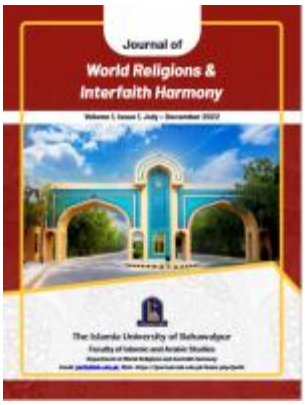


Journal of World Religions and Interfaith
ISSN Print: 2958-9932
ISSN Online: 2958-9940
Journal homepage: https://journals.iub.edu.pk/index.php/jwrih
Issue: https://journals.iub.edu.pk/index.php/jwrih/issue/view/118
Link: https://journals.iub.edu.pk/index.php/jwrih/article/view/1733

Publisher: Department of World Religions and Interfaith Harmony, the Islamia University of Bahawalpur, Pakistan

Title Academic Research on Non- Muslim Religious Minorities: Content analysis of the Research papers from a Pakistani Perspective

Author (s): Riaz Ahmad Saeed
Irfan Saghir
Waqar Ahmad
Department of Islamic Thought and Culture, National University of Modern Languages, Islamabad

Received on: 08 December, 2022
Accepted on: 01 January, 2023
Published on: 20 February, 2023
Citation: Saeed, Riaz Ahmad, Irfan Saghir, Waqar Ahmad "Academic Research on Non- Muslim Religious Minorities: Content analysis of the Research papers from a Pakistani Perspective," *Journal of World Religions and Interfaith Harmony* 2 no. 1 (2023): 120-149.
Publisher: The Islamia University of Bahawalpur, Pakistan

Journal of World Religions and Interfaith Harmony by the Department of World Religions and Interfaith Harmony is licensed under a Creative Commons Attribution 4.0 International License.

Academic Research on Non- Muslim Religious Minorities: Content analysis of the Research papers from a Pakistani Perspective

Riaz Ahmad Saeed
Irfan Saghir
Waqar Ahmad
Department of Islamic Thought and Culture, National University of Modern Languages, Islamabad, Pakistan
Email: drriazsaeed@gmail.com

Abstract

This study aims to examine research papers on religious minorities to determine their issues, rights, and privileges in Pakistan. In a civilized society, everyone has basic rights regardless of race, color, or religion. Everyone has cultural, political, religious, and constitutional freedom in a peaceful society. In general, it is perceived that, in Pakistan, followers of other religions than Islam are not given their essential rights, especially regarding their religious rights. To secure minority participation in decision-making, they may reserve seats in administration and parliament, organize national and local minority consultative organizations, and provide cultural or territorial autonomy. In the context of Pakistan, the school curriculum and state policies are viewed as the primary causes of prejudice against minorities. However, numerous other elements may contribute to the establishment of attitudes about them. Therefore, in order to reveal and appropriately address the issue, this study will use qualitative research methodology with an analytical research approach. Rights, issues, and problems of minorities have been a matter of concern to various scholars, states, and societies throughout history and in the contemporary era too. The study suggests that there should be made awareness at the grassroots level and the removal of obstacles to the greater good of humanity.

Keywords: Religious Minorities, Academic Research, Content analysis, Pakistani context.

Introduction

The symbol of any just, stable, progressive, and peaceful society is that every citizen of the state and member of the society found in it is given rights regardless of race, color, religion, and belief. No person should think that because of his race or religion, he will not be given due rights. He believes that the life and property, honor and dignity of every member of his family, including him, and even their religious beliefs will be given as much importance as the powerful people found in this society. That is, a peaceful and successful society is one in which every individual has full cultural, religious, social, political, administrative, and constitutional rights.

The global population is full of religious and ethnic minorities. However, there are two religions that have the most followers in the world. In the contemporary globe, Christianity has the largest number of followers (2.4 billion). After Christianity, Islam has the most followers with a number of 1.9 billion which stands second largest population of the religion in the list.[1] In America and Europe, Christianity is the common religion among believers while in South Asia the most populated religion among believers is Islam. While, In Pakistan, 97 % of the believers are Muslims and the remaining 03% are believers of Christianity, Hindus, Bohra, Sikhs, and Qadiani Communities[2].

This status shows that the picture has become diverse and multicultural all over the world. Although there is no agreed-upon definition of a minority in the world yet UNO tries to define it as:

> "The existence of a minority is a question of fact and carries both objective factors (such as the existence of a shared ethnicity, language or religion) and subjective factors (including that individuals must identify themselves as belonging to a national or ethnic, religious or linguistic minority group)".[3]

Likewise, in the countries of the world, the status of minority has been given as non-Muslims in the constitution of Pakistan, to solve their issues and give them equal rights.

What guidance does Islam have regarding minorities? What is there about minorities in the Pakistani constitution and manifestos of political parties? A lot has been written and read about it, but there is still much to be done in its practical

---

[1] https://www.pewresearch.org/fact-tank/2017/04/05/christians-remain-worlds-largest-religious-group-but-they-are-declining-in-europe/, accessed on 5-1-23.

[2] PIPS, *Minority Rights in Pakistan: Historic Neglect or State Complicity?* (Islamabad: Pak Institute for Peace Studies, 2014): 1-37.

[3] https://www.un.org/en/fight-racism/vulnerable-groups/minorities, accessed on 7-1-23.

form, This study is a humble effort to evaluate different research appears which has been written in different research journals, such as articles on inter-religious harmony, rights, and privileges of minorities, problems of minorities and challenges, Religious literature and ideas and miscellaneous essays are reviewed. This study reviewed two kinds of papers: one written by Pakistani researchers and scholars for national and international journals and the second that are produced by foreign scholars in the Pakistani context.

Research Methodology

This study evaluates Pakistani minority rights and privileges and our area of interest in this topic is to elaborate further on changing approaches towards using religious research articles. The major research methodology of the paper is content analysis with a qualitative approach. Normally, content analysis is defined as, "Content analysis is a research tool used to determine the presence of certain words, themes, or concepts within some given qualitative data. Using content analysis, researchers can quantify and analyze the presence, meanings, and relationships of such certain words, themes, or concepts. As an example, researchers can evaluate language used within a news article (research papers too) to search for bias or partiality."[4]

The desired data is collected from different journal websites, and research indexing databases, for example, Web of Science[5] , Scopus[6], Asian Research Index[7], Islamic Research index[8] , etc. After organizing and compilation of the data it will be brought into documents, moreover, the issues that are discussed in the research papers will be analyzed and reached to a logical conclusion. The recommendation and conclusion of the study may reefers to the different stakeholders and will be requested to resolve these issues, if necessary then laws regarding minorities issue shall also be recommended to avoid unnecessary hurdles in the provision of their fundamental rights.

Literature Review

A handful of literature is available on minorities' affairs. This study evaluates the research done in the Pakistani context n different research journals local and international. Some of the discussed in the relevant and existing literature are discussed in the following lines.

---

[4] https://www.publichealth.columbia.edu/research/population-health-methods/content-analysis, accessed on 17-1-23.

[5] https://mjl.clarivate.com/home, accessed on 18-1-23.

[6] https://www.scopus.com/sources.uri?zone=TopNavBar&origin=, accessed on 18-1-23.

[7] https://religion.asianindexing.com/, accessed on 18-1-23,.

[8] https://iri.aiou.edu.pk/?page_id=55438, accessed on 18-1-23.

