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‘We’re all blasphemers’: The life of religious offence in Pakistan

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Introduction

In 2016, at a village mosque in northeastern Punjab, a local imam rhetorically asked his audience whether anyone among them did not believe in the teaching of the Prophet. Mishearing, a teenager raised his hand. At once, the cleric accused him of blasphemy. The boy went home, cut off his blasphemous limb and walked back to the mosque with his severed hand on a tray (BBC 2016). A year later, in an unrelated development, hundreds of protesters were injured when the police attempted to disperse an anti-blasphemy sit-in that had put Islamabad on near lockdown (Masood 2017). Throughout the country activists had been demanding that the government sack its Law Minister, whom they accused of undermining the country’s stringent blasphemy laws, and hence of challenging the status of the holy Prophet Mohammad.

Whether culminating in acts of self-mutilation or countrywide protests, the issue of blasphemy seems to have become an inexorable trait of Pakistan’s socio-religious landscape. It was not always so. Under the colonial-era laws regulating ‘offences against religion’, there were only a handful blasphemy charges filed. But since the extension of these laws and the introduction of harsher penalties in the 1980s, there have been over 1,000 formal cases of blasphemy accusation, and over 60 suspected blasphemers have been killed extra-judicially, most of them members of religious minorities. It is as if the law indeed spawned, rather than curbed, its targeted offence.

These developments take place at a time when new media, mass education and a state-led process of Islamisation in the country have
prompted a deepening ‘objectification’ of religion (Eickelman 1992, 643), evidenced by the salience of popular debates over what constitutes proper belief and religious practice. In this context, the recent proliferation of blasphemy controversies encompasses ever more behaviours, expressions and sections of society in its ambit. Anti-blasphemy laws have become a deadly weapon in interpersonal disputes, with the mere allegation of blasphemy often arousing mob violence. What is more, organised religious lobbies, political organisations and established politicians increasingly wield such imputations, or the threat thereof, to undermine their opponents’ credibility or to stifle dissent.

In this chapter, I reflect on the social processes and cultural assumptions that underlie the growing anti-blasphemy mobilisation in Pakistan. Among scholars and informed observers, the dominant analysis of this phenomenon foregrounds the ways in which the law is instrumentalised by a range of actors for petty reasons. Yet this interpretation, I would argue, does not exhaust the range of practices and beliefs that facilitate the recent rise of blasphemy allegations. International coverage of this mobilisation tends to focus on the iconic victims of these accusations, such as Asia Bibi (see chapter 8), and on the spectacular acts of violence that occasionally surround these cases. This angle comforts liberal indignation and gives rise to the perception that Pakistan’s issue with blasphemy ultimately reflects irreducible antagonisms between Islamists and liberal seculars, or between the Muslim majority and marginalised minorities. Instead, I argue that concerns over desecration transcend this partitioning; they do not only stem from theological or discursive positions regarding the true and correct understanding of religious beliefs and practices, or from the proper limits of the right to freedom of expression. In particular I emphasise how, in a context of pronounced inequalities, competition over scarce resources – from land and money to asylum status abroad – and the quest for political relevance and for control over public space facilitate the salience of blasphemy controversies. Further, I draw attention to the way in which people’s relationship with desecration rests on a distinct mode of apprehending holy words, objects and images. This relationship, encoded in law, ultimately demands vigilance towards the potential blasphemer in each and every individual.

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Existing research on the issue has revealed how the passionate invocation of ‘love’ towards the Prophet Muhammad, which lies at the heart of anti-blasphemy rhetoric and violence, must be understood in relation to
colonial laws, designed to protect the ‘religious sentiments’ of erstwhile
Indian subjects, and to the elaboration of stringent anti-blasphemy laws
in the postcolonial period (Nair 2013; Saeed 2015; Scott 2015; Stephens
2014; see also chapter 1). Another strand of scholarship has documented
the arbitrary nature of blasphemy accusations, the widespread violations
of fair trial in these cases (e.g. International Commission of Jurists 2015)
and the poor design of the existing legislation (Ahmed 2018; Forte 1994;
Siddique and Hayat 2008). All of them observe that those who do not
belong to the dominant religious strand, such as Shias, Ahmadis and
Christians, are disproportionately affected by these laws. Sunni Muslims,
who represent about 70 per cent of Pakistan’s population, account for
only 15 per cent of those accused of blasphemy.¹ But to appreciate the
vitality of the anti-blasphemy movement, we must elucidate the emic
understanding of blasphemy’s relationship to law, the anxiety that sur-
rounds its commission, its relation to people’s ideas about language and
the divine and the impact that these provisions may have on everyday
social relations and behaviours.

To explore these issues, I draw on my ethnographic experience in
some working-class neighbourhoods of Lahore, where I have been car-
rying out intermittent fieldwork on religion and politics since 2008. My
interlocutors for this research include a range of actors implicated to
varying degrees in blasphemy disputes, from lay Muslims occasionally
protesting against ‘blasphemous’ movies or caricatures to relatives and
lawyers of incarcerated defendants in cases of religious offence.

The variegated nature of these accusations is bewildering. They
may, for instance, concern an allegedly burnt Quran, an inappropriate
comment between friends, an offending ‘like’ or a poem on a Facebook
post or a direct insult to a revered religious. We should not assume,
however, that blasphemy accusations necessarily follow a transgressive
deed or utterance. Inverting this sequence, and treating blasphemy as
an empty or floating signifier, allows us not to lose sight of the well-doc-
umented fact that allegations of blasphemy often turn out to be spuri-
ous or based on fabricated evidence – a point even acknowledged by the
Supreme Court of Pakistan.² Analytically, too, it would be misleading to
suppose that something is designated as ‘blasphemous’ on account of
its distinctive content. As Favret-Saada suggests, ‘blasphemy’ comes to
exist through an act of judgement (Favret-Saada 1992, 257), and blas-
phemy controversies usually unfold within a distinct field of interlocu-
tion marked by four positions: an accuser {X}, a ‘blasphemer’ {Y} and
an authority {Z} likely to take sanctions on the basis of an institutional
apparatus {MI}, which encompasses existing repertoires of theological,
cultural and legal interpretations and sanctions. Turning the ‘blasphemer’ into the addressee, rather than as the starting point of blasphemy controversies, the paradigm becomes:

\[
\text{\{X\} to \{Z\}, by virtue of \{MI\}: \langle \{Y\} has said: ‘God is n’\rangle} \quad (\text{Favret-Saada 1992, 258})
\]

In the Pakistani context the legal authority \{Z\} entrusted to take sanctions, the state apparatus, does not hold a complete monopoly over justice. Clerics too may act as an informal \{Z\} when issuing their opinion or verdict (\textit{fatwa}) on a particular accusation. And often the accusers \{X\}, be they activists, politicians, clerics or private complainants, consider that the authority \{Z\} entrusted to take sanctions fails to do so promptly or effectively. So much so that \{X\} and \{Z\} may collapse into each other, for instance in the case of blasphemy-related mob violence or the extra-judicial killing of the accused. The story of the severed hand with which I opened this chapter suggests a unique folding of these positions: following the accusation of the cleric \{X\}, the accused teenager \{Y\} becomes the sanctioning authority \{Z\} and dissociates himself from \{Y\}, probably to avoid being ostracised, if not killed. Further, the position of social actors may change from one controversy to another: an accuser may approach clerics or the courts as one of the authorities qualified to take sanctions, but at times religious leaders and members of the judiciary are themselves the initiators of the accusation.

