

Protection and Respect of Non-Muslims in Pakistan, An Analytical Study in the Context of Jaranwala Incident

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Abstract

Islam is a religion of peace and tolerance. Pakistan was the lifted in the name of Islam and the constitution of Pakistan being Islamic, the freedom of religion and respect for life and property of our minorities was given formal legal form in the constitution. Under the Constitution of Pakistan, every citizen has freedom of religion and worship. The constitution of Pakistan does not make any distinction between Muslims and non-Muslims. In Pakistan, without any discrimination of caste, color, race and religion, everyone has equal and equal rights. A law has been made to ensure the provision of equal education and development opportunities at the national level. Moreover, special quota has been allocated for educational institutions and prominent services for minorities. Apart from this, financial assistance from the Awqaf Department is also a part of their rights for ensuring the protection and development of the rights of the economically weaker sections of the minorities. National policies leave no stone unturned in promoting interfaith, harmony and solidarity. For this, the government of Pakistan also reviews the measures for the welfare of all minorities. But unfortunately, there are people in every country and nation who take the law into their own hands and make any person accused and guilty without any investigation. In the same way, religious aspects also show a lot of inflation. Therefore, there is a need to know how to control such incidents in which all the citizens of the country can get peace and justice in practice. This article will highlight the protection and respect of non-Muslims in the context of Jaranwala incident.

Keywords: Protection and Respect, Non-Muslims, Analytical Study, Jaranwala Incident

It is known from the Qur'an that the purpose of the universe is human being, and the rest of the universe has been created by God in the works of human being, even everything that was created on earth was created for the sake of human beings, so it is said in Surah Baqarah:

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"هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا"¹

It is He who created for you everything that is on earth.

That is, whatever rivers, mountains, mines, farms, seas, etc. are on the earth, everything has been created by Allah for your religious and worldly benefit. The religious benefit is that by seeing the wonders of the earth, man recognizes the wisdom and power of Allah Almighty and uses his intellect to gain access to the mysteries of the universe. And it will not be found until the Day of Judgment. Do you know what that honor and position is? Yes! Ashraf al-Makhluqat, i.e., excellence and superiority over all creations has been given. Along with inner perfections and virtues, Allah made man distinguished in his outward form and appearance, so He said:

"لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي أَحْسَنِ تَقْوِيمٍ"²

Indeed, We have created man in the best form. That is, We created man in the best shape and form, made him fit in his limbs, made him not bent like the animals but upright, and did not hold him with his mouth like the animals, but held him with our hands. He created him and adorned him with knowledge, understanding, intellect, discernment, and the ability to speak. Islam is a religion that does not look down on any religion, rather it affirms all heavenly religions and gives its followers complete freedom to follow their own religion, like Judaism and Christianity, they seek guidance at their own door. It does not close it, but keeps it open all the time. But it cannot force any non-Muslim who is living naked under the Muslim government to accept Islam. They should not be forced or coerced.

There is no doubt in this that the Muslims have observed this order of God, rather they have fully paid their right to follow these orders. The agreements that the Prophet ﷺ and the Rashidun Caliphs made with different nations and the treaties that they signed with them show the breadth of Islam and the proof of their generosity. Not only this, but the people of non-nations have also recognized that how Islam respects the people of non-religion, how it gives them religious freedom, social and commercial freedom.

At the request of the people of Najran, the Prophet ﷺ wrote the treaty of peace, the words of which were: "Refuge for the Christians of Najran and their neighbour's is the covenant of Allah and Muhammad ﷺ, their lives, their religion, The land, the wealth, the present and the absent, the messengers and their religious symbols, will all be restored to the condition they are in until now. None of their rights and none of their signs shall be changed."³

The words of the peace treaty that Hz. Umar Farooq had written to the people of Bayt al-Maqdis are as follows: "Give them peace, their lives and wealth, and their synagogues and crosses, and for their healthy and sick, this peace is the whole of Elijah." It is for the nation. A pledge is made that their synagogues will not be made the abode of Muslims, nor will they be demolished. Neither will any reduction be made in their premises and their buildings. Neither their crosses

¹ Surah al-Baqarah, Verse, 29.

² Surah al-Theen, Verse, 4.

