turn one's back to it, and so on. All these gestures indicate the symbolic reverence accorded to the Quran as a physical entity lying in the domain of the sacred. A similar status is consigned to the Prophet, as a physical manifestation of the sacred, to the Prophet's grave, tombs of religious leaders, and so on. Thus, given the centrality of the physical entities as holy symbols in the cultural conception of religious and of the sacred, the improper contact with these entities is seen as desecration, sacrilege, or transgression between the domains of the profane and the sacred.

The sacred and the profane may have multiple meanings, depending upon the different cultural contexts. Nevertheless, in the case of blasphemy in Pakistan (particularly in Punjab), I found the connotations of pure and impure with the sacred and the profane, respectively, to be of prime significance.

The literal meaning of “Pakistan” is “The land of the pure”, and a concern to maintain and emphasize purity forms a substantial measure in the everyday lives of Pakistani *Muslims*; Non-Muslims belonging to “the land of the pure” are considered “impure”. This implies a conflation of the Pakistani national identity with the Muslim identity which I shall discuss later in detail. Nevertheless, Pakistani Muslims’ concern for purity is also invariably linked to the boundaries of the self and the other, where others are defined as impure, usually on the basis of one’s religion. Growing up in a Muslim family, I often came across practices such as not letting the Christian maids (very common in middle-class Muslim households) cook for the family, since they were considered impure for not being Muslims. In my interviews with the Christians (who constituted the majority of my research’s participants), a recurrent point of discussion was their exclusion from the Muslims’ social lives. Christians who worked as domestic help or laborers (due to their weak economic standing) for Muslims, could not eat with Muslims, share their utensils, or even enter their kitchens. They are only allowed to do menial, ‘dirty’ jobs, such as cleaning dung of animals, garbage, toilets, etc. According to the respondents, Muslims usually do not visit Christians’ homes, but if they have to visit under extreme circumstances (such as the death of a person, or other emergency situation), they would not eat at their homes. Christians could eat at Muslims’ homes but in their separate dishes, that are kept and washed separately. Hence, we see clearly defined boundaries of the pure and the impure regarding who belongs where in the everyday lives of people in Pakistan.

Although there has been remarkable emphasis on maintaining ritual purity in Islam, the Islamic concept of purity is mainly concerned with personal hygiene and the ideas regarding impurity of the non-Muslims are not evident in the Islamic tradition; rather there is stress upon treating them equally (Kader 1968). I argue that the notions of purity and impurity that constitute the ideas and practices with regards to non-Muslims in Pakistan, cannot be reduced to the Islamic concept of purity. The suggestion regarding where to look for the meaning of these concepts is found in the official documents (mainly court files and police reports) where religions other than Islam (and also some minority sects of Islam) are identified as ‘*zaat*’ of the persons. Although “*Zaat*” may refer to different levels of social groupings based on factors ranging from kinship to occupation (Rao 1988), in the context under consideration, it is translated as ‘caste’ and is meant to imply hierarchical social divisions based on religion or sect.

The concepts of purity and impurity, thus, exhibit to have cultural underpinnings and should be comprehended in the context of the Hindu caste system in the Indian sub-continent, given that majority of the Muslims and Christians in this region are historically converts from Hinduism. The legacy of Indian Caste system in form of beliefs and practices among non-Hindu religious communities in South Asia has already been documented, most influentially by Dumont (1980) who viewed such beliefs as residual ‘left-overs’ of the Hindu Caste system (P. 203). He viewed the notions of purity and impurity as the ideological basis of the caste system, primarily grounded in the religious beliefs and encompassing the political and economic life of people, which Dirks calls as an ontological separation between the religious and the political (Dirks 1990:60).

However, in case of Pakistan, we do not see such a separation of religious and political, since purity and power are not detachable. Thus, as Fuller demonstrated in the case of Kerala Christians and Hindus, there exists a common ‘orthopraxy’ which means that different religious communities

“behave in accordance with the same set of rules concerning caste and pollution”, which can be seen as “caste ideology” (Fuller 1976: 68). However, as Mosse argues, “To reject the view of caste as ultimately a religious system bound to Hindu belief does not... imply that caste simply concerns power”; rather “in caste systems, politics is always ritualized” (Mosse 1996:462). So, there has to be legitimization of power and purity in religious forms, if not in terms of Hindu belief system, such that the politics and ritual are conceived in relation to each other (Quigley 1993:70).

The existence of the sets of beliefs and practices regarding purity among the Muslims of Pakistan, thus, is the cultural ideology which is framed in religious terms and in turn shapes the forms of religious ideas and practices. In his study of Christians in South India, Mosse noted that they “inhabit a dual moral world: the hierarchical order of caste and purity/impurity on the one hand, and the denial of this order by the church on the other” (Mosse 1996:476). Accordingly, we see a tension between Islamic teachings of ‘equality’<sup>6</sup> and cultural practice of caste ideology, and an attempt to constantly reconcile the Islamic identity with the embedded cultural beliefs and practices concerning purity and impurity.

