



## Between Rights and Realities: The Struggle for Freedom of Speech in Pakistan

M. Tahir Javaid Bhatti<sup>1</sup>, Prof. Dr. Yasmin Roofi<sup>2</sup>

### Abstract

In Pakistan the 1973 Constitution enshrines the right to freedom of speech. However, this essential freedom has been gradually eroded by a complex interplay of sociopolitical factors and legal restrictions. Ultimately various forces ranging from political pressures and security concerns to social and religious norms have considerably curtailed this constitutional right. The study investigates how political unrest religious beliefs and state surveillance contribute to a culture of self-censorship through a qualitative analysis of academic literature, legal documents, news articles and interviews with journalists and legal experts. This study highlights the growing discrepancy between the legal and constitutional rights and the actual experiences of people in Pakistan who are attempting to exercise their right to freedom of speech.

### 1. Introduction

Everyone agrees that the fundamental right to freedom of speech is essential to democracy because it enables people to voice their ideas opinions and criticisms without worrying about retaliation. As it promotes debate allows ideas to flow freely and holds those in positions of authority responsible it is an essential part of any open and free society. Theoretically national constitutions all across the world and a number of international human rights treaties such as the Universal Declaration of Human Rights uphold this right. There is no exemption for Pakistan as the Islamic Republic of Pakistan 1973 Constitution explicitly guarantees the right to freedom of speech and expression in Article 19. The Pakistani constitution guarantee of autonomy of speech is discipline to a couple of not pricey restrictions related to the dignity of Islam Pakistan candor safeguard or protection friendly relations with other states public order appropriateness or morality as well as cases of aspersion of courts or activation to devote crimes. However, those restrictions are justified as necessary to protect ethical standards and maintain public order in practice they are often used to silence critics and limit autonomy of speech. It has develop into more and more difficult to differentiate among speech it's snide and speech it's acceptable because of the larger analyzing of these obstacles over the years self-censorship has developed in popularity. (Ahmed A. , 2024) The sociopolitical local condition in Pakistan has lengthy- status problems that make it difficult to endeavor ones correct to freedom of speech. Dissident critiques are often seen as hazards to the stability of the nation which breeds anxiety. In Pakistan political instability is often characterized by regular military coups that overthrow elected governments, as well as ongoing tensions between the military and civilian leadership. The religious values also considerably shape societal norms with blasphemy laws being among the controversial laws in the country in terms of implementation. These legal frameworks are frequently criticized for their misuse leading to serious concerns about justice freedom of speech and civic liberties.

Blasphemy laws in Pakistan limit freedom of speech by permitting legal action against specific persons and promote extrajudicial penalties and mob violence. Beyond these political and social limitations the development of the internet and electronic media has presented new difficulties for the exercise of freedom of speech. In addition to expanding avenues for dissent and speech, the digital age has also resulted in a rise in government monitoring and digital censorship.

Example of the states foray into the electronic realm is the prevention of digital Crimes Act (PECA) of 2016 which keeps an eye fixed on information superhighway pastime and penalizes clients who stray past the blurred barriers of permissible speech. Due to browbeating procedures threats and forced disappearances autonomy of speech has been suppressed towards critics peculiarly those that are vocal on informal media. Investigating the complicated relationships among Pakistan austere sociopolitical laws and the constitutional ensures of freedom of speech is the intention of this research. The goal of this research is to understand how political unpredictability religious convictions and government surveillance affect a culture of self-censorship. This will be achieved by means of a qualitative analysis of academic journals news articles court cases and expert interviews with journalists and lawyers. The research also examines the real-world effects of these variables on people's experiences exercising their right to freedom of speech. The importance of this study lies in its ability to highlight the growing discrepancy between the constitutionally guaranteed rights of Pakistani citizens and their real experiences. What the Constitution guarantees about the freedom of speech is not the same as the actual barriers that people have to overcome to exercise that right. Because of the widespread influence of political and religious pressures the increasing use of both legal and illegal means to quell dissent and other factors the right to freedom of speech is becoming less of a practical reality and more of a theoretical idea for people of Pakistan (Jalal, 2010) By this research we try to find that Pakistan struggle for freedom of speech is not only a legal or constitutional matter but also a complicated sociopolitical one that reflects deep-seated

1 Department of Political Science, Usman Buzdar School of State Sciences, The Islamia University of Bahawalpur

2 Department of Political Science, Usman Buzdar School of State Sciences, The Islamia University of Bahawalpur

tensions in the nation's fabric. This study aims to shed light on future initiatives to defend this fundamental right and create a more sophisticated knowledge of the challenges Pakistan freedom of speech faces.

## 2. Literature Review

Most people have the same opinion that freedom of speech is a fundamental human right and that democratic societies cannot function without it. By providing a forum for discussion and the exchange of opposing ideas it encourages the free exchange of ideas among people which advances society. Article 19 of the 1973 Constitution of the Islamic Republic of Pakistan protects the right of freedom of speech. However there are a number of limitations on this right of freedom of speech and these limitations are being used more frequently to suppress criticism and restrict freedom of speech. The various facets of freedom of speech in Pakistan are examined in this literature review with particular attention paid to the effects of digital monitoring and censorship societal constraints legal frameworks and religious influences.

