



Freedom of Speech vs. Religious Sensitivities: The Dilemma of Blasphemy Laws in Pakistan

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KEYWORDS	ABSTRACT
Freedom of Speech, Blasphemy Laws, Global Human Rights, Religion	<p>This paper focuses on the issue of freedom of speech and religion in the environment of blasphemy in Pakistan. Despite the fact that these laws are enacted to protect the feeling of religious people, more often than not, these laws run counter to the fundamental right of free speech, which constitutes a major socio-legal issue. Utilizing the historical analysis of the legal changes and case studies, the study also reveals the experiences of the vulnerable persons in the uncertain territory. The paper focuses on the patterns of implementing blasphemy laws and their consequences, opportunities for public discussion, freedom of thought, and media freedoms. It also looks at the socio-political factors that harness these laws for self or party gain, leading to a clamp down on the people’s right to free speech. Furthermore, it analyzes how compliant Pakistan is with the global human rights conventions and measures the nation’s laws against the international ones. Thus, discussing the legal amendments and presenting the argument for a pragmatism-based approach that could embrace both human rights to free speech and religious minorities’ concerns, the present paper is submitted to policy debates and pursuit of a more tolerant society’s justice.</p>
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1.0 Introduction

In the recent past, the usage of blasphemy laws in Pakistan has been one of the many conflict zones between the basic human right of expressing oneself and informing the intolerant religious spaces. Earlier, blasphemy laws were applied in the structure of Pakistan with an intention of prohibiting religious discriminations and to safeguard religious feelings. These laws that can be traced back to the colonial periods and later developed into more laws have attracted so much criticism at national and international levels. Opponents, on the other hand, argue that these laws are frequently used against the minorities and as an instrument to revenge on personal opponents, whereas supporters consider them as the primary means to protect religious sensitivities (RASOOL 2020).

This tension has made it an unpredictable and sometimes grim situation for the accused of blasphemy that goes beyond legal ramifications into social consequences. Blasphemy laws in Pakistan were colonial laws that have been brought to Pakistan along with other laws to suit the Pakistani environment religious and politically. Originally conceived to regulating religious discriminations, liberalization of these laws took place in 1980s under General Zia-ul-Haq, thereby increasing its oppressive character. Many examples of this plaguing the laws as a tool for abuse in the past years, resulting in mob rule and vigilante like killings. The outside world has time and again condemned Pakistan for its blasphemy laws calling for change to ensure non-usage as a tool for their people's violation of human rights. Nevertheless, similar reforms are still faced with significant opposition within the country due to the relatively high religious sensitiveness of the Pakistani population. The conflict of interest between the rights to free speech and religious sensitivity remains one of the most pressing problems of Pakistan and has a major impact on its legal and social systems (Kolig 2016).

The following examples highlight the increased attention paid to the most recent cases of blasphemy laws misuse and show how vulnerable the accused is. Members of the minority religions, including Muslims, face themselves in legal cases through which they become at risk to losing their lives and freedoms. Several real life examples have illustrated that being accused is a death sentence, as people are locked up for many years with little prospect of getting justice or are lynched by mobs if the accused are not caught by the police (Asif, Weenink et al. 2023).

Domestic and foreign human rights activists and several nations have remained keen on calling for the repeal of or changes to Pakistan's blasphemy laws. They claim that such laws infringe on several rights of course, including; freedom of speech and freedom of religion. However, there are still much pressures within the Pakistan not to change these laws or make slight modifications to it. Most Pakistanis consider such laws as desirable for the preservation of Islam, which is not only the state religion but also an essential part of the-country's ethos. This is largely due to religious and political actors who use blasphemy accusations to garner support and control citizens (Wasti 2009).

The experience of blasphemy laws disputes in Pakistan can be seen as the clash of an objective and a subject: order vs. rights. The current laws that exist regarding religious oppression, were designed to protect people from being offended and have led to massive grounds of human rights infringement and limiting of freedom of speech. Therefore, the challenge that Pakistan has to address in the future is how to balance these two interests. Demonizing criticism of religion and protecting the blasphemy laws to preserve the feelings and sensibilities of people belong to the same era as the medieval dark ages. Only through such reforms can Pakistan working towards ensuring the people of its nation fundamental rights and make it a nation that is tolerant of its fellow beings (Cox and Religion 2020).