“The land of the pure”, claimed to be named so because it was created in the name of pure/sacred religion of Islam for its followers, is a strong manifestation of the struggle to reconcile cultural and religious beliefs. In the same light, the terrain of blasphemy becomes cardinal to the active construction and resistance to meanings and practices concerned with purity and impurity. As already discussed, there are clear conceptions of what is pure and what is impure or dirty, and as long as the two are kept out of touch with each other, confined to the conceived boundaries, things are in the ‘right’ order. Nevertheless, when the ‘impure’ comes in contact with the ‘pure’, it is a

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<sup>6</sup> By saying Islamic teachings of equality, I mean the texts of Quran and Hadith which are considered as authentic sources of religious teachings in Islam. However, by no means, I intend to imply the practice of equality in Muslim societies, as such a discussion is beyond the scope of this paper.

transgression which is at risk of being framed as blasphemy in multiple ways. For example, Aaliya, a Christian woman who worked as a maid at a Muslim family's home, was accused of blasphemy by Faheem Bibi, the woman who employed her. According to a relative of Aaliya,

She went to return the home made butter she had bought from Faheem Bibi since she thought it was not of good quality. Faheem Bibi was not ready to take back the butter because it was now unclean as it was in the container of a Christian woman. This led to dispute between the women and altercation which led to violence (Muslim women started beating Aaliya). During the altercation, the Muslim women said something against Jesus Christ in response to which Aaliya said that Christ was better than Mohammad in many ways and this led to blasphemy allegations.

Thus, a physical transgression by a non-Muslim (impure) with regards to the Muslim woman (pure) through indirect touch led to the allegation and violence. Another Christian woman Rabbiya was also charged with blasphemy following a dispute between her and her fellow women workers on the field who attacked her because she had drunk water in their cup and they claimed that the water of the well was now impure, and so was the cup, so she should convert to Islam in order to absolve herself of the crime she had committed. In both of these cases, what led to a blasphemy accusation and the connected violence was a perceived transgression of physical nature, in which a Christian, deemed impure, polluted the physical belongings of the Muslims by touching it (indirectly).

On another occasion, Jameel and Anthony were accused of blasphemy for spreading sheets with Quranic verses written on them on the grave of a Christian. The grave belonged to a Christian saint who was venerated by Christians and Muslims alike after his death. There used to be an annual festival at the graveyard to honor this saint. The annual festival was going on when participants

(both Muslims and Christians) were spreading sheets with Quranic verses written on these sheets onto the grave. Anthony told me that he had never been to this festival before; it was his first time there and he, along with his friend Jameel, was providing services to the visitors by installing merry-go-round for kids at the location of the festival. According to him, suddenly some Muslim boys playing in the field nearby gathered local Muslims who started beating the participants of the festival severely. Anthony told me that he along with Jameel was accused of organizing the festival and for having invited the Muslim visitors deceptively by telling them that it was a Muslim's shrine. According to the police report, Jameel and Anthony recruited Muslims to attend the festival from a nearby town, who did not know about the saint or the festival, and misled them to believe that it was a shrine of a Muslim saint; this is why, the Muslims came carrying sheets with Quranic text on them to spread on the grave. On these charges, both Jameel and Anthony were arrested by the local police. Although Jameel was bailed out a few months after the accusation, he could not go back to his home or even his village. He was living in a shelter house provided by an NGO, where he died of heart attack, almost a year from the date of accusation. Anthony, on the other hand, was convicted, tried and finally acquitted by the local court two years after the accusation. When I met Anthony, he was still living in a hidden place, provided by an NGO, and could not go out to work. In the FIR, the accuser said that Jameel and Anthony had committed a *naapaak* (dirty/impure) deed and hurt the sentiments of Muslims.

While the previous two cases brought forth the instrumental use of the blasphemy laws to deal with the resentment caused by physical transgression, the case of Jameel and Anthony, in addition to the instrumental use, highlights the amalgamation of the religious identity and purity more vividly. It demonstrates that a Christian is not allowed to come in touch with the physical objects (sheets) associated with Islam (due to imprinted verses) in any form, and such an attempt, even



unintentional, is seen as transgressive, amounting to blasphemy. There are multiple such cases in which the blasphemy accusation comprises of touching the Quran without ablution, throwing (or placing) the Quran on the floor, ripping/removing a poster with the Quranic verses written on it, damaging the printed name of the Prophet or any of his companions, throwing an amulet into the trash, or shredding books with the sayings of the Prophet printed on them. Not surprisingly, most such accusations (regarding overtly physical nature of offences) are against non-Muslims, since they are considered inherently impure and a transgression can only be articulated with reference to certain boundaries, in this case, of the pure and the impure. Hence, the conception and blasphemy, and the practices dealing with blasphemy, are framed in the context of physical reverence of religious symbols and objects, and the conceptions of purity and impurity which determine the boundaries whose transgression is seen as a threat to the religious honor of the Muslims in Pakistan.