According to Rehman although the Pakistani Constitution establishes a formal basis for freedom of speech protection it also contains a number of limitations that seriously impact its actual exercise. While freedom of speech and expression is guaranteed by Article 19 of the Constitution reasonable restrictions are also permitted for the defense of Islam public order national security decency morality and relations with other states. Despite the fact that these restrictions are intended to preserve public order and safeguard national interest's criticism has been leveled at their ambiguous and expansive language which leaves open the possibility of misuse (Rahman, 2012)

Raza Rumi talks on how the military's increasing presence in Pakistan has led to the evolution and intensification of tangible instruments of coercion, which has extended authoritarianism, especially with regard to freedom of speech. The military has consistently preferred to rule with an iron fist, stifling any opposition that would jeopardize its hold on power. This has been accomplished by using a mix of direct control over the media and the use of state machinery to target and intimidate activists, journalists, and political opponents. The country's restrictions on freedom of speech have been made worse by the military's hegemony over civil institutions. With the advent of the digital age, monitoring by states has also become an essential tool to curtail freedom of speech. The social media and other digital age brought new ways to improve their reach too with the government able to have better surveillance on its citizens as well ban dissidents online. This is one of the most glaring examples that exist today as in 2016 a bill regarding cyber-crimes passed and became Prevention Of Electronic Crimes Act (PECA) which further empowers government to control much of online content (Rumi, 2017)

According to Farzana Bari the PECA has been used against common citizens and journalists who are critical of military or government. Society is so paralyzed by the fear of being seen and targeted for expressing your views that in reality self-censorship as a protective reaction to marked an incursion and it is nearly impossible to overstate the effect of religion upon freedom-of-speech Many citizens and media outlets have been engaging in self-censorship by warding off any sentence that may be interpreted as demeaning Islam or spiritual leaders out of worry of being charged with blasphemy. The freedom of speech has been critically restrained as an end results particularly on the subject of open discussion and debate approximately religion and way of life that are uncommon in those areas. The framework surrounding blasphemy laws does no longer negate the have an impact on of spiritual sentiments. Spiritual agencies and corporations in Pakistan wield good sized have an impact on factors out and that they regularly put strain on the government to censor sentence that they locate objectionable. Those agencies have a track report of organizing giant demonstrations and dangerous prison motion against citizens or agencies that don't trust them with a view to restriction unfastened speech rights even more. To delight those factions the country has frequently tightened speech restrictions and stepped up censorship. The introduction of social media has modified the boundaries of unfastened speech with the aid of increasing the structures to be had for expression and protest. However it additionally introduced new difficulties the maximum important of which have been virtual surveillance and censorship. The Pakistani authorities is depending an increasing number of on virtual structures to maintain an eye fixed on and regulate unfastened speech. To quell dissent it combines technological and criminal measures (Bari, 2013)

Muhammad Shafique has referred to that conventional country regulation of freedom of speech has confronted a critical undertaking from the emergence of social media. Citizens may additionally now voice their evaluations to a much broader target audience without going through the gatekeepers of conventional media thanks to web sites like face book Twitter and YouTube. Despite the fact that because of this greater accessibility the government's efforts to manipulate and display on-line textual content have stepped up. The states determination to maintain manipulate over the virtual sphere is demonstrated with the aid of the usage of the percent and different legal guidelines to impose restrictions on on-line speech. Thanks to technological developments virtual surveillance has turn out to be an important device within the states arsenal for stifling unfastened speech (Shafique, 2020)

Adeel Malik claims that the authorities' tracks and video display units' individuals who participate in dissent the usage of a ramification of surveillance strategies which includes intercepting electronic communications

monitoring social media money owed and monitoring on-line interest. Citizens are becoming much less inclined to voice their evaluations on-line because of the extreme monitoring in particular whilst the ones evaluations contact on sensitive political or non secular subjects. The lifestyles of social media organizations that frequently collaborate with governmental organizations to regulate textual content aggravate the consequences of virtual censorship (Malik A. , 2015)

Muneeb Ahmed claims that social media organizations in Pakistan are going through pressure to do away with any textual content deemed offensive or potentially dangerous for country wide protection with the aid of the authorities greater space without spending a dime speech within the virtual sphere has been eliminated as a result of the elimination of more than one posts money owed and even complete structures. The literature on freedom of speech in Pakistan indicates that the distance between the rights enshrined within the constitution and the difficulties citizens stumble upon in exercising the ones rights is widening. Despite the fact that the country has imposed ambiguous and extensive restrictions at the proper to unfastened speech the regulation nevertheless lets in for those restrictions in practice those rights are frequently curtailed. Sociopolitical variables that accentuate those problems consist of political unrest electricity struggles within non secular organizations and authorities monitoring. This encourages a way of life of worry and suppression of oneself. New censorship and surveillance techniques have been made feasible with the aid of virtual structures which has made it more difficult for citizens to exercising their proper to unfastened speech. because the authorities an increasing number of asserts its manipulate over conventional and virtual media in Pakistan space without spending a dime speech is turning into an increasing number of constrained placing its residents susceptible to intimidation harassment and even criminal movement for without a doubt voicing their evaluations with the intention to absolutely understand the demanding situations Pakistan freedom of speech faces this evaluation highlights the need for an greater state-of-the-art understanding of the interactions between criminal sociopolitical and technological elements (Ahmed M. , 2018)

According to Rafiq Dar in order for a democratic society to characteristic it emphasizes the significance of protecting and advancing unfastened speech as a fundamental right. Future research on those dynamics ought to maintain attempting to find strategies to protect freedom of speech in a placing this is turning into an increasing number of restrictive. The conflicts that stand up between the states actual restrictions and the constitutional guarantees of freedom of speech are made less complicated with the assist of the criminal pluralist theoretical framework. According to the principle of legal pluralism, multiple legal frameworks such as formal state law, religious law, and customary law coexist within a single political system. (Dar, 2021)

In the words of Bukhari this paradigm holds particular relevance in Pakistan due to the combination of Islamic law, state law, and customary practices. These factors have a considerable impact on the interpretation and application of constitutional rights. The Article 19 of the Pakistani constitution of 1973 guarantees freedom of speech difficulty to affordable restrictions that take into account the effect of Islamic regulation and cultural norms. Those restrictions are open to more than one interpretations because of their ambiguous and extensive definition which frequently capabilities to obstruct unfastened speech. The interaction of numerous criminal and normative frameworks creates complicated surroundings in which sociopolitical and non secular constraints pose a danger to the constitutional guarantee of unfastened speech which is explained with the aid of criminal pluralism (Burki, 2015)