The study focuses on the socio-political processes that use these laws contributing to the understanding of how religious organizations along with the culture of society contribute to the functioning of the freedoms of speech and religious tolerance. There are legal professionals, human rights activists, and persons directly arrested and convicted for blasphemy charges which would enable a comprehension of individual and societal impacts. This qualitative study sheds light on the practical manifestation of these laws and rules, providing the observer with the subject experiences. This research focuses on the examination of Pakistan's compliance with international human rights conventions, which explores the contrast between the existing blasphemy laws in the country and the standards established by the international conventions. Thus, it only underlines the necessity for the legal reforms, which can help to fill this gap. The research advocates for change that would allow for freedom of speech in issue-based discussions while catering for religious prohibitions of certain perceived 'offensive' speech(KHAN, RIAZ et al.)

2.0 Literature Review

The conflict between the two Basics Rights i. e. the freedom of speech and the respect of religious feelings is always alive and contentious in Pakistan primarily due to the existence of blasphemy laws. These laws are enshrined in Pakistan's penal code and constitutional framework presenting a great hurdle in navigating through freedom of speech and protection of feelings of the religion. This literature review synthesizes these variables and the impact they have on creating/modifying the nature of Pakistani society.

2.1 Origin of blasphemy laws

The British government had enacted the blasphemy laws way back in the year 1860. Earlier it was four blasphemy laws: Indian Penal Code 295, 296, 297 and 298 were launched. IPC 295 was later amended in 1927 by the addition of IPC 295A courtesy of the famed case of the Muslim carpenter Ilm-ud-din incite the shooting death of Mahashe Rajpal for publishing the book 'Rangila Rasul'. The book was regarded insulting to Muslims and the Holy Prophet Muhammad (peace be upon him). Ilm-ud-Din was arrested, prosecuted, and convicted, for which he was executed, although the counsel, namely Muhammad Ali Jinnah, sought to

persuade the court to reduce the death sentence to one of life imprisonment. The funeral of Ilmud-Din was witness by almost 600000 people (Ahmad 2009).

It was the first of its kind's blatant blasphemy related incidence in the amalgamate sub-continent that led to extreme act of violence only on the basis of an allegation. Interestingly, it was a time when the Indian society has entered into a political phase of polarization mainly on the religious lines. This only worsened the situation even further. But far more importantly, it led to the passage of 295A which also acted as a catalyst for provoking the call for freedom for India as well as Pakistan (Rehman and Cooperation 2006).

2.2 Blasphemy accusation after Pakistan Birth

Despite more than ninety percent of the population being Muslims, charges of blasphemy against non-Muslims are approximately equivalent to those made against Muslims. As evident by the Human Rights and Legal Aid Organization in Pakistan, National Commission for Justice and Peace, 774 Muslims and 760 others belonging to different religions were accused of blasphemy in the last 20 years.

Due to various amendments and additions reached by the Zia regime in the Penal Code, the minorities suffered from a severe socio-legal discrimination. The strict measures intended to address the cases of contempt of the Qur'an and the Prophet have created these one-sided mechanisms in which any male Muslim can present charges of blasphemy against an individual (Ahmed, Gulrajani et al. 2020).

2.3 The relationship freedom of speech and religious sentiments

In Pakistan where speech freedoms and religious feelings are not independent of each other fluctuating interactions exist. In theory, Pakistan also allows the aspect of freedom of speech which is contained in the Article 19 of the constitution of Islamic Republic of Pakistan where people have the right to freedom of speech and expression. However, such freedom is not unconditional and is regulated by several conditions, especially in regard to religion.

Therefore, according to Stanley Cohen's theory of "Moral Panics", it is possible to decipher this mechanism. Cohen also noted the moral panic; every society, at some time, becomes alarmed at a particular group or issue-an issue of moral outcry- that is deemed to be a threat to a society's well-being. In Pakistan, the freedom of speech, especially when is combined with religious insult, always causes a moral panic. Religious feelings have become instilled in many individuals and any offense to these feelings incites an uproar that seeks strict measures to be taken (Liaquat, Qaisrani et al. 2016).

