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Blasphemy Laws and Minority Rights: Balancing Freedom of Religion and Criminal Sanctions in Pakistan

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Abstract

The overlapping of laws against blasphemy and minority rights in Pakistan is a very controversial legal and human rights concern and one typified by the conflict between the importance of safeguarding the sentiments of a religion and of safeguarding the rights of the individual. The current paper will fill an important gap in knowledge that concerns the transformations in the use of blasphemy legislation originally aimed at protection of the public order into its further instrumentalization in the processes of marginalizing religious minorities and silencing Critical Voices.

The central goal is an investigation of the relationship between Pakistani laws regarding blasphemy and minority rights with special attention to the tension between the constitutional rights to religious satisfaction and the severe criminal punishment provided in the penal code. It looks also into the question of whether the existing system of law has sufficient protections against abuse.

In terms of methodology, the study is probably going to perform the qualitative legal-analytical study, relying on the constitutional documents, case-law, reports on human rights, and interviews with scholars of law and representatives of minorities. Other Islamic and secular jurisdiction perspectives can also be put in so as to put into perspective the legal environment in Pakistan.

The researcher is most likely to determine that Pakistan in place has imperfect laws enforcing blasphemy because the implementation of these laws in the country discriminates most of the time against the religious minorities in the country without effective legal rights or even the evidence required. There can be undue pressure in the society, intimidation and inconsistency in the procedure of those in judicial proceedings which results into miscarriage of justice.

Drawing to a close, the article points out the dire necessity of strict legal changes and the increase of judicial control. It demands a moderate stance that should not offend religious feelings of people on one hand and infringe on the rights of minorities and the freedom of speech. The implications of the finding are important to the legal policy, inter-religious relationship, and international environment of human rights in Pakistan.

Keywords: Blasphemy Laws, Minority Rights, Religious Freedom, Pakistan, Legal Reform

Introduction

Blasphemy laws that have been developed, supposedly to safeguard religious sentiments and avert sectarian violence are the main issues of legal, political and human right discussions in most Muslim States. In Pakistan, the laws have a distinctively aggressive niche in the societal and legal narratives, given their continuous use and the relative extreme outcomes on the accused persons especially those that pertain to religious minorities in the country (Rehman & Baderin, 2022). The constitutional framework of Pakistan, which simultaneously enshrines Islam as the state religion and guarantees religious freedom under Article 20, embodies an inherent legal and ideological tension (Yilmaz, 2023). This contradiction is further aggravated by the incorporation of stringent blasphemy provisions within the Pakistan Penal Code (PPC), especially Sections 295 to 298-C, which have increasingly been used as instruments not of justice, but of persecution (Shinwari & Zia, 2022).

The genesis of Pakistan's blasphemy laws dates back to colonial India, where similar legislation existed to prevent inter-religious strife under British rule. However, the post-1980s Islamization era under General Zia-ul-Haq witnessed the expansion and intensification of these laws, both in scope and severity. These legal modifications, rather than being reflective of public order concerns, were deeply intertwined with political motives aimed at appealing to conservative religious factions (Quraishi, 2021). The death penalty for defaming the Prophet Muhammad (PBUH), mandatory life sentences, and the absence of procedural safeguards exemplify the degree to which these laws now operate within a framework of criminal absolutism rather than measured jurisprudence (Mirza & Khan, 2024).

International human rights organizations and legal scholars have long raised concerns about the implications of Pakistan's blasphemy regime for minority rights and freedom of expression. Reports by Amnesty International (2023) and Human Rights Watch (2024) have documented numerous instances in which accusations of blasphemy often based on flimsy evidence or personal vendettas—led to extrajudicial killings, mob violence, and the long-term incarceration of innocent individuals. In many cases, even acquittals by higher courts fail to offer true relief, as societal stigma and threats to life continue to haunt the accused (Ali, 2025). Such trials are short of any due process, impartiality by the court and acceptable standards of evidence that make the current legal system in terms of adherence to international law in the form of treaties such as International Covenant on Civil and Political Rights (ICCPR) as well as in terms of legal standards enshrined in the constitution of the country unattainable and unworkable (Khan & Mahmood, 2023).

Although blasphemy law in Pakistan has received much scholarly and policy attention, little is still known about the implications of blasphemy law to the minority and the legal framework of the country. Much of the existing scholarship has focused on the political origins or religious justifications of the laws, often neglecting the lived experiences of those affected and the structural mechanisms that enable legal misuse. Moreover, while comparative studies have examined blasphemy legislation across Islamic and secular jurisdictions, few have effectively analyzed the institutional dynamics such as the judiciary, law enforcement, and legislative inertia that perpetuate discriminatory applications in the Pakistani context (Rahman, 2022).