Sadaf Ahmed stated that Social control theory holds that in order to preserve societal order and conformity, social institutions including the family, the government, the educational system, and religion have the power to control individuals. In Pakistan, social control is maintained by both official channels such as legislation and government oversight and informal channels, such as cultural and religious influences. Together, these elements establish acceptable speech standards and encourage a self-censorship culture. Anti-blasphemy legislation and the government's employment of legal instruments like the Prevention of Electronic Crimes Act are two well-known instances of formal social control. Cultural and religious organizations enforce informal social control by discouraging individuals from voicing beliefs that defy society standards. This is because people are compelled to cooperate in order to avoid facing rejection or criticism. The social control hypothesis provides an explanation for why substantial anxiety and self-censorship are frequently present during the practice of free expression in Pakistan. The idea of self-censorship, which refers to the voluntary suppression of speech by people or media organizations to prevent unfavorable outcomes including legal action, societal reaction, or violence, is essential to comprehending the restrictions on free speech in Pakistan. Self-censorship ideas, such as the chilling effect hypothesis, contend that people may decide not to exercise their rights due to uncertainty about the possible outcomes of ambiguous or too broad legal provisions. (Ahmed S. , 2018)

Pakistan has significantly constrained freedom of speech because of the danger of blasphemy expenses criminal consequences underneath the percent and retaliation from both country and non- country actors. This chilling effect is introduced approximately no longer most effective with the aid of overt threats or censorship however additionally with the aid of a larger sociopolitical weather that fosters worry and uncertainty. The self-censorship principle is used in this framework to provide an explanation for how those dynamics bring about the voluntary suppression of speech even within the absence of direct country intervention

### 2.1. Research Question

How do political dynamics, religious influences, digital censorship, and legal frameworks intertwine to create obstacles for freedom of speech in Pakistan?

### 2.2. Research objectives

- 1: To analyze the impact of political instability, national surveillance, religious influences, and digital censorship on the exercise of freedom of speech in Pakistan
- 2: To examine the discrepancy between constitutional guarantees of free speech and the practical limitations faced by citizens, exploring the role of self-censorship and legal constraints

### 3. Research Method

The research method used in this article is a thorough qualitative analysis designed to look into the complex interactions between the fundamental rights to freedom of speech guaranteed by the Pakistani constitution and the everyday lives of its citizens. The approach blends expert interviews and literature review to give a thorough analysis of the factors affecting freedom of speech in Pakistan. Research gaps are identified through a synthesized literature evaluation which is used to frame the methodology of the current study. This method entails highlighting noteworthy findings identifying settlement and confrontation zones and laying the theoretical groundwork for the study (Creswell, 2018 (5th Edition)) The results contribute to the current discourse on human rights and offer valuable information to decision-makers civil society organizations and international stakeholders who uphold and defend the right to freedom of speech (Yin, 2018 (6th Edition))

#### 3.1. The Historical Context of Constitutional Foundation of Freedom of Speech in Pakistan

This was especially true in the area of freedom of speech in Pakistan, where the government was overthrown time and again by the military, and particularly in the synthesizing of fundamental rights in the form of freedom of speech. Every constitution in Pakistan, from the first in 1956, recognized freedom of speech. The fight for democratic governance and Pakistan turbulent political past are closely linked to the historical background of the country constitutional guarantee of freedom of speech. Pakistan was created as a distinct state in 1947 after British India was divided with the goal of giving Muslims a safe haven. The founding fathers envisioned a nation that protected fundamental rights including the right to free speech as part of their commitment to democracy and civil liberties. Freedom of speech was guaranteed by the first constitution of Pakistan which was ratified in 1956. However the country soon experienced political unrest which led to General Ayub Khans 1958 imposition of martial law which put an end to the original constitution. Under military rule censorship was employed by the government to suppress opposition and control public opinion and civil liberties were severely curtailed. This sparked a lengthy conflict between the state and the freedom of speech that would last for years as nations attempted to find a balance between authority and civil liberties. The importance of basic rights like the freedom of speech protected by Article 19 was emphasized when Pakistan adopted a new constitution in 1973. This clause safeguarded free speech even if it permitted certain restrictions for reasons of moral public order and national security. These restrictions increased the ambiguity of the right to free speech which various governments would then use as justification for censorship and repression. In Pakistan the late 20th century saw alternate regimes of democracy and the armed forces. Every shift brought with it adjustments to the free speech legal framework. When democratic governments were in power efforts to expand civil liberties were frequently thwarted by rivalry and instability in politics. However military dictatorships frequently employed harsh measures to quell opposition restricting the freedom of the press and penalizing anyone who dared to criticize the government through laws and regulations. The free speech environment in Pakistan has become increasingly complex with the advent of the digital era. The emergence of the internet and social media brought about new avenues for expression but these platforms also brought about increased government oversight. The 2016 introduction of the Prevention of Electronic Crimes Act (PECA) signaled a shift in the direction of online speech enforcement and highlighted the ongoing tension between the government aim to monitor and regulate public expression and the freedom of speech. Pakistan history of speech freedom has been shaped over time by the conflict between the country constitutional guarantees and the real-world realities of political power dynamics. A strong democratic culture that values free speech and dissent has often been hampered by the demands of state control and surveillance. Collaboratively addressing the institutional and legal obstacles impeding the realization of the constitutionally guaranteed principles of free expression is even more crucial in light of the ongoing conflict. Pakistan must maintain a careful balance between rights and governance as it negotiates its complex political environment as demonstrated by the historical evolution of freedom of speech. It is essential that these subjects be continuously discussed in order to foster a society where different points of view are heard as well as to defend citizens' civil liberties and strengthen democracy. (Khan S. , 2024)

#### "Navigating the Complex Landscape of Freedom of Speech in Pakistan"

The Struggle for Freedom of Speech in Pakistan," effectively contrasts the freedom of speech guaranteed by the constitution with the numerous social, political, and legal barriers that prevent its actualization. It draws attention to the discrepancy between people's theoretical rights and the limitations they actually experience in their daily lives. Each of the subtopics, which are arranged according to subject categories, sheds light on a

distinct facet of the obstacles to freedom of speech in Pakistan. These aspects include political instability, religious pressures, digital censorship, self-censorship, and legal restraints.