2.4 Relationship between religious sentiments and blasphemy laws under the PPC 1860

The tenants of religions in Pakistan have been closely associated with rigidity on blasphemy laws that are contained in the Pakistan Penal Code of 1860. For the purpose of this paper however, sections 295-B and 295-C of the penal code stand out. Section 295-B is in regards to the desecration of the Quran and the penalty awarded is life imprisonment. Section 295-C deals with picketing against the statement regarding the holy Prophet Muhammad and provides

death sentence or life imprisonment. These laws are observed vindications of the fact that a majority of the population of most of these countries is Muslims. Studies carried out on case histories, whether in the past or present, have revealed that those who are accused of blasphemy end up facing penal and even post penal consequences. Despite the emerging religious legal extremism with the objective of defending the purity of Islam, it has been condemned for abuse and the great penalty it carries to the alleged offenders (Liaquat, Qaisrani et al. 2016).

2.5 The relationship between religious blasphemy laws and the tension between freedom of speech and religious sentiments

The blasphemy laws in Pakistan are a prime example of the ongoing battle that exists between the rights of religious freedom, and freedom of speech. These laws are the outcome of the attempt to reconcile the two factors, while in most cases prioritizing religious sensitivity ahead of the freedom of speech. Blasphemy laws, especially that of sections 295b and 295c of the Pakistan Penal Code, is a mechanism meant to safeguard people's emotions and beliefs, particularly in relation to any type of blasphemy. This legal framework is justified in the areas of public order and prevention of religious conflicts. However, these laws also a threat to freedom of speech because they intimidate individuals who have a different opinion to suppress them so that they do not say anything that is riot in line with the teachings of a certain religion (Siddique and Hayat 2008).

The sociopolitical process known as "Legal Pluralism" describes this phenomenon clearly. Legal pluralism recognizes the existence of more than one legal system operating in a given State; this consequently results into clashes between the civil and the Shariah law. The legal framework of Pakistan partly incorporates aspects of the Shari'a, which is sensitive to religious feelings. This integration leads to a legal state in which blasphemy laws are fully enforced with restricted freedom of speech to fit religious standards. The conflict of interest between religious beliefs and the right to free speech is therefore the objectification of the conflict between secular and religious legal frameworks in Pakistan's legal system (Moustafa and Review 2018).

3.0 Methodology

The Pakistan's blasphemy laws, being located at the crossroads of free speech and religion, have been researched widely in the existing body of literature. Various studies have been carried out by academicians to present the flow of these laws right from colonization to their development after gaining independence. The social political reality in which these laws exist has been defined and described in many works as a conflict between the right to maintain the integrity of religious feeling and right to freedom of speech. Studies have also been devoted to such aspects of blasphemy laws as their effects on vulnerable people and groups, and there are tendencies of blasphemy charges' misuse and the subsequent violent actions against the defendants have been identified. These scholarly works have helped in getting an analysis of

blasphemy laws and their impacts on the Pakistani society since they are complex and touch on diverse aspects.

In the execution of this study, descriptive research design was used since it entailed a comprehensive and structural documentation of the state of blasphemy laws and their impact on the society. This approach was considered suitable in order to give as much background information as well as facts about the occurrence to get a broader view. This paper was informed by an interpretivist paradigm, whereby human actions are viewed as social constructions, and experiences are best explained from the actors' perspective. This philosophical stance was particularly relevant because blasphemy accusations and their consequences concerned people's intimate spheres and often escalated emotional reactions. The research population was a strategic group of the Sample which entailed Legal scholars and activists, and Offenses Affecters by Blasphemy Laws. This diversity of participants offered a variety of thinking and made the study more interesting and valuable as it was filled with the practical and theoretical views on the subject. The data collection process consisted of conducting a literature and case review by using empirical and gray literature sources such as journal articles and reports. Much effort was applied to the choice of sources to minimize prejudice while representing the state of existing knowledge and views on the subject. Regarding data analysis, content analysis was used to systematically analyze the collected material. This method made it possible to distinguish patterns in discourses that contributed to the understanding of how blasphemy laws are debated in academia and in public. Thus, the study took measures and followed certain ethical standards to ensure the quality of the study and protection of subjects' rights and dignity.