### **Conceptual Boundaries: The belief systems and their authority**

Transgression at the level of conceptual boundaries can most simply be described as any challenge or criticism directed at one's belief system. Thus, any form of religious criticism (ranging from denial of religious tenets to criticizing religious practices for the sake of reform) can be seen as transgression at the conceptual level and can be framed as blasphemy. It is important to note that although, according to Islamic Jurisprudence, the denial of religious tenets or of the religion altogether (by Muslims) has traditionally been categorized as 'apostasy' as opposed to 'blasphemy' (Jordan 2003), in Pakistan the two categories are merged together with no separate legal category for 'apostasy' (Forte 1994). Hence, 'apostasy' has to be framed as blasphemy, that is why, Sajid, a Muslim, was charged with blasphemy for starting a speech at his university with these words: "In the name of Allah, who is always absent without any leave; whose omnipotent absence is always taken for his omnipotent presence". According to the court file that I studied,

further accusations against Sajid were based on his posts in a Facebook group (for the university students where he was a student as well as an adjunct lecturer), where he allegedly posted lectures (of a fellow Professor) about the “Gender of God”, and openly denied that the Quran is a book of God. He was reported for having claimed that the Quran has been copied from Mesopotamian religious scriptures and for provoking people to refute Allah, the Prophet Mohammad, and the Quran by saying that “the religion of Islam is a mere deception that deprives women of their rights in the society”. Whether these allegations fall under the category of religious criticism or apostasy is for the Islamic scholars to debate. The fact that they are framed as insult and are charged with ‘blasphemy’ is important for the sake of my argument.

Among the Facebook posts mentioned in Sajid’s FIR (the police report included in his court file), the following constituted the central charge framed against him, and from the tone of the accuser (his fellow student), can be read as the most provocative one:

It is said that the Prophet married his adopted son’s wife Zainab to eradicate the practice of adoption and spoken relations from Arab by setting an example. The first question that arises is: why did he even adopt a son in the first place? The second question is: Why did he think of eliminating the practice of adoption only after catching a glance of Zainab’s beautiful body? Third question: If he had decided to exterminate the practice of spoken relations, why did he declare his wives as mothers of the Muslim men and prohibited them from marrying any man after his death?

This post generated a huge reaction from the students, some of whom went to a senior Professor at the same university and complained about it. That professor also became the witness while filing the case against Sajid. When I visited Sajid in the jail, he told me that before filing the case, a few students mobilized the whole student body against him and protests were carried out in the

University demanding the Chancellor to suspend Sajid's contract as a lecturer. The university took immediate action and suspended Sajid as well as confiscated his books and other belongings present at his university residence. The protests continued to pressurize the Police to register the case, who arrested Sajid on the same day as the case was registered, while he was in a bus trying to leave the city upon intimation by his friends. From the content of the above post, and the reaction it generated, it can be said that religious criticism, especially if it is questioning the character of holy personnel constitutes provocation or transgression, and eventually the dishonor which cannot be tolerated.

Furthermore, not only 'apostasy' and religious criticism from Muslims, but also the denial of Islamic tenets by non-Muslim in formulated as blasphemy. For example, in case of Rashid, a Christian accused of blasphemy, the accuser's statement went as follows: "Rashid said that he was a *munkir* (denied/did not recognize as good) of the *panjtan pak* (the five holy members of the prophet's family- including the Prophet himself)... And he told us to cease qawali (praise/eulogy) in the respect of Holy Prophet." Thus, denial of a particular religious order by a non-Muslim constitutes a transgression at the conceptual level since the accused said something that falls out of the boundaries of the accepted belief system of the accuser. Another case of explicit denial was when a seven years old Christian boy was charged with blasphemy when he refused to recite *kalma* (the verbal testimony to be a Muslim), upon being asked to do so by Muslim boys. In this case, resistance to forced conversion is also reckoned blasphemous for not accepting and hence 'transgressing/challenging' the religious beliefs and authority of the accuser.

At the heart of the blasphemy allegations based on transgressions at the conceptual level are the religious discussions, limits of such discussions, and the instigation and provocation inherent to the same. Khan (2012) has rightfully pointed out the central importance of religious discussion in

everyday lives of Muslims in Pakistan. She has argued that these discussions are usually built upon the ongoing aspiration among Pakistani Muslims for the ‘right’ or better form of religious ideas and practices. However, she ignores the limitations of these discussions with regards to who can participate and what can be discussed, which form an important dimension of the phenomenon. An analysis of the blasphemy allegations based on even mild religious criticism (such as against Fareed, a Muslim accused of blasphemy, for writing and distributing a booklet criticizing the practices of Muslims which are not in accordance with Quran) reveals that while discussions are allowed, criticism of anything related to religion is severely curtailed. Moreover, while Muslims are encouraged to discuss (not criticize) the religion of Islam, the non-Muslims cannot discuss their own religion in public, let alone Islam. Fareeha and Sabeena, belonging to Ahmadi sect (declared as non-Muslims by the law, though they claim themselves to be Muslims), teaching in a school, were accused of blasphemy by one of their students, who complained:

These two instructors preach their Qadiani religion while teaching and also gave me some Qadiani literature. So, I told these instructors that even if you let me pass the course by giving me grace marks, I would still believe in the finality of the Prophet Mohammad and curse your false prophet, Mirza Ghulam Ahmed Qadiani.