This chapter begins with those who claim to be the authorised representatives of the person – the Prophet Muhammad – or the thing – printed verses of the Quran – that was purportedly desecrated, namely religious entrepreneurs. I show that although close to 85 per cent of the accused are non-Sunni Muslims, the salience of blasphemy controversies partly stems from heightened intra-Muslim competition between Sunni sub-sects vying for relevance and visibility. This has contributed to making the rhetoric of religious offence pervasive across religious communities, leading to a growing number of common people susceptible of construing certain utterances or actions as blasphemous, which in turn further reinforces the position of religious entrepreneurs. However, this dynamic process and the institutional apparatus (\{MI\}) mobilised to set it in motion are premised upon certain assumptions about language and about the ability of objects to materialise the divine.

These assumptions are cultural, for they are shared across religious denominations, and become most apparent when attending to the way allegedly blasphemous content – ‘God is n’ in the above scheme – is
actually manipulated or eluded both during blasphemy controversies, as well as in everyday contexts. Hence in the second and last sections of this chapter I focus on these manipulations – first in the context of court documents to show how the adjudication of blasphemy paradoxically magnifies the offence, then in more mundane environments. The latter enables me to explore the linguistic and corporeal hexis that organises my interlocutors’ everyday engagement with the risk of desecration. This allows me to argue for an interpretative model of the rise in blasphemy accusations that would connect the politics of religious offence and its legal inflection to the nondiscursive, embodied practices and attitudes that inform people’s apprehension of blasphemy.

**Anti-blasphemy competition**

One could easily misinterpret the proliferation of blasphemy disputes as a consequence of new modes of suppressing political dissent. It is true that in a context of growing social media and private news outlets, an increasing proportion of blasphemy allegations are made in relation to online content. Though members of religious minorities remain disproportionately targeted by these charges, since 2015 Muslim student activists, human rights campaigners and even renowned journalists have fallen victim to such allegations (Ahmed and Abbas 2017). With the active support of conservative TV anchors and militant religious organisations the state itself, through its telecom and media regulators, now endeavours to monitor and censor online activity for sacrilegious content. Surprisingly, however, it is only over the last few years, with the rising number of internet users, that blasphemy laws have been explicitly used as a tool of political censorship to muzzle progressive voices.

The issue of blasphemy started gaining importance in the late 1980s, and therefore predates the advent of mass media. More significantly, this growth is concomitant with a heightened rivalry between Sunni sub-sects (*maslak*) in the country. Since the era of Zia-ul-Haq, military patronage and Saudi largeness have strengthened Deobandis and other puritanical strands over the numerically dominant Barelvi or Sufi *maslak* commonly associated with a spiritual and quietist interpretation of Islam. A number of analysts conjecture that Barelvi groups are now seeking to reverse this trend by becoming more vocal and politically active, notably around the issue of blasphemy (Khan 2011; Khan and Shams 2017; Ur Rehman 2016). While in Deobandi milieus the concern over blasphemy was historically confined to anti-Shia groups, for Barelvis
this has been more pronounced and directly stems from their doctrinal orientation. In contrast to Deobandi and Ahl-e-Hadith followers, whom they traditionally blame for lacking respect towards the Prophet, Barelvis attribute extraordinary qualities to Muhammad; they often claim to be the genuine ‘lovers of the Prophet’ (ashiq-e-rasul), always ready to lay down their lives to protect his honour and sanctity (namoos).

In urban Punjab, where I carried out my research, this sensitivity towards religious irreverence is ubiquitous. Amid the profusion of commercial advertisements and political placards on city walls and rickshaws, one regularly finds posters of the Sunni Tehreek, a Barelvi organisation, that include the following slogan: ‘There is only one punishment for blasphemers of the Prophet: beheading (tauheen rasalat ki ek saza, sar tan se juda)’. Sure enough, these calls for brutal intransigence towards blasphemers upset common assumptions about these Sufi-leaning Muslims, often portrayed as Pakistan’s antidote to Islamism. But Barelvis claim that such intransigence is testimony to their exceptional love (ishq) for the Prophet, as evidenced by the romantic symbols deployed during their anti-blasphemy protests, from heart-shaped posters to flowers and Valentine’s Day cards.

The recent mobilisation around the trial of Mumtaz Qadri (2011–16), himself a Barelvi, has offered the movement unprecedented visibility across public space (see chapter 8). Qadri sympathisers within the lawyers’ community in Punjab were in fact instrumental in airing anti-blasphemy outrage, and many of them remain committed to the wide application of the blasphemy laws (Reuters 2016). Some of the plaintiffs in the cases that I studied in Lahore were represented pro-bono by such activist lawyers.

This is not to suggest that Barelvi groups, and the Sunni Tehreek in particular, have a monopoly over blasphemy accusations. Among the cases that I studied, some of the accusers were clerics or followers of the Ahl-e-Hadith and Deobandi schools. Charges of blasphemy can indeed originate from, and be directed towards, Muslims of all persuasions. Conversely the loud display of religious outrage has proved to be a rallying point that cuts across sectarian and political affiliations, especially when ‘blasphemy’ is attributed to a non-Muslim person or to a foreign country. This is manifest when considering the colossal protests in 2006 against the caricatures of the Prophet, the 2012 riots against the movie Innocence of Muslims and the 2015 anti-Charlie Hebdo rallies (Blom 2008; Walsh 2012). These countrywide protests brought together Muslim religious groups and scholars of almost all persuasions and sects, including Shias, Ahl-e-Hadith, Deobandi and Barelvi groups (e.g. Popalzai et al. 2012), not to mention secular politicians (Dawn 2015).
Notwithstanding intense theological and political disputes among themselves, all religious schools in the country are unanimous in their support of the blasphemy laws and capital punishment for offenders. Blasphemy controversies are therefore both a site of competition between religious organisations and clerics vying for visibility and political relevance and also one of the few points of consensus, allowing them to displace and externalise their differences. Such unanimity can be traced to the older anti-Ahmadi movement, to which Pakistan’s blasphemy laws are intimately connected (Ahmed 2010). This movement similarly drew together Sufi-leaning and more reformist Sunni and Shia Muslims for the sake of defending the ultimate nature of Muhammad’s prophecy.

Allegations of blasphemy silence the accused, and often empower both denunciators and those defending the alleged transgressor. Chief among the former are clerics who, on the basis of their theological competence, are frequently involved in the registration of blasphemy-related First Information Reports (FIR) – either by persuading the complainant to register it (e.g. State v. Sawan Masih) or by forcing the police into doing so (Amnesty International 2016, 29). In one case that I studied in detail, clerics from a militant Ahl-e-Hadith organisation laid siege to a police station to have a suspected blasphemer arrested under three distinct charges. Reluctant at first, the police officer eventually agreed to register the FIR after clerics threatened to burn down his station.

For lawyers too, these controversies can be opportunities for career advancement. Consider the most mediatised case in recent decades: that of Asia Bibi, a Punjabi Christian woman sentenced to death in 2010 and finally acquitted in 2018. Her legal team has changed a number of times over the last seven years. Among Lahori lawyers, rumour has it that the case has been sold for profit a number of times among Bibi’s legal teams. Her one-time lawyer, whom I interviewed, also served as a prosecutor in a high-profile case involving the assassination of a suspected blasphemer. He sees himself as resolutely Sunni and advocates a more diligent application of the blasphemy laws, rather than their amendment. He was initially reluctant to take up Asia Bibi’s defence and to prosecute the assassin. ‘Working on these cases feels like wearing a suicide vest’, he said, pointing to the armed policeman dozing under a tent outside his house. ‘But then I was told about the money, so I accepted.’ Being a Muslim lawyer with rather conservative views (he mentions in passing his admiration for Hitler) certainly serves the interests of his Christian client. These various actors may not necessarily act cynically for venal ends. But it is important to recognise that situations of blasphemy accusation do generate concrete opportunities. They cannot be analysed
solely through the lens of an ideological antagonism between progressive and conservative worldviews, nor through that of an irreducible divide between Pakistan’s Muslim population and its religious minorities.