4.0 Findings and Results

4.1 Dilemma of Blasphemy Laws and Religious Sentiments vs. Freedom of Speech

Although the blasphemy laws in Pakistan have remained an issue of controversy involving freedom of speech and religious sensibilities for long, none of the political leaders could dare tweak it. Both of these laws are based on the Pakistan Penal Code of 1860 and supported by the Constitution of 1973 that influenced the legal system and the society of the country. Originally the British colonial authors used the blasphemy laws to address religious strife but with independence Pakistan's blasphemy laws underwent a huge change, mirroring the rise of political Islamism.

Several provisions of the Pakistan Penal Code of 1860 that were enacted were meant to guard religion and religious feelings by making abuses of religion criminal. Nevertheless, these laws seem relatively broad, which, to a certain extent, means that they were not actively used. The actual changes took place in 1980s when the military dictator General Zia-ul Haq came into political power with a mission of Islamization of the country's law. Changes that occurred in this period greatly expanded the blasphemy laws that provided severity in penalties and even death penalty for specific crimes. These changes were meant to refurbish the regime's authority

to political religious groups but instead generated instruments for religious oppression(Nazir 2014).

Before the Constitution of 1973 was passed, Pakistan had already shared the experience of searching for the ways to protect the freedom of speech and, at the same time, avoid the possibility of offending the followers of religion. The Constitution of Bangladesh granted freedom of speech and yet bound everyone to respect the religion of Islam as they recognized it as their state religion. This fact created an inherent conflict of interest, especially when blasphemy laws started to become more rigid. While many of the alleged blasphemy cases led to violent riots and individual extra-judicial murders, the victims were mostly non-Muslims and the dissidents. The judiciary that faced a great pressure from public and political related factions failed to offer fair trial to individuals accused of blasphemy(Mehfooz 2021).

This legal and social environment fostered a culture of living in fear and stablemen. This affected free speech because writers, artists, or any intellectuals feared sharing opinions that would be viewed as heretical to the throne and this was a way of limiting the growth of cultural and intellectual perspectives. Human rights organizations doing social justice activism meanwhile continued to condemn Pakistan for employing blasphemy laws as weapons of persecution. The laws were viewed as the means by which Orthodoxy's interests were given preference over individual rights, justice and equality.