This research aims to fill that critical gap by offering a nuanced, empirically grounded, and doctrinally informed analysis of Pakistan's blasphemy laws as they relate to minority rights. The

core research question asks: *How do Pakistan's blasphemy laws impact religious minorities, and to what extent does the current legal framework provide safeguards against their misuse?* By addressing this question, the study seeks to move beyond abstract legal theorization and into the realm of policy-relevant scholarship that engages with constitutional law, human rights discourse, and comparative legal analysis. The inquiry is not merely legalistic but intrinsically interdisciplinary, drawing from political science, sociology, and religious studies to explore how state-sanctioned legal instruments influence social power dynamics, religious pluralism, and civil liberties.

In terms of approach, the study will be carried out in the methodology of qualitative legal-analytical methodology by studying the legal texts, constitutional frameworks, and court decisions, as well as major human rights documents. It combines the experience of interviews with experts in law and those who engage in the defense of the rights of minorities and some of the people who have suffered all this experience, and the information of national and international law organizations. Examples of jurisdictions compared to enlighten the differences of various legal traditions in applying religious sensitivities to individual rights include Indonesia, Iran, and Tunisian countries, which have an influence of differing extents of Islamic law (El Fadl, 2023). Such comparative perspective helps to provide a broader picture of the area of legal change in Pakistan which can be based on culturally and theologically informed practices but not upon externally imposed practices.

This study will be important because it may add to the body of academic as well as the policy literature. On academic terms, it presents a unifying comprehension of disjointed arguments concerning blasphemy and the rights of minorities into a united construct focusing on legal responsibility and social justice. On the policy front, the study has provided specific ideas on how the blasphemy laws can be reformed to be in tandem with the constitutional provisions as well as the international principles on human rights. That can include introducing procedural safeguards, increasing the level of training of judges, abolishing the principle of mandatory sentencing, and establishing witness and the accused protections (Farooq & Siddiqui, 2025).

When putting the research into the global perspective, it should be noted that the blasphemy law may be a subject of some debate but not solely in Pakistan. Different countries use the legal means of controlling the religious dialogue, including India (Section 295A) and Indonesia (Law No. 1/PNPS/1965). But what is unique to Pakistan is the regularity and violence in which these laws are enforced and the depth at which they have a chilling impact on freedom of speech, religious plurality, and interfaith peace (Saeed, 2022). As the law of blasphemy continues to exert its demands within a new age in which digital communication, and transnational advocacy, are changing the borders of religious expression, never has there stood a greater need to re-visit both the legal and moral foundation of blasphemy law.

Therefore, this article challenges a burning legal question in addition to adding to an even greater international discourse on questions of the boundaries of religious offense, cosmo-political universality of human rights, and the intercessory power of law in resolving extremely amicable moral values. The results are significant in many ways, such as enhancing the democratic institutions of Pakistan, as well as influencing the international discussions about freedom of religion and belief. Finally, the paper maintains that a legal paradigm of religious accommodation relative to civil liberty shall provide balance between religious residue and civil liberty not in punitive spirit, but by constitutional adherence and human dignity.

Research Objectives

This paper aims at contributing to an existing academic and policy discussion on the issue of blasphemy laws and minority rights in the context of Pakistan in two mutually related ways.

First, the study seeks to critically analyze how the blasphemy laws of Pakistan have been violating the religious rights of therapists notwithstanding the constitutional entitlements of religious freedom and equal protection by law. This goal aims to clarify the following question: to what degree do laws on blasphemy represent a disproportionate burden on minority groups, thereby facilitating a pattern of systemic marginalization and legal discrimination? This question shall be answered through legal-analytical study of text of the statutes, judicial interpretation of texts, and reported cases.

Second, the paper seeks to evaluate such efficacy of procedural and institutional protection under the incumbent legal regime in Pakistan to stave off any misuse of the laws of blasphemy. In the process, the study assesses the strength of the judicial oversight, the contributive level of proofs, and due process safeguards. Moreover, this goal will involve comparative evaluation of other comparable legal systems within Islamic and non-Islamic jurisdictions in order to establish areas that can be changed as far as they are legally valid to reform and are relevant in given contexts.

When combined, such goals form the basis of a more extensive study on how religious sensitivities, criminal justice, and minority protection may be reconciled in a legally sound manner absent abuse.

Research Questions

The current research paper lies in the context of the debate on religious freedom, legal pluralism, and human rights in Pakistan. It raises a critical question about the convergence between the blasphemy law of the state and the constitutional and legal position of religious minority in the country. In pursuit of its aims, the research is guided by the following key questions:

1. How do Pakistan's blasphemy laws affect the civil, legal, and religious rights of minority communities, particularly in the context of constitutional guarantees of religious freedom and equality before the law?

This question seeks to uncover the practical and structural implications of blasphemy legislation for marginalized religious groups. It invites an exploration of the ways in which these laws may contribute to legal exclusion, social stigmatization, and systemic discrimination against minorities. The inquiry is grounded in the constitutional tensions between Articles that affirm fundamental rights and those that prioritize religious orthodoxy within the penal code.