Even less sensational cases similarly entail competitive dynamics, as if blasphemy controversies were a form of market. This is particularly evident among Punjabi Christians. Perceived for the most part as ‘untouchables’ on account of their ancestral association with ‘impure’ occupations (O’Brien 2006), Punjabi Christians are significantly overrepresented among victims of blasphemy accusations (Julius 2016, 97–9). A Christian accused of blasphemy usually receives the support of local Christian charities and human rights associations, in the form of legal aid and allowances. In turn, these organisations draw on international support – whether through ecclesiastical networks, international human rights associations or European governments. These local actors’ success in gaining international assistance depends on their ability to advertise their work.

Upon receiving news of an allegation involving a Christian, such agencies seek to act as benevolent protectors, frequently presiding over the surrender of the accused to the police. They then typically exhibit online photographs of themselves next to the accused and declare their commitment to provide free legal assistance to the Christian victim. Many relatives of convicted blasphemers that I met had received the visit and occasional help of such charities. But they often resented these ‘social workers’ of a higher social standing, saying that, like the accusers, they must be deriving considerable benefit from the misfortune of the accused, notably in the form of privileged access to foreign networks of patronage. At the same time, within their own immediate community, the accused were themselves viewed as profiting from the situation, for instance by trying to secure asylum abroad. Among this poor and marginalised community, each allegation of blasphemy against one of their own ignites an outbreak of backbiting and positioning, enhances competition for scarce resources and weakens relations of trust within the community.

In sum, the scale of Pakistan’s anti-blasphemy movement is predicated upon an intersectarian consensus over the inadmissibility of blasphemy. Competing maslaki strands seize the issue of blasphemy to gain visibility and political relevance. Blasphemy accusations create situations in which, aside from acts of violence, opportunities arise for a series of actors who do not operate solely on the basis of theological and ideological commitment, but also on the basis of their religious, caste and class identity – as well as their position within the judicial process, to which I now turn.
Handling blasphemy in court

When Pakistan gained independence in 1947, the country inherited the 1860 colonial Indian Penal Code and its amendments, which included provisions designed to protect all religions and everyone’s ‘religious feelings’ from insult and outrage. Several sections were subsequently added during the military dictatorship of Zia-ul-Haq (1977–88). First, in 1980, section 298-A proscribed the use of ‘derogatory remarks’ against the Prophet Muhammad’s wives, his immediate relatives and his close companions. A few years later section 295-B was introduced to prevent the desecration of the printed Quran and other quranic inscriptions, followed by section 298-B and 298-C prohibiting Ahmadis from using Islamic terminologies, calling themselves Muslims or propagating their faith. Lastly, section 295-C was added to protect the honour and the ‘sacred name’ of the Prophet. It states that:

> Whoever by words, either spoken or written, or by visible representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine. (Pakistan Penal Code, 1860)

Taken together, these sections of the penal code are known as the ‘blasphemy laws’. Legal scholars have noted important shortcomings in the drafting and design of these provisions (Ahmed 2018; Siddique and Hayat 2008; Forte 1994). Section 295-C, for instance, lacks an explicit intent requirement and, with phrases such as ‘imputation, innuendo, or insinuation’, fails to define clearly the types of behaviours that could amount to defilement. The broad reach of this section makes it susceptible to misuse on the part of complainants motivated by property dispute, personal feud or religious rivalry. Surviving an allegation of blasphemy depends to a large extent on the religious identity and social capital of both accuser and accused. While leading Muslim journalists or religious scholars may succeed in containing such allegations (e.g. Gannon 2017), this is rarely the case for working-class defendants. Though no one sentenced on charges of blasphemy has so far been executed, over 55 suspected blasphemers have been killed by zealots while under trial or shortly after their acquittal (International Commission of Jurists 2015, 11). In many cases high court judges enter acquittals on the basis of weak witness testimonies and technical irregularities. But presumed
blasphemers are almost never exculpated on the ground that what they said, wrote, gestured or insinuated was deemed below the threshold of blasphemy, or because they did not intend to blaspheme. The contours of the law are so vague that, as the novelist Mohammed Hanif puts it, ‘no Pakistani has a clear idea what constitutes blasphemy’ (2011).

The extent of popular attachment to the figure of the Prophet and to the legislation ‘protecting’ it, together with the risk of angering protest-prone Sunni formations, impel public opinion to remain in favour of the legal status quo. For these formations and their activists, to amend what they call the ‘Sanctity of the Prophet Act’ (Namoos-i-Risalat Act) prefigures nothing less than the undoing of Pakistan and social chaos. Its enforcement by state authorities, they claim, ideally serves a dual purpose. Firstly, it prevents responsible Muslims from having to kill blasphemers themselves (Forte 1994, 50; Qureshi 2008). Secondly, the ambiguous legal definition of blasphemy allows for its use as a surrogate for the Islamic prohibition against apostasy, for which there is no law in Pakistan: converts from Islam to Christianity can therefore be arrested for their apostasy and incarcerated on charges of blasphemy (Forte 1994, 58). As a result, a government attempting to initiate a debate on the law, or to limit its misuse, would have to confront the threat of nationwide street protests by religious parties and activists, who never fail to denounce such initiatives as a plot to undermine the Islamic fabric of the nation.10

To appreciate what is at stake one should retrieve the emic valency of the offence. First, and this is a key distinction with European Christian contexts, in Pakistan to blaspheme is not so much to utter insults against God, but rather to harm the sanctity of God’s revelation, the Quran, or the honour of its last Prophet – and by extension that of the Prophet’s companions and relatives.11 Therefore blasphemy here encompasses not only written and spoken words, but also physical contact with the Quran, or with objects marked with quranic verses. So while scholars generally treat ‘blasphemy’ as stemming from an act of communication, be this linguistic, oral or written, visual or musical, we must here think of it as also including non-verbal and non-communicative actions pertaining to tangible matter. Indeed, the complainant need not see or hear the offence for it to be recognised as such, since section 295-C states that even ‘imputation, innuendo, or insinuation’ that ‘indirectly’ desecrate the name of the Prophet can be constitutive of the offence (Siddique and Hayat 2008, 351).

This porosity between verbal blasphemy and physical desecration enlarges the field of potential offence to a host of everyday situations that can be used as pretexts to press charges. For instance, dropping a Quran
from one’s shopping bag or disposing of a visiting card bearing the name ‘Muhammad’ have in the past formed the basis for blasphemy cases. So has a child making a spelling mistake and inadvertently writing ‘exe-crating’ the Prophet, instead of ‘praising’ him (laanat and naat). Other instances include photocopying a textbook with torn pages, thereby juxtaposing the name of the Prophet with the word ‘cheat’, and shouting slogans against a police officer named Umar Daraz, thereby defiling Umar, the second Sunni caliph of Islam. Cases such as these, which have resulted in legal proceedings or even mob violence against the accused, exemplify the extent to which intentionality may be irrelevant to the commission of the offence. Imputed metaphors, fortuitous appositions, inferred homologies and mere absentmindedness are increasingly construed by the general public as valid ground to lay charges of blasphemy.