1. *Al-Sheha, Abdul-Rahman. "Human rights in Islam and common misconceptions."* This booklet is an introductory discourse on the subject of human rights in Islam. The discussion will open avenues for those who want to learn more about Islam. The truth of Islam has been deliberately and severely misconstrued, and misinterpreted, especially by some secularists and modernist Muslims.[9]

2. Ali, Fizza, and Gulzar Ahmad. "Social Discrimination, Need to Belong, and Psychological Wellbeing among Religious Minorities in Pakistan." This study illuminated how social prejudice, the urge to belong, and psychological well-being affect religious minorities in Pakistan. It also added to the literature on Pakistani religious minorities and provided a pathway for future academics to study social prejudice, the need to belong, and psychological well-being.[10]

3. *Malik, Iftikhar H. Religious minorities in Pakistan:* This report seeks to raise awareness of minority and gender-based rights in Pakistan and religious minorities. This research is pertinent and relevant to the international community and agencies involved with South Asia and Pakistan as Pakistan holds a general election this year.[11]

5: *RELIGIOUS MINORITIES IN ONLINE SPACES*: Online spaces are emerging as sites of expression and platforms where citizens are increasingly getting their primary information and news. However, with repressive regulation, intensified surveillance, and increased instances of cyber violence, digital spaces are also coming under attack. Religious minorities are among the most vulnerable targets, experiencing an escalation in covert cyber-attacks (malware, phishing, and spyware).[12]

6: *Tahira, Ms Iffat. "Freedom of Religion and Status of Religious Minorities in Pakistan."* Pakistani ideology determines minority values. It addresses Pakistan's minority population and challenges. It identifies religious minorities' obstacles. It discusses if the Constituent Assembly of Pakistan's laws and strategies to defend

[9] Abdu Al-Sheha, Abdul-Rahman. "Human rights in Islam and common misconceptions." (2007), https://islammessage.org/en/book/213/Human-Rights-in-Islam-and-Common-Misconceptions, accessed on 18-2-2023.

[10] Fizza Ali, Gulzar Ahmad, "Social Discrimination, Need to Belong, and Psychological Wellbeing among Religious Minorities in Pakistan," *Pakistan Journal of Psychological Research* 37, no. 2 (2022): 311-330.

[11] Iftikhar H. Malik, *Religious Minorities in Pakistan* (London: Minority Rights Group International, 2002),5.

[12] U - Digital Rights Foundation," https://digitalrightsfoundation.pk/wp-content/uploads/2021/05/Religious-Minorities.pdf.accessed 2-7-2023.

their rights are implemented. How many religious minorities in Pakistan can practice their faith and follow their customs?[13]

7: *Mahmood, Zubair, Muhammad Jawed Aslam, and Jamilah Ahmad. "Is it possible to have freedom of expression? Religious Minorities' Perceptions of Social Media in Pakistan.*" Religious minorities in Pakistan are segregated due to higher government choices, sponsors, and a lack of awareness about their religious traditions. The lack of pushback from minorities and the majority is also disrupting the peace. Religious minorities prefer social media like Facebook to exercise their freedom of speech and expression.[14]

8: *Ali, Zaheer, and Utsa Mukherjee. "We are not equal citizens in any respect": citizenship education and the routinization of violence in the everyday lives of religious minority youth in Pakistan."* Reforms in the citizenship education curriculum are urgently needed to address concerns about sectarian constructions of national history and promote an inclusive Pakistani identity. Youths' narratives reveal how they mobilize institutional mechanisms to challenge these forms of violence and reinforce their commitment to an inclusive Pakistan.[15]

9: *Mandal, Rakesh. "Rights of Minorities in India and Pakistan: A Comparative Study."* This paper endeavors to analyze the status of minorities in India and Pakistan and their respective constitutional safeguards. It further focused on Constitutionalism which is the original and real sprite of the nation towards the execution of noble ideas on ground reality. The reason behind that after 1977 Pakistan became more orthodox and tried to Islamize the entire nation and political campaigns were focused on religious hatred.[16]

Research Gap

Religious minorities face severe discrimination in Pakistan, and their position as crucial participants in the recovery of their rights from the current global representation is uncertain. Previous research has also carefully explored the many elements related to religious minorities in Pakistan. As a result, several academics have decided that additional research in that area is required.

---

[13] Huma Tahir, Iffat Tahira. "Freedom of Religion and Status of Religious Minorities in Pakistan," *International Journal of Management Sciences and Business Research* 5, no. 12 (2016): 29-39.

[14] Zubair Mahmood, Muhammad Jawed Aslam, and Jamilah Ahmad. "Is it possible to have freedom of expression? Religious Minorities' Perceptions of Social Media in Pakistan," *CoverAge: Journal of Strategic Communication* 13, no. 1 (2022): 1-10.

[15] Zaheer Ali, Utsa Mukherjee. ""We are not equal citizens in any respect": citizenship education and the routinization of violence in the everyday lives of religious minority youth in Pakistan," *Diaspora, Indigenous, and Minority Education* 16, no. 4 (2022): 246-258.

[16] Rakesh Mandal, "Rights of Minorities in India and Pakistan: A Comparative Study," (2022).

Results and Discussion

Academic research on religious minorities in Pakistan found a strong link between Islam and the Pakistani point of view. This is in contrast to the beliefs of an Islamic state towards other religious minorities. This study also looked at the key principle of Islamic teachings in an Islamic nation about fostering relationships with other religious minorities. We noticed Islamic coherence with other religions. We feel that Islamic teachings and the study's findings will create boundaries; the next step is to include future modifications to identify future research.

1. Interfaith Relations and Harmony

Islam is the religion of peace, religious tolerance, brotherhood, independence, and humanity. In Islamic history, we found mutual peaceful existence between Muslims and non-Muslims fourteen centuries ago. According to a research study on the issue,

> "Allah Almighty does not forbid Muslims from dealing justly with those who do not fight Islam or oppress Muslims. Indeed, He enjoins Muslims to do favors for them. Obviously, doing favors is more than just dealing justly, because it gives people more than what they deserve".[17]

As mentioned above, the ultimate goal of Islam is to establish peace and to bring about happiness for all beings in both this world and the eternal one in the hereafter. In case some people refuse to cooperate in achieving peace and happiness in the hereafter, Muslims should still cooperate with them to maintain peace and happiness in this world.

Regarding relations with non-Muslims, Islam has described the rules and regulations in a very good manner, which has been practically established by the Prophet (PBUH), the rightful caliphs, and other just rulers of Islamic history. The Qur'an has mentioned the person of the Prophet (PBUH): O Muhammad, you will perhaps consume yourself with grief because these people do not believe.[18] That is, regardless of race, color, or religion, the success of the worldly and hereafter life of every human being was always in view in the heart of the Prophet of Muslims. For the protection and survival of humanity, clear teachings have been given in the Qur'an and Hadith regarding the sanctity of killing that the killing of

[17] P. D. M. A. Abid, Iqbal, J., and D. H. G. A. Al-Azhari (Rulings on Relations with non-Muslims: A Comparative Study of Tafseer Haqqani and Tafseer Majdi," *The Islamic Culture* 47, no, 1 (2022):35-52.

[18] Al-Quran: 26:3

one human being is the killing of all humanity,[19] and killing any human being is the greatest sin after shirk.[20] In order to highlight the importance of forgiveness and mercy in humanity, on the occasion of the conquest of Makkah, Muhammad (PBUH) forgave his worst enemies despite gaining full power.

The same teachings of Islam related to Muslim and non-Muslim relations have been seen in the light of the opinions of different commentators in some articles in the previous literature, such as while reviewing the opinions of the commentators of Tafsir Majdi and Tafsir Haqqani, it has been written that non-Muslims There are many instructions given to us in establishing relationships like:

> "Good treatment of unbeliever parents in all circumstances, limitation of submission to unbeliever parents in religious matters, non-Muslims (not including military infidels) Financial assistance through posthumous charity, behaving justly and honestly, the justification for establishing proper relations with harmless and common disbelievers, considering the slaughter of non-Muslims (people of the book) as halal, the permissibility of social relations, marriage with people of the book".[21]

This debate has a difference of opinions among Muslim Scholars. Some of them allow it openly some of them limit it only to people of the book (Jews and Chastain) According to Allama Haqqani,[22] marriage with a Dhimmi is permissible only among the People of the Book. [23]

It is very important for a Muslim to know what kind of relationship is allowed with a non-Muslim relative in order to settle family matters amicably and where Islam has set limits and restrictions for it. Some articles have been written on the subject as well: "Research Study of Family Rituals with Non-Muslim Relatives in the Light of Islamic Jurisprudence."[24]

---

[19] Al-Quran : 5: 32

[20] Muhammad bin Ismail Bukhari, *Sahih Bukhari* (Lahore: Darussalam, 2006.) , Hadith no. 6871.

[21] Muhammad Yusuf Al Qardawi, *The Lawful and the Prohibited in Islam* (Cairo: Al-Flah Foundation, 2001), 179.

[22] Allama Abdul Haq Haqqani was an interpreter of the Qur'an, superior jurist, and an outstanding religious scholar.(Muhammad Abdullah, "Rulings on relations with non-Muslims: A Comparative Study of Tafseer Haqqani and Tafseer Majdi," *The Islamic Culture* 47, no, 1 (2022):35-52.