Following the complaint, the two instructors were immediately arrested by the police. However, later they got themselves bailed out and fled the country.

My interviews with non-Muslims also reveal that though they are afraid of discussing religion with the Muslims due to prevailing environment of intolerance, they are often instigated or provoked by the Muslims to indulge in religious discussions. When they indulge in discussion, Muslims usually become infuriated and may end up attacking them personally, as happened in the case told by Seher, a Christian woman, to me:

My father was once sitting with his Muslim friends when they said to him that Bible is a self-made book and not divine. They also asked my father to convert, and when he refused, they started a heated debate, trying to instigate a reaction from my father so that they could call it a blasphemy.

This is a common practice among Muslims to ask for conversion, and start heated debate when refused. A blasphemy allegation is also a form—an extreme one—of personal attacks often resulting from provocative religious discussions. It is usually invoked when the subject denies to convert or reacts with a remark about the tenets of Islam in these discussions. This applies to sectarian discussions also, because beliefs of one particular sect of Muslims might be challenging (hence transgressive) for other sects, and may lead to blasphemy accusations. Therefore, I contend that while religious discussions are an important part of people's everyday lives, there are strict limitations as to what can be discussed, which reflect Bourdieu's idea of sanctions of the social arena, or effective censorship (Bourdieu 1991:138). Since the system is largely occupied and sustained by people who believe in it, the censorship of the social arena effects what people think *and* what they say (Ibid 137-8), in such a way that any form of discussion that challenges one's authority or the boundaries of one's religious beliefs is framed as blasphemy. Thus, the sanctions over the space for religious discussions illustrate the ways in which the legitimacy of a particular dominant discourse is achieved. This leads to the symbolic domination and perpetuation of violence: the phenomena which will be discussed in the next chapter.

## **Symbolic Violence: Cultural Production of the Meanings of Blasphemy**

In this chapter I discuss how the concepts of honor and transgression become the dominant modes of thinking and the practices of blasphemy accusations (embedded in these concepts) become the dominant courses of action. In this respect, I shall emphasize the conflation of the state ideology with the religious identity of the mainstream Sunni Muslim organizations and the dissemination and inculcation of meaning through the state and/or state sponsored apparatuses through processes of legitimization. Based on Bourdieu's conception of symbolic domination and Althusser's conception of Ideological State Apparatuses and Interpellation of subjects, I argue that the 'cultural' concepts of honor, purity, impurity, and transgression that constitute blasphemy are in principle constructed by the collaboration of elite Sunni Muslim groups and the state. These concepts serve the interests of those in power and reproduce the existing power relations and dominant order by ensuring conformity and acceptance of the dominated groups, through the strategies of legitimization mainly relying upon religious discourse. After presenting a theoretical analysis of the processes of domination and legitimization of domination, I will give a brief account of their implications and consequences in the actual cases of blasphemy.

According to the theory of symbolic violence, as proposed by Bourdieu and Passeron (1977) order and social restraint in a society are not produced by direct coercive force, but through indirect cultural mechanisms which comprise of systems of symbolism and meaning so that they are experienced as legitimate. This legitimacy is achieved through "the process whereby power relations are perceived not for what they objectively are but in a form which renders them legitimate in the eyes of the beholder" (Ibid xiii). Althusser had a similar concept of legitimization

in mind when he discussed “misrecognition” of the material conditions of existence by the subjects (Althusser 1971: 169), which is achieved most effectively through “Ideological State Apparatuses (ISAs)” that work behind the “Repressive State Apparatuses (RSAs)” in the modern states (Ibid 143-7). ISAs can be compared to what Bourdieu conceived as mechanisms of cultural production, whereas RSAs are the law formation and enforcement agencies of the state. Both the theories emphasize a shift towards the ideological nature of exercise of power so that the ISAs become the prime functionaries of state in achieving legitimacy of the dominant order through cultural production.