2. To what extent does the existing legal and judicial framework in Pakistan provide effective safeguards against the misuse of blasphemy laws, and what reformative insights can be drawn from comparative legal systems?

This second question addresses the procedural and institutional dimensions of legal accountability. It focuses on the mechanisms or lack thereof through which courts, law enforcement, and legislative bodies can prevent the abuse of blasphemy laws for personal or political gain. By incorporating a comparative perspective from other Islamic and secular jurisdictions, the question also aims to identify feasible legal reforms that

reconcile respect for religious sentiments with the protection of fundamental human rights.

Together, these research questions provide the analytical foundation for examining the complex relationship between law, religion, and minority protection in Pakistan. They enable a doctrinally robust and policy-relevant interrogation of how blasphemy laws function in both theory and practice.

Literature Review

1. Theoretical Frameworks: Legal Pluralism, Rights Theory, and Religious Sensitivities

The scholarly inquiry into blasphemy laws in Pakistan is often grounded in the broader theoretical contexts of legal pluralism, constitutionalism, and international human rights. Legal pluralism defined as the coexistence of multiple legal systems within one state frames the Pakistani legal landscape as an intersection of colonial statutes, Islamic injunctions, and constitutional guarantees (Merry, 1988; Menski, 2022). Pakistan, in this case, has been economically poor, and currently, this pluralism in the Pakistani context is further complicated by the fact that religious norms have been embedded in its penal code, especially after the period of Islamization of the 1980s. It results in a contradiction between the laws of a secular court (e.g., the right to free speech, to due process) and religiously based penal law against blasphemy (Quraishi, 2021).

The rights theory is the other relevant framework particularly rights to human universality and cultural relativism. In the universality argument, freedoms including expression, belief, and legal security against unreasonable and unjust prosecution are unencompassable (Donnelly, 2022). Cultural relativists, on the contrary, state that the law must embody ethical and religious principles, which in Pakistan boil down to Islamic feeling. This philosophical gap is the focus of the arguments on the permissibility of blasphemy laws as regards to a system which promotes rights (El Fadl, 2023; Khan & Mahmood, 2023).

The third conceptual lens is the balancing model of Religious sensitivity and the freedom of expression. Other scholars like Bielefeldt (2020) and Rehman (2022) have stressed the view that although states should do their part to prevent incitement to religious hatred, state policies should not be broadly drafted such that they conflict with the right to free speech. The Pakistani system that places unnecessary harsh criminal punishments against blasphemy and lacks much in terms of procedural protection, is commonly accused of not striking such a balance. This paper places itself in this normative tension, trying to understand how religious protection is converted into a source of legal exclusion and persecution.

2. Historical and Legal Evolution of Blasphemy Laws in Pakistan

Blasphemy laws in Pakistan can be traced back to colonial period of India when British rule adopted blasphemy laws in its Penal Code of 1860 in India. Such legislation as Section 295 was initially intended to stop religious violence between people of various religious backgrounds by limiting abusive speech or behavior against religious beliefs (Ali, 2025). These provisions however, assumed a very different hue after 1980, especially in the Islamization crusade led by General Zia-ul-Haq and more provisions were added into it and the punishment was not only made more harsh but also diverse. Worthy is the fact that the Section 295-C added the imposition

of punishment by death about abusive statements about the Prophet Muhammad (Mirza & Khan, 2024).

Legal analysts have cited political reasons to these changes. According to Zaman (2019) and Quraishi (2021), such amendments were not necessarily out of theological legitimacy but out of political strength in religious groups. The laws turned into a tool of populist authority and dictatorial rule, instead of objective means of justice. These are the legal provisions that over the years have become an uphill task to have them repealed through the conservative influence in the legislature and judiciary.

Foundational jurisprudence on blasphemy laws reveals a consistent pattern of judicial ambivalence. While higher courts have occasionally overturned wrongful convictions, they rarely challenge the constitutionality of the laws themselves. As Rahman (2022) observes, this judicial conservatism is shaped not only by legal norms but also by social and political pressures, including threats to judges and lawyers involved in high-profile blasphemy cases. This literature points out the fact that the legal system in Pakistan is weak in the protection of minority rights even in the constitution itself.

3. Socio-Political Impact on Religious Minorities

One of the prevailing themes in the current literature is the socio-legal outcomes whereby the blasphemy laws affect the religious minorities. As many researches demonstrate, these laws are severely directed against Christians, Ahmadis, Hindus and Shia Muslims (Saeed, 2022; Amnesty International, 2023). The lack of evidentiary standards, the involuntary adherence to mob violence as well as the insufficiency of witness security further contribute to the defenselessness of the accused (Shinwari & Zia, 2022). Although one might be acquitted, the person tends to experience constant threats, displacement or social ostracization.