From a legal standpoint, the proof of intent to blaspheme is not a prerequisite to convict someone under section 295-C. Such absence of a criminal intent requirement makes this provision particularly susceptible to abuse. Similarly, outside the courts vigilante groups show a total disregard for their victims’ intention to offend or absence thereof. As a result imputations of blasphemy, like those of witchcraft and sorcery in other contexts, are almost impossible to deny, since the veracity of an accusation tends to be gauged by the effect allegedly caused by the offence, rather than with reference to the accused’s intention to offend. Narratively, guilt therefore tends to be a consequence rather than the cause of a condemnation.

Consider the following case. A group of Christian boys applies liquid medicine to a wounded donkey. Its trickle forms a shape on the donkey’s skin, possibly resembling the Arabic letters for ‘Muhammad’. The boys and the donkey are subsequently arrested on the basis of desecrating a holy name by writing it on an animal (Marshall and Shea 2011, 87). The agency of the blasphemer somehow recedes behind fortuity and impersonal forces: he or she becomes accountable for homophonies, a slip of the tongue, mental illness or even the force of gravity pulling a scrap of paper towards the floor and forming shapes on non-humans.

The dangerous materiality of the blasphemous necessarily affects its treatment in court. For instance, prosecution witnesses have sometimes refused to produce or to repeat the incriminating evidence, on the basis that doing so would amount to desecration (e.g. State v. Salamat Masih 1995, 815). Similarly, a number of lawyers that I have met recounted how probing into purportedly offensive words could expose them to the very same allegation of blasphemy. Hence some of them forgo the possibility of cross-examining the accuser, since that would entail repeating the
offensive words. Reflecting on this behaviour, a judge once commented that ‘in the process of administration of justice, we need to be secular’ (Aqeel 2014). Though adjudicated in secular criminal courts, in blasphemy cases the courtrooms are usually thronged with the complainant’s supporters, including pro-bono lawyers as well as hardline clerics and their followers. The loud presence of clerics and militants is intimidating for the accused as well as for lawyers and judges, who are legitimately concerned about their own safety if they dare to acquit the accused.

A defence lawyer recounted to me that one day in the Lahore High Court, while reproducing the incriminating evidence in his notebook, clerics in the audience started fuming and openly called on the judge to stop the commission of blasphemy. This circular logic is kept at bay so long as lawyers, judges, court clerks and the spectators appreciate in good faith the distinction between the words allegedly used by the accused and the act of merely reporting these words for forensic purposes. The impossibility of having a public debate over what exactly amounts to blasphemy, as well as the expanding scope of blasphemy controversies, both hinge on the tenuousness of the quotation marks that signal this distinction. Under these circumstances, how is blasphemous language contained and secured to avoid its proliferation?

To answer this question, I examine the linguistic mechanisms used to neutralise the incriminating evidence within judgement sheets. These legal documents are not verbatim records of the discussions taking place during trial. As they are designed for a wider audience than those present in court, it becomes all the more necessary to neutralise or secularise the reference made to the blasphemous kernel – what Favret-Saada terms ‘n’ – lest it should be construed as a reiteration of the offence. In the extracts below, I have sought to isolate this ‘n’ within written verdicts typed out for the historical record, which were shown to me by lawyers working on these cases. It must be noted that the court judgements considered are often multilingual and bear the mark of an unacknowledged work of translation (see chapter 7).

Blasphemous and sarcastic words written by the accused were so pathetic, painful and heart burning that this court was not inclined to mention or to reproduce but nevertheless as this is “Corner Stone” of the whole structure of the instant case, so this court seems quite imperative to mention here these words. However, these words are being written with the heavy heart and by seeking advance pardon from Almighty Allah and the Holy Prophet Hazrat Muhammad SAW. Even otherwise this court is guided by the saying of an Islamic
jurist which is as, “naql kufir, kufir na bash” [in Urdu script], “report-
ing of kufar is not kufar”. These blasphemic, sarcastic and deroga-
tory words and writings are as,
[a] suar ki azan band karo [in Urdu script]
[b] Pakistani suar ki ummah [in Urdu script]
[c] Madni di ma di… [in Urdu script]
[d] Muhammad di ma di… [in Urdu script]

(a) “stop pig’s azan” (call for prayer)
(b) Pakistanis are the Umma of pigs
(c) Abused to the mother of Madni
(d) Abused to the mother of Hazrat Muhammad (SAW)

(State v. Zulfiqar Ali 2014, 12–13)

Before reluctantly reporting the incriminating words in the above
extract, the judge, or his scribe, seeks Allah’s forgiveness and signals that
the ‘reporting of unbelief is not unbelief’ – two strategies drawn from the
practice of early Mughal historians working on Hindu Sanskrit text.14 The
blasphemous kernel is inconsistently isolated from the rest of the text by
way of quotation marks (in the English translation of the first expression)
and ellipsis (in the third and fourth expressions in Urdu). While both
Urdu and Punjabi language favour indirect quotes, here quotation marks
and line breaks are inserted in the text effectively to insulate, authenti-
cate and unambiguously attribute the utterance to someone else. This is
not always the case, however. Consider the absence of quotation marks
in the following indirect quote:

The appellant uttered derogatory remarks against the Holy Prophet
Hazrat Muhammad (Peace Be Upon Him) by stating that (Maaz
Allah) [God forbid] the Prophet of the Muslims fell ill one month
prior to his death and the insects nourished in His mouth and
ear. She further stated that your Prophet (PBUH) married Hazrat
Khadija (R.A.) just for her wealth (…) She further stated that Holy
Quran is not the book of God but a man-made book.
(State v. Asia Bibi 2014, 2)

A quotation implies a series of signs, protocols and typographical cues
that signal the fictive nature of the person saying ‘I’ and mark the dis-
tinction between the use of a word or an utterance and its mere mention.
Since the absence of quotation marks can radically transform the citation
of blasphemy into its performance, other cues are inserted to mark this distinction. In the above example the expression *maaz allah* (God forbid) fulfils this function. Now consider the following judgement extracts:

The intention of the accused can also be assessed from the words used by him that:

“*Mera yasu masih sacha hai, voh aega. Voh allah ka beta hai (na’uzu bi’llah) musulmanon ka nabi jhuta hai aur mera yasu masih sacha hai vohi bachaega*” [in Urdu script]

[My Jesus the Messiah is truthful, He will come. He is the son of Allah (we seek refuge in Allah). The prophet of Muslims is a liar, and my Jesus the Messiah is truthful and will save us] (my translation, P.R.)

(State v. Sawan Masih 2014, 2)

[He] uttered filthy remarks against the Holy Prophet (P.B.U.H.) (Nauz-Billa) as under:

“*me panjtan ka singer huon aur musulmanon muhje maaro*”

[I am a singer of the Prophet’s family, you Muslim people, beat me up] (my translation, P.R.)

(State v. Younas Masih 2013, 8)

Masih started talking in a loud voice and said that:

“*Hamara yasu masih sacha hai voh aega aur voh musulmanon aur isayon ko bachaega aur (na’uzu bi’llah) ye bhi kaha ki musulmanon ka nabi jhuta hai*” [in Urdu script]

[Our Jesus the Messiah is truthful, He will come, and He will save Muslims and Christians and (we seek refuge in Allah) he also said that the prophet of Muslims is a liar] (my translation, P.R.)