[23] Munazza Hayat, "Islamic Guidelines for Good Relations with non-Muslims in a Muslim state: An Analytical Study," *Pakistan Journal of Islamic Research* 22, no, 1 (2021): 115-138.

[24] Syeda Khizra Irshadullah, Seemab Bukhari, Hafiz Abdul Majeed, "Research Study of Family Rituals with Non-Muslim Relatives in the Light of Islamic Jurisprudence," *Al.Meezan* 4 , no. 1 (2022) : 60-77.

This is the summary of this article.

1. One should show kindness to all non-Muslim relatives.
2. A will can be made in relation to a non-Muslim relative.
3. Non-Muslim relatives can be visited and their legitimate recommendation can also be accepted.
4. There is nothing wrong with participating in the funeral arrangements of non-Muslim relatives and their condolence within the limits set by Islam.
5. One should be patient with non-Muslim relatives and deal with them with maximum goodwill.

There are some aspects in the establishment of relations with non-Muslims where there was disagreement among the jurists, such as there is a debate in the books of jurisprudence about whether or not help can be sought from the infidels in sensitive matters. Is it permissible to include infidels in the sensitive affairs of Muslims? This topic is also mentioned in some articles such as:

A Study from Munazza Hayat entitled, "Islamic guidelines for good relations with non-Muslims in a Muslim state: An analytical study."[25] This study discusses the issue of Muslim and non-Muslim relations.

In this article, a difference has been stated between Imam Ahmad and other jurists that the help of infidels can be taken in war matters or not, so according to Imam Ahmad, this situation is impermissible and according to other jurists, this situation is permissible. Imam Ahmad has argued from a hadith of Sahih Muslim in which it is mentioned that on the occasion of the Battle of Badr, a polytheist asked the Prophet (peace and blessings of Allah be upon him) for permission to participate in the battle, which he ((PBUH)) refused by saying, "We do not seek help from any polytheist." Finally, he accepted Islam of his own free will, so the Prophet (peace and blessings of Allah be upon him) took him with him in the war.[26] Other jurists have argued from the incident of the Prophet's (PBUH) migration to Madinah that during this journey, the Prophet (PBUH) enlisted the services of Abdullah bin Ariqat, even though he was a disbeliever.[27] Looking at the situation at that time, it can be concluded that there is no problem in taking the services of an unbeliever even in difficult circumstances if one has confidence in him, and as far as the tradition of Sahih Muslim is concerned, the answer is this. Either this person was suspected of being a spy or this is a special

[25] Munazza Hayat, "Islamic Guidelines for Good Relations with non-Muslims in a Muslim state: An Analytical Study," 115-138.
[26] Muslim Al-Hajjaj bin Muslim Qushairi, *Sahih Muslim* (Beirut: Dar Revival of Arab Heritage), Hadith, 4700.
[27] Bukhari, Sahih Bukhari, Hadith, 3905.

incident that is canceled out by many other incidents in which it is reported that the Prophet (PBUH) sought help from the infidels in sensitive situations.

Apart from this, social and commercial relations have been discussed in this article, that establishing social and commercial relations with non-Muslims is also permitted in the Shari'ah, as Hazrat Salman Farsi was hired as a spokesman by the Prophet (PBUH). They had not yet become Muslims, and non-Muslim doctors were hired for treatment, such as Harith bin Kalda, a physician from Taif, who treated Muslims on Hajj and many other occasions.[28]

Many incidents of commercial matters are found in the books of hadith, such as the oath between the sub-branches of the Quraysh and Qusay bin Kalab was maintained even after the death of Qusay.[29]

The main purpose of all such articles is to make it clear that it is not only permissible to establish relations with non-Muslims individually and collectively in Islamic teachings, but wherever doubts arise in this regard among the Companions, the Holy itself has cleared such doubts.

In short, it is not only permissible to establish the basic rights of moral, economic, social, and human life from non-Muslim nations; rather it will create awareness of the truth of the religion of Islam. Relations with non-Muslims should be clarified through educational institutions, media, conferences, and various types of seminars, but the limits of relations should also be mentioned. It should be noted that adopting the civilization, culture, and culture of non-Muslims in such a way that Islamic values are violated is not allowed.

2. Papers on Religious Liberty and Freedom

Freedom of religion and thought is measured as the key human right from international standards and charters. According to the UN Declaration of Human Rights of 1948(UDHR):

> "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance".[30]

In the basic teachings of Islam, the non-Muslim minorities have been given the right to complete religious freedom, as Hazrat Umar wrote this

[28] Sulayman ibn al-Ash'ath Al-Sajastani, *Sunan Abi Dawud*, (Lahore: Darussalam, 2006), Hadith, 3875.

[29] Ismail Ibn Kathir, *Al-Badaiya wa al-Nahiya*, (Karachi: Nafis Academy, Urdu Bazar), 2/291.

[30] https://www.ohchr.org/en/special-procedures/sr-religion-or-belief/international-standards/, accessed 18/1/23.

constitution and law while giving peace to the Ahl al-Quds during his caliphate. "In the name of Allah, the Most Merciful, this is the peace that Allah's servant Umar bin Al-Khattab, Amir al-Mu'minin, has given to Elijah. His lives, property, churches, crosses and his entire nation have been given peace, and their thunders will continue to be established, they should not be removed, nor should they be reduced, nor should their premises be reduced, nor should their crosses be reduced, nor should their property be reduced, nor should anyone be forced to leave his religion. And no one should be harmed, and no Jew should be forced to stay with them." [31](The reason for the last directive was that at that time there was a fierce rivalry between the Jewish and Christian communities.)

It is clearly seen from the above quote that non-Muslim minorities have all kinds of freedom in Islamic teachings. No state or ruler has the authority to forcibly convert non-Muslims, or harm their lives and property. Or demolish their places of worship, but every non-Muslim will have all the rights that a citizen enjoys in any just and peaceful state.

Articles have been published in various journals regarding the same fundamental teachings of Islam and the freedom and privileges granted to non-Muslim minorities in Pakistan, such as an article entitled "Freedom of employment for non-Muslims in the Muslim state: An analytical study."[32] In this article, the author has made it clear that non-Muslims should also have equal employment rights in a Muslim state, but there are a few positions where a Muslim state does not accept the appointment of a non-Muslim, which is not because of an Islamic state. Injustice is done to non-Muslims, but it is because of universal law and principle that it is not possible for any state in the world to make a person who is against its ideas and thoughts its ruler or to appoint a person in such a position, which is related to the formulation of legislation or policy.

The general law and principle are that non-Muslims will also get the same rights of employment and Muslims can employ non-Muslims in their various affairs, as mentioned in the previous lines to Salman Farsi (who had not yet become a Muslim) and The statement of taking services (in guiding the way at the time of migration) from Abdullah bin Ariqut has been passed down.

Similarly, with reference to Dr. Mahmoud Dahmad Ghazi, the article has quoted that during the time of the Prophet, non-Muslims were only kept away

[31] Muhammad bin Jarīr Al Ṭabarī, *Tārīkh Al Ṭabarī* (Beirūt: Dār al Turāth, n.d), 3/609; Muḥammad Suhayl Ṭaqqūsh, *Tārīkh al Khulaf ā' al Rāshidīn: Al Fatūḥāt wal Injāzāt al Siyāsiyyah* (Dār Al Nafāyis, 2003), 1/274; Al Ḥaḍar, *Al Balāghah al 'Umariyyahh*, 1/ 325.

[32] Munazza Hayat, "Freedom of employment for non- Muslims in the Muslim State: an Analytical Study," *Zia-e-Tahqeeq* 11 , no.1 (2021) : 30-38.

from those responsibilities that were related to the strategic interests of the Islamic state or the understanding and interpretation of Sharia. However, as far as technical services are concerned, opportunities were also provided to non-Muslims.[33]

In another article, "Religious Freedom in Pakistan: A Case Study of Religious Minorities".[34] The freedom granted to the non-Muslim minorities of Pakistan is discussed specifically on the principle that both the religion of Islam and the Pakistani constitution grant full freedom to the non-Muslim minorities, but there are some extremists who oppose this freedom.