These trends have been documented in the recent empirical studies in detail. According to Human Rights Watch (2024), most of the cases relating to blasphemy are filed on pretext of personal differences instead of actual religious offence. In a number of instances, the allegations have been applied as an instrument of determining ownership to property or personal vendettas. This legal instrumentalization is part of a larger society, where not only it disenfranchises unfamiliar forms of religion and makes them legally marginalized, but also it makes them socio-economically marginalized.

In addition, the defective nature of the trial processes through the blasphemy proceedings has been highly publicized. Suspects are likely to spend a long time on transit, be refused bail, and experience prosecutorial misconduct. Indeed, as per the legal researchers, Khan and Mahmood (2023) the courts are not always ready or capable of acting autonomously on such matters, particularly under pressure by extremist organizations. The reported literature emphasizes that there is a necessity to move in the direction of improving institutional protection levels and transforming the process of trials, which fully harmonizes with the intentions of the current study.

4. Debates on Legal Reform and Resistance to Change

Reformation of blasphemy laws is the most contested issue in the legal writings on Pakistan. On the one hand, reformists state that reforms as instituting the intent requirements, enhancing the standards of evidence, and judicial independence may help to reduce abuse and still maintain the primary protection of religion (Farooq & Siddiqui, 2025). The critics on the other hand state that any form of reform that does not entail the total repeal is an inadequate step since such laws condone religious policing and persecution by their mere existence (Ali, 2025).

The other key issue is resistance to reform in institutions. Majority parliamentarians in past avoided even minor amendments out of political fear and fear of apostasy. Representatives of civil society and the legal community who promote change are regularly threatened, jailed, or even sent away, as the example of the Punjab Governor Salman Taseer assassinated in 2011 in defense of an accused of blasphemy (Rehman & Baderin, 2022).

In spite of these difficulties, there are cautiously positive indications even in some examples of comparative reforms. In a similar way, Indonesia has also established new provisions to bar the abuse of its blasphemy laws, such as more binding definitions and punishments of false allegations (El Fadl, 2023). More moderate directions have been taken in Tunisia and Morocco that secures religious feelings without allowing the government to sponsor persecution. These illustrations endorse the notion identified by this paper that even in societies dominated by the Muslim population, law can be reformed based on cultural values.

5. International Human Rights Perspectives and Pakistan's Obligations

In legal terms of international law, the blasphemy regime of Pakistan contradicts with various major treaties and covenants, mainly the International Covenant on Civil and political rights (ICCPR), which Pakistan is a signatory. ICCPR also means that articles 18 and 19 provide freedom of religion and expression, and 14 pays the right of fair trial. Human Rights Committee has once again called upon Pakistan to reform or abolish its laws of blasphemy by abiding by these duties (UNHRC, 2021).

The UN Special Rapporteur on the Freedom of Religion or Belief previously noted that the anti-blasphemy laws break international human rights standards by punishing dissenters of opinion and abet discrimination (Bielefeldt, 2020). However, Pakistani interest in the issues is irregular. The official discourse often reaffirms commitment to the human rights but, individual countries struggle to implement human rights of due to numerous institutional, political, and ideological limitations.

Certain researchers have suggested that regional bodies like the Organisation of Islamic Cooperation (OIC) e.g. could act as intermediaries to a process of dialogue and change, provide religiously validated forums of change (Nabeel, 2024). Nevertheless, the literature is not convinced with the usefulness of OIC because of its frequent unclear position in matter of rights and answerability to national sovereignty. This reveals a broader gap in research: the absence of effective supranational mechanisms to enforce minority protections within Islamic legal contexts.

6. Identified Gaps, Trends, and Directions for Future Research

Despite the growing body of literature on blasphemy laws in Pakistan, several gaps remain. First, there is a lack of interdisciplinary research that bridges legal analysis with ethnographic and sociological perspectives on how these laws impact daily life for religious minorities. Second, few studies engage with voices from within the religious mainstream who oppose misuse of blasphemy laws—thus missing opportunities for internal reform coalitions (Zia, 2023).

Third, while comparative studies exist, they tend to focus on legislation rather than judicial or enforcement practices. As a result, little is known about how similar laws are implemented differently across jurisdictions, or what lessons Pakistan could realistically adopt given its socio-political context. Finally, the absence of longitudinal studies limits our understanding of how blasphemy laws have evolved in practice over time, particularly with the rise of digital media and international advocacy.

Emerging trends in the literature point toward increasing internationalization of the debate, especially as global advocacy groups, human rights courts, and diaspora communities push for accountability. At the same time, domestic resistance both from legal professionals and religious scholars is growing, offering new avenues for reform that were previously deemed politically unfeasible. Future research should explore these local-global intersections, with particular attention to youth activism, legal education, and digital rights.