³ Futuh al-Buldan, Baladhuri, Ahmad ibn Yahya, page, 73.

nor any of their property will be harmed, nor will any coercion be imposed on them in matters of religion, nor will any of them be harmed.⁴

Rights of non-Muslims in Islam

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. The Qur'an 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. The real basis of the relationship between Muslims and non-Muslims is peace and security, mutual sympathy, and cooperation. In this regard, two verses of the Holy Quran have constitutional status, which are very sensitive to the relationship between Muslims and non-Muslims. Explaining the angles, the Holy Quran says:

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ “
إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُم مِّن دِيَارِكُمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ أَن تَوَلَّوهُمْ وَمَن يَتَوَلَّهُمْ فَأُولَٰئِكَ يُمِ
الظَّالِمُونَ”⁵

"Allah does not prevent you from treating those who do not fight in the matter of religion with goodness and justice and does not drive you out of your homes. Allah loves those who do justice, He loves you. What prevents it is that you make friends with those who have fought with you in the matter of religion and expelled you from your homes and helped each other in your exodus, those who Make friends, they are cruel. " This means that doing justice to all human beings is the desired attitude of Muslims, whether they are infidels or polytheists, that is, disbelief and polytheism is not due to Turkish connection, but due to cruel behavior and enmity, friendship, and secret relationships. It is forbidden, those disbelievers who are not actively cruel and enmity with Muslims, not only is being ordered to be fair and just, but also to treat them with goodwill, compassion, and kindness. There is also encouragement. And those infidels who are opposed to the Muslims and are facing severe enmity, are forbidden to have only friendship and confidential affairs with them, not justice and fairness. Maulana Amin Ahsan Islahi explained this important point below this verse, he writes that:

“If you consider this verse, you will know that there is limitation in it and what is forbidden is to make friends with these disbelievers and not to do good and justice to them. It is known that there is no question of distinction between infidels and believers, friends, and enemies. Whatever the law and the agreement require must be fulfilled, it does not matter whether the matter is a friend or an enemy”.⁶

In another verse he said:

⁴ [Tarikh al-Rusul wa al-Muluk](#) , Tareeh, Abū Ja‘far Muḥammad ibn Jarīr ibn Yazīd al-Ṭabarī, V,4, Page, 159.

⁵ Surah al-Mumtahanah, Verse, 8-9.

⁶ Tadabbur e Quran, Amin Ahsan Islahi, V, 7, page, 335.

7 "وَإِنْ جَنَحُوا لِلسَّلْمِ فَاجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ بِوَسْمِيعِ الْعَلِيمِ"

"And if the enemies are inclined towards peace and security, then be prepared for it and put your trust in Allah, surely He is All-Hearing and All-Knowing." That is, if the enemy inclines towards reconciliation and peace, then you actively participate in it. But try to smooth the relationship with them.

Protection of life:

In the protection of life, both a Muslim and a non-Muslim are equal, the life of both will be equally protected and respected. The Prophet (peace be upon him) said:

8 "من قتل معاهدًا لم يرح رائحة الجنة، وإن ريحها ليوجد من مسيرة أربعين عامًا"

He who kills a covenant will not even smell the fragrance of Paradise, while its fragrance can be felt even from forty years. The Messenger of Allah (peace and blessings of Allah be upon him) said after saying the agreement for the protection of life and property from the non-Muslims of Najran:

9 "ولنجران وحاشيتها جوار الله و ذمة محمد النبي رسول الله على اموالهم و ارضهم و ملتهم و غائبهم و شاهدهم و عشيرتهم و تبعهم و كل ما تحت ايديهم من قليل و كثير"

"The people of Najran and all their people are under the protection of Allah and the responsibility of His Messenger Muhammad, peace and blessings of Allah be upon him, their wealth, land and property, their religion and nation, their absent and present and they're on the family and all those subordinates. Khalid bin Waleed (may Allah be pleased with him) wrote to the people of Hira regarding the non-Muslims:

10 وجعلت لهم ايماشيخ ضعف عن العمل أو أصابته آفة من الآفات أو كان غنيا فافتقر و صار اهل دينه يتصدقون عليه طرحت جزيته و عيل من بيت المسلمين هو و عياله

That is, if a non-Muslim is unable to work or suffers a calamity or was previously rich and then became poor and people start giving him charity, then his Jizya will be forgiven and his and his family will be raised from the Muslim treasury.

Hazrat Umar said in his last will:

"I bequeath to the caliph who succeeds me the covenant and responsibility of Allah and His Messenger (peace and blessings of Allah be upon him) to fulfill the covenant of the Dhimmis, to fight in their protection and defense, and to exercise their power over them. Do not pour more than."