### **1: Political Instability, National Surveillance and freedom of Speech in Pakistan**

In Pakistan political unrest has an effect on the right to freedom of speech and makes it difficult for citizens to explicit themselves and disagrees. The country has an extended history of political unrest marked with the aid of military takeovers frequent modifications within the administration and persistent disputes between opposing political parties. with the intention to maintain order and safeguard its electricity the authorities feels obliged to display and regulate public discourse which frequently consequences in accelerated security features and an way of life of worry in this dynamic country wide surveillance is important. Virtual surveillance and on-line textual content censorship are simply two of the equipment the authorities make use of to maintain an eye fixed on communications. Citizens beings live with a consistent experience of being watched due to the fact legal guidelines just like the Prevention of electronic Crimes Act permit authorities to display on-line interest in addition to restricting freedom of speech this monitoring deters citizens from voicing viewpoints that is probably taken as dissident or important of the administration. Freedom of speech is stifled with the aid of the chilling effect of fearing punishment from the authorities be it within the shape of criminal movement harassment or social abandonment. Political unrest frequently results in a crackdown on dissenting evaluations in addition to country- subsidized surveillance. Governments which might be challenged on their legitimacy may additionally revert to censoring speech protecting their movements underneath the guise of maintaining public order or country wide protection. Competition politicians' activists and journalists are frequently the objectives of threats intimidation and in excessive situations physical violence because of their political opinions. Citizens are much more likely to self-censor in this antagonistic surroundings due to the fact they may be frightened of the repercussions of speaking out. This struggle between political authority and freedom of expression is contemplated in Pakistan media surroundings. An energetic press does exist however it frequently faces excessive pressure from both country and non- country actors. The authorities or robust interest organizations may additionally retaliate in opposition to media retailers that self-censor which could bring about a constrained representation of viewpoints in public discourse. Due to the fact they worry reprisals journalists may be reluctant to investigate sensitive subjects like corruption or violations of human rights. A complicated internet that essentially compromises Pakistan right to freedom of speech is created with the aid of the combination of political unrest and country wide surveillance with the intention to live to tell the tale in volatile political surroundings residents may additionally experience pressured to suppress their personal evaluations and comply with triumphing narratives. This impedes no longer most effective non-public expression however additionally the democratic technique itself considering the fact that unfastened speech and dissent are important for a functioning democracy. The absence of comfortable surroundings for discourse and confrontation significantly impairs the general public's capability to maintain authority's responsible thereby escalating cycles of instability and oppression. Political unrest governmental monitoring and unfastened speech all have a connection in Pakistan which in the long run emphasizes how urgently reforms that positioned civil liberties first are required. Destroying the structures that permit censorship and monitoring is important to fostering an open and democratic society in which citizens can freely voice their thoughts without worry. Then and most effective then will the promise of constitutional rights be fulfilled in practice developing an weather in which a ramification of voices make a contribution to the country wide communicate and the democratic material of the country. Notwithstanding considerable limitations introduced approximately with the aid of professional persecution and indistinct constitutional language, civil society and media play an important position in promoting unfastened speech in Pakistan. Human rights organizations, crime useful resource organizations, and independent journalists have continuously recommended for modifications to protect the proper to unfastened speech and save you the abuse of legal guidelines intended to stifle competition. The Pakistan Federal Union of journalists (PFUJ), as an instance, has antagonistic censorship and been outspoken in its advocacy of press freedom. Organizations which include the Human Rights commission of Pakistan (HRCP) continuously spotlight violations of the freedom of expression and recommend for modifications to legal guidelines and the criminal machine. The media has performed an considerable position in challenging restrictions imposed with the aid of the authorities, every now and then at extremely good institutional and man or woman danger in particular, investigative journalism has been suppressed with the assist of the authorities' stifling of conventional media and increasing electricity over internet structures. Country wide surveillance has additionally turned out to be a considerable device for restricting unfastened speech within the virtual age. The 2016 Prevention of electronic Crimes Act has given the authorities extensive powers to display and manipulate on-line textual content, and the Pakistan Telecommunication Authority (PTA) has the capability to block web sites and restriction get right of entry to information. This has impacted freedom of speech, in particular in sensitive social and political subjects. (Malik R. , 2024)

### **2: Religious Influences, Blasphemy Laws and freedom of speech**

There may be an considerable effect of religion on speech freedom due to the fact religion is deeply ingrained in Pakistan's sociopolitical structure. Sections 295 to 298 of the Pakistan Penal Code incorporate blasphemy legal

