Religious Education In Pakistan

Questionnaire

1. Social aspect: brief description of the religious, social composition of the country.

The partition of India in 1947 was based on Two-Nation Theory which was recognized and accepted by the Indian Independence Act of 1947.¹ The formulae evolved for the division of the Sub-continent by the parties concerned i.e. Britain, the Congress (Political Party of Hindus) and Muslim League (Political Party of Muslims) was that the contiguous territories where Muslims are in majority will form State of Pakistan while contiguous territories where Hindu are in majority will constitute Bharat (India). Even beyond the contiguous territories, the spirit of the Indian Independence Act of 1947 was that the territories containing majority of Muslim population will constitute State of Pakistan while areas of Hindu majority will constitute State of India.²

The Muslims constitute 97% of the total population, remaining 3% are the Christians, Sikhs, Hindus and people of other denominations. The Sunnis(Hanfis) are 77% while remaining 20% belong to Shia denomination.

2. Constitutional context: brief explanation of the constitutional principles governing the relations between State, religion and religious education.

The Constitution of Islamic Republic of Pakistan³ declares Islam as State religion of Pakistan (Article-2) and that the State shall enable the Muslims to order their lives in accordance with the teachings of Islam as set out in the Holy Quran and Sunnah (sayings and practices of Prophet of Islam). The constitutional principles governing relations between State, religion and religious education have been outlined in Articles-20, 21 & 22 of the Constitution of Pakistan. These Articles are quoted:

Article-20
“Freedom to profess religion and to manage religious institutions. – Subject to law, public order and morality –
(a) every citizen shall have the right to profess, practice and propagate his religion; and
(b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.

Article-21
“Safeguard against taxation for purposes of any particular religion. – No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own.

Article-22
“Safeguard as to educational institutions in respect of religion, etc. –
(1) No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend

³ www.mofa.gov.pk/Publications/constitution.pdfSimilar
religious worship, if such instruction, ceremony or worship relates to a religion other than his own.

(2) In respect of any religious institution, there shall be no discrimination against any community in the granting of exemption or concession in relation to taxation.

(3) Subject to law.
(a) No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and
(b) No citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

(4) Nothing in this Article shall prevent any public authority from making provision for the advancement of any socially or educationally backward class of citizens.

**Article 33.** The State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens.

**Article 38** The State shall secure well being of the people irrespective of sex, creed or race by raising their standard of living, by preventing concentration of wealth and means of production and distribution in the hands of a few to the detriment of general interest & by securing equitable adjustment of rights between employers & employees and landlords & tenants.

The provisions of the first quoted Articles form part of the fundamental rights guaranteed by the Constitution while provisions of the last two Articles are part of the principle of policy, which are to be acted upon insofar as they relate to functions of the organ & authority of State.

3. **Legal Context.**

The Federal Government promulgated in 2001 a Law Called “Pakistan Madrasah Education (Establishment & Affiliation of Model Dini Madaris) Board Ordinance 2001”\(^4\) for the purposes of (a) establishment of Model Dini Madaris (b) to improve & secure uniformity of standards of education and (c) for integration of system of Islamic education imparted at Dini Madaris with the general education system.

This law contemplates to secure registration, regulation, standardization and uniformity of curricula and standard of education of the Dini Madaris (Religious Schools) imparting Islamic education in Pakistan with the general education system in order to enable recognition and equivalence of the degrees, certificates and sanad (certificate) awarded by such institutions and to regulate their examination system.

The Government, despite this law, has not been able to make the organizers of Dini Madaris to agree to abide by the provisions of this law and to affiliate their institutions with the Board constituted there under. The Government has not been able so far to implement this law.