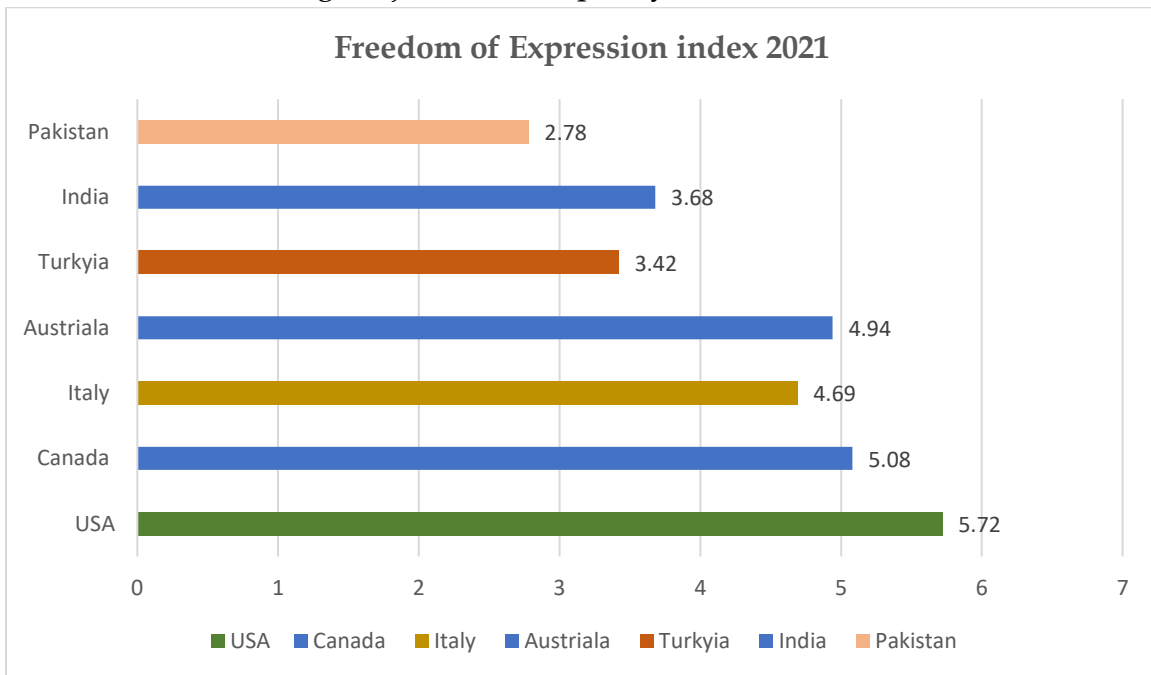


Chart 1. Source: CPDI Pakistan

4.2 Federal sharia court

This research investigates the ability of the Federal Shariat Court (FSC) of Pakistan in examining the appropriate laws and regulating them, especially Blasphemy laws. The FSC was set up in 1980 under the military dictator General Zia-ul Haq and was required to scrutinize the

laws of the country and confirm the compatibility of these laws with Islamic shariah. The court has the jurisdiction to scrutinize and appraise any law or provision in accordance to the Quran and Sunnah, the Islamic Sharia law's propositions.


Fig 1. Source: Pew Research Center

Eighteen countries in Middle East-North Africa region had blasphemy laws in 2019

% of countries with laws against blasphemy



Source: Pew Research Center analysis of external data.

Pew Research Center 

In the course of its operations, the FSC has considered and delivered several blasphemy cases, which remains a very topical and sensitive issue in the case country of Pakistan. Blasphemy laws mainly anchored under sections 295-B and 295-C of the Pakistan Penal Code outline hefty repercussions for defying Islam and its personalities. These laws were passed and modified during the decade of 1980 which was characterized by the Islamization process initiated by the military ruler General Zia-ul-Haq (Iqbal and Iqbal 2020).

Muhammad Ismail Qureshi, an advocate, moved a petition under article 203 of the Constitution of Pakistan, in the Federal Shariat Court in 1984. This unpleasant petition is known as Shariat Petition No. 1-L of 1984 (Ismail Qureshi v. General Muhammad Zia-ul-Haq and Others) which demanded repeal of Section 295A of the Pakistan Penal Code (PPC). Qureshi contended that this section was un-Islamic which provided for imprisonment for the offence of blasphemy against the Holy Prophet (peace be upon him). Qureshi claimed that under Islamic law blasphemy was an odious offence that called for capital punishment.

It is worthy of note that the process of legislation started on its own before the FSC could give its judgment. A woman named Apa Nisar Fatima, Balouch from the province of Balochistan while being the Member of the National Assembly presented a bill. This bill which was tabled by Ismail Qureshi who was also chairman of the Committee involved had the death penalty as the only punishment for blaspheme. However, in the course of the debate in the legislation the Minister of religion contrary to his intentions encouraged the judiciary to exercise this discretion by either a death penalty or a life imprisonment sentence. This compromise was

made and agreed to and the bill was subsequently passed. The amended law, codified as Section 295-C of the PPC, stated: The amended law, codified as Section 295-C of the PPC, stated (Soofi and Aziz).

“Use of derogatory remarks etc. in respect of the Holy prophet who ever words either spoken or written or by visible presentation or by any imputation innuendo or insinuation directly or in directly defiles the sacred name of the Holy Prophet Muhammad (Peace Be Upon Him) shall be punished with death or imprisonment for life and shall also be liable to fine”

Currently, a new classical jurist of the Hanafi School of thought, Dr. Muhammad Mustaq Ahmad has also eruditely written an article analyzing the FSC’s management concerning blasphemy law. Titled "Pakistani Blasphemy Law between hadd and Siyasa: In the article, ‘A Plea for Reappraisal of the Ismail Qureshi Case,’” the author called for reconsideration of the blasphemy law particularly in order to separate Muslims from non-Muslims. According to Ahmad, as far as the non-Muslim convicts are concerned, the ruler got discretionary power in siyasa to prescribe any punishment. He also introduced what could happen in a different scenario; a Muslim who repented after committing the offense would also be subjected to a different type of punishment. Ahmad argued that the FSC’s decision which categorized the blasphemy offense as the one that cannot be pardoned was wrong.

