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Reimagining Resistance: The Hudood Ordinance Through the Lens of A Case Of Exploding Mangoes

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ABSTRACT

Literature has long served as a powerful tool of resistance against oppressive legal structures, exposing the inherent contradictions and injustices within the legal system. This research paper examines Mohammad Hanif's novel A Case Of Exploding Mangoes through the lens of Critical Legal Studies (CLS) to highlight how the novel serves as a critique against the Hudood Ordinance, 1979. By employing qualitative content analysis, the study highlights how Hanif's satirical narrative deconstructs the legitimacy of laws - such as Hudood Ordinance – that reinforce state power and silence dissent. The novel's portrayal of legal absurdity in Hudood Ordinance sheds light on the complicity of Hudood Ordinance in order to maintain the status quo. Through a close reading of A Case Of Exploding Mangoes, this research paper postulate that literature can challenge hegemonic discourses by reimagining resistance and exposing oppressive legislation. The analysis allude to the notion how fictional narratives not only reflect socio-legal realities but also offer substitute spaces for critique and resistance. By foregrounding the nexus of law, power, and narrative, this research paper highlights the role of literary discourse in contesting legal authoritarianism and a call for justice.

INTRODUCTION

According to (McCormack) , oppressive regimes often ignore the possibility of their own destruction. The disrespect for individual freedoms often come at the cost of violating the very essence of rule of law. Oppression in a society is not only harmful for the society, but it erodes the social fabric too. Moreover, oppression can lead to collapse of basic contours of a society. Laws serve as a construct in a society's framework, specifically when it comes to the allocation of opportunities. Unfortunately, there is a way for certain laws to become tools of oppression, and if this occurs, it affects bigger communities and social systems profoundly. Systematic discrimination entails an oppression which consistently violate aspects of identity.

Moreover, such laws deepen the already existing prejudice in society and at the same time create even more rift in society, thereby generating a culture of fear and inequality. (McKoy) Oppressive legislation consist of laws and policies that restrict individual freedoms, perpetuate inequitable distribution of resources, create marginalization and jeopardize danger to societal well-being. Such legislation – premised upon the notion of power and privilege – reinforce systematic oppression by heralding discriminatory ideologies. These ideologies seep into different organs of a state, followed by its presence in the societal structure. Legislative institutionalization not only limits the opportunities for marginalized groups but also lead to social otherization. This otherization leads to one group domination over another group at the cost of compromising individual liberty and freedom. (Project) Since time immemorial, the intersection between society and law has remained a point of interest, especially in comprehending how laws discriminate and subjugate people and societies. With the passage of time, the control wielded by the government and ruling powers via the application of legal systems to implement control and discriminate as well as silence opposition tends to be a common phenomenon. This process has emerged as a common thread in legal history, promoting critical discussion about justice, equity, and the pursuit of societal balance. It also leads to the dichotomy of law as an instrument of order and a tool of oppression. Such legislation is not only a plausible denial of fundamental human rights but also an attempt to institutionalize discrimination and social injustice while simultaneously restricting cultural rights. The repressive nature of laws often stem from their discrimination against certain disadvantaged groups and restrict human rights. The impact of such laws goes beyond the legal dimension and affects the social life as well as collective consciousness of people. (Wesson) The Hudood Ordinance, which was enforced in the year 1979, was an integral part of the broader Hudood Laws and a part of General Zia's Islamization. The ordinance was enforced to deal with crimes of diverse nature. These crimes include capital offences such as theft, adultery, rape, and the consumption of alcohol. The primary aim of enforcing this ordinance was to align the legal framework of Pakistan more closely with Islamic injunctions and dogmas. It was premised upon the notion that laws must reflect the tenets of Shariah Law – a primary component of Islamic Jurisprudence. One of the most significant, controversial and contentious aspects of Hudood Ordinance was its approach to cases involving rape. Within this ordinance, the onus of proof was placed upon the victim, which created hurdles for the prosecution. This specific requirement entailed that a rape victim was supposed to present four witnesses in court of law to prove that she had been violated. In addition to it, the ordinance created concerns among the masses. Specifically, those women who were facing the allegation of adultery had to suffer at the hand of oppressive nature of Zina Ordinance. (Zahid) In the realm of Pakistan fiction in English, a significant trend emerged whereby authors crafted characters which were in a constant struggle against oppressive regimes. These characters not only contained a revolutionary zeal but also actively challenged the entrenched hegemonic structures that pursue power and control over the masses. Through their narratives, these writers provided a platform for compelling arguments of the societal injustices that exist within their contexts. Moreover, these literary works advocate for a profound commitment to social, economic, and political injustice. By highlighting the personal battles of their characters, these authors – including but not limited to Mohammad Hanif, Mohsin Hamid, Bapsi Sidhwa – illuminate broader systemic issues. It foments a discourse on the significance of resistance in contemporary society. (Yaqoob) Muhammad Hanif provided a thorough critique of the societal norms and cultural practices that highlight these laws, thereby fomenting a discourse on how social institutions concentrate power and privilege. He examined how these institutions perpetuated certain beliefs and values that contributed to the systematic inequality. Furthermore, Hanif's narrative challenges the need of questioning established norms which will ensure a just

society. These critical intersections created a deeper understanding of the ways in which institutional power can shape individual experiences and social expectations. *A Case Of Exploding Mangoes* is a nuanced exploration of how legalese becomes a tool of legal subjugation. (Altaf)