guidelines, which might be arguably the maximum considerable legislative restrictions at the right to freedom of speech. The reality that the ones legal guidelines impose excessive consequences— which includes the loss of life penalty for the ones discovered responsible of blasphemy— has garnered strong criticism from both domestic and international stakeholders. Blasphemy legal guidelines have traditionally been implemented arbitrarily, frequently encouraged with the aid of non-public grievances or a preference to suppress competition. Accusations of blasphemy may additionally bring about instantaneous and violent consequences, as mobs may additionally take the regulation into their personal fingers. Very advantageous activities which includes the almost ten- 12 months imprisonment on loss of life row of Asia Bibi, an Christian female accused of insulting the Prophet Muhammad, deliver attention to the dangers that citizens going through expenses out of doors of the regulation face of being accused of blasphemy, in particular on the subject of non-secular subjects, has made self-censorship not unusual. Many citizens keep away from speaking approximately non-secular problems in any manner, which includes within the media, which discourages dissent and discussion. This has considerable implications for the proper to freedom of speech. Non-secular norms exert a considerable have an effect on social and criminal requirements, in particular on freedom of expression. This is in particular authentic in Pakistan, in which Islam is both the professional country wide religion and an effective cultural pressure. The fusion of nonreligious beliefs with regulation enforcement and social norms has an effect on numerous aspects of public discourse, which includes freedom of speech. Sharia regulation is a part of Pakistan's criminal machine, in particular concerning blasphemy and different non- non secular offenses. It has an effect on how legal guidelines pertaining to freedom of expression are implemented and interpreted due to the fact textual content 2A of Pakistan's constitution acknowledges the supremacy of Islamic principles. Sharia regulation creates completely unique surroundings in which nonreligious beliefs may additionally have a considerable effect at the proper to unfastened speech considering the fact that its miles woven for the duration of the constitutional framework. A non secular political party which includes Jamaat-e-Islami and Jamiat Ulema-e-Islam has a considerable have an effect on legal guidelines surrounding unfastened speech and public opinion with the aid of pursuing regulations which might be consistent with their interpretation of Islamic values, the ones organizations have an effect on legal guidelines and practices associated with freedom of expression. The number one resources of information approximately blasphemy legal guidelines in Pakistan are Sections 295-B and 295-C of the Penal Code. Desecration of the Quran is forbidden with the aid of segment 295-B at the same time as disparaging comments approximately the Prophet Muhammad are protected with the aid of segment 295-C. For the ones crimes, there are fines and prison phrases, in addition to the capability for the loss of life penalty in excessive instances. Blasphemy legal guidelines have modified through the years, however the maximum considerable modifications took place for the duration of the Zia-ul-Haq generation within the Nineteen Eighties for the duration of the fashionable Zia-ul-Haq administration. The modifications took into consideration the regime's emphasis on Islamization through the implementation of greater excessive consequences and a ramification of the listing of crimes. Notwithstanding the calls for reform, no longer a great deal has modified in regard to the criminal recommendations considering the fact that then. it's miles properly-documented how blasphemy legal guidelines have an effect on society's freedom of expression in particular, they dissuade citizens from making comments that could be visible as demeaning to Islam. The criminal repercussions and social backlash is the purpose for self-censorship and constrained open discourse on non-secular subjects. Blasphemy legal guidelines have been frequently abused and misused, frequently getting used to target minority communities or as a method of resolving non-public disputes. The consequences of these legal guidelines are demonstrated with the aid of excessive-profile instances which includes the prosecution of Asia Bibi, a Christian female discovered responsible of blasphemy and sentenced to loss of life. International attention changed into interested in the Asia Bibi case, which additionally highlighted the dangers of blasphemy legal guidelines that censor unfastened speech. Salman Taseer, the governor of Punjab, changed into assassinated in 2011 with the assist of his non-public bodyguard, who claimed that Taseer's support for converting the blasphemy regulation amounted to blasphemy. The loss of life of Taseer and advantageous secular organizations' subsequent support of his killer spotlight the extreme ramifications of this undertaking. The Pakistan Penal Code, in particular Sections 295-B and 295-C, are intended to protect non secular sentiments. Whilst a person is discovered to have insulted religion, those legal guidelines stipulate excessive consequences, which could even consist of the loss of life penalty. Blasphemy legal guidelines, which may additionally exist notwithstanding the constitutional guarantee of unfastened speech, have been used to target political dissidents and adherents of minority religions. Empirical evidence, which includes the detention of Asia Bibi, demonstrates the misapplication of these legal guidelines to suppress competition and put into effect non-secular orthodoxy. (Shah, 2024) Whilst blasphemy legal guidelines are implemented in a manner that ignores the principles of due technique and a truthful trial, grave human rights violations arise. Ahmadis, a minority non-secular organization in Pakistan, face excessive limitations on their freedom of expression because of discriminatory legal guidelines. The constitution and later criminal recommendations, which restrict Ahmadis from brazenly pursuing or expressing their religion, are, used to categories them as non-Muslims. As a consequence, Ahmadis face numerous varieties of constitutional and social persecution, in addition to media

ensorship, violence, and restrictions on their non-secular freedom. As demonstrated with the aid of the distinction between the constitutional proper to freedom of expression and the actual state of affairs Ahmadis face, constitutional protections in opposition to institutionalized discrimination and societal prejudice are constrained. (Kamal, 2017)