This article describes international law regarding religious freedom and also focuses on its protection in any case. This research paper considers religious freedom as non-derogable fundamental right. Moreover, “This right consists of liberty to convert one’s belief or religion, whether individually or in society along with others and in private or public, and to manifest one’s religion or belief in preaching, worship, observance, and practice”. [35]

After that gender, ethnic, religious, sexual, and cultural discrimination against minorities. The history of atrocities has been described as the story of cruelty and brutality from this community is very old, as when Emperor Khosrow Parvez conquered Byzantine, Byzantine Christians were treated mercilessly, and millions of people were killed. The history of South Asia is particularly noteworthy as most of the people living here belong to Hinduism, Jainism, Buddhism, Sikhism, Islam, and Christianity, the general atmosphere here is one of religious violence and sectarianism. Racism, extremism, and other similar problems are numerous. Atrocities in India despite the Muslim majority, various restrictions imposed on Muslims in Burma, injustice to Baha'is in Iran, and other such issues are also discussed.

After briefly mentioning the history of atrocities against non-Muslim minorities, and general problems faced by non-Muslims (discrimination in employment, forced conversion of religion, social discrimination, intimidation, cruelty, and violence) since the establishment of Pakistan. Presenting a detailed review of what is being faced, some surveys have also been described by the author. Similarly, regarding how to deal with non-Muslims, the Pakistani

---

[33] Mahmoud Ahmed Ghazi, *Muhazrat-e-Seerat* (Lahore, Al-Faisal .2009), 351.

[34] Musferah Mehfooz, "Religious Freedom in Pakistan: A Case Study of Religious Minorities," 15

[35] 'Non-derogable human rights' refers to rights that are absolute and may not be subject to any derogation, even in time of war or emergency. Article 15(2) of the European Convention on Human Rights (ECHR) provides a list of rights that may not be suspended under any circumstances. https://www.ag.gov.au/, accessed on: 15/1/23

constitution and the Islamic teachings that we have mentioned above are also mentioned.

Therefore, after explaining many important topics related to minorities in different contexts through global, regional, religious, and other important points, it has been concluded likewise:

> "To do away with this situation, there is an urgent need to educate new generations in the country that both Islam and the national Constitution seek to treat religious minorities with justice and fairness. Each person who lives in any multi-religious society must accept and understand religious diversity. Understanding other religious groups' faith and teachings could encourage an individual to accept and respect other religious beliefs. The freedom of practicing religion is the fundamental right of humanity, regardless of whether a person is Muslim or non-Muslim, and must not be ignored in any society or country".[36]

In addition, there are a few more articles that address specific aspects of the religious freedom of non-Muslim minorities, such as the teachings of Islam regarding churches and places of worship, and whether it is permissible to demolish old places of worship. , whether new places of worship can be built for non-Muslims in an Islamic state or not, etc. Such as, "Ancient and New Places of Worship of Non-Muslim Minorities in an Islamic Country: A Shariah Analysis."[37]

In this paper, the protection of the ancient places of worship of the minorities, the establishment of new places of worship, and a few questions have been presented. What is the position of Islam regarding the places of worship of minorities? Can Islamic countries be called Darul Islam or not? In the Islamic state, can places of worship of non-religion be established or not? If so, what are the limits? Is there a difference between Arab and non-Arab islands regarding the rulings on this subject? In the era of western democracy, can any minority establish their place of worship in Pakistan or not?

Mentioning the meaning of minority, the difference between the Western and Islamic perspectives has been explained that the minority in the West is based on caste, color, and race, while in Islam, race, color, and geographical status are not made as a basis, but religion is considered as the basis and all other religions are considered as minorities, but Islam has formulated such comprehensive

[36] Musferah Mehfooz, "Religious Freedom in Pakistan: A Case Study of Religious Minorities," 14.

[37] Muhammad Abu Bakr Siddique, Saeed Ahmed, "Ancient and New Places of Worship of Non-Muslim Minorities in an Islamic Country: A Shariah Analysis," *AL-ILM* 5, no.1 (2021) : 131-157.

principles that despite considering non-religion as minorities they have been given all the rights that any human being would want in basically any peaceful society.

After extensive discussion on the answers to all the questions, it has finally been concluded that Pakistan is Dar al-Islam, All such fears presented in the present age that if a country is declared Dar al-Islam today, there will be a deadlock in the political and Shariah rulings, is just an assumption, it has nothing to do with reality, in the Arabian Peninsula. No minority is allowed to establish their own places of worship, except those that are Islamic countries like Pakistan, in such countries minorities can establish their own places of worship, and the government will only provide protection to them, No new place of worship will be built from the Bait Al-Mal.

In summary, Islamic teachings and the Constitution of Pakistan provide protection to non-Muslim minorities in every way, providing them with religious freedom and adequate representation in various privileges. However, it cannot be denied that there are many shortcomings in implementing the law and implementing all its teachings. Which is very important to address so that law, constitution, and practical field can be presented equally?

"Islamic Teachings and Contemporary Practices Regarding Protection of Non-Muslim Places of Worship"[38]

In this article, it has been mentioned in the light of Islamic literature and history that Islam has provided for the protection of the places of worship of non-Muslims. In Surah Hajj, the protection of places of worship, monasteries, churches, and temples of non-Muslims has been mentioned. Muslims are directed not to harm and not to hurt any religious leader.

Similarly, the history of the agreements made during the life of the Prophet (peace be upon him) and during the time of the Caliphate also bears witness to the fact that Islam has provided protection to the places of worship of non-Muslims in all cases, such as the Treaty of Madinah with the people of Ilah, the treaty with the people of Najran, the treaty of Khalid bin Walid with the people of Anat, the people of Hira and the people of Ain Tamar, the treaty of Umar Farooq with the people of Bayt al-Maqdis, the treaty of Amr bin Al-Aas with the people of Ain al-Shams and the people of Tiflis and In all the agreements

[38]Shaghufta Naveed, Hafiz Muhammad Naveed, "Islamic Teachings and Contemporary Implementations Regarding Protection of Non-Muslims' Places of Worship," *Al-Wafaq* 3, no,1 (2020) : 75-89 ; Similarly, there are a few other articles in which the religious freedom of non-Muslims is clarified in the light of Islamic literature, history and treaties such as: Muhammad Irfan, "Religious Freedom of Non-Muslim Minorities in Islam," *Al-Mizan* 4 , no.2 (2022) : 138-156.

with Ahlul Lud, etc. it was ensured that the places of worship of non-Muslims should not be harmed in any way.

As far as contemporary implementations are concerned, there are many non-Muslim nations living in Pakistan, for the protection of their places of worship and holy places, the government of Pakistan makes many arrangements, but there are still problems for them, which need to be solved. Some important suggestions should be implemented such as setting up donations for places of worship of non-Muslim nations, making arrangements at the official level to re-establish the demolished places of worship, and encouraging all such measures that would help them. The places of worship can be protected so that it can be clear to the world that Islam always encourages tolerance and harmony between all religions.

3. Papers on Minorities' Rights and Privileges

Islam in all those rights, which are not related to any religious duty and worship; Rather, they are related to the discipline of the state and the fundamental rights of the citizens, ordering justice and equality between non-Muslim minorities and Muslims. Islam enjoins benevolence, mercy, kindness, and tolerance towards those non-Muslims who do not oppose Islam and Muslims and do not engage in any repressive activities against them.

According to the arguments of Iram Khalid in his study that the principles of an Islamic state protect all kinds of religious minorities in all aspects at.

> "All non-Muslim minorities and subjects will be guaranteed the protection of faith, religion, life and property and honor and dignity. They will share civil liberties and fundamental rights on a human basis with Muslims. Everyone will be treated equally in the eyes of the law, no discrimination will be allowed as a human being. After accepting Jizya, they will have the same duties and responsibilities that are imposed on Muslims, they will have the same rights that Muslims have and they will be entitled to all the privileges and facilities that Muslims have".[39]

Keeping the same principles in front, previous research has been done in different contexts such as "A Comparative Study of the Rights of Minorities in Islam and International Law". "A Comparative Review of Minority Rights in Islamic Law and the United Nations Declaration on Minority Rights 1992". "Rights of Minorities in an Islamic State: A Perspective based on Prophet's Treaties Protection & Prosperity of Minorities in Islamic State (Interpretation and

[39]Iram Khalid and Maqbool Anwar "Minorities under Constitution(s) of Pakistan," *Journal of the Research Society of Pakistan* 55, no. 2 (2018): 51-62.