The Madrassas represent the legacy of the spectacular resurgence of Islamic religious education in the Indian Subcontinent during the late Nineteenth Century beginning with the establishment of Deoband Madrassa in 1867. Since then, the madrassa system has played an important historical role by preserving the orthodox tradition of Islam in the wake of the downfall of Muslim political power; by training generations of Islamic religious scholars and functionaries; by providing vigorous religious-political leadership; and,

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\(^4\) [http://www.pakistanlawsite.com](http://www.pakistanlawsite.com)
more importantly, by reawakening the consciousness of Islamic solidarity and the Islamic way of life among the Muslims of South Asia.

The Madrassas in Muslim South Asia teach a curriculum known as Dars-i-Nizami, first introduced by Mullah Nizamuddin Sihalvi (d.1747) who was a scholar of some repute in Islamic jurisprudence and philosophy in Lucknow. This curriculum is not the same as that associated with the name of Mullah Nasiruddin Tusi (d. 1064) and the Madrassa Nizamia, which he established in eleventh-century Baghdad. Almost all Sunni madrassas, irrespective of whether they are of Deobandi, Bareli, or Ahl-i-Hadith persuasion, follow the same standard Nizami course of studies adopted by the Deoband seminary in 1867. It consists of more than twenty subjects broadly divided into two categories: al-ulum an-naqliya (the transmitted sciences), and al-ulum al-aqliya (the rational sciences). The subject areas include grammar, rhetoric, prosody, logic, philosophy, Arabic literature, dialectical theology, life of the Prophet, medicine, mathematics, polemics, Islamic law, jurisprudence, Hadith, and Tafseer (exegesis of Quran). Medicine and Polemics are not included in the subjects of study though art of debating or dialogue is discussed during study of Hadith and Tafseer. It is important to note that out of the twenty subjects, only eight can be considered as solely religious. The remaining subjects are otherwise secular and were included in Nizami curriculum both to equip the students for Civil Service jobs and as an aid to understanding religious texts. Also, facilities for teaching of these subjects and books are not usually available in all madrassas. This is particularly true in the case of subjects such as mathematics, history, philosophy, prosody, and polemics. The result is that the students often have to move from one madrassa to another to complete their curriculum. This also results in the failure of many madrassas to institutionalize their grading and promotion procedures.

As is well known, most of the books taught in this curriculum are very old. Books used in philosophy and logic, for example, were written in the thirteenth and fourteenth centuries. Medicine is now rarely included in the course list whereas it is taught through an eleventh-century text that is still considered an authentic study of human anatomy and pathology. In what we have described as purely religious subjects, the books used date back to the seventeenth century at the latest and the eleventh century at the earliest. Books prescribed for astronomy, mathematics, and grammar are more than five to seven-hundred-year-old texts.

Presently each school of thought (Religious Sect/denomination) has established its own Madrassa System called WAFAQ to which are attached the schools being run by the said Sect. These five Wafaqs are as under:-

i) Wafaqul Madrass ul Arabia (Deobandi Sect)5
ii) Wafaq Madaras Al Salfia (Ahle Hadith)
iii) Tanzim ul Madaras (Barelvi)
iv) Wafaq ul Madaras Al-Shia (Ahle Tasheen)
v) Rabatul Madarass of Jamiat-i-Islami.

The Diplomas issued by these institutions (Wafaqs) are recognized by the State authorities6, especially, in the subjects of Islamic Studies and Arabic language. The students of these madrassas are also allowed to take examination of the Education Boards & Universities chartered by the State. The students by qualifying these examinations, obtain Degrees from these Universities.

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5 http://www.wifaqulmadaris.org/
6 Equivalence Committee of Higher Education Commission of Pakistan recognizes Degree of Madrasa equivalent to M.A Arabic/Islamic Studies of public universities for purpose of teaching Arabic.
In these Madarassas subjects of Science, Arithmetic, Algebra and Pakistan Studies have been introduced besides the usual subjects. The students of these Madrassas also appear in the examinations held by Board of Intermediate & Secondary Education and Universities of Punjab and other Universities as private students and qualify their exams for obtaining their certificates and degrees. The organizers of these Madrassas issue their own Sanads after holding examination by these Wafaqs and are not prepared to surrender their independence so as to provide education of their own choice & their autonomy is thus being maintained by them.