(State v. Sawan Masih 2014, 2,4)

Here quotation marks are used in conjunction with the expression *na’uzu bi’llah* or *nauz-billa* (we seek refuge in Allah). This pleonastic device aims at insulating the dangerousness of sacrilegious words and at distancing the author from the reported utterance. Outside the domain of the court as well, I noticed that my interlocutors would pronounce these formula whenever discussing in Urdu or Punjabi the issue of blasphemy, whether with me or among themselves, presumably to ward off its offensive force.
These precautions appear all the more salient in a Punjabi-language environment, known as it is by its speakers for its rich repertoire of insults and swear words (Zaidi 2010, 35). The significance of these formulae is further attested by their common use across religious communities. Uttered in everyday situations as a safeguard against the omission of certain words, or against misspeaking of religion, na’uzu bi’llah and maaz allah are part of a set of everyday Arabic formulae used by both Muslims and non-Muslims in Pakistan.16 This set also includes sallallaahu alaihi wa sallam (or SAW), which in the above extracts figures in English as ‘Peace be Upon Him’ (or PBUH), as well as radhiallahu ‘anha (RA), ‘may Allah be pleased with her’. Invariably written or pronounced right after taking the name of the Prophet, the invocation SAW/PBUH pervades everyday conversation. In certain contexts and milieus, its omission in fact almost verges on the blasphemous.17 More than merely replicating quotation marks, the insertion of these expressions in court documents could be read as oral amulets designed to subdue the inauspiciousness of the blasphemous utterance. Within and beyond court documents, na’uzu bi’llah and PBUH are akin to euphemia – that is, ‘words of good omen’ that function as antidotes to blasphemy more effectively than mere ellipses and euphemisms (see Austin 2011, 45–6; Benveniste 1974).

Used in blasphemy trials in early modern Europe, this linguistic strategy is not peculiar to South Asia. It usually denotes an attempt on behalf of court scribes to defuse the quasi-magical charge of blasphemy and the attendant danger of divine retribution.18 Secular courts may have taken on God’s task of punishing blasphemers, but they must still proclaim their own vulnerability to God’s retribution for the same crime. More importantly, these formulae are a precautionary measure indicating the mere reporting of the offence, lest others in the courtroom and beyond construe the omission of such antidotes as an endorsement of the blasphemy. Its use allows court scribes, lawyers and judges to position themselves as external to the commission of the offence while striking a compromise between the judicial need for optimal evidence and the necessity of observing the taboo.

In contrast to an understanding that treats verbal and visual signs as mere vehicles for the transmission of information, the semiotic ideology under consideration rests on the assumption that language and signs have potent transformative effects and cannot be abstracted from the social relations in which they arise. What this examination of court document reveals is that the virulent anti-blasphemy mobilisation in the country, and the popular consensus over the necessity to uphold blasphemy laws, imply a presumption of linguistic efficacy, if not the recognition of
blasphemy’s power to bring about prodigious disruptions. This points to a first oddity: the act of adjudicating over blasphemy not only requires its manifestation in the courts, but also entails the affirmation, or at least the recognition of, its power.

Blasphemy, then, is a peculiar kind of offence likened to a contagious substance. If suspected blasphemers are not killed before reaching the courts, adjudicating over their offence entails conjuring it into existence. Blasphemous evidence is transported, stored and analysed by forensic experts. In the courtroom, material traces of sacrilege must be produced and witnesses must utter blasphemous words, all of which can be denounced as blasphemous by the complainants’ supporters if they play in favour of the accused. Sometimes pieces of blasphemous evidence are even fabricated to inculpate the accused (see, for instance, State v. Usman Rasheed 2017). The regulation of blasphemy, then, paradoxically entails its material proliferation. Following Favret-Saada, for whom blasphemy controversies originate in the act of denunciation rather than in any blasphemous utterance (Fahret-Saada 1990, 127; 1992, 258), we may say that in the present context forensic content is produced retroactively, so to speak.

Extending the realm of blasphemy

In October 2017 the National Assembly passed an amendment to the Election Act 2017 which affected the wording of a declaration form for election candidates. The words ‘I solemnly swear’ in the finality of prophethood (khatm-i-nabuwat) were replaced with ‘I believe’ and references to the status of Ahmadis were omitted. Already galvanised by the popular mobilisation in support of Mumtaz Qadri a year earlier, Barelvi clerics and activists protested against the amendment, seeing it as a conspiracy to ‘appease’ Ahmadis, and calling for the sacking of the Law Minister. Despite the government claiming that the issue of wording was a ‘clerical error’ and restoring the declaration to its original form, protestors staged a three-week-long sit-in (dharna) just outside the capital. Over 8,000 police and paramilitary troops were mobilised to disperse protestors, killing at least six of them and wounding hundreds.

Ultimately aimed at the legal and political transformation of Pakistan into an Islamic state, their newly created Barelvi movement succeeded in securing the support of certain sections of the state, who thereby hoped to settle scores with rival state institutions (Kakar 2017; Masood 2017). Here I want to draw attention to the movement’s
name – the Tehreek-e-labbaik ya rasool Allah – and how this name conditioned the way one could talk about the movement. Roughly translated as the ‘Movement of the Prophet’s followers’, labaik in fact refers to a type of prayer uttered by pilgrims during the haj. The first word of this prayer, labaik, condenses the affirmation of divine unity: ‘Here I am, O Lord! What is Thy command?’ (Martin 2005, 7158). In television interviews and public interventions, commentators and politicians critical of the protests found it awkward to name and condemn the movement without appearing to be irreverent to its literal meaning. Soon they resorted to paraphrases and acronyms to castigate the ongoing protests safely.22

The above vignette illustrates how the reverence owed towards sacred words was strategically harnessed to make a political intervention immune from criticism. This was predicated not only by an enforced presumption of linguistic efficacy, as seen earlier in relation to the precautionous wording of court judgements in blasphemy trials, but also by a certain relationship of subjection to holy words, and to the doctrine encapsulated herein. This was made clear to me on multiple occasions in the course of my fieldwork, especially in my interactions with members of communities overrepresented in blasphemy trials.

I regularly met Aftab, a middle-aged Lahori police constable of Christian faith. His brother-in-law was incarcerated for allegedly writing anti-Islamic comments on a book. While conversing with Aftab and his relatives – all of them Christian Punjabis – I noticed their avoidance of the Prophet’s name, Muhammad, whenever they broached the topic of Islam. So instead of saying that someone ‘spoke about the Prophet Muhammad Sallallaahu alaihi wa sallam’, they would say that he ‘spoke about Bashir’. Once, during a visit to his home, I asked Aftab about this substitution. He pointed to the thin wall separating us from his Muslim neighbour and replied, smiling: ‘In this society, we’re all blasphemers (gustakh)’. I observed the same artifice among another group of Christian friends, albeit using a different name than ‘Bashir’. They reasoned that it was a much safer means of talking freely, lest eavesdropping Muslims should hear them pronounce the sacred name without the appending formula, or misconstrue their utterance as an insult to the Prophet.23

The strategy of verbal avoidance displayed in specific situations by Punjabi Christians and Muslim political commentators illustrates how holy words gain authority over their speaking subjects and assertively demand that one be vigilant to its tangible utterance. By pronouncing ‘Muhammad’ or ‘Labaik’, one is decisively projected into a discursive space bound by strict rules and stipulated roles for all speaking subjects. Unlike scientific discourse, which carries with it rules only relative to the
form and content of statements, doctrinal allegiance directly implicates its speaking subject and effects two types of subjection. It ‘binds individuals to certain types of enunciation and consequently forbids them all others; but it uses, in return, certain types of enunciation to bind individuals amongst themselves, and differentiate them by that very fact from all others’ (Foucault 1981, 63–4). Muslim commentators of the protests could not easily pronounce the name of the movement since to do so would bind them to their own pledge of allegiance towards Islam and the ummah, and would therefore prevent a frontal critique of the movement. Punjabi Christians, on the other hand, were shown to deny themselves access to a holy name of Islam because it would subject them to the exclusionary rules of enunciation that come with it, and over which they have no say.