Application in the light of Islamic jurisprudence)". "Rights of Minorities and Peaceful Coexistence in Islamic Society: Judgments of the Supreme Court". ”Analytical Study of Minority Rights Protection in the Manifesto of Pakistan Religious Parties".All the above articles cover almost all the rights that non-Muslim nations enjoy in any Islamic state. Propaganda against Islam is that Islamic teachings have very violent and prejudiced views on non-Muslim nations, so the law made by international organizations for minorities is better than Islamic law, which does not contain prejudice and discrimination. Violence is not found, therefore, in some of the above-mentioned articles, a comparison of international law and Islamic law is presented, which can be estimated which law is more restrictive.

Moreover, an accusation is made on Pakistani religious political parties that these parties are the biggest obstacle in giving rights to minorities, so their manifestos have also been examined to see if this is really the case or if it is just propaganda.

Apart from this, some specific decisions of the Supreme Court have also been examined whether they are representative decisions of Islamic teachings or due to some misunderstanding, these decisions could not reach the result that should have been reached. Below is an overview of all these articles:

Comparative Analysis of Islamic and International Law on the Rights of Minorities

A number of studies compare the issues of minorities, a comparative analysis of Islamic and international law on the matter of minorities. Some of them are mentioned in the following lines. The fundamental objective of this kind of studies to prove that Islam is applicable in all circumstances, situations, and eras. Categorically, it’s a doable study and a very humble effort but time the national states laws do not support this argument. Actually, the issue is in the foundation of Islamic and western laws. Sometimes they are good to compete but sometimes they are not compatible with each other.

A. “A Comparative Study of Minority Rights in Islamic and International Law”[40]

In this article, a comparative study of Islamic and international laws on human rights charters has been done in such a way that on the one hand, the distinction between the two laws can be made clear and on the other hand the common values of both laws can be highlighted. The rights enjoyed by non-Muslim minorities in the age of Prophet Hood, such as freedom of thought and belief, protection of life and soul, the establishment of justice and equality, right

[40] Muhammad Shoaib Aziz, Shabbir Hussain. "A Comparative Study of the Rights of Minorities in Islam and International Law," *Journal of Religious Studies* 3, no. 1 (2019): 32-44.

to justice, protection of honor and property, and economic and private protection of life are mentioned. This is followed by the principles and regulations of international laws and treaties on minority affairs, such as the steps taken by the United Nations to give effect to the limitations of Resolution No. A-260 on genocide (during or after the war), has been mentioned. The International Organization for Labor Rights (ILO) has been made bound by the United Nations to observe the rules and regulations of all persons. No discrimination will be made on the basis of his religion or merely being a minority.

UNESCO has made every effort to ensure that the cultural values of the followers of each religion are protected, the conflict that has arisen in clarifying the status of indigenous or naturalized persons in the United Nations subsidiary bodies, whether they will be counted in the minority or in the majority. It has also been clarified that if his rights are being exploited, such a person will have full freedom to struggle for his identity and recognition, the meaning of minority is clear. It has been done and finally, it is mentioned as a summary that there are two types of views regarding the minorities of Muslim countries in the present time:

i. The first opinion is that minorities should be given freedom regarding family laws, but Islam will be the real standard for public laws. This law is fully enforced in Saudi Arabia and Iran, but partially constitutional in Pakistan and other countries. Reforms have been established in this regard.

ii. The second view is secular; the Muslim minorities in non-Muslim countries favor this view, mainly because it is more likely that they will get their rights based on this view.

The opinion of the researcher is that this opinion is more appropriate for the Muslims there, although the people of Muslim countries call it a negative change, if Islamic laws are reviewed, the establishment of personal law and family law for other minorities will take place at any cost. Secularism is the trend for the Muslims of such non-Muslim countries so that they can easily perform their religious rituals.

By examining the Islamic and international laws for the rights of minorities, it is clear that both have the same object and purpose, but there is a great difference in the vision and purpose of both of them. In international laws, the civil contract makes the basis that the rights must be established and maintained between the citizens.

B. "A Comparative Review of Minority Rights in Islamic Law and the United Nations Declaration on Minority Rights 1992" [41]

[41]Muhammad Muddasar, Riaz Ahmad Saeed, "Minorities Rights in Islamic Laws and United Nations Convention of Minorities (A Comparative Study)," *Al-Idah* 39 , no.1 (2021): 187 - 207.

This article first presents a review of previous research and then explains the meaning of minority in Islamic and Western thought. In Western thought, a minority refers to a group that is so weak in terms of religion, beliefs, language, color, race, ability, and performance that it needs the majority to defend itself. In Islamic thought, human beings are not divided on the basis of the previously mentioned aspects, Islam recognizes all human beings as equal, and the concept of caste does not exist anywhere in Islam, so the determination of rights in an Islamic state is never minority or majority. In Islamic history, the term non-Muslims has been used as a separate religious group instead of a minority. This opinion of the essayist seems to be more appropriate.

If the Islamic and United Nations Charters are compared, the result is that international and regional laws in the West, especially the United Nations Declaration of 1992 on Minorities, are the result of a continuous and long struggle, While Islam in its beginning gave all these rights to the minorities without any adventure, as the first example of this is the state of Madinah, in which the followers of any religion did not have any kind of problem, be it political, social, moral, economic. And he was entitled to social rights just as a Muslim was entitled to rights. Islam not only formulated its high principles but also presented their practical form, but the rights set by the United Nations are only a document, the practical form is rarely seen. This is the reason why the Muslim community is being exploited in non-Muslim countries and mountains of oppression are being brought down on the weak Muslim countries, but they do not listen to the ears of the United Nations and sit like a spectator.

Rights of Religious Minorities in the Light of the Covenants of the Prophet (PBUH) **as:**

"Rights of Minorities in an Islamic State: A Perspective based on Prophet's Treaties." [42]

In this article, the importance of good relations with non-Muslims is clarified by mentioning the letters written by the Prophet (PBUH) to the non-Muslim kings, and the steps taken at the first opportunity after his arrival in Madinah. As the establishment of Mawakhāt, treaties with tribes, etc., it has been described as the queen of the political insight of the Prophet (PBUH), the text of the Covenant of Madinah has been translated into Urdu, With reference to the original Arabic text, it is made clear that the freedom granted to non-Muslim nations in this treaty is unprecedented, Because he (PBUH) made a blunt agreement for religious freedom that Muslims will have their religion and Jews

[42] Eshrat Hussain Basri, Niaz Muhammad, "Rights of Minorities in an Islamic State: A Perspective based on Prophet's Treaties," *AL-IDAH* 31, no.1 (2015) :158-187.

will have their religion, and then various agreements have been mentioned, As it has been mentioned in the previous analysis of various articles, what is the importance of these agreements regarding inter-religious harmony and rights.

Rights of Minorities in the Light of Islamic Jurisprudence, Such As:

More or less some of the Studies address the issues of minorities with the Judiciary. Muhammad Akram Nizami, Sadia Nasrullah study is one of them. "Protection & Prosperity of Minorities in Islamic State (Interpretation and Application in the light of Islamic jurisprudence)." [43]

In this article, the same rights have been mentioned, which have been explained in various contexts before, however, what is the legislative and practical form of these rights has been clarified in the light of the principles of jurisprudence.

As Islam itself is a religion of peace and security, it encourages others to do the same. From the hadith of the Prophet (PBUH), it is known that if a Muslim or a non-Muslim is not safe and secure from a Muslim, then he is not a true Muslim. By inferring different principles of jurisprudence (general) from the Holy Qur'an, blessed hadith, and consensus, it has been proved that the protection of the lives and property and honor and dignity of the minorities is the responsibility of every Muslim state, and finally the protection of the minorities. He has also mentioned the contemporary application of Islamic laws for prosperity, As it has been argued from the rules of Usul Fiqh (absolute and general) from the words "good and evil" in Surah Mumtahina, verse 8 and Surah Hajj, verse 41, that following every good deed and avoiding evil Preventing government is the responsibility of time.