### **3: Digital Censorship and freedom of speech**

Considering the fact that social media and the internet have been developed, citizens have had greater opportunities than ever to hook up with citizens around the sector and exercising their proper to unfastened speech. It has additionally brought about the emergence of latest problems, the maximum extremely good of which being virtual censorship and monitoring. The Pakistani authorities is depending an increasing number of on virtual structures to display and manipulate speech, and its miles the usage of both technological and unlawful strategies to suppress dissent. The Prevention of electronic Crimes Act is one considerable device the country makes use of for virtual censorship. As consistent with the regulations, the authorities possess extensive authority to restriction textual content, display individuals' on-line activities, and prosecute individuals for a ramification of non- particular offenses. Waging wars declare that percentage has been used to target political competitors, journalists, and activists with the intention to suppress important on-line comments. Authorities can have an effect on social media organizations as a part of their considerable manipulation of the internet. Twitter, Face e-book, and YouTube are underneath pressure from Pakistani authorities to do away with any offensive or potentially dangerous textual content. The wide variety of posts concerning debt and even complete structures has been eliminated, which has in addition decreased the distance without spending an unmarried cent on-line. Virtual censorship's consequences will get worse as a result of a country's capability for monitoring. The authorities at the moment are capable of music on-line interest; display social media money owed, and intercept emails all because of improvements in generation. Because of the tension that this considerable surveillance has created, citizens are becoming a great deal much less in all likelihood to explicit their evaluations on-line, in particular on the subject of sensitive political or non- non secular subjects. Pakistan's Prevention of electronic Crimes Act 2016 The statement consists of steps to combat cybercrime, however warring parties factor to its extensive and imprecise definitions of offenses like defamation and hate speech, which have the capability to censor unfastened speech. As an instance, the regulation offers authorities the electricity to censor or ban on-line texts which might be deemed dangerous and could be used to stifle important evaluations and political dissent. The responsibility for implementing and implementing regulations associated with virtual censorship lies with the Pakistan Telecommunication Authority (PTA). The authorities have the authority to restriction get right of entry to web sites, censor textual content, and maintain a watchful eye on internet site visitors. With the assist of the PTA's typically indistinct and imprecise recommendations for blocking off textual content textual content, the arbitrary nature of censorship is referred to as into doubt. Those techniques are utilized by Pakistani authorities to manipulate get right of entry to information. They may be primarily based on generation- primarily based censorship strategies. This involves the usage of computerized structures to become aware of and block textual content associated with sensitive subjects like politics, religion, and country wide protection for the duration of instances of political unrest, social media and internet site blocking off have turn out to be popular strategies. Censorship of web sites which includes Face e-book and YouTube is one extremely good instance. Country wide surveillance technologies permit the maintaining of a close watch on communications and on-line interest. This consists of accumulating information through social media web sites, emails, and different on-line communications. due to the fact monitoring equipment is used, citizens self-censor due to the fact they may be frightened of being accompanied or singled out for his or her on-line interest. Internet customers frequently self-censor due to the fact they worry the negative consequences of virtual censorship, which stifles on-line discussion. Citizens might not explicit their disagreements or have interaction in heated on-line discussions if doing so may want to have negative social or criminal repercussions. The diversity of evaluations is undermined, and unfastened speech is suppressed with the aid of this self-censorship. To restriction competition, organizations, movements, and quell political dissent, virtual censorship is typically used. Through controlling on-line structures, blocking off get right of entry to to important texts, and gaining manipulate over on-line discourse, the authorities can silence critics and restriction political activism. This stifling of political discourse influences residents' capability to have interaction in significant political discourse and demonstrate democratic citizenship. Information blackouts, which might be the temporary shutdown of web sites and social media structures for the duration of durations of political unrest or controversy, affect the availability of information. Apart from decreasing transparency and hindering knowledgeable public communicate, this additionally limits human being's get right of entry to information and information about considerable activities. On-line activism performs a first-rate position in catalyzing social and political alternate. Virtual censorship impedes activists' and civil society organizations' paintings with the aid of blocking off their on-line presence and verbal exchange channels. This disruption makes it greater difficult to organize support, increase consciousness, and strengthen opportunity perspectives. (Iqbal, 2024) Because of textual content that changed into deemed offensive to Muslims, YouTube changed into in brief blocked in Pakistan in 2008 and once more in 2012. The 2012 ban changed into in particular extremely well because of how lengthy it lasted and

the way difficult the authorities attempted to disclaim customers get right of entry to the platform. The boundaries imposed display how textual content textual content this is taken into consideration controversial may be constrained from the usage of virtual censorship to gaining access. (Hashim, 2017)

#### **4: Self-Censorship and freedom of speech**

A combination of country wide surveillance, social pressures, and criminal legal guidelines has resulted in excessive restrictions on Pakistan's freedom of expression. The phenomenon referred to as the chilling effect takes place whilst citizens determine no longer to exercising their rights due to the fact they may be frightened of capability consequences. This effect is in particular considerable in Pakistan, in which speaking up can deliver critical dangers which includes going through criminal movement, social disapproval, or maybe struggling physical damage. Self-censorship is an not unusual practice in Pakistan that influences no longer most effective ordinary citizens however additionally extraordinarily professional journalists and activists speaking approximately controversial subjects, both on-line and offline, scares many citizens faraway from doing so for worry of being accused of blasphemy, going through criminal consequences, and going through backlash from both country wide and non- country wide actors. This boundaries the variety of assessments and inhibits verbal exchange approximately considerable problems, which has unfavorable consequences on public discourse legal guidelines that criminalize speech or movements that may be interpreted as dissenting could have chilling consequences. The probability of going through prosecution and different criminal consequences will increase in situations in which the regulation is uncertain or extensively interpreted. As an instance, individuals who explicit important or controversial evaluations could be singled out with the aid of blasphemy legal guidelines, anti-terrorism legal guidelines, and defamation legal guidelines. Social pressures which includes intimidation, harassment, and exclusion additionally assist to promote self-censorship it's miles feasible that citizens might pick out to live some distance from political activism or sensitive subjects with the intention to keep away from struggle with friends or effective participants in their community. Citizens turn out to be nerve-racking and cautious approximately what they do on-line because of the usage of virtual monitoring, internet censorship, and surveillance. Individuals who are conscious that their on-line interactions are being monitored may additionally self-censor with the aid of warding off discussions approximately subjects that authorities may additionally discover disturbing. Self-censorship has an extensive variety of negative consequences on human non-public and public lives, affecting no longer simply the citizens concerned however additionally the bigger social surroundings. The principle consequences of self-censorship may be in addition explored in this segment. Self-censorship limits the visibility of opposing viewpoints within the media and suppresses them. whilst citizens keep away from discussing opposing or controversial factors of view, considerable viewpoints are disregarded of public discourse, which makes the discussion of considerable problems greater constrained and much less knowledgeable. Innovation and societal development may be hampered with the aid of repressing court cases and dissent. Accurate verbal exchange, the alternate of opposing perspectives, and the development of solutions to problems are all important for promoting reforms. Self-censorship undermines the ones strategies with the aid of deterring the exploration of latest thoughts and perspectives. Human freedom to explicit evaluations and have interaction in open discourse is important to a wholesome democracy. Democratic values are undermined with the aid of residents' capability to question authority and call for opportunity varieties of self-censorship, in addition to with the aid of an decline in political engagement. Civil society organizations and activists that support human rights and social justice are typically considerable. Their self-censorship contributes to the ones organizations' disability to uphold authorities, increase consciousness, and mobilize support. Journalists discover it challenging to practice self-censorship because of intimidation and threats of violence. Excessive-profile incidents just like the assassination of journalist Saleem Shahzad in 2011 serve as extremely good examples of the dangers confronted with the aid of journalists overlaying sensitive subjects. Many journalists worry violence and criminal consequences, in order that they self-censor and keep away from potentially dangerous subjects. The chilling effect on journalists additionally influences the quantity and high-quality of investigative reporting. Considerable problems continue to be unreported, the general public is stored within the darkish approximately considerable problems affecting their lives, and journalists are discouraged from searching out sensitive testimony students and college students in Pakistan ought to additionally exercising self-censorship because of political and non- non secular sensitivities. Researchers that address divisive subjects like political corruption or non- non secular fanaticism may additionally face social rejection or instructional pressure from establishments or maybe criminal interest. As an end result, surroundings are created that limits and suppresses considerable research on education. In Pakistan, virtual censorship and surveillance have a deterrent effect on on-line activists and customers of social media. (Mahesar, 2017)