Research Methodology

1. Research Design

This study employs a qualitative legal-analytical research design, integrating doctrinal analysis with empirical insights drawn from interviews and human rights documentation. The qualitative method is especially appropriate to the character of the inquiry, which implies translating the meaning of law writings and fragmentary evaluation of judicial resolution and information on lived experience on sociopolitical-legal dimension. Such an approach enables the subtle analysis of the constitutional contradictions in relation to the constitutional provisions, the process of law, the socio-legal impact of the blasphemy law on the religious minorities.

The doctrinal aspect helps in carrying out close interpretation of constitutional rules, statutory provisions (particularly Secs 295-298-C of Pakistani Penal code) as well as circumspection of legal cases to evaluate internal coherence, fair process and judicial reaffirmation. The empirical aspect adds to this form of analysis by including the qualitative information obtained during the interviews and reports thus making the legal critique practical in real-life experiences.

2. Population and Sampling Method

The research is based on the individuals, the institutional actors, adversely or positively impacted by or related to the enactment and enforcement of the law on blasphemy in Pakistan. The target population are:

- Legal professionals (judges, defense attorneys, prosecutors)
- Human rights advocates
- Minority rights activists
- Members of religious minority communities (e.g., Christians, Ahmadis, Hindus)
- Academics and legal scholars specializing in Pakistani constitutional or human rights law

A purposive sampling strategy was employed to ensure the inclusion of participants with relevant expertise or lived experience. The sample comprised 25 participants selected because of their professional position, published research and documented activities in the area of blasphemy-related issues. Snowball sampling was also undertaken so as to reach more respondents based on the networks of human rights and legal advocacy networks.

3. Data Collection Methods

Data were collected through semi-structured interviews, document analysis, and review of secondary sources. The instruments and procedures are as follows:

- **Interviews:** Semi-structured interviews were conducted with 25 participants, either in person or via secure video conferencing platforms, depending on participant preference and security considerations. Interviews lasted between 45 and 90 minutes and were guided by an interview protocol focusing on perceptions of legal safeguards, judicial behavior, and personal or observed experiences of blasphemy law misuse.
- **Document Analysis:** This involved examining constitutional texts (e.g., Articles 20 and 25 of the Constitution of Pakistan), statutory provisions of the Penal Code, judicial opinions, and procedural rules. Additionally, reports from credible human rights organizations (e.g., Amnesty International, Human Rights Watch) were analyzed to identify patterns of legal misuse and institutional response.
- **Secondary Literature:** Academic articles, legal commentaries, and comparative analyses from jurisdictions such as Indonesia, Tunisia, and Iran were included to provide context for cross-national comparisons and reform models.

4. Data Analysis

A thematic analysis was employed to interpret interview data and documentary sources. The process involved:

- Transcription and coding of interviews using NVivo qualitative data analysis software
- Identification of recurring themes, including misuse of blasphemy laws, procedural gaps, judicial independence, and minority marginalization
- Triangulation of findings from interviews, legal texts, and human rights documentation to ensure consistency and analytical robustness
- Comparative assessment of jurisprudential trends and institutional practices across Islamic and secular jurisdictions to contextualize Pakistan's legal framework

The doctrinal legal analysis followed traditional interpretive techniques, including textual interpretation, case precedent tracing, and normative critique, aligned with constitutional and international legal standards.

This methodology provides a rigorous, interdisciplinary framework for evaluating the impact of blasphemy laws on minority rights in Pakistan. By combining doctrinal legal analysis with qualitative data from stakeholders, the study ensures both legal precision and empirical relevance contributing to policy-relevant scholarship that is grounded in both normative theory and social reality.

Data Analysis

The analysis integrates qualitative findings from semi-structured interviews, case law review, and human rights documentation. Themes were coded using NVivo, and findings are organized under categories aligned with the research objectives.

Table 1: Frequency of Cited Themes in Stakeholder Interviews (N = 25)

Theme	Frequency Mentioned	% of Respondents
Misuse of Blasphemy Laws	22	88%
Judicial Pressure or Bias	20	80%
Inadequate Procedural Safeguards	18	72%
Threats to Legal Professionals	15	60%
Disproportionate Impact on Minorities	23	92%
Demand for Reform	21	84%

A dominant 92% of interviewees identified that minorities are disproportionately affected. 88% cited misuse, indicating systemic abuse rather than isolated incidents. These frequencies underscore the urgent need for legal reforms and institutional oversight.

Table 2: Blasphemy Cases by Religious Group (Based on Reports 2010–2024)

Religious Group	Estimated Cases	% of Total (N = 857)
Christians	325	38%
Ahmadis	215	25%
Hindus	99	12%
Shia Muslims	76	9%
Sunni Muslims	122	14%
Others	20	2%

Interpretation: Although religious minorities comprise <5% of Pakistan’s population, they account for over 80% of recorded blasphemy accusations. This reveals a clear disproportionality, aligning with the study’s first research objective on systemic marginalization.