In summary, in this article, in light of the principles of Islamic jurisprudence, it has been clarified that the protection of the rights of minorities is not only necessary for any Muslim state, but it is also a reason to show the true mirror of Islam.

Rights of Minorities in light of Supreme Court of Pakistan Judgment, Such As:

When we dig out literature on religious minorities in the Pakistani context. Some studies discuss the Rights of Minorities in light of the Supreme Court of Pakistan's Judgment. One of them is the study Habib-ur-Rehman, Asghar Shahzad

[43] Muhammad Akram Nizami , Sadia Nasrullah , "Protection & Prosperity of Minorities In Islamic State (Interpretation and Application in the light of Islamic jurisprudence)," *ABHATH* 7 , no .25 (2022) : 44-62.

entitled, "Minority Rights and Peaceful Coexistence in Islamic Society: A Scholarly Review of Supreme Court Judgment".[44]

This article mainly examines the decision of the Supreme Court of Pakistan, which was given on September 22, 2013, regarding the attack on a church in Peshawar, in which 81 people died; the court had taken cognizance of this case under Article 184(3) of the Constitution of Pakistan. On February 12, 2014, a news item was published in the daily Dawn in which the minorities demanded the protection of their rights as the Kalash and Ismaili sects in Chitral were receiving death threats if they did not accept Islam. The Supreme Court also took notice of such incidents. The court regularly invited the religious leaders, representatives, and organizations of the minorities, chief among the issues discussed was the forced conversion of Hindu girls to Islam, most of the issues were of an administrative nature and orders were issued to ensure immediate implementation. The points which were given more importance in the decision have also been mentioned such as:

- Lack of awareness regarding the rights of minorities
- Right to religious freedom
- Violence and bigotry arising due to misinterpretation of religious beliefs
- Establishment of places of worship, protection and propagation of religion
- Ensuring all kinds of measures to protect the rights of minorities
- Change in educational curriculum
- Ban on hateful content and speech
- Creation of a National Council for Minority Rights

Apart from this, it has also been clarified that the main things that non-Muslim minorities and Muslim scholars with secular ideas express concerns about or target for criticism in any Muslim state are mainly four topics, Such As:

Freedom of religion and religious and cultural rights, the establishment of places of worship and propagation of religion, the appointment of non-Muslims to high state and government positions, and collection of jizya.

After the above description, a critical review of the eight points presented by the Supreme Court has been presented, the summary of which is that some of the points mentioned in the court decision are of an administrative nature, which should be implemented by the legal institutions. And some are purely academic and intellectual in nature, such as the first four points, the need for the law to fulfill its responsibilities and not allow anyone to violate the law. Along with

[44] Habib-ur-Rehman, Asghar Shahzad, "Minority Rights and Peaceful Coexistence in Islamic Society: A Scholarly Review of Supreme Court Judgment," Fikr-o Nazar 57 , no.4 (2020) :198-219.

creating awareness among Muslims regarding the rights of minorities, it is also important that non-Muslims should also study Islamic teachings themselves so that there is no unnecessary objection to Islam that if Islam is given the basic status, our rights will be violated.

Apart from this, Islam, the Pakistani Constitution and the twenty-two-point agenda by the Ulama are clear proofs that the rights of minorities in Pakistan have been fully considered. If it is being violated somewhere, it is not because of the wrong interpretations of Islamic teachings, but because of the extremist behavior of a few extremist groups who do not represent the republic. Along with this, the instructions that were given by the court regarding the change in their curriculum to the educational institutions, that such a curriculum should be created so that the students can know that the education of all religions is the same and all religions are for the benefit of humanity. The committee which was formed to implement these instructions did nothing, the Higher Education Commission just copied the court decision and that's it, so it needs to be re-examined.

Protection of the rights of minorities in the manifesto of political parties of Pakistan as:

We find a lot of Studies on the issue of the Protection of the rights of minorities in the manifesto of political parties of Pakistan. One of the studies by Muhammad Ijaz and Muhammad Kareem Khan, titled, "An analytical study of the protection of the rights of minorities in the manifesto of Pakistan religious parties."[45]

In this article, first of all, the meaning of minority, the need and importance of the subject, the reasons for adopting the subject, the research review of the previous work and the direction of the research, the international and Islamic manifesto on the rights of minorities, the rights of minorities in the constitution of Pakistan, has been mentioned, Which has been described in detail in previous articles.

As far as the protection of the rights of minorities is concerned in the manifestos of the religious and political parties of Pakistan, the manifestos of Jamaat-e-Islami, Jamiat Ulema Pakistan, Jamiat Ulema Islam Pakistan, Jamiat Ahl Hadith Pakistan, Tehreek Jafaria Pakistan, and Awami Tehreek Pakistan were mentioned in this regard. The common value in the manifesto of all the parties is that each party has given importance in its manifesto to every person (regardless

[45]Muhammad Ijaz , Muhammad Kareem Khan, "An Analytical Study of the Protection of the Rights of Minorities in the Manifesto of Pakistan Religious Parties," *Taleem o Tahqiq* 2 , no.4 (2020) : 55-70.

of any religion), religious freedom, education and livelihood, justice and fairness, protection of life and wealth, political and social, economic and social and all such rights that Islam has given to every minority will be achieved. However, preaching and publishing anything against Islam will not be allowed.

If the manifestos of all these parties are compared, it comes to the conclusion that all the religious and political parties of Pakistan have given special importance to the rights of minorities in their manifestos and have discounted all the fundamental rights that any human being has. Although the United Nations has at various times urged the Pakistani governments to make various changes in the Pakistani constitution or manifesto. The law of the Holy Prophet, which was established by the consensus of all political parties and religious parties, also forced the United Nations to change it.

It is clear that the United Nations, which wants to take credit for the establishment of peace in the whole world, has its purpose not to protect the basic rights of man, but to establish its own thoughts and concerns. This is the reason why various political, economic, and social restrictions are imposed on the country which does not recognize it, which is not appropriate in any way, So the religious political parties of Pakistan cannot be blamed in any way that they do not give importance to the rights of minorities but it is just propaganda that has been done against Islam in every era.

4. Papers on Minorities Issues and Challenges

Although claims for the betterment of minorities in Pakistan are heard from time to time in government houses, Pakistan also observes National Minorities Day on August 11 every year to commemorate a speech made by Quaid-i-Azam in support of the rights of minorities. "An adequate number of minority representatives are also present in the elected houses, almost every major political party has its own minority wing, government, and political leaders express solidarity with the minority citizens on Christmas, Diwali or other minority festivals. But despite all this, a large number of people belonging to minorities in Pakistan do not seem satisfied. In particular, the severity of the problems faced by the Christian community of Pakistan is quite high.

The above-mentioned issues and many others like them have been discussed in the previous literature and in this regard, some important articles are reviewed below:

Abdullah Khoso in his Paper on the issues of representation of minorities titled, “Risks: newspapers’ representation of violence against the minority group in Pakistan assumed that

> "Ahmadis are a religious minority group whose presence is detested by the majority group in Pakistan. In 2014, in the result of a mob attack, three Ahmadis died in Pakistan. The national and international media reported the incident with different risky contexts and perspectives about attackers and people being attacked but these contexts have been given little space in academic discourse. The purpose of the article is to explore the types of risks reported, identified and located in the media text and investigate the extent to which the media crossed the legal and social boundaries of risks in representing groups". [46]

Another witness we can find from a master thesis of Ayesha Ali Shan from JONKOPING University, school of education and Communication on the mentioned issue;

> "The power of media cannot be neglected because media plays an important role to present the pictures of different identities which is projected in the society. In general newspapers identified and located various risks located in Pakistani society, and these alleged social environments which were against any voice raised for legal reforms and freedom of speech. These newspapers suggested reform of the law, in doing so, they crossed dangerous social boundaries of risks".[47]

The article brings new insights about a sensitive religious political conflict between groups which is hardly recognized in academia from a cultural risk perspective but deeply enmeshed in the media text.