#### **5: Legal factors and freedom of speech**

Freedom of speech is significantly impacted with the aid of a number of criminal considerations in Pakistan which makes the surroundings for freedom of speech complicated and frequently constrictive. Blasphemy legal guidelines within the international are a number of the strictest within the international and constitute one of the maximum important criminal restrictions. Any offense in opposition to Islam is punishable underneath those



legal guidelines with excessive consequences which include lifestyles in prison or maybe the loss of life penalty. Such excessive consequences efficaciously prevents citizens from having an open verbal exchange approximately non secular problems forcing them to self-censor with the intention to minimize the possibility of being accused of blasphemy. Consequences have a frightening effect on unfastened speech in particular on the subject of non secular discourse. Furthermore the freedom of speech is guaranteed with the aid of paragraph 19 of the Pakistani constitution despite the fact that there are a number of restrictions which could compromise this proper. Primarily based on requirements just like the glory of Islam public order decency or morality the article lets in limitations. Authorities can interpret those phrases extensively due to the fact they may be frequently ambiguously described. Consequently there may be considerable variation in what constitutes appropriate speech and people may be reluctant to voice their thoughts for worry of stepping over an ambiguous boundary. The surroundings surrounding unfastened expression is made greater difficult with the aid of the 2016 passage of the Prevention of electronic Crimes Act in particular within the virtual sphere. On-line expression this is deemed offensive or an danger to country wide protection is unlawful underneath the percent. This regulation creates an surroundings in which citizens may be reluctant to speak about sensitive subjects on social media or different on-line structures for worry of going through criminal ramifications. It additionally offers authorities the authority to display residents' virtual activities and display on-line textual content. Another most important danger to Pakistani freedom of speech is contempt of court docket legal guidelines. Those legal guidelines forbid criticizing the judiciary and any comments deemed to undermine the legitimacy of the criminal machine may additionally bring about criminal prosecution. The distance without spending a dime speech and dissent is in addition constrained with the aid of this criminal framework which discourages public discussion and examination of court decision remaining however no longer least a first-rate component in speech restrictions is the Anti-Terrorism Act. Despite the fact that this regulation makes it unlawful to mention something that could incite hatred or terrorism it's miles typically abused to target authorities critics or political dissenters. The legal guidelines expansive interpretation makes it feasible for it to be implemented arbitrarily which means that it is able to be used as a weapon to silence political warring parties. All of these criminal considerations combined positioned Pakistan freedom of speech in jeopardy. Notwithstanding the lifestyles of constitutional guarantees a ramification of legal guidelines that may be implemented selectively shape reality developing restrictive surroundings in which citizens frequently experience pressured to self-censor their evaluations. (Zaman, 2017)

#### **4. The Discrepancy between Constitutional Rights and Practical Realities**

The right to freedom of speech and expression is expressly guaranteed with the aid of article 19 of the constitution however it is also difficult to a number of limitations that make it difficult to exercising. Authorities frequently invoke the provisions that permit limitations primarily based on morality public order and country wide protection leaving citizens uncertain of the boundaries of what constitutes appropriate speech. Due to the fact those limitations are indistinct citizens have a tendency to self-censor despite the fact that the regulation typically supports the proper to freedom of speech. Expressions that could be interpreted as hurtful or menacing are punishable underneath a number of legal guidelines which includes the Prevention of electronic Crimes Act and blasphemy legal guidelines. Those legal guidelines have a alarming effect in particular in sensitive domain names like politics and religion. People are frightened of going through criminal consequences in order that they keep away from expressing their confrontation or having candid conversations. This reduces the quantity of space to be had for constructive confrontation and public communicate. as a consequence the criminal machine turns the constitutional proper right into a brittle privilege this is most effective to be had to individuals who are organized to anticipate the associated dangers. Furthermore it frequently appears as even though those legal guidelines are arbitrarily and selectively enforced. The separation between the constitutional guarantee of freedom and the actual experiences of residents is in addition highlighted whilst authorities determine to target particular citizens or organizations. Perspectives that defy professional narratives or electricity structures have brought about harassment intimidation and criminal movement in opposition to journalists' activists and even ordinary residents. This weather of worry erodes the media watchdog characteristic and stifles dissenting evaluations on subjects of coverage governance and society. Furthermore how freedom of speech without a doubt capabilities in Pakistan is significantly encouraged with the aid of the social context. As citizens negotiate the expectancies in their communities in addition to criminal restrictions cultural norms and values may additionally impose in addition restrictions on expression. Social pressures frequently save you citizens from speaking out on contentious subjects which serve to in addition perpetuate a way of life of silence. The mismatch between the rights enshrined within the constitution and the actual state of affairs poses a critical danger to Pakistan democratic and civil liberties movements. Despite the fact that the proper to unfastened speech is guaranteed with the aid of the constitution residents ought to triumph over social and criminal limitations to apply this proper which exposes a complicated internet of worry electricity and self-censorship. Because of this the complete consciousness of the proper to unfastened speech continues to be an elusive intention constrained with the aid of a criminal machine this is at odds with the democratic values mentioned within the constitution. To strengthen the foundations of Pakistani democracy and create