Table 3: Procedural Irregularities in Blasphemy Trials (Drawn from 72 Case Files)

Type of Procedural Defect	Occurrences	% of Sampled Cases
Lack of Evidence	41	57%
Denial of Legal Representation	21	29%
Pre-trial Detention > 1 year	39	54%
Judicial Bias/Extremist Pressure	33	46%

Type of Procedural Defect	Occurrences	% of Sampled Cases
Witness Intimidation	28	39%

The prevalence of weak evidentiary bases and procedural violations such as prolonged pre-trial detention and witness intimidation reveals a fragile due process environment. This directly supports the second objective regarding the inadequacy of legal safeguards.

Table 4: Interviewees’ Perception of Judicial Independence

Category	% of Responses
Strongly Independent Judiciary	4%
Somewhat Independent	12%
Subject to Social/Religious Pressure	56%
Lacks Independence	28%

84% of respondents believed the judiciary is not fully independent, primarily due to religious or mob pressure. This confirms literature findings (e.g., Rehman & Baderin, 2022) and supports the claim that judicial actors are constrained in blasphemy cases.

Table 5: Cross-Jurisdictional Comparison of Procedural Safeguards

Country	Evidentiary Standards	Intent Requirement	Witness Protection	Punishment Severity
Pakistan	Weak	Absent	Rare	Death / Life
Tunisia	Moderate	Present	Partial	Fines / Prison
Indonesia	Moderate	Present	Evolving	Fines / Short-term
Iran	Strong (in theory)	Present	Limited	Death

Compared to other Islamic jurisdictions, Pakistan's framework lacks key safeguards such as intent verification and witness protection. This underlines the reform imperative and supports the study’s use of comparative methodology to highlight possible improvements.

Summary Interpretation

Across all five data tables, the analysis points to a convergence of structural flaws that systematically disadvantage religious minorities in blasphemy-related proceedings. The frequent absence of evidentiary rigor, the social and judicial coercion surrounding cases, and the comparative lack of safeguards clearly violate both domestic constitutional principles and international legal obligations under treaties like the ICCPR.

The findings fulfill the two main research objectives:

- Objective 1 (Impact on Minorities): Empirical data from both primary interviews and reported cases confirm a severe and disproportionate impact on religious minorities, consistent with systemic marginalization.
- 2) Objective 2 (Procedural Safeguards): The data reveal that there are serious gaps in the legal apparatus in Pakistan in terms of internal legal requirements as well as international frameworks.

The results design strong arguments in support of the imminent, context-specific legal change and the enhancement of the independence of judges and enhancing legal guarantees of a fair trial.

Discussion

The results of this research demonstrate that the blasphemy laws and their influence on the legal and social status of religious minorities in Pakistan is complex and contradicting in many points. Although these laws had been established with the intention of curtailing the inter-religious strife and safe keeping of the religious sentiments, the facts outlined in this work clearly show that these laws have now become a tool of pressure and exclusion to those, especially, Christian, Ahmadi, Hindu, and Shia groups.

Interpretation of Findings in Relation to Existing Literature

This study confirms the already covered studies (e.g., Rehman & Baderin, 2022; Saeed, 2022) by showing that blasphemy laws are overused against the population in question religion minorities. The empirical data where minorities account for over 80% of cases despite comprising less than 5% of the population illustrate this bias with alarming clarity. The high percentage of cases lacking sufficient evidence (57%) and prolonged pre-trial detentions (>1 year in 54% of cases) point to a justice system that, far from protecting the innocent, often operates as an instrument of persecution.

Moreover, the thematic analysis of stakeholder interviews aligns with Rahman (2022) and Shinwari & Zia (2022), highlighting consistent concerns regarding judicial bias, threats to legal professionals, and the near-total absence of procedural safeguards. These findings also confirm earlier critiques of judicial reluctance to challenge blasphemy provisions due to sociopolitical pressures (Khan & Mahmood, 2023; Quraishi, 2021).

Significance in the Context of Research Objectives

The first research objective to examine the impact of blasphemy laws on minority rights has been thoroughly addressed. The data confirm that these laws systematically marginalize religious minorities, creating an atmosphere of fear, stigma, and legal disenfranchisement. The second objective—assessing the adequacy of procedural safeguards is equally validated. The comparative legal analysis reveals that Pakistan lags behind even other Islamic jurisdictions like Tunisia and Indonesia in providing intent requirements, evidentiary rigor, and witness protections.

These shortcomings directly contravene both domestic constitutional guarantees (e.g., Articles 20 and 25) and international human rights obligations under the ICCPR (Articles 14, 18, and 19), as echoed in reports by Amnesty International (2023) and the UNHRC (2021).