RESEARCH OBJECTIVES:

1. To examine how *A Case of Exploding Mangoes* satirizes the Hudood Ordinance as a means of authoritarian control.
2. To explore how the novel uses literature as a form of resistance against oppressive legal and political systems.

RESEARCH QUESTIONS:

1. How does *A Case of Exploding Mangoes* satirize the Hudood Ordinance as a tool of authoritarian control?
2. In what ways does the novel present literature as resistance to oppressive law?

LITERATURE REVIEW:

Literature has long served as a powerful and transformative force of resistance against oppressive legislation and societal injustices that threaten the very fabric of human dignity. Through a variety of literary forms, authors have taken bold stances against unjust systems, exposing both subtle and benign human rights violations. The authors like Faiz Ahmed Faiz and Manto have inspired movements which advocate social change and equity. The written word of literature has the power to challenge the control exerted by oppressive governments and regimes. (Why Literature Still Matters in the Fight for Human Rights). In addition to it, Barbara Harlow is frequently recognized for his significant contribution to the field of literature, specifically for resistance literature. This term is crucial as it implies the vital role that such literature plays in confronting and challenging oppressive systems that seek to alienate the masses and silence dissent. By highlighting this role, Harlow has brought attention of the importance of literary works that serve as a clarion call against injustice, inequality, and authoritarianism. These texts not only reflect the struggles of individuals and communities but also encourage readers to engage critically with sociopolitical issues, fostering a deeper understanding of the forces that sustain oppression and the resilience of those who resist it. (Muhammad Sadiq) Historically, writers have played a crucial role in challenging tyranny and injustice by availing the power of expression and literary works. Through their narratives, they have highlighted societal issues and exposed the darker aspects of human nature. A prime example of this process can be found in Euripides play, *Women of Troy*. The play critiques the horrors of war and the oppressive realities faced by those who were a victim of the conflict. The play's portrayal of suffering and hopelessness not only resonates with audiences across generations but also sparked significant controversy, leading to its censorship in certain contexts due to its provocative themes and commentary. This highlights the impact of literature on social discourse and the ways in which writers have historically used their craft to challenge regimes and created a voice for justice. (Abdul Raziq), Accordingly, (Areej) states that Pakistan literature has long served as a significant and powerful form of resistance against various oppressive legislative measures, evolving from its roots in the post-colonial struggle to address a range of issues. These issues revolve around identity, social injustice, and human rights. Literature has provided a platform for challenging and questioning colonial legacies, while also shedding light on gender inequality, political chaos and societal problems. Hanif's works frequently address the widespread oppression of women in society. He intricately portrays the severe and unjust treatment of women under Zia's oppressive regime. This is illustrated through the character of Blind Zainab, who becomes a victim of the patriarchal interpretations of Islamic law and Zina Ordinance. Through Zainab's experiences, Hanif sheds light on the broader implications of

such laws and the inequities that result from them. By inculcating these themes into his narrative, Hanif not only criticized the socio-political landscape of his time but also created a discourse on challenges faced by women in contexts of oppression. (Sancheti) Hanif's fiction serve not only as a form of storytelling but also as a critical examination of the lasting effects of colonialism that continue to shape the practices of authoritarian regimes. In his notable work, *A Case of Exploding Mangoes*, he skillfully illustrates the ways in which Zia's rule in Pakistan mirrored the oppressive practices aligned with colonial governance. Through a nuanced narrative, he highlights how Zia's administration systematically subjugated the asses by employing means of consolidating power. This portrayal not only critiques Zia's regime, but also raises the nexus between colonial practices and political structures. (Arafat) "A Case of Exploding Mangoes", as put forward by (Hassan) , explores the intricate mélange of legislation and literary resistance. This novel employs the character of Blind Zainab, who tragically finds herself as a victim of a violent rape. Instead of receiving the support and justice she rightfully deserves, she is convicted of fornication. Consequently, she faces a horrific death sentence by stoning, enforced by Hudood laws. This narrative serves to illustrate how these legal frameworks not only fail to protect vulnerable women, but exacerbate their suffering and transform them into further victims. Such a portrayal highlights the critical need for re-evaluation of laws that perpetuate injustice and violence against women, shining a spotlight on the systemic issues and occurrence in society. The above discussion sheds light on the primary fact that Hudood Ordinance (primarily Zina Ordinance) was an oppressive law which was institutionalized to suppress individual liberties. It followed the unjust ramifications, primarily for women in Pakistan. In addition to it, literature serves as a powerful force against oppressive legislation and informs the citizenry about the perils of legislation which is aimed at destroying the edifice of human rights. Muhammad Hanif's fiction explores the notion how literature can develop a coherent understanding about oppressive legislation. *A Case of Exploding Mangoes* is a literary critique which serves as a tool for resistance and a precursor to anti-oppressive laws like Hudood Ordinance, 1979.