6.A Religious education is being imparted at State level in Public Schools from Class-1 to Class-10 i.e. in the first ten years of education. However, in the course of higher education, religious education is provided for as an elective/optional subject in almost all areas including, but not limited to, engineering, medicine, architecture, law, accountancy, business administration and other social sciences etc.

The public schools curricula does not include denominational religious instruction as a specific subject. The State through its Education Department prescribes curricula for the public schools. The books prescribed contain material for exposition of knowledge concerning Islam and Islamic faith. However, in private schools emphasis is on beliefs of the denomination to which the madarassa belongs. In public schools, religion is one of the optional subjects. Teachers with relevant qualifications of the subject with reference to the stage of study (Primary/Secondary/Intermediate) are appointed by the Education Department of the Government and the salaries of the teachers are paid by the Government.

The Government of Gen. Pervez Musharraf promulgated law\(^7\) to register madrassas (Religious Schools) of the religious sects but succeeded partly in registering these madrassas. The religious sects and denominations are providing education in madrassas established by them, they have set up their own curriculum and syllabus.\(^8\)

B. Religious Education

Religion is taught in madrassas in an elaborate manner over a period of 10-12 years. Thereafter, specialized study of subjects extending over 2-3 years in each subject is undertaken. These subjects include Fiqh, Tafseer, Ifta and Hadith. Ifta Takhasus (Specialization) Course is a 3-year course in Jamia Dar-ul-Uloom, Karachi. In this course, methodology of analyzing issues and finding appropriate answers by applying relevant jurisprudential principles is studied. Ijtehad (a source of development of law) is undertaken. So only those, who are qualified in Ifta, can act as Mufti and issue Fatwa.

As regards qualification of a teacher of madrassa, the qualification is dependent on the subject and grade of the course and the class of study. A teacher, who teaches reading the text of Quran, should have qualified in or at least know the Tajweed i.e. how to read the Arabic text. A teacher who is supervising students memorizing Quran, should have experience of memorizing

\(^7\) Section 21 was inserted by the Societies Registration (Amendment) Act 2005 (XIII of 2005) and substituted by the Societies Registration (Amendment) Act 2006 (VII of 2006) to provide for registration of Madrassas (Religious Schools). http://www.punjablaws.gov.pk/laws/l1.html#_ftn16

\(^8\) See National Education Policy 2009 as it stipulates establishment of Madrasa Education Authority but no legal provision appears to have been made to legally establish such an authority http://www.infopak.gov.pk/National_Education_Policy_2009.pdf
Verses of Quran by the students. He himself need not necessarily be a Hafiz (a person who has memorized the Quran). A teacher teaching Dars-e-Nizami classes should have qualified Dars-e-Nizami himself at least, specialization (Takhasus) in any subject and experience of teaching is preferred.

A few madrassas are being provided funds by Waqf Department but these are nominal. Philanthropist and well-to-do people of the society are the main source of funding for religious madrassas which are providing education to poorest of the poorer and lower middle class, free of cost.

The persistence of traditional Islam as a significant cultural alternative and as an intellectual pursuit is due to these madrassas. The four primary concerns that Ulema (Religious Scholars) through these madrassas are serving, are:

1. unity and integrity of Islamic Ummah as universal religious community.
2. integrity and orthodox beliefs and practices of Islam and the consensus of classical jurists.
3. preservation of Shariah, especially, in matters pertaining to family laws and religious rituals; and
4. dissemination of the Islamic religious knowledge under their supervision and guidance.

As interpreters, they resolve religious disputes and issue Fatwas, providing the Faithful with religious guidance on all kinds of issues. As religious functionaries, they organize and lead congregational prayers, supervise the celebration of Islamic religious occasions, and conduct marriage ceremonies and burial rituals. The madrassa education is critical for all these functions and concerns and the madrassas are taken as citadels of Islamic faith.

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