In the case of Pakistan, the concepts constituting the meaning and practice of blasphemy have been framed and disseminated through ideological state apparatuses such as the formal and informal education systems (including madrasahs, mosques, schools, etc.), media etc. It is important to note that while state agencies, such as the police and the judiciary are involved in the blasphemy cases as the repressive means of power, they do not have the primary role to play. The functioning of the repressive state apparatuses is also driven by the ideological orientations of the general public. The evidence for this is derived from the fact that no one has yet been killed by the state agencies (by coercive use of power), rather the ideology that legitimizes violence has been inculcated into the common people through implicit means. The far right, elite Sunni Muslim groups, who have been strengthened by the Saudi Arabian regimes over the years (to reproduce yet another system’s legitimacy) have had strong influence on the state and on the process of constitution’s development and amendment. Since they formed the majority of the government, they took steps very early to formalize their authority and to impose their religious interpretations in the form of a “Theodemocracy” on the masses. As early as two years after its creation, the country was declared to be an Islamic State under the sovereign of “Allah” in spite of the religious minorities forming a

substantive part of the population, and the rulers were professed to be the “deputies of Allah” in His land. Thus, the nation state of Pakistan was produced to be a sacred or pure land, and was framed as the religious entity, representing a particular “Islamic identity”, which was conjoined with the “national identity”. So, blasphemy was constructed to mean any challenge to the religious or national authority. This is why, a charge against an accused of blasphemy reads: “Sajid habitually defames national identity and religion...and propagates vulgarity and indecency.”

In fact, it is within the context of the Islamic State that the blasphemy laws protecting the tenets of mainstream Sunni Islam were introduced as the repressive state institution. Moreover, Madrasahs, in addition to obligatory religious education (of a specific version of Sunni Islam) in schools, were incorporated into the system as the ideological state apparatuses. It is important to note that in case of Pakistan, particularly with regards to blasphemy, the influence of RSAs and ISAs cannot be separated, because both work in collaboration with each other and have power to influence the other. For example, the bail application for the accused Jameel and Anthony was rejected by the court on the basis of a fatwa (verdict) issued by a local Madrasah “Jamiya Naeemia” in Lahore. This shows the influence of madrasahs on state institutions and the collaboration of religious and state organizations to produce the effects that serve the interests of the right-wing Sunni groups (such as Jamat-i-Islami). In the past two decades, these religious organizations have not been able to occupy much space in the government, but they have already achieved the required domination and legitimization of their discourse through inculcation of their ideology in the masses, which is not easy to reverse.

Althusser sees educational institutions as the prime locations, or ‘apparatuses’ for the inculcation of ideology of the ruling class or dominant order (Althusser 1971:146). Bourdieu and Passeron give a more general term of ‘pedagogic action’ to describe the mechanisms of reproduction of



culture that ultimately replicate the ‘social structure’ (Bourdieu and Passeron 1977:10). It is through these educational institutions including formal schools and madrasahs that the meanings of blasphemy are constituted and the resultant practices produced. The curriculum included in the textbooks for children as early as during primary education, is heavily based on religious beliefs of a particular creed. For example, children as young as three year olds are taught definition of a ‘Muslim’, involving description of who is a Muslim and who is not. Similarly, ideas emphasizing being a true Muslim and a faithful Pakistani are associated with true love for the Prophet and his companions, not only in schools but also within the institution of family. Another important ISA is the media since it is increasingly being used by the religious scholars to influence people, alongside the traditional ways of addressing people in madrasahs and mosques. Thus, the pedagogic action of the parents, school teachers, as well as Islamic scholars affiliated with and installed by the state leads to constitution of deeply ingrained ideas regarding blasphemy. Through these means, culture is appropriated as the arena to embed and disseminate meanings such as the framing of transgression of physical and conceptual boundaries as blasphemy, the obligation to protect the honor of the Prophet, sense of honor and expression of love, and heroism in killing for the sake of love of the Prophet. Thus, certain modes of thinking, framing the occurrences, and modes of reacting to them are legitimized and propagated by the ISAs through the pedagogic action of those who have power—both religious and otherwise.

The ultimate success of the pedagogic work, according to Bourdieu and Passeron, is that the arbitrariness of the culture (and the dominant meanings attached to it) is misrecognized which leads to “the internalization of the principles of a cultural arbitrary (Ibid 39)” and the subjects soon stop questioning what is given to them. The process of internalization of the dominant meanings is elucidated by Althusser’s idea of interpellation of subjects since “there is no ideology except by

the subject and for subjects (Althusser 1971:163)”. Ideology hails or interpellates individuals as subjects (Ibid 164) in a way that their individuality is made to conform to an exploitative system, while masking its coercive nature. The interpellation occurs when the subject is made to idealize his own image as a ‘good subject’ (Ibid 168) whose conformity is nothing but legitimate (Ibid 169). Such legitimacy is illustrated in the way the Christians (the majority of the accused in blasphemy cases with respect to their total population) call their lower social status in relation to the Muslim majority and the exploitative tendencies inherent in the structure as ‘normal’. Invariably all of my Christian interviewees who were affected by the so called anti-blasphemy laws, when asked about their relationship with Muslims before the allegations, told me that they shared ‘normal’ or ‘good’ relations with them. However, after much longer and in depth talk with them, I learnt that they could not eat with Muslims, or their women who worked on Muslims’ lands were sexually exploited by the landlords and that these were the ‘normal’ things to happen. This shows that they have internalized the lower status and roles ascribed to them and the ideas regarding where they belong in the social structure are somehow legitimized.