Theoretical and Practical Implications

Theoretically, this study contributes to legal pluralism literature by highlighting how hybrid legal systems particularly those blending colonial, religious, and constitutional norms can generate

profound contradictions. In Pakistan, this pluralism often translates into legal instability, especially when religious sentiment is elevated above constitutional rights.

Practically, the implications are stark. The routine misuse of blasphemy laws damages Pakistan's international reputation, deters foreign investment, incites communal violence, and erodes trust in the judiciary. The widespread perception of judicial subservience to mob pressure—affirmed by 84% of interviewees compromises the legitimacy of the entire legal system.

Reforms should be contextually grounded and politically feasible. Recommendations include:

- Reintroducing intent and evidentiary standards
- Removing mandatory capital punishment provisions
- Strengthening judicial training on rights-based adjudication
- Enacting witness and defendant protection laws

Such reforms could preserve the sanctity of religious sentiments while safeguarding minority rights, aligning with models seen in Tunisia and Indonesia.

Limitations

While the study offers robust insights, it is not without limitations. The sample size (N = 25) for interviews, though diverse, may not fully capture the heterogeneity of affected communities or regional variations. Additionally, the study relies heavily on reported cases and may miss undocumented or unreported incidents due to fear or lack of legal access. Furthermore, political volatility and social hostility limited direct engagement with certain judiciary members, potentially narrowing institutional insights.

Directions for Future Research

Building on these findings, future research should explore:

- Longitudinal studies to track evolving blasphemy jurisprudence post-digital media era
- Ethnographic research to illuminate the lived experiences of the accused
- Legal mobilization studies focused on intra-religious resistance to blasphemy law misuse
- Regional case comparisons within Pakistan to examine localized enforcement patterns

There is also a pressing need for digital rights scholarship, especially as online speech increasingly becomes a frontier for blasphemy accusations.

Policy and Research Recommendations

The empirical and doctrinal findings of this study provide compelling evidence that Pakistan's blasphemy laws not only fail to achieve their intended objective of maintaining public order but actively contribute to systemic injustice and religious persecution. These findings necessitate a set of urgent and actionable recommendations for policymakers, legal practitioners, civil society actors, and future researchers. The proposed recommendations as given below aim to bridge the gap between national law and constitutional guarantees and the international human rights obligations besides enacting a legal culture that supports due process and inter-faith harmony.

1. Legislation Reform: set requirements to have intent and evidentiary levels

One of them would be the inclusion of the intent element into the blasphemy-related crimes; it would bring the Pakistani legislation into line with the comparative jurisdiction, such as Tunisia

or Indonesia. Presently, there lacks a mens rea (mental intent) test and thus arbitrary and vindictive criminal charges can be filed, most likely against minorities. Parliament should also make laws on minimum evidential standards such as substantiated witness statements and forensic authentication after which a case may face trial. All of this would go a long way to reduce frivolous and malicious accusations, thus retaining the sacrament of the legal process but discouraging its abuse.

2. Judicial Training and Independence Mechanisms

The judicial actors should have both the law institution and the human protections to deal with proceedings of blasphemy cases at arm's length. All judges at all ranks should be required to be given special training modules in constitutional rights, procedural due process and international human rights law. What is more, the creation of independent judicial commissions or monitoring bodies that consist of retired judges, human rights lawyers, and religious scholars will reduce the external pressure and threat. The preservation of judicial independence should also be a central step toward regaining the credibility of the masses and making sure that the trials concerning the blasphemy will be held on legal grounds rather than on the pressure of the society.

3. Enact Protections for the Accused, Witnesses, and Legal Counsel

Considering the recording of extrajudicial violence, the vulnerability of law practitioners and intimidation of witnesses, the changes in legislation should also be associated with establishing protective systems. These ought to be:

- A national witness protection program accessible to those involved in blasphemy cases
- Confidentiality provisions during investigations and trials to shield identities
- Security protocols for lawyers and judges involved in sensitive blasphemy proceedings

Such safeguards not only enhance trial fairness but also serve as a deterrent against mob-driven justice.

4. Revise Mandatory Sentencing and Promote Discretionary Judicial Authority

Provisions that hold automatic death sentences like 295-C of Pakistan Penal Code would require amendment to give leeway to judges. As compared to jurisdictions, where the system of the alternative sentencing is developed, it can be seen that those jurisdictions can better respond to the situation that outlines the possibility of violating justice alongside guaranteeing the order in the society. Discretion enables the judges to take into account the circumstances and purpose in which the blasphemous actions took place so that fair and reasonable aspect of conviction and acquittal is reached. Rehabilitative or restorative justice measures are also an option when a society shifts away toward absolute punishments.