The Federal Shariat Court, in its judgment, had upheld the petitioner's view that blasphemy against the Holy Prophet (peace be upon him) was a grave offense in Islamic law, traditionally warranting the death penalty. The court concluded that the existing punishment under Section 295A was insufficient and did not align with Islamic principles. Consequently, the court's decision prompted legislative amendments, ultimately leading to the formulation of Section 295-C, which allowed for the death penalty or life imprisonment as punishment for blasphemy (Mazhar and Moulvi).

4.3 Judicial case studies

4.4.1 Asia Bibi case

In year 2009, Asia Bibi a mother of five children and Christian by faith was sentenced to death on the allegations that she offended the holy Prophet of Islam by using bad language. She was persecuted for blasphemy and was arrested in 2009 and again found guilty in 2010 under Section 295-C PPC and was sentenced to death. This case got much attention in the international media, showing that intolerance in Pakistan particularly in religious matters and the fair and impartiality of the court system. Successfully, the Supreme Court of Pakistan released her in October 2018 based on lack of evidence and many negligence during the trial. Her acquittal sparked riots from Islamic organizations, but at the same time became a triumph of human rights and justice around the world (Kakar 2022).

Court order/decree

“Forgoing the reason, the appeal is allowed. The judgments of the high court as the trial court are reversed consequently. The conviction as also sentence of death awarded to the appellant is set aside

and she acquitted of the charges. She will be released from jail forth with, if not required in any other criminal case"

4.4.2 Junaid Hafeez case

In 2013, Junaid Hafeez, a university lecturer termly posted some objectionably remarks regarding the Prophet Muhammad (PBUH) on face book and faced charges of blasphemy. His case went on for years and it was threatening to drag on for more years with the cold-blooded murder of his lawyer Rashid Rehman Rana. The case also discusses the controversy regarding the laws of blasphemy within Pakistan and the ordeal that an individual has to go through to challenge the legal procedures and people's judgment(Saiya and Violence 2017).

Court order/ decree

Trial judge who was Additional Session Judge Kashif Qayyum

"Sentenced to Hafeez to death and fine of RS 5 million under section 295C under the Pakistan penal code. In case of default, he will undergo further imprisonment of six months. He was also sentence to life imprisonment under section 295B and Ten-year rigorous imprisonment and fine of RS one lakh under section 295A of PPC 1860.

All the sentences shell run consecutively and the accused would not be entitled to the benefits of section 382B CrPC because in case of blasphemy this court has got no circumstance for taking linnet views it is also not printed in Islam"

4.4.3 Shagufta Kausar and Shafqat Emmanuel

In 2021, there is a well-known case of Shagufta Kausar and Shafqat Emmanuel, a Christian couple who were condemned to death for sending blasphemous messages in 2014. Saying they did not send the messages and saying that it came from a phone that got lost before the incident was said and done, they were convicted. It is also pertinent to the somewhat delicate problem of blasphemy laws; however, it raises questions about fairness of trials and the rights of religious minorities in judicial matters (MENON and Weekly 2017).

"In the instant case on reappraisal of evidence we have come to an ineluctable conclusion that the prosecution has failed to establish the charge against the appellants. We are dismayed that the learned additional session judge has decided the case in a slip short manner. We allow this appeal and set aside. The impugned judgement dated 4.4.2014. the appellant the acquitted of the charge. They shell be released form the jail forthwith if not required to be detained in some other case."

4.5 Case studies of some incidents

4.5.1 Priyantha Kumara Case

This December 2021, Priyanthia Kumara a Sri Lankan national, and the manager of a factory in Sialkot, Pakistan succumbed to a brutal mob. It began through allegations of some form of vandalism when Kumara is said to have ripped some religious posters. The angry mob believes to be factory workers, consequently, killed him and burnt his body. The highly unfortunate incidence elicited or received a lot of criticism from both the Pakistan people and the international community. As for the consequences, the government of Pakistan was to promise to use stiff measures against the culprits. More than 100 people were detained and

some of them were condemned to death or many years in prison. In this case, the use of blasphemy accusations in Pakistan was evidenced as a very unstable factor that can cause extreme violence (Bukhari, Saleem et al. 2023).