This legitimization of the hierarchical social structure and of the inherent exploitations also lends itself to the internalization of ideas regarding blasphemy such that it is understood as dishonor and transgression even by those who are accused of the same. Fareed, a Muslim accused of blasphemy for writing and distributing a booklet about the critique of Islamic practices and interpretations, wrote another script in his defense after being convicted. In it he did not plead guilty; rather he elaborated on his point of view which he said was mistaken and misinterpreted as blasphemous. The script reads:

By the grace of Allah, I am a Muslim and like my other Muslim brothers have great love for the Prophet Muhammad and consider adhering to his legacy an essential part of my

faith. I also believe that no Muslim can insult the elated personality of Mohammad of Arab. Similarly, I declare in clear words that even in the farthest corner of my mind, there is no thought of insult or criticism about Prophet Mohammad because I believe that no Muslim can even think of committing such a crime.

Fareed's statement demonstrates how conforming subjects are achieved through interpellation into a certain ideology, such that the subject accused of blasphemy also understands blasphemy in the same terms and associates similar meanings with it: criticism of Prophet as blasphemy and love for the prophet (and its public declaration) as its opposite. In his reading of Althusser, Eagleton explains that the thesis regarding subject points towards a dialectical relationship between the subject and ideology since both constitute each other in effect (Eagleton 2007:107). Though subjects are constituted as a result of the act of calling to conformity (Althusser 1971:164), they also participate actively by responding to the call being made as it only sounds legitimate to them.

Bourdieu has also pointed toward the "dialectical relations between objective structures and the subjective dispositions within which these structures are actualized and which tend to reproduce them" (Bourdieu 1977:3). The subjective dispositions are the attitudes of the individuals that are constellations of their past and present circumstances, which determine their courses of action or 'practice' (Ibid 3-4). The practice of the individuals, in turn, constitutes the social structures. Though Bourdieu also sees a double relation between the structure and the individual, he imagines more possibilities for the individual than 'conformity', through the course of strategic action which individuals take depending upon their positions in the field and their subjective dispositions (Ibid 4-7). Thus, while the subjective dispositions are shaped by ideological training through the mechanisms already discussed, each individual will make choices (from the limited options

available to him/her) and make use of his/her relative power to play the role in accordance with their position in the social field.

Such strategic action can be seen in the process of blasphemy accusations, registration and proceedings of the cases against the accused where everyone from the police to the lawyers to the judges would choose from the choices available to them at each stage and will most probably make decisions to secure their own interests. For example, in most of the cases, once a blasphemy allegation is made, announcements are made using the loudspeakers of the local mosques, inciting people to punish the accused, often leading to mob violence such as burning the whole neighborhoods and properties of the accused (AHRC 2013; BBC 2013). Under such circumstances, even if a police officer thinks that the accusations are false, he will register the case due to the pressure from outside. Similarly, given the history of killings and violence against judges and lawyers who supported the accused blasphemers in any way (BBC 2011; Gandhara 2014), it is only strategic for a judge not to decide in favor of the victim, and for a lawyer not to defend him. Most common interests to be secured in such cases are the safety and the reputation, since anyone giving an impression that he/she is a supporter of an alleged ‘blasphemer’ is risking his/her life in the current environment of Pakistan. This is further enabled by labelling anyone involved with a case of blasphemy in such a way that he/she is exposed to danger. For example, when I visited the accused in the jails, I was asked by the controllers at the entrance to name the person I wanted to see and to tell the crime of the person. As soon as I disclosed that I wanted to meet somebody accused of blasphemy, I was escorted to a separate waiting corner reserved for (and called as) the “visitors of the blasphemers of Prophet”. The charge of blasphemy, thus, becomes a stigma that affects not only the accused, but anyone associated with the case or the victim: the family of the victim, the lawyers, the judges, and anyone interested in studying the case. It is within this context

of prevailing threat that most of the actors in the field (exceptions are rare) become participants in perpetuating the symbolic violence against the perceived transgressors by strategically prioritizing their own interest of safety.

## Conclusion

I have argued in this thesis that while blasphemy in Pakistan is (and should be) a part of the global concern regarding freedom of speech and human rights, the issue cannot be reduced to the same, nor can it be reduced to essentially religious explanations. The conception and practices related to blasphemy in Pakistan have cultural underpinnings, which are legitimized through the religious discourse and the legal structure, to reproduce the structure of power relations in everyday lives of the individuals as well as the political dynamics between the groups. While the official clauses in the Pakistan Penal Code dealing with offences related to religion (commonly known as anti-blasphemy laws) are ambiguous with regards to the definition of blasphemy, the potential objects of blasphemy are specified in accordance with the tenets of the mainstream Sunni Islam. Blasphemy, thus, becomes a conceptual category that is inherently flexible and arbitrary, and can be used in a wide range of circumstances to serve the interest of those in power, especially to exclude the religious and sectarian minorities. Moreover, the public discourse on blasphemy reflects instrumental use of the ambiguity, inherent to the statutes of law, to constitute the meanings of blasphemy, most commonly as dishonor and transgression.