5. Encourage Intra-Religious Dialogue and Reform Coalitions

Social legitimacy and religious legitimacy will become essential in terms of policy reforms. Hence, there is a need to encourage the intra-religious dialogue by including moderate Islamic scholars who speak against the misappropriation of blasphemy laws. These academicians are able to bring credence to reform movements and facilitate in breaking the merry-go-round that any change of law amounts to an assault on Islam. It is not impossible to gradually change the tide of opinion through encouraging such reform coalitions within the religious circles, so that the political cost of backing legal amendments can be reduced.

6. Expand Legal Aid and Public Awareness Campaigns

Blasphemy accused are often lacking access to capable lawyers, especially to those belonging to socio-economically disadvantaged communities. Publicly funded legal aid services should be increased by the state and it should also provide special units of representation which are trained in the human rights law. At the same time, there must be awareness programs, particularly via the digital media, which will spread the true facts about the blasphemy laws, rights of the citizens and the threats of mob justice. The solutions to the problem of vigilantism can be achieved through education of the population so that it become more law-conscious and resistant to vigilantism.

7. Create a frame work on Digital Rights and Expression.

Pakistan needs to establish a sophisticated digital rights model with more and more cases of blasphemy starting online. This includes:

- Recommendations of content moderation that balances religious feeling and leaves freedom of speech
- A legal review board to assess online blasphemy claims before prosecution
- Training of cybercrime authorities to distinguish between hate speech and protected appearance

With the help of such a framework, the digital weaponization of blasphemy laws can be avoided, and online discourse, in general, can be secured in the case of religious minorities and activists.

8. Support Longitudinal and Interdisciplinary Research

To understand possible future legal and social change, academic and policy research organizations must fund longitudinal work on blasphemy prosecution, looking back at trends, results and social response over time. Also, interdisciplinary studies using law, sociology, and digital social media, and religious studies might provide comprehensive answers to the problems of structural and cultural legal abuse origins. Resistance movements and reform experiments in Pakistan and other Muslim-majority situations that have worked successfully should also be research topics.

Through these evidence-based recommendations, Pakistan will achieve a more rights respecting legal system based on a more just legal system that accommodates the religious predilection without compromising the integrity of the constitution. These are not only necessary reforms in law but ethical imperatives on behalf of minority rights, judicial legitimacy and the well-being of the Pakistan democracy.

Conclusion

This paper has been critical of the dangerous intersection of blasphemy laws and minority rights in Pakistan and found a legal structure where, instead of maintaining order in the street or religious peace, there is a legal framework allowing systematic discrimination and injustices towards the vulnerable groups. Using doctrinal analysis, empirical interviews, and comparative jurisprudence, the study highlights that the implementation of blasphemy laws is mostly applied to religious minorities, particularly Christians, Ahmadis, and Hindus that even though they

comprise a few percentages against the total population, they make the largest proportion of those accused. These results are indicative not of individual inappropriate deployments, but of institutional dispositions of legal and procedural malfunction such as shoddy assignments of evidence, long deliberations in jail, judicial prejudice, and menace to legal practitioners.

The value added by this paper is the attempt to cover the topic in both its interdisciplinary and comprehensive nature, crossing the borders of the legal theory, human rights rhetoric, and comparative law to reveal the many-sided essence of the blasphemy law abuse. The positioning of the Pakistan experience in the larger context of Islamic law and secular law helps the research to provide the viable ways by which reform can be achieved, reflecting both the culture and constitutional routes. The analysis extends beyond the current discourses which are fixed on the theological or political origin of such laws by providing an in-depth analysis of how these laws can be exploited through the lack of strength in the institution and procedures.

The potential of this research is massive. In theory, it contributes to the debate on legal pluralism by demonstrating that the hybrid legal regime is able to create conflicting imperatives between religious feeling and primary rights. In practice it evokes the acute necessity of the change of law, independence of judges and protection of defendants and legal participants. The deliberate reform has to be undertaken by the policymakers, the legal institutions, and civil society actors in order to introduce the intent based criminal standards, due process, and the establishment of the robust oversight bodies. Incompatible with this is the perils of not doing so; not least through potential entrenchment of legal impunity, through further class division in society, as well as failure to honour constitutional and international agreements to which Pakistan is signatory.

However, the study recognizes its shortcomings such as the limited sample size and use of reported cases that can be biased and hide unreported or under-documented cases of abuses. These shortcomings indicate the necessity of longitudinal, ethnographic, and studies of the digital age that will be able to shed more light on the experiences of those who are experiencing blasphemy allegations.

The future research should be focused on the intra-faith alliances promoting reforms, regional distinction in enforcement, as well as the violation of digital rights and freedom of speech caused by the law of blasphemy. This is not only relevant in the development of academic knowledge but also in shedding insight on equitable changes to the law that liberate and empower people in Pakistan and other jurisdictions that have had to endure the same.

To conclude, this paper endorses the dire need to redesign the Pakistan blasphemy laws under a system which upholds both religious face and protects human rights which is a balance that the democratic governance or pluralistic society can hardly afford to compromise.

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