This latter example of verbal avoidance points to the subtle ways in which these constraints permeate the most mundane domains of life. These effects are not solely verbal, however, and confining these dynamics to a linguistic framework would fail to account for the material and sensuous lineaments of this enforced sensitivity. When the Muslim call for prayer (azan) resounds, for instance, one lowers one’s voice or falls silent, out of ‘respect’ for the amplified sacred utterance. Similarly, possessing anything that bears quranic verses demands a certain type of attitude and comportment, what Hirschkind in a different context called a ‘quranically tuned body’ (2006, 76). This gives rise to an ecology of the sacred written into bodily attitudes: the holy scripture may dispense spiritual blessings (baraka) and talismanic protection on its beholder, but it demands adoring attention to both its message and its material form. For instance I observed that some of my interlocutors would hand me their quranic amulet before going to the bathroom. And on two occasions friends reprimanded me for keeping a volume of the Quran on a shelf next to other books, rather than being wrapped and kept separately. In fact the last few years have seen over a dozen Pakistanis being killed by mobs for allegedly treating copies of the Quran as ordinary objects, an offence punishable with life imprisonment (section 295-B of the Penal Code).

A series of regulations and ordinary acts of piety surround the day-to-day handling of the sacred text. Individual copies of the Quran (musahaf) must be held in a state of ritual cleanliness (wuzu) or stowed separately from other objects, and must never be allowed to touch the ground, be sat upon or used as a pillow. Evidently an old or damaged musahaf cannot be disposed of like other waste. Such ‘martyred’ (shahid) copies, as they are called, must be disposed of with reverence;
so too must any object inscribed with quranic verses. In Pakistan these should either be wrapped in cloth and buried in the ground, or drowned in water for the ink to be washed away.

As for the printing and publication of Qurans, it is subjected to cautious supervision and inspection, not only for errors in the text, but also to ensure the material quality of the object itself. In Punjab, the Auqaf and Religious Affairs Department issues scientific guidelines concerning the production of Qurans, reserving the right to test the exact grammage, thickness, opacity and tensile strength of the paper used – and in the case of digital Qurans, the quality of electronic devices (Government of Punjab 2011). For their part, concerned citizens turn to social media, where videos of Quranic pages floating in gutters or lying amidst garbage abound.

The presence of Islam in public and private spaces circulates and proliferates in sensorial and tangible ways. A plethora of quranic expressions are painted or engraved on houses, on rickshaws and trucks, on tombstones and shopfronts. They are worn as amulets and pieces of jewellery, amplified through the call to prayer and electronic Quran reciters, aired on Islamic TV and radio programmes and shared on WhatsApp groups and Facebook posts. With this exponential growth, the attendant anxiety over desecration centres on an ever greater realm of materialised words and objects.

As they are magnified or turned into artefacts, sacred words acquire new properties that facilitate not only their dissemination, but also their desecration. The more quranic inscriptions proliferate on diverse mediums, the more likely they are to be misused, displaced, lost or dirtied. Because quranic revelation takes place through and within matter, its reproduction, commodification and proliferation makes the sacred increasingly contingent upon the plasticity of signs. A verse of the Quran printed on paper, for instance, makes the sacred contingently ‘bundled’ with other qualities, such as flammability (c.f. Keane 2003, 414); this in turn allows for its physical desecration, for instance setting the sacred on fire.

Since verses of the Quran can be reproduced on almost any support and medium, one learns to handle seemingly ordinary objects with care. A banner, a visiting card, a newspaper or a children’s book may well contain holy verses or a mention of the Prophet’s name. I frequently observed people of all creeds picking up a stray newspaper or a piece of paper lying on the pavement and placing it on an elevated spot, out of precautionary reverence – or perhaps to forestall a possible accusation...
of desecration. Handling religious posters, burning paper and disposing of its ashes, discarding a newspaper or a children’s book, or even going to the toilet when one is wearing an amulet, are trivial situations truly pregnant with desecrating potential.

The material forms taken by Quranic revelation may be thought of as possessing agency to the extent that they are enmeshed in causal relations that are read as reflecting human intentions. Think, for instance, of the imputations of blasphemy that originated in a visiting card falling on the floor, a newspaper lying on the ground or a dripping substance forming shapes on the body of an animal. It is insofar as we impute human intention to such situations that these material forms gain agency over us. This insight offers a counterpoint to the prevailing instrumentalist analyses of Pakistan’s blasphemy affairs in terms of the self-interested misuse of the law.

What lends so much potency and danger to these affairs is the interplay between a legal apparatus and the concrete, tangible manifestations given to the sacred through spoken words and material objects. As observed earlier in this chapter, the adjudication of blasphemy accusations must necessarily contend with the material, sensuous and linguistic forms through which the sacred is mediated and allegedly defiled. What is crucial here is that the causal relations which are imagined to exist between humans, sacred objects and holy words, and which are solidified through legal ties, are taken to be extensible.

Consider the self-referentiality ascribed to Pakistan’s anti-blasphemy provisions by Mumtaz Qadri – the Barelvi bodyguard who killed the governor of Punjab on the basis of the latter’s rude criticism of section 295-C of the penal code (see Haq 2010). While the said section protects the Prophet’s ‘sacred name’, during his trial Qadri argued that to challenge this ‘sacred provision of law’ was in itself ‘tantamount to directly defiling the sacred name’ of the Prophet (State v. Mumtaz Qadri 2015a). In a different case altogether, a judge observed that rather than protecting Pakistani citizens’ ‘religious feelings’, section 295-A was designed to protect Muslims’ ‘sacred feeling’ (State v. Muhammad Azam 2011). As if through the effect of contamination, the realm of inviolable sacredness delineated by law is extrapolated to encompass the law itself, and the religious sentiments of one segment of the citizenry.

This process is discernible across the religious landscape, with diverse formations in the country lobbying for a legal extension that comforts their distinct theological position. Each school of thought, or rather its most vocal representatives, specialises in defending the honour
of a specific Islamic figure, or set of figures. As observed earlier, Barelvi clerics and activists portray themselves as the true lovers of the Prophet. Shias, on the other hand, seek to protect the sanctity of Ali and of the Prophet’s immediate relatives (ahl-e-bait). As for anti-Shia Deobandi organisations, they have been campaigning for capital punishment in the case of insults to the Prophet’s companions (sahaba). Their proposed bill focuses specifically on the ‘honour’ (namoos) of the sahaba because of Shias’ ritual propensity to curse these figures.\(^{25}\)

Although far less common and audible, but no less significant, this demand is also found among non-Muslim communities. Given their vulnerability to the blasphemy laws, I was initially surprised to hear some of my Christian interlocutors insisting that the legal protections granted to Muhammad and the Quran also be extended to Jesus and the Bible.\(^{26}\) Even bishops have made this argument (Forte 1994, 58), probably in the hope that rights granted to Christian beliefs might secure civil rights to community members.