The conception of blasphemy as dishonor and transgression lends itself to the religious enterprise in such a way that any challenge to the physical or conceptual authority and sanctity of one's belief system (as might be the common belief and practice among non-Muslims and those belonging to minority sects) can be framed as blasphemy against the religion of Islam. This is why an unwanted physical contact between the pure and the pure or a critique of one's beliefs is deemed as a challenge to one's honor, expressed in religious terms, which has to be defended in public, hence, leading to blasphemy allegations and the resultant punishments. The production and maintenance

of particular meanings of blasphemy is in the interest of the elite Sunni Muslim groups who have had a strong influence on the construction of Pakistan as an Islamic State. They have used particular meanings of religion in general and blasphemy in particular to legitimize their power over the masses. They have achieved legitimacy of the dominant discourse regarding the meanings and practices associated with blasphemy through both repressive and ideological means, of which the latter has been much more powerful in constituting the subjects such that they do not question the dominant order and participate in reproducing symbolic violence while strategically acting to secure their own interests. This symbolic violence has far reaching consequences; not only does it limit the social space for criticism (by framing it as blasphemy) but also enables isolation and execution (by common people) of anyone accused of blasphemy as well as anyone associated with the accused in any way. Moreover, since the meaning of blasphemy is flexible, it has been merged with concepts such as apostasy, heresy, etc. which only widens the possibility of framing something under the charge of blasphemy. After a couple of murders in the name of blasphemy recently (while writing this thesis), I came across an Urdu poem on social media, written by Shakeel Jafferri, that very well presents the *attitude* behind most blasphemy allegations. I would like to present the translation of a few lines from this poem, since it compliments my argument:

He doesn't say what we say; he is a renouncer!

He doesn't bear our oppression silently; he is an apostate!

These clouds do not move in one way; they are traitors!

This river doesn't flow in that (prescribed) direction; it is an apostate!

In the limited space of this thesis, I have not been able to discuss in depth the phenomena of agency, resistance of the individuals, and counter narratives against the dominant discourse. However, one of the important implications of my argument is that the resistance to the dominant order is *rare*, and the individuals who dare to resist can be controlled by the repressive mechanisms. These

mechanisms are not confined only to the operation of state agencies (in fact that seldom happens) but are diffused through the society in the form of the majority of the individuals acting as the agents of repression, usually by killing the individuals who resist. This situation is very well captured by a late Pakistani Urdu Poet, Jaun Elia, when he mourns the tragedy that everyone is prosecuting ‘humans’ on behalf of God, in the following lines:

*Sab Khuda k Wakeel hain, lekin*

*Aadmi ka koi wakeel nahin*

Translation:

Everyone is an advocate for God

There is no one to defend the ‘human being’.



## **Appendix 1: Text of the Laws related to religion in the constitution of Pakistan**

### **Provisions regarding practice of religion (The constitution of Pakistan, 1973)**

20

Freedom to profess religion and to manage religious institutions.-

Subject to law, public order and morality,-

(a) Every citizen shall have the right to profess, practice and propagate his religion; and

(b) Every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

### **Text of Offenses relating to religion (Pakistan Penal Code, 1860)**

295-B

Defiling, etc., of copy of Holy Quran. Whoever will fully defiles, damages or desecrates a copy of the Holy Quran or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable for imprisonment for life.

295-C

Use of derogatory remarks, etc.; in respect of the Holy Prophet. 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 Mohammed (PBUH) shall be punished with death, or imprisonment for life, and shall also be liable to fine.

298-A

Use of derogatory remarks, etc, in respect of holy personages. Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly defiles a sacred name of any wife (Ummul Mumineen), or members of the family (Ahle-

bait), of the Holy Prophet (PBUH), or any of the righteous caliphs (Khulafa-e-Rashideen) or companions (Sahaaba) of the Holy Prophet description for a term which may extend to three years, or with fine, or with both.

**298-B**

Misuse of epithet, descriptions and titles, etc. Reserved for certain holy personages or places.

1. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or by any other name) who by words, either spoken or written or by visible representation:

a. Refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Mohammad (PBUH), as "Ameerul Momneen", "Khalifat-ul-Momneen", "Khalifat-ul-Muslimeen", "Sahaabi" or "Razi Allah Anho";

b. Refers to or addresses, any person, other than a wife of the Holy Prophet Mohammed (PBUH), as Ummul-Mumineen;

c. refers to, or addresses, any person, other than a member of the family (Ahle-Bait) of the Holy Prophet Mohammed (PBUH), as Ahle-Bait; or

d. refers to, or names, or calls, his place of worship as Masjid shall be punished with imprisonment or either description for a term which may extend to three years, and shall also be liable to fine.