THEORETICAL FRAMEWORK:

This research paper will employ Critical Legal Studies (CLS) as theoretical framework. According to (Sciaraffa), Critical legal studies assumes that law is a principle organ in society. It adopts the stance that law is innately biased. Proponents of CLS assume that the legal system reflects the interest of rule-makers. CLS examines how historically privileged are preferred over historically excluded. Powerful individuals and regimes utilize the law as an instrument of oppression in maintaining their place in the hierarchy of society. The process of judicial decision-making is not neutral but a form of discourse which is politicized. More precisely, the proponents argue that the ideology of legal neutrality is based on unrepresentative forces, thereby benefiting the powerful against the weaker segments of society. This study takes CLS as its theoretical framework to analyze the relationship between law and power in *A Case of Exploding Mangoes* and Hudood Ordinance 1979. CLS resists the presumption that law is neutral or autonomous. On the contrary, it maintains that law is firmly embedded in social, political, and economic power relations and tend to reflect the interests of powerful groups. By using CLS, this research paper examines how Hanif's novel critiques legal authoritarianism and unravels the contradictions in laws such as Hudood Ordinance. The novel is a deconstruction of the manner in which legal discourse is used to perpetuate political control.

DISCUSSION/ANALYSIS

The Hudood Ordinance is a crucial part of legislation imitated under Zia's regime. It was premised upon bringing the legal system closer to Islamic mores and beliefs. The ordinance was enacted to bring religious values into the legal system, thereby reflecting the norms of

society it was intended to tame. With the enactment of Hudood Ordinance, the tenets of Shariah law were aimed to reflect in the justice system. In line with CLS, the notion that the legal systems are not neutral actors only but can transition into tools of maintaining the status quo and power relationships. Hanif's novel *A Case of Exploding Mangoes* affirms this fact by highlighting how Hudood Ordinance became a mode of oppression, specifically for women in Pakistan. In addition to it, it promoted political convenience and patriarchal control over women's autonomy by introducing rigid interpretation of law. The persona of General Zia is presented as a demagogue who uses laws to reinforce his power and promote selective interpretations of laws. The novel is a critique on how state maintains its control and authority over the masses. The novel exposes the indiscriminate application of Hudood Ordinance. The character of Blind Zainab highlights the oppressive legislation and its ramifications over the doubly-marginalized members of Pakistani community. Hudood Ordinance placed the onus of proof on women in rape cases which was beyond comprehension. The absurd nature of legal system was observed when a woman's testimony was considered unacceptable if a male witness was not present in the proceedings, thereby perpetuating gender bias in the law. The novel's documentation of legal fallacies lends credence to CLS that law does not exist independently but is actually constituted by socio-political agendas.

Law is a device for the powerful as Hanif's novel mentions. The novel propagates the idea that the weaker segment of the society were targeted whereas the powerful were set free via Hudood Ordinance. The novel illustrates various instances where the law is used as a means of oppressive ends. The treatment of female characters is a manifestation of how female rape victims were imprisoned whereas the perpetrators were given the ticket to freedom. Zia's regime not only instituted injustice but promoted inequitable implementation of power too. The Blind Zainab case in the novel sheds light on how the characters – like people in Zia's time – interacted with the legal system. In addition to it, Hanif's narrative calls attention to the fact that law can degenerate into a mechanism of oppression, rather than becoming a shield of protecting individual liberties and rights. Through its story, the novel brings into focus the urgent necessity of introspecting the effects of Hudood Ordinance.