Protection of Property:

7 Surah al-Anfal, verse, 61.

8 Sahih al-Bukhari, Kitab al-Jihad, V, 1, page, 448.

9 Kitāb al-kharāj, al-Imām Abī Yūsuf, page, 72.

10 Kitāb al-kharāj al-Imām Abī Yūsuf, page, 126

11 Hz. Umar ke Siyasi Nazriyye, Ebu Yahya Imam Khan, page, 93.

The Islamic state will protect the property of dhimmis like Muslims, dispossess them of their rightful ownership, and not forcibly occupy their lands and properties, even if they do not pay jizya, their properties will be auctioned. etc. will not. Hazrat Ali wrote to one of his followers:

"Never sell their donkeys, their cows and their clothes as tribute."¹²

The dhimmis will have the same rights as Muslims to buy and sell, trade and industry and all other means of livelihood, besides, they can also buy and sell. Also, they will have the right to dispose of their property, they can also transfer their property to others through wills etc. Their property will also be distributed among their heirs, even if the arrears of jizya were due in the account of a dhimmi and he dies, it will not be collected from his estate and no pressure will be placed on his heirs. It is not permissible to take the property of a dhimmi without a legitimate method.

Protection of honor and reputation:

Like Muslims, the honor and dignity of dhimmis and chastity will be protected, and no citizen of the Islamic state will be insulted or humiliated. Attacking the honor of a dhimmi, gossiping about him, prying into his personal life, slandering his secrets, beating him, beating him and abusing him is just as illegal and forbidden as it is for a Muslim.

¹³ "ويجب كف الأذى عنه، وتحرم غيبته كالمسلم"

It is obligatory to refrain from hurting him and backbiting him is as forbidden as that of a Muslim.

Internal and external security

Islam obliges the common people to get complete protection from all internal and external harm and harm through each other, the killing of a single human being has been declared as a serious international crime in the Holy Quran. (Al-Ma'idah: 32) Regarding the provision of protection to non-Muslims in particular, the Messenger of Allah (peace and blessings of Allah be upon him) said:

¹⁴ "من ظلم معابداً أو انتقصه حقا أو كلفه فوق طاقته أو أخذ منه شيئاً بغير طيب نفسه فإنا حجيجه يوم القيامة"

"Whoever oppresses a non-Muslim in a contract, or reduces his right, or imposes on him a responsibility beyond his capacity to bear, or takes something from him without his will or liking, I will punish him on the Day of Resurrection." I will be the proof against it. That is, if the people of war come to our territory with the intention of capturing a dhimmi (non-Muslim), then it is necessary for us to go out to fight them with weapons, even if we have to sacrifice our lives to protect this non-Muslim, who He is living under the responsibility of Allah and His Messenger, to entrust it to him would be neglecting the responsibility of this contract.¹⁵

¹² Islami Hakumat mein Ghar Muslimu ka Huqooq, page, 20.

¹³ Islami Hakumat mein Ghar Muslimu ka Huqooq, page, 15

¹⁴ Sunan, Ebu Dawud,

¹⁵ Al-Frooq, Shihabuddin al-Qarafi, V, 3, Page, 16.

Religious Freedom:

Dhimmis will have complete freedom in beliefs and worship and religious ceremonies and rituals, their beliefs and religious matters will not be attacked, their mosques, churches, temples and places of worship will not be demolished.

The Qur'an clearly said:

لَا إِكْرَاهَ فِي الدِّينِ ۗ لَقَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ¹⁶

There is no coercion in the matter of religion, guidance is separated from misguidance.

Settlements that are not included in Islamic cities, if their places of worship are destroyed, can repair them and build new places of worship in their places. However, in these cities, which are reserved for the performance of Eid-ul-Fitr, Iqamah Hudud and religious rituals, they will not be allowed to perform religious rituals openly and take out religious and national processions. Nor can they build new places of worship in these places. However, they will have complete freedom inside the places of worship. And they can also repair the places of worship. The debauchery and debauchery of which the people are convinced themselves are responsible and which are forbidden in their religion, then they will be prevented from committing them openly. Whether they are in Islamic cities or in other cities. Non-Muslims can also establish religious schools for the education of their children. They will also have the freedom to teach and propagate their religion and describe its virtues in a positive manner.

Hazrat Umar bin Abdul Aziz made an appeal to Hazrat Hasan in this regard:

“ما بال الخلفاء الراشدين، تركوا أهل الذمة، وما بهم عليه من نكاح المحارم، واقتناء الخمر والخنازير”

What is the matter that the Rashidun Caliphs left the dhimmis free in the matter of marriage with mahram and alcohol and pork?

Hazrat Hasan wrote in reply:

“انما بذلوا الجزية ليتركوا وما يعتقدون، وانما أنت متبع لا مبتدع”

They have accepted to pay Jizya so that they are allowed to live according to their faith. Your job is to follow the previous method, not to invent a new method.”¹⁷

Historical background of incidents like Jaranwala

In the 21st century, such events took place in Pakistan that no one could have imagined. The people took some of