2. Any person of the Qadiani group or Lahore group, (who call themselves Ahmadis or by any other names), who by words, either spoken or written, or by visible representations, refers to the mode or from of call to prayers followed by his faith as "Azan" or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

298-C

Persons of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or any other name), who directly or indirectly, poses himself 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, by words, either spoken or written, or by visible representation or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

## Appendix 2: The Complete Case of Tahir Raza

This case study is attached as a sample to demonstrate the proceedings of the Blasphemy Cases.

The information is taken from the court file for this particular case. The name of the case has been replaced with a pseudonym for the sake of confidentiality. Tahir Raza belongs to the Shiite minority sect of Islam in Pakistan. I have selected this case as a sample because it brings forth the tensions and challenges faced by both the minorities and the Muslims with regards to blasphemy. The case also shows the role of government officials, the role of public, and of religious leaders in shaping the proceedings of a particular case.

Tahir Raza was accused of blasphemy in 2010 following a religious ceremony that he arranged at his place. It was the occasion of the birth of Ali (Prophet Mohammad's Son in Law and the fourth caliph of Islam) who is highly revered by the Shiite Muslims. Raza invited a Shiite religious scholar to recite the praise and eulogy of Ali. In the gathering, many Sunni (majority sect) participants were also present, some of whom later complained that blasphemy was committed during the ceremony for praise of Ali. They claimed that the guest speaker, during his speech, said the following words, which were blasphemous:

It is sufficient to say one thing in the traits of *Hazrat* (used to address with respect) Ali that the world was in doubt till today whether Allah was Allah Almighty or Ali was Allah Almighty ... There did not come 124,000 prophets but Ali used to come (in the form of all the prophetS). Sometimes, he came as Adam, Sometimes as Shees, and so on!

The above statement can be read as either a skepticism towards God and Prophets, or as an alternative view of God and Prophets. The latter is the case with the beliefs of the Shiite Muslims.

They have many beliefs which are different from those of the mainstream Sunni Muslims, and are often criticized by them. After this speech, the Sunni participants of the event came to Raza and told him that his guest speaker had committed blasphemy by saying the words mentioned above. Raza defended the speaker and said that those were indeed their true beliefs about Ali. This led to a protest by the Sunni Muslims of the locality and their religious leaders. However, no legal action was taken because such conflicts of beliefs between Shiite and Sunni Muslims are common and the police officer did not register a complaint. Three months later, Raza held another ceremony at his place and invited the same speaker again. This time again, there were some Sunni Muslims present in the gathering and the speaker set himself to clarify the speech he had made on the previous occasion. In doing so, he repeated what he had said previously and defended it with further explanation and elaboration of those beliefs. This led to another protest following the event, and within a few days, majority of the residents of the locality (Sunni) had joined the protest upon hearing about the alleged blasphemy from the mosques, friends, and social circles. The protests grew in number of participants and intensity, the prominent Sunni religious leader of the town was leading the protests and making public speeches. Public places were occupied, shops were closed, and Raza's house was attacked. The women and the children in his house, along with him, were beaten and their property was destroyed. This led the police to register a case against both the speaker of the ceremony and the host, Raza. The protests continued until the police arrested the accused and asked the people not to harm anyone and leave the matter to the law. Therefore, after some time, the protests subsided but the people were still demanding that the accused be punished. The case was transferred for trial to the court of a nearby town, which is a common practice in blasphemy case. The courts are transferred in order to change the location of the trial from the location of the happening in order to minimize the risk of violence, which is very common in such

cases. The court framed the charge (in English) against the accused, according to which the first accused, the speaker, had used inappropriate and contemptuous remarks against God and his prophets and the second accused, Raza, has supported the act of the first accused. The accused did not plead guilty to the charge and demanded trial. Therefore, they were allowed trial in the Sessions Court (the lower court). The first accused was found guilty and was punished with a fine and imprisonment for some years (the decision can be appealed in a higher court) whereas the second accused was acquitted by the court due to lack of evidence to prove him guilty. After being acquitted, Raza started receiving threats from the local Sunni Muslims that they would kill him. He remained hidden in a shelter provided by an NGO for some time and later fled the country along with his family.

The accusation of blasphemy based on a perceived transgression, the spread of the word that the blasphemy has been committed through mosques, social circles, etc., the protests by the Muslims, the violence against the accused, and the consequent registration of cases are the common courses of action that characterize most of the blasphemy cases. What happens in the court depends upon the framing of the charge, the inclinations of the judge, the pressure on the court from the majority communities, and the social position of the accused. In this case, the accused held a stronger socio economic position and could afford to flee the country. However, in most of the case, the accused belong to the lower socio economic classes and cannot act in the similar way, for them, the ultimate fate , once they have been accused, is either to live the rest of their lives in hiding or to get killed at hands of some ‘lover of the prophet’ who wants to prove his love by defending the honor of the prophet and of the religion—the way he perceives it.

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