Since the late 1980s religious entrepreneurs of all creeds see the extension of the legally sacred along particularistic lines as a source of influence and exclusive rights for their respective denomination. Though locked in theological and social antagonisms, these groups have more in common than meets the eye. This forces us to de-provincialise the putative affinity between Islam (or one of its sects) and religious susceptibility. It also encourages us to recognise the issue of blasphemy as a cultural and political idiom premised on a shared semiotic ideology and constructed through a particular historical configuration of power and its articulation in law. Rhetorically, this idiom manifests itself through a limited vocabulary used across the denominational spectrum: an outraged community demonstrates its unrivalled affective attachment towards a specific figure and vows to defend its ‘honour’. Forged during the colonial period in the context of communal mobilisations (Gilmartin 1991), the dramatised display of emotional commitment to religious symbols has gradually been accepted by all as the ultimate locus of community identity.

While I was documenting a Catholic pilgrimage in Punjab a few years ago, an incident brought home to me the quasi-ecumenical nature of this idiom. A Muslim passer-by was suspected of having surreptitiously trashed flex-board effigies of the Virgin Mary. Reflecting on the incident, a furious Catholic pilgrim exclaimed: ‘[this effigy] is a sacred thing, we’re ready to lay our lives for it!’\(^{27}\) In this context, the use of the expression to ‘lay one’s life’ (jaan dena) directly mirrors the ubiquitous Muslim slogan graffitied and chanted in the wake of blasphemy accusations: ‘We’re ready to sacrifice our lives for the dignity of the Prophet Muhammad’.

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\(^{28}\)
Asked what he meant, he and his companions described how ‘intolerable’ (naqabil-e-bardasht) such insults felt to them.

This turn of phrase also happens to be a part of the established lexicon used by anti-blasphemy Muslim activists. ‘We can endure anything’, some of them chanted in a recent protest, ‘but we won’t tolerate (bardasht) the slightest thing said against the Prophet’ (Ali 2017). Members of a community overrepresented among victims of blasphemy allegations were thus deploying the very same idiom of outrage, passion and intr insigence over sacrilege that is so often directed against them. It is as if the critique of this hegemonic idiom of offence could only exist within its given terms, rather than from an autonomous, external or secular domain of dissent. Similarly, the Supreme Court recently vilified demonstrators who had laid siege to the capital to protest the rephrasing of the electoral law – a change of words that they deemed abusive to Islam. In its formal statement, the bench noted that in propagating violence and using ‘filthy-abusive language’ against the government and in the name of Islam, protestors had themselves been ‘denigrating the glory of Islam’ (Iqbal 2017). As for the Law Minister, under pressure from protestors to resign, he sought to reaffirm his Muslim credentials by stating that he and his family were ‘ready to lay down [their] lives for the honour of the Prophet’ (Khattak 2017).

This sacrificial trope is grounded in the notion that such emotional attachment transcends rationality and self-control (Gilmartin 1991), so that the confrontation with an act of sacrilege is sometimes said to short-circuit one’s ability to reason (logic fail ho jata hai).29 If a sign of true Muslimness lies in the inability to think rationally in these situations, or to ‘digest’ blasphemy, as a judge once put it (State v. Muhammad Azam 2011, §17 and 20), failing to be overwhelmed by righteous anger can easily be taken as reflective of a defective religious sensibility.

Cultivating this sensibility calls for retributive forms of violence, since the willingness to die often entails the readiness to kill, and vice versa (e.g. Ilm uddin, Mumtaz Qadri). How else can we make sense of the theatrical brutality occasionally meted out to suspected blasphemers, such as dismembering and immolation? In extreme cases the accusers become the avenger of the injured symbol, inflicting upon their victim the very injury befallen to the symbol: bodies are dismembered like torn pages, or sometimes burned alive when the alleged offence involved burning a Quran. The victims’ bodies are isomorphically desecrated in the retributive attack, sometimes to the point of self-injury, as in the case of the severed hand with which I opened this chapter.
Conclusion

Tracking the material life of blasphemous matter shifts the focus away from the dominant legalistic, instrumentalist and linguistic paradigms, and allows us to recognise that the repression of ‘blasphemy’ has tangible effects beyond the mere suppression of offensive words. It makes its presence felt in the way one thinks, feels and relates to religious artefacts. I have shown that the process of repressing ‘blasphemy’, by way of legal adjudication for instance, is in fact what brings its forensic content – ‘God is n’ – into being in the first place, almost retroactively. Or, to put it in Favret-Saada’s terms, blasphemy is not the starting point, but rather the narrative end of the sequence.

This productive tension between regulation and the proliferating offence is seized by the self-appointed representatives of that which has allegedly been offended. These controversies are thus turned into a site of competitive rivalry for religious organisations, clerics or politicians vying for political relevance or eager to discredit an opponent’s claim to moral and religious probity. Premised on the reinforcement of the blasphemy laws in the 1980s and 1990s, and situated in a context where the issue of religious offence has been mythologised and charged with considerable emotive weight since the early twentieth century, this process has arguably generated an ever-growing sensitivity towards blasphemy among lay people of all shades.

Intensified by the fact that always more holy persons, places, words and objects could theoretically be added to the protective purview of the law, a growing number of actors aspire to expand its scope along particularistic lines as a potential source of exclusive rights. These dynamics, I argue, are grounded in certain assumptions about the power of words and objects to instantiate the divine, which in turn calls for a distinct mode of engaging with them, even in ‘secular’ courts. Far from being abstract principles, these assumptions give shape to a verbal and gestural hexis that permeates even the most mundane facets of life and which demands utmost vigilance towards the potential blasphemer in us. What makes blasphemy such a potent idiom for political mobilisation, then, is this entanglement of anti-blasphemy laws with the proliferating sensible forms through which the sacred is made manifest and occasionally defiled. In short, blasphemy accusations constitute a productive arena where discourse is turned into matter and written onto bodies and tongues. Herein dissenters can be legitimately killed, and each community can cultivate its exclusivist vision of religious citizenship.
Notes

1. Though representing less than two per cent of the population, Ahmadis and Christians taken together were the accused in half of all blasphemy cases during the period 1986–2012 (NCJP 2013, 204). Within the remaining half, two-thirds were Shia Muslims (Julius 2016, 98), who otherwise represent from 10 to 25 per cent of Pakistan’s total Muslim population.

2. Quoting the Legal Aid Society (Karachi), the bench noted that: ‘the majority of blasphemy cases are based on false accusations stemming from property issues or other personal or family vendettas rather than genuine instances of blasphemy and they inevitably lead to mob violence against the entire community’ (State v. Mumtaz Qadri 2015b, 26).

3. See note 5.

4. Following a three-year ban on YouTube, purportedly to protect citizens from watching an anti-Islam film, Innocence of Muslims, the Pakistan Telecommunication Authority (PTA) is now in a position to force YouTube and Facebook to block content ‘violating local laws prohibiting blasphemy, desecration of the national flag, and condemnation of the country’s independence’ (Facebook 2016; Rasmussen and Wong 2017). PTA also encourages consumers to police cyberspace and to report ‘blasphemous URLs’. With over 30 million active Facebook users in the country, a growing number of blasphemy controversies now originate in cyberspace (see chapter 5). While people have been sentenced for blasphemous text messages and smartphone videos in the past, in 2017 death sentences were awarded for acts of blasphemy on Facebook and WhatsApp for the first time. For a legal assessment of digital regulations in relation to blasphemy in Pakistan, see Mir (2015).