A Case of Exploding Mangoes is a condemnation of political and legal despotism. However, it also alarms us to the resistance both inside and outside legal system. The characters in the novel engage in a sequence of acts of subversion, ranging from satire to revolt, thus questioning the legitimacy of Zia's rule and the legal system he wished to maintain. The disobedience of oppressive law becomes a hallmark of legal discourse, as exemplified by the characters. Through the novel, Hanif presented a counter-discourse to Hudood Ordinance and enlightened the readers and masses about the inconsistencies of the legal system. The character of Ali Shigri highlights the resistance against oppressive system. His frustration against state narratives become a highlight of the novel. It was an undeniable reality that Hudood Ordinance was a consolidation of Zia's power. In order to cement his power-hold, General Zia introduced several oppressive laws to regulate the masses and maintain his power over people. This confirms the fact that law by necessity is interconnected with politics, which only consolidate political power. By highlighting the legal Absurdism as Hudood Ordinance promoted, Muhammad Hanif exemplified how Hudood Ordinance was a theatrical display of Zia's oppressive regime. Hudood ordinance – which was a project of bringing the laws into the ambit of Islam – became a tool of oppression. The novel's narrative critiques the oppressive effects of Hudood Ordinance and becomes a resisting force. The characters in the novel symbolically become a force of resistance. *A Case of Exploding Mangoes* is not only a fictional prose about Zia's regime. It not only recounts the horrors of his rule; it also sheds light on the resistance force created by the characters. All those individuals who were silenced, Hanif's prose made them a voice for the voiceless. This

affirms the notion that literature plays a fundamental role against oppressive legislation. Hanif's prose affirms the notion that writers adore stories, but they are also interested in silences. Anyone whose story has been erased, pushed to the margins and forgotten, anyone who has been made to feel like the other, the hearts and pens of the writers move in their direction. Literature brings the periphery to the centre and rehumanizes those who have been dehumanized, as stated by Turkish writer Elif Shafak. Hanif's novel converted the silenced victims of Hudood Ordinance into a protestor of draconian legislation of Zia's regime. The paradox of Hudood Ordinance (Zina Ordinance) lied in the fact that instead of easing the dispensation of justice, it made the process of justice more troublesome for women in Pakistan. It is with the power of pen and words that Muhammad Hanif has challenged the mass injustice against women and brought to the shore an epiphany – an epiphany that Hudood Ordinance is anything but a tool of convenience for women.

CONCLUSION

To conclude, this research paper examines the intricate nexus of law, resistance and literature. It highlights how Hanif's novel *A Case of Exploding Mangoes* serves as a critique against authoritative regime of Zia and Hudood Ordinance, 1979. Through his prose, the writer has challenged the legitimacy of laws and its impact of socially marginalized community in Pakistan – the women. Hudood Ordinance was not only a legal code; it was also a means of ideological control. Literature is a site of resistance, a site that brings out the contradictions of the legal order – where so-called laws that pretend to rule by moral ethos translate into tools of coercion and injustice. Furthermore, literature is a significant space for resistance. The novel under discussion highlights the vagueness of legal orders, as legislated in Zia's regime. This paper examines how narratives and characters like Ali Shigri and Blind Zainab critique, subvert and comment on the failure of a legal system which is more focused on power rather than justice and equity. *A Case Of Exploding Mangoes* puts forward the notion that literature has the ability to question the moral aspects of legal frameworks, thereby provoking readers to think critically about the essence of law and its implication for society. Hanif's novel defies the essence of legal discourse by exposing the political agenda of Hudood Ordinance, 1979. Fiction serves as a powerful tool and a counter-narrative against oppressive legislation. Laws, separated from the principles of justice, become instruments of oppression. It is the ability of literature to question, critique and eventually resist these laws. The novel becomes a literary court in which Hudood Ordinance is examined, criticized and thus sentenced. Literature is the antidote to numbness. Writers cannot stop oppressive legislation, nor disappear dictators. Dictators, who are obsessed with control and power, cannot be stopped by the power of pen. However, writers can keep the flame of peace and empathy alive. Literature's power is that it reminds us of what we are capable of, not only destruction and division, but also solidarity, resistance and force.

In the words of Habib Jalib (Habib Jalib's dastoor: *Main nahin manta*), the acclaimed poet and a symbol of resistance in Pakistan:

**The light which shines only in palaces
Burns up the joy of the people in the shadows
Derives its strength from others' weakness
That kind of system,
like dawn without light
I refuse to acknowledge,
I refuse to accept
I am not afraid of execution,
Tell the world that I am the martyr
How can you frighten me with prison walls?**

**This overhanging doom,
 this night of ignorance,
 I refuse to acknowledge,
 I refuse to accept
 “Flowers are budding on branches”, that’s what you say,
 “Every cup overflows”, that’s what you say,
 “Wounds are healing themselves”, that’s what you say,
 These bare-faces lies,
 this insult to the intelligence,
 I refuse to acknowledge,
 I refuse to accept
 For centuries you have all stolen our peace of mind
 But your power over us is coming to an end
 Why do you pretend you can cure pain?
 Even if some claim that you’ve healed them,
 I refuse to acknowledge,
 I refuse to accept.**

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