4.5.2 Jaranwala Incidents

Again, in August 2023, there was a sharp conflict in the town of Jaranwala in Punjab over blasphemy concerning the two Christian brothers. The accusations sparked an angry demonstration, in which people burned houses and churches; people ran for their lives. Eyewitnesses said this incident was sparked by accusations that the brothers had thrown a copy of the Quran into a toilet. The response of the local administration was condemned as lethargic and insufficient, which aggravated the situation. The occurrence of violence in Jaranwala revealed the issues of weak protection of religious minorities in Pakistan and the possibility of the use of blasphemy charges as a reason for mass riots. After this, the government said that the houses would be reconstructed together with enhancing the security of the minority individuals; however, the religious conflict continued to arise as a primary concern(Asad, Sultana et al. 2023).

Table 1. Last five years Data on blasphemy in Pakistan

Year	Cases	Accused	Injured	Killed
2017	53	66	0	5
2018	34	91	0	2
2019	30	86	0	1
2020	138	277	1	3
2021	50	39	4	5
Total	305	559	5	16

4.5.3 Gujranwala Local Court Case

It also adds that a native court in Gujranwala convicted a Christian man, Nadeem James, to death for blasphemous contents shared in the popular WhatsApp application in 2017. The court convicted him under the very strict blasphemy laws of the Islamic Republic of Pakistan that prescribe the death penalty for some crimes. This case highlighted the real and severe impacts that blasphemy laws in Pakistan have for people, and in most of the cases the penalty is life-long imprisonment. They complained that they were often abused for the purpose of vendetta and the persecution of the minority. However, the laws did not change and activists and scholars all over the world called for changes to the laws or at least changes of heart and minds of the individuals like the young man, James, for the consequences they faced for blasphemous activities.