The summary of the analysis described in the selected newspapers is as follows: the analysis has many interesting dimensions, as it examines four newspapers' coverage of a violent religious-political incident in Pakistan. Interestingly note that all the newspapers (NYT, DM, Dawn, and The News) crossed socially constructed dangerous boundaries of risks but as far as legal boundaries are concerned, only Pakistani newspapers did not cross these. Pakistani media represented Ahmadis as the law dictated, but outsider newspapers (NYT and DM), did not care about the law. The important dimension of the four newspapers reporting (representing) was, these showed that attacks on minorities were a collective cultural approach to avert risks that were perceived individually

[46]Abdullah Khoso, "Risks: Newspapers' Representation of Violence Against Minority Group in Pakistan," *Jurnal Komunikasi Malaysian Journal of Communication* 31, no.2 (2015): 441-460.
[47]Ayesha Ali Shan, "Representation of Christian minority in Dawn: A Pakistani Newspaper," (Master Thesis, JONKOPING Universty, 2021), 1-49.

and collectively in the same manner, therefore, risks were prevented through practices of the mob, so that these may not cause danger (impurity) to the Islamic way of life and values which is being practiced by the majority in Pakistan.

There are some articles that discuss a specific problem found in the religion of the minorities in terms of the fact that the Pakistani law is actually against the teachings that the respective minority's own religion imparts to it such as the law governing the divorce of Christians in Pakistan was enacted through the Divorce Act 1869 during the British colonial period in India.

Muhammad Zubair Abbasi analyzed this issue very critically in his research paper. He argued that

> "It is evident that the Lahore High Court judgment in the Ameen Masih case is a landmark development regarding Christian divorce law in Pakistan. As a result of this judgment, irretrievable breakdown of marriage is available as a valid ground for the dissolution of a Christian marriage. The even more revolutionary impact of this judgment has been the removal of gender discriminatory provisions of the law applicable to Christian divorce under the Divorce Act 1869. It is likely that divorced women will now be entitled to matrimonial property because of the application of English divorce law upon Christian divorce proceedings in Pakistan".[48]

The positive implications of the judgment in the Ameen Masih case, however, have to be taken cautiously for a number of reasons. Courting the laws reported,

> "Firstly, the Christian community in Pakistan holds divergent views regarding divorce given the historical treatment of a Christian marriage as a sacrament dissolvable only upon death. Therefore, despite the benevolent attitude of the Lahore High Court towards the minority community of Christians in Pakistan, the majority of them may not accept the application of secularized English divorce law. Secondly, the English divorce law itself requires reform because unlike the law in a number of jurisdictions, it does not recognize a unilateral right to no-fault divorce".[49]

---

[48] Ibid, 180. Muhammad Zubair Abbasi, "Christian Divorce Law in Pakistan- Past, Present and Future," *Cambridge Law Review* August 1 (2019):169-182

[49] https://courtingthelaw.com/2017/11/16/laws-judgments-2/judgment-analysis/judgment-analysis-ameen-masih-v-federation-of-pakistan-others/, accessed on 19-1-23.

Some other research studies also discuss it due to its socio-political and socio-religious significance. Therefore, Arias Indrias and Ahmad Usman argued on the case,

> "The application of a foreign divorce law to Christians in Pakistan is anomalous because it not only contradicts the notion of the sovereignty of state laws, but also leaves the Christian minority to be governed by the law which is beyond the control of the legislature and judiciary in Pakistan. Therefore, as a result of the judgment in the Ameen Masih case, the parliament in Pakistan will have to pass the Christian Divorce Bill to expand the scope of Christian divorce under Pakistani law".[50]

One of the elements that have the most impact on the thoughts and ideas of any society is the curriculum of educational institutions which plays a key role in the mindset of the coming generation. The religious literature taught in some of the articles has also been reviewed, such as what is taught in educational institutions regarding minorities or what kind of literature the minorities themselves are given the option to choose. Such as Farid Panjwani, a study titled: "Towards a rights-based multi-religious curriculum? The case of Pakistan":

> "The government has drafted religious curricula for students from five minority religions and expressed its commitment to promulgating this as part of the new Single National Curriculum (SNC) (National Curriculum Council, 2020). Though religious representation within education remains skewed towards Islam in Muslim-majority Pakistan, this initiative has the potential to deliver on students' constitutional right to study their own religions and new ground can be broken in symbolically recognizing religious pluralism and equal citizenship for religious minorities".[51]

In this paper, the author explores to what extent the proposed multi-religious curricula are a step towards a rights-based education, viewing this development through the lens of Pakistan's constitutional obligations to its religious minorities and to international human rights conventions.

[50] Ayra Indrias, Ahmed Usman, Adultery, "The Ground for Dissolution of Christian Marriage in Pakistan: Intersectional Constraint to Christian Women in Pakistan," *Pakistan Perspectives* 24, no. 2(2019):61-76.

[51] Farid Panjwani , "Towards a Rights-Based Multi-Religious Curriculum? The Case of Pakistan," *Human Rights and Educations Review* 5, no.2 (2022): 56-76.

According to a renowned Pakistani educationalist and former dean at Quaid-e-Azam University, Professor Pevez Hoodbhy views:

> "The spell of the blasphemy law has created an ethos of fear and self-censorship. Although census data remains sketchy, Pakistan has seen a decline in its minority populations, particularly of Hindus and Christians. This is primarily due to emigration as a result of discrimination and harassment, and this also permeates school culture".[52]

Furthermore, after in-depth analysis, the study proposed some fundamental amendments to religious curricula including the subject of Islamic Studies. This paper recommends;

> "To address embedded social prejudice through privileged respect and religious tolerance (interpreted by zero tolerance for 'hate speech') but omit potentially contentious and conflicting viewpoints. While this limits the critical interpretive potential of the curricula that would enable a deeper engagement with how religions address human rights, it is designed to limit potential conflicts that may arise from alternative religious epistemologies. As such, the curriculum designers are arguably 'functionalizing' religion purposefully to promote religious tolerance and social harmony. While this paper focuses on the political and historical evolution of the curriculum, future research will document its full social impact". [53]

There are some more articles that examine the structure, curriculum, facilities, and society of the minorities in their educational institutions and it is clear those efforts to address the problems and challenges of the minorities are actually can be effective, Such As: "Mode of education in minority educational institutions of Bahawalpur and their impact on society"[54]

This article mainly deals with minority educational institutions, whether contemporary or religious, in Bahawalpur, Pakistan. The Article writer has discussed 15 different topics and questions such as the establishment of these institutions, foundation, rationale, management committee, academic academy,

---

[52] https://thediplomat.com/2015/11/interview-pervez-hoodbhoy/, accessed on 5-1-23.

[53] Farid Panjwani, "Towards a Rights-Based Multi-Religious Curriculum? The Case of Pakistan," 74.

[54] Abid Javed, "Mode of Education in Minority Educational Institutions of Bahawalpur and their Impact on Society," *Al-Mahdi Research Journal* 1 , no.4 (2020) : 1-27.

organizing academy, education academy, income and expenses, curriculum and co-curricular activities, and classes given in classes. Facilities, library, affiliation board, security and a number of graduating students have been introduced. After that, the characteristics of these institutions, among which the acquisition of higher and quality education for minorities, education in line with the requirements of the modern era, O-level and A-level education in backward areas, and the impact of these institutions on society have been mentioned. Before discussing the effects of the minority educational system, a discussion has been done regarding the curriculum and policy in the educational institutions of Pakistan since the establishment of Pakistan. The summary of this is that:

In Pakistan, there are two types of the class system in terms of education, the child of the poor goes to study in government institutions, but there are no facilities available to him that are sufficient to compete with the times, compared to Private institutions have laid such a trap that where a child of the elite class or middle class is educated, he learns to cope with the times, But something has been added to the extra-curricular activities along with the academic curriculum which is not at all compatible with the Islamic values, civilization and culture, and moral society. As the administration takes regular music and dance classes, inviting people from showbiz and television to convince the students that these are the people who are their role models and heroes.

If we talk about the curriculum, since the establishment of Pakistan, various policies have been implemented in the periods of different rulers, in which the most important thing is that there has been a lack of visionary politicians. At the same time, the people associated with education did not have the ability or ability that can be described as a role models. Bureaucracy has been dominant in every era. If there is any change, martial law by military dictators has thwarted all efforts. There is no doubt about it that in the early days, our curriculum included many things that provided material for hatred, prejudice, and violence against minorities. As evidenced by the curriculum of the PPP after the division of Pakistan, minorities, especially Hindus, have been shown to be conspirators and enemies of Muslims. Committees continued to be formed but did not achieve much success in removing material based on prejudice and violence against minorities. While evaluating the effects of minority educational institutions, many good and bad effects have also been mentioned, as far as the good things are mentioned, the students who graduate from these institutions show their sophistication, determination, work methods, self-confidence, sociability, tact, discipline, patriotism and many other qualities that play a key role in the success of any human being. Along with the merits, there are many demerits in these institutions which are quite a consideration for our society such

as over-promotion of modernity, heavy fees, mixed education, different terminology and propagation of one's religion through specific teaching style. This is the reason why doubts and doubts about Islam are arising in Muslim families today and the number of non-religious minorities is also increasing.