5. Pakistan’s population is overwhelmingly Muslim, with Christians, Hindus, Ahmadis and Scheduled Castes accounting for less than four per cent of the population, according to the 1998 census – although these figures probably reflect an under-reporting of religious minorities (Khan 2018). Barelivs or Sufis are estimated to account for 50 to 60 per cent of the Muslim population, Deobandis and Shiias for 15 to 20 per cent respectively and Ahl-e-Hadith (also known as Salafis or Wahhabis) for about 5 per cent of the population (Syed et al. 2016, 28, 188, 231). Bareliv, Deobandis and Ahl-e-Hadith are Sunni sub-sects that emerged in the late nineteenth century. Very schematically, the Barelivs (also known as Ahl-e-Sunnat wa Jamaat) are associated with a shrine-based form of devotionalism close to Sufism. Deobandis, by contrast, tend to adopt a more literalist interpretation of the Quran and Sunnat. Even more literalist, the Ahl-e-Hadith sub-sect favours a narrow and direct use of the Quran and the hadis and rejects Sufi institutions and practices (Metcalf 1982).

6. The First Information Report (FIR) includes the complainant’s description of an offence that comes under police jurisdiction.

7. A leading ‘liberal’ Muslim journalist recently accused of blasphemy similarly hired the services of a lawyer who had previously defended Islamist militants, so that the judge could feel safe exonerating the accused journalist (Gannon 2017).

8. These are sections 295 and 295-A of the 1860 Indian Penal Code. For details, see chapter 1.

9. For an exception to this, see Forte (1994, 349).

10. There have been a number of propositions to amend the law, for instance by introducing procedural changes to the way in which allegations of blasphemy could be registered (Gregory 2012, 203). Lately the judiciary has taken steps in this direction, notably by seeking to penalise false accusations of blasphemy, which currently entails a mere Rs 1,000 fine.

11. This is what Christian theologians referred to as ‘mediate’ instances of blasphemy, rather than ‘immediate’ ones that target God directly (Delumeau 1989, 17). In common parlance in Urdu the act of blasphemy is referred to as tauheen-e-risalat (defaming the apostleship), behurmati (disgrace, lit. the absence of honour) and gustakh-e-rasool (rudeness towards the messenger). What is injured here is explicitly the honour and dignity (izzat, hurmat, namoos, shaan) of the Prophet or of the Quran.

12. On this point, see Siddique and Hayat (2008, 342, 348). While other sections of the Pakistan Penal Code dealing with blasphemy and desecration (295-A, 295-B, 298-A) include a reference to criminal intent (mens rea), 295-C does not. However, lawyers that I have interviewed explained that in the context of bail applications, judges do occasionally consider whether or not the accused intended to commit the offence. On the question of criminal intent in blasphemy cases, see International Commission of Jurists (2015, 31).
13. Although English is the official language of the laws and legal judgements in the country, in practice both English and Urdu are used in court documents and proceedings – especially at the district level (trial courts), where proceedings may also take place in regional languages. The judge may express him or herself in English, use Arabic for quranic passages and employ Urdu in both Nastaliq and roman scripts for poetic effect and to quote witness statements. Although in the cases under consideration the accused were Punjabi-speakers, and presumably if they did blaspheme would not have done so in any other language, their mother-tongue is rarely, if ever, reported in the judgement sheet. The work of translation may be designed to attenuate the supposed crudeness of Punjabi, thereby ‘disinfecting’ the document, or simply to make it available to a wider readership. Conversely, there are instances where the incriminating words are quoted in Urdu, but are not translated in English.

14. See Truschke (2016, 203–28). See chapter 6, where Sen alludes to a member of the Indian parliament using a similar formula: ‘may my God forgive me for reading this’.

15. R.A. stands for radhiyallahu ‘anhu: ‘may Allah be pleased with her’.

16. On na’uzu bi’llah, see Schimmel (1994, 91). Other very commonly used Arabic formulae include ma sha’ allah (may God preserve him/her/it from the evil eye), astagfiru’llah (‘God forbid’) and subhana’llah (‘I extol the perfection of God’).

17. Sallallaahu alaihi wa sallam is known as a tasliya, that is, a ‘plea that Muhammad’s intercession be accepted by God on behalf of his followers’ (Rippin n.d.).

18. Court scribes would insert formulae such as ‘absit verbo blasphemia’ (may these words be exempt of blasphemy) or ask for God’s forgiveness, lest repeating a blasphemous utterance should cause harm and bring about God’s vengeance (e.g. Loetz 2009, 154–5).

19. On the articulation between ‘semiotic ideology’ (Keane 2003) and Muslims’ claims to injury in reaction to blasphemy, see Mahmood (2009). This notion that blasphemy could bring about Pakistan’s destruction is well expressed by one of the architects of the blasphemy laws: such provisions, he writes, can prevent ‘chaos in the society, splitting the unity of mankind against the Divine scheme of things’ (Qureshi 2008, 83). As a general feature of religious language, this assumption of linguistic efficacy is not unique to Pakistan. However there is a distinctive South Asian trajectory to this assumption, owing to its crystallisation in colonial law, wherein Indians were conceived as having ‘a predisposition toward mental agitation and hurt sentiments in response to loaded words, offensive gestures, and transgressions of hierarchical order’ (Ahmed 2009, 180).

20. Judges and ecclesiastical authorities in high medieval and early modern Europe faced a similar dilemma. Documents dealing with and condemning blasphemy were almost always silent on the exact wording of the blasphemous utterance, presumably to avoid reiterating the injury (Christin 1992, 339; Casagrande 1987, 234–5).

21. The same process was discernible in 1988 at the beginning of The Satanic Verses controversy, with British Muslim organisations disseminating passages of the book to their members and to ambassadors of Muslim countries in London (Favret-Saada 1992, 251).

22. I am grateful to Amélie Blom for drawing my attention to this.

23. As per sections 298-B and C of the Penal Code, Ahmadis are legally banned from ‘posing’ as Muslims and from using Islamic terminology. The same does not apply to Christians. In fact, the recourse to everyday Islamic expressions (e.g. mashallah, allah hafiz, insallah etc.) is relatively common among Punjabi Christians in their interactions with both co-religionists and Muslims.

24. On the quran as material object, see George (2009), Starrett (1995) and Suit (2013).

25. Their proposed bill seeks to extend section 298-A of the Penal Code. Since the early twentieth century, Shias’ ritual insults to the first four caliphs (tabarra) and Sunnis’ retaliatory madh-e-sahaba (verses recited in praise of the Sunni caliphs and sahaba) have been at the centre of sectarian polemics and violence in the region (Jones 2012, 186–221). To this day, Deobandis’ investment in anti-blasphemy mobilisation in Pakistan appears to be guided by this concern over disrespect towards the sahaba, what they term gustakh-e-sahaba.

26. A handful of Sikhs and Hindus have filed complaints under sections 295 and 295-A of the Penal Code over the last five years. Asad Ahmed (2018) has recently demonstrated how the introduction in 1980 of section 298-A in particular has set in motion this logic of extension. Contrary to existing colonial legislations on religious offence, which only set out general principles applicable to all religions, this new section specifies and names those religious personages that were henceforth protected by law, thus leaving all others unprotected.

27. Ye musqaddas cheez hai, ham iske lie jaan de denge.
28. *Namoos/hurmat-e-risalat par jaan bhi qurban hai.* This slogan is generally put up and chanted by Barelvi activists.

29. Here is the response reportedly given by outraged students to their liberal teacher: ‘Teacher! We Muslims can’t reason anymore when it comes to the question of the honour of the Prophet’ (my translation of the author quoting her students in Urdu: ‘teacher, namoos-e-rasool per aa ker her Musalman ka logic fail ho jata hae’). See Abu Bakr (2011).

References