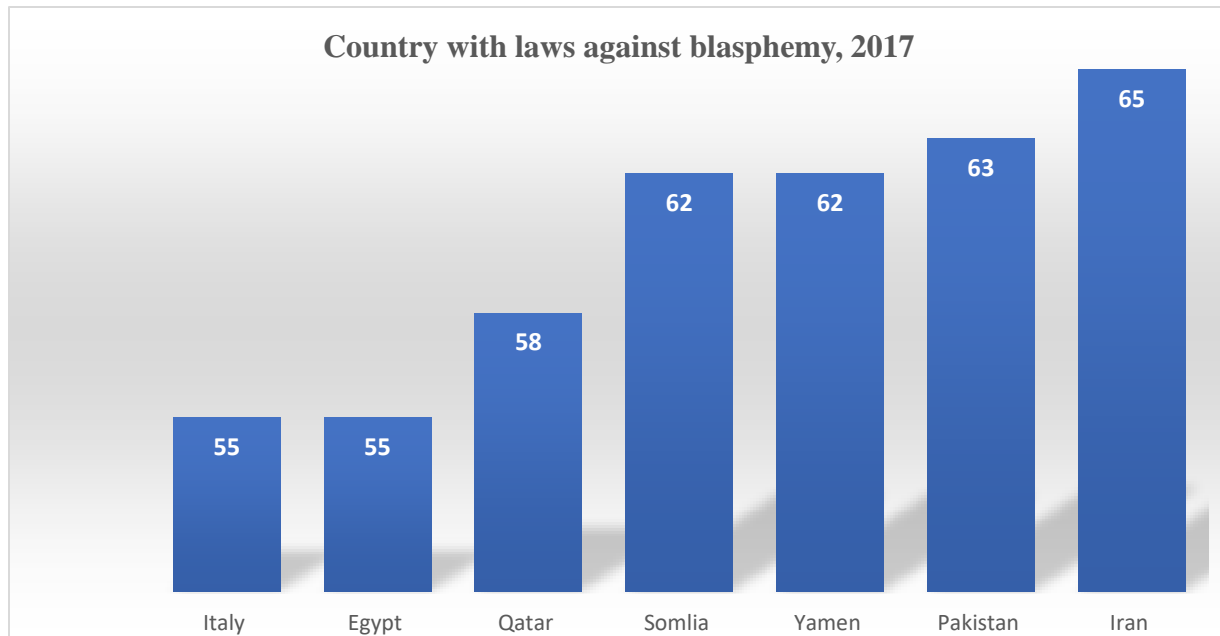


Chart 2. Source: United States Commission on International Religious Freedom

4.5.4 Hindu Teacher Case

In the beginning of the year 2022, a Sindhi Hindu teacher in Sindh Province named Prof Amar Lal was accused of allegedly passing a rude remark about the Prophet Muhammad while delivering a lecture. The accusations got him arrested and charged under Pakistan's blasphemy laws. The case led to social boycott and demonstration by Hindu community where accused pleaded that there was no truth in the case and it was a fallout of personal rivalry. Nevertheless, the critical outcry for the Professor Lal was yet experiencing the harsh legal consequences in the rescue, which clearly depicts the vulnerable situation of non-Muslims in Pakistan especially those belong to education and professional backgrounds. The implications of such cases indicated massive legal changes in order to address the rights of the minorities and to discourage anti-blasphemy laws.

5.0 Discussion and Conclusion

Freedom of speech and religion is a well-entrenched concept; however, the issue is highly sensitive when the two concepts are in conflict, an area witnessed in Pakistan through the anti-blasphemy laws. Derived from history and colonialism, these laws appear to prevent the violation of religious sensitiveness, while, at the same time clearly infringing the right to freedom of speech and expression, adding up great socio-legal challenges. Blasphemy law has much earlier origins in Pakistan it can be traced back to the days of British rule in India where rules and regulation were amended to stop religious tensions. At first, such laws were quite general and were rarely applied. However, post-Independent, especially during General Zia ul-Haq's era, there were few changes as there was process of Islamization of legal system of Pakistan. Reforms during this period intensified the laws meaning and punishment regimens where some offenses attracted capital punishment.

The Constitution which Pakistan has been following from 1973 provides for freedom of speech and also for a requirement that the state voluntarily accord vivid respect to Islam as its religion. This dual mandate places inherent conflict, though the latter is aggravated by the stepped-up blasphemy laws. Claims of blasphemy against the religion or even other religious beliefs generate serious legal and even extralegal consequences to force the community to observe the sanctity of the religion. The blasphemy laws have been a practical subject of the Federal Shariat Court of Pakistan throughout its practical cases and among the judgments, one of the most important ones is Ismail Qureshi v. General Muhammad Zia-ul-Haq and Others. This paper examines the impact of the FSC's rulings on legislation by analyzing how legislative provisions have been modified through case law such as the writing of Section 295-C of the Pakistan Penal Code which provides the death penalty or life imprisonment for blasphemy of the Prophet Muhammad. (Bukhari, Saleem et al. 2023)

Specific examples include some of the most recent ones including Asia Bibi, Junaid Hafeez, and the recent verdict on Shagufta Kausar and Shafqat Emmanuel, illustrating so clearly how blasphemy charges are sensitive with negative effects on the accusers and involved parties. These circumstances highlight the necessity of legal and social changes in the sphere of blasphemy laws' deficiencies, which would enhance just justice. The rights and consequences of blasphemy laws in Pakistan are very significant. In a legal aspect these laws permit very harsh and poisonous punishment and unconstructively contribute to unequal trial and infringement of human rights. In a social aspect, they foster a culture of fear, hatred and aggression especially to the religious diversity. In order to deal with these issues, the following suggestions have been made, as far as reform is concerned: legal amendments necessary to redefine a number of concepts, strengthen judges' protection, and take into consideration other forms of punishment. The other preventative measure includes the use of qualified social reforms which involve religious awareness, and education that promotes tolerance among the different religious groups (Ahmed, Gulrajani et al. 2020).

Thus, the conflict in the question of whether free speech or respect for religious feelings is more important, as in the Pakistani blasphemy laws, is one of the major sociopolitical and legal challenges. Historically evolved and grounded in the nation's legal system, these laws ostensibly have the purpose of protecting the feelings of others in matters of religion; nevertheless, they pose a friction with Free Speech, which is a constitutional right in the country and results in substantial socio-legal issues. The protection of freedom of expression and religious sentiments and beliefs should always be accorded during any form of speech by anyone. In this case, Pakistan provides the realistic approach through the legal and social changes, pondering the imperfections of laws of blasphemy and respect for human rights and social cohesion (Kakar 2022).

Contributions

Tabassum Razzaq: Problem Identification, Literature search

Mehnaz Hayat: Drafting and data analysis, proofreading and editing

Muhammad Abbas Khan: Methodology, Data Collection

Conflict of Interests/Disclosures

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