In some articles, while briefly reviewing the societal problems of minorities, it has been admitted that wherever there are minorities in the world, injustice has been done to them in some places, which is also raised on different occasions. This oppression is happening to the minorities in such and such a country. It is a pity that Pakistan is also counted among the countries where there is no justice for the minorities because here too the minorities are facing social, religious, and some political problems:

"Social problems of minorities in Pakistan and their solution review in the light of sīrah of the holy prophet (PBUH)."[55]

The summary of the writing of this article is that if we study the biography of the Prophet (PBUH), we get many teachings through the Treaty of Madinah and other agreements through which solutions to the problems of minorities can be found. Also, a problem for the minority is to declare their identity and citizenship as equal to other people compared to the majority, that they are also individual and respected citizens of this society and they also have all the rights that the majority have. But the tragedy is that minorities are recognized as second-class citizens even in an Islamic country like Pakistan, due to which a citizen has to face legal, social, social and various problems when the Quranic teachings are very clear in this regard. They are that no Islamic state can force any person to hide his basic identity,[56] but he can remain affiliated with whatever religion he wants. He (PBUH) taught in clear words that:

> "Beware, if anyone wrongs a contracting man, or diminishes his right, or forces him to work beyond his capacity, or takes from him anything without his consent, I shall plead for him on the Day of Judgment"[57]

Apart from this, some other issues are also examined in this article such as the problems of marriage and divorce of minorities, stereotypes, and intolerance towards minorities in society, and socializing and eating together with minorities.

With regard to all these issues, Islamic teachings are very clear that it is permissible to marry virtuous women belonging to religious minorities, and in the

[55]Riaz Ahmad Saeed, "Social Problems of Minorities in Pakistan and their Solution Review in the Light of Sīrah of the Holy Prophetﷺ," *Journal Usooluddin* 3. no, 01 (2019): 43-54.
[56] Al-Quran: 2: 256
[57] Al-Sijistani, *Sunan*, Hadith no. 3052.

Article No. 35 and 36 of the Pakistani Constitution of 1973, it is also very clear that every non-Muslim The minority is free to act according to their religion. It is the formal responsibility of the state to provide them protection in this regard.[58]As far as intolerance and stereotypes are concerned, Islam has said in two blunt words that[59] Allah created the system of tribes and families just for the introduction, its purpose is not to prove anyone superior or inferior. Therefore, it is not allowed for anyone to think of himself as superior and start dealing with abuse of others.

Likewise, the food of religious minorities is absolutely halal for Muslims, except for the food that has been specified by the Qur'an[60] itself, i.e. pigs, carcasses and alcohol, etc.

Miscellaneous Papers on Minority Studies

Apart from this, articles have been written on this subject in different contexts such as:

"Payment of Zakat to non-Muslims in the light of Islamic Shariah"[61]

Commenting on the opinions of various scholars regarding whether or not Zakat can be given to minorities, the author has mentioned that there is no harm in paying zakat to non-Muslims if our intention is to attract non-Muslims to Islam. Zakat and all kinds of alms may be allocated, paid, and given to the poor and needy non-Muslims in the light of the Quran, Sunnah, and Islamic Shariah in a Muslim society. Therefore, we can assume that the volume of resources flowing through a voluntary sector will be a function of the state of Taqwa in an Islamic society. Although Muslim scholars agree with this voluntary helpful idea, there are some questions about its qualitative and quantitative significance in the context of the Payment of Zakat to the non-Muslims in Islamic Sharī'ah and the present situation of the non-Muslims in Muslim countries and Muslim societies all over the world. This apprehension demands further exploration of ground realities to judge whether Zakat can be paid to non-Muslims.

"Status of minorities under local government system in Pakistan: theory & practice"[62]

This article analyzed the structural and functional flaws in the local

[58]Ahmad Manzoor, The *Constitution of the Islamic Republic of Pakistan* 1973 (Karachi: KLP Publications, 2010), Article no. 35 & 36.

[59]Al-Quran: 49:13

[60]Al-Quran: 5:5

[61] Eshrat Hussain Basri and Jehanzeb Khalil. "Payment of Zakat to non-Muslims in the light of Islamic Shariah." *Al-Idah* 29, no. 2 (2014): 91-106.

[62]Amir Ullah Khan, "Status of Minorities Under Local Government System in Pakistan: Theory and Practice," *Journal of Law and Society* 42, no. 59 and 60 (2012).

government system introduced under Local Government Ordinance, 2001 does not ensure the complete safeguard of minorities rights. This needs to review by the Local Government Act. The prime objectives of this paper to highlight the position of minorities in the decision-making process at the grassroots level; to devise ways & means to protect their justifiable rights; to enable them equal citizens of Pakistan; to unearth the facts that how much the rights of minorities in Pakistan have been guaranteed; and to ensure the implementation of Constitutional provisions of 1973 of Pakistan related with minorities in letter & spirit.

While examining the position and status of minorities under the Local Government Ordinance 2001, it has been concluded that minorities at the grassroots level are enjoying complete freedom of expression, association, and participation in local affairs. It is crystal clear that no human-made system can be found flawless. There may be errors that need subtraction. It will need the addition of reforms rather than rolling back it. The same is the case with the Local Government System in our country. It is man's production and there are some structural and functional flaws that need to be excluded rather than rolled back. Rolling back the local government system will be a direct constitutional violation.

Conclusions

1. Some of the studies perceive that Islam gives all fundamental rights to minorities which are the basic needs of humanity. Islamic literature, political and religious parties, and the constitution of Pakistan have adopted these principles of Islam.
2. During the comparison of Islamic and international manifestos and laws, the law of Islamic teachings is more credible Because the international legislation is made keeping interests and a specific concern in front, but the Islamic laws are self-sufficient and there is no meanness for fundamental rights.
3. It is observed that there are some things in Pakistan's education curriculum that encourage violence and prejudice against minorities, but legal institutions and administration are busy preventing it.
4. Muslims themselves do not get such rights in Pakistan, the way the voice is raised for the rights of minorities or the Supreme Court itself takes notice after any tragedy. Therefore, all the accusations against Pakistan regarding minorities are just propaganda.
5. Throughout Islamic History, Islamic States have been careful about their rights and responsibilities. We also find some exceptional behavior in

some phases of Islamic history but there is no evidence of forced conversion in any era of Islamic history.

6. Pakistan is an announced ideological Islamic state, Muslims are in clear majority but a number of Christians, Hindus, Sikhs, Parsīs and Qādyānies, Buddhists, and Kilāsh are part of the country.
7. Living in a majority-based Muslim country; the non-Muslim minorities have been facing some serious economic, social, religious, and political issues.
8. It is perceived that Christians are given more attention than others. The Qādyānies, Babis, Bohras, Bhahais, and Hindu Dllatas-like communities have no representation or more or less negative image due to some sensitive religious sentiments.

Recommendations

1. It is crucial to plant the idea and feeling of tolerance for those from marginalized groups in the minds of the general public. To further demonstrate that we are a tolerant society that upholds the rights of its minorities, we must reinstate all previously canceled gazette holidays for those groups.
2. Minority legislators need to be better represented in the national legislature.

   Pakistan needs to add more ministries for minorities as soon as possible so that they can have more power since the country only has one ministry for minority affairs.

   Equally important is ensuring that members of underrepresented groups have enough political representation.
3. Awareness at the grassroots level and the removal of obstacles to the greater good of humanity are also crucial. The current legislation meant to protect the rights of minorities must be adequately implemented.
4. There have been incremental improvements in governance, the constitution, law and order, and social composure that have led to a gradual acceptance of the minorities as equal citizens of Pakistan, despite there having been terrorized, treated as second-class citizens, killed, harassed, and their places of worship destroyed.