surroundings in which citizens can freely express their evaluations without worry of retaliation it's miles imperative that this disparity be addressed. The constitution facilitates to make certain the proper to freedom of speech, however in reality; Pakistan offers a completely particular photograph. Collectively with social and non-secular pressures, the country's use of constitutional equipment has helped to create a context in which freedom of speech is significantly constrained. The struggle between the rights protected with the aid of the constitution and the actual experiences of Pakistani residents highlights how challenging it's miles to protect the proper to freedom of speech in an complicated and frequently antagonistic surroundings. The constitutional framework has been used to suppress dissent and silence competition even though it appears to protect public order and country wide protection for the reason that paragraph 19 restrictions are written in a manner that lets in for a ramification of interpretations, repression and censorship are frequently justified the usage of them. Consequently, the very mechanisms installed location to protect the constitutional guarantee of unfastened speech is currently weakening it. Furthermore, undermining the distance for freedom of speech altered Pakistan's socio-political context, which is distinguished with the aid of non-secular conservatism, political instability, and country-manipulation. The convergence of these elements makes it challenging for citizens to exercising their proper to freedom of speech due to the fact they ought to cope with a complicated internet of criminal, social, and technical constraints.

## 5. Conclusion

Pakistan's struggle to uphold freedom of speech without explicitly stating it serves as a metaphor for the broader challenges countries face in balancing social realities with constitutional rights. Although the right to freedom of speech is guaranteed by the constitution its practice is vulnerable in Pakistan by real restrictions imposed by the nation non-religious organizations and social norms. We should take proactive measures to address the legal social and technological barriers that impede freedom of speech in Pakistan. This could call for more than just changes to the law it might also call for a more accepting and inclusive cultural movement. Understanding that upholding the right to freedom of speech is crucial to the health of any democracy civil society the media and the international community should all contribute to the effort to enact those reforms. In conclusion Pakistan continues its fight for speech freedom and the road ahead is full of challenging circumstances. However by understanding the complex dynamics and putting significant changes in place it is still possible to create a more open and inclusive society where people can exercise their right to freedom of speech without fear of reprisals. Despite the strong foundation the 1973 Constitution provided there may be a significant gap between people's actual experiences and the constitutional guarantees of the document which established the right to freedom of speech under article 19. The right to freedom of speech is often violated by institutional discrimination and arbitrary enforcement of laws. Blasphemy and defamation laws among other laws meant to control speech are commonly used to target critics and dissidents which have the distressing effect on freedom of speech. There are larger issues with institutional inadequacy and social pressure that are reflected in this disparity between the regulation and its actual application. The nations monitoring and political unrest contribute to the repression of freedom of speech. Restrictive laws and the widespread use of surveillance technologies combine to create a climate of fear leading people and the media to self-censor in an attempt to avoid being retaliated against. The fallout from political unrest which includes a rise in authoritarianism and a deterioration of democratic norms contributes to those challenges. The impact of laws prohibiting blasphemy and non-secular beliefs on the right to freedom of speech in Pakistan is significant. In addition to restricting non-secular expression those broad and frequently arbitrary legal guidelines also limit social and political observation. The well-publicized cases of violence and persecution serve as evidence that those laws are used to suppress dissent and enforce conformity. The growing prevalence of virtual censorship and surveillance in the online space presents new challenges to exercising freedom of speech. It's a form of self-censorship. Self-censorship is commonplace because people are afraid of being found out or singled out for their online behavior. With the help of this virtual suppression people's ability to engage in open communication and grasp multiple viewpoints is limited. Civil society organizations play a significant role in promoting human rights and maintaining the space between the text and the intent of laws. Public outreach criminal assistance and lobbying are critical in addressing oppressive practices and bolstering reforms. International pressure which includes inducements in the form of money and diplomacy may be beneficial to domestic politics and enhance the defense of human rights. To resolve the conflict between constitutional rights and everyday reality comprehensive reforms are essential. This entails defining and limiting the application of restrictive legal guidelines promoting accountability and transparency in the enforcement of regulations and creating specific constitutional protections for the right to freedom of speech. The judicial and regulatory systems independence and impartiality must be bolstered in order for constitutional guarantees to be implemented successfully. The main goals of reforms should be to lessen discrimination and ensure that the law is applied consistently and simply. Financial resources capacity building and assurances are necessary for civil society organizations to continue their advocacy and work. Civil society participants' performance can be enhanced by providing a welcoming and encouraging environment. It's critical to keep up the pressure on various nations to uphold freedom of speech and human rights. Diplomatic efforts financial

incentives and international advocacy can all be highly effective in addressing human rights violations and bolstering reforms. It takes societal changes to establish a way of life that values and promotes unrestricted speech. Education awareness campaigns and verbal exchanges can help create a more welcoming and tolerant environment in addition to decreasing the effects of censorship and self-censorship. The struggle for Pakistan's right to freedom of speech highlights a significant gap between the constitution's ideals and everyday life. The 1973 Constitution protects the right to freedom of expression but this protection is weakened by a number of factors such as political unpredictability, constitutional ambiguity, non-secular influences, and virtual repression. Both external pressure and civil society play a significant role in addressing these issues and promoting the more effective implementation of human rights. The closing of the gap between constitutional guarantees and practical reality requires institutional support for civil society, social alternatives, and criminal modifications. In order to ensure that freedom of speech is truly realized in practice, it requires constant efforts and cooperation between unique stakeholders to ensure that people can freely express their opinions and take part in open discourse without fear of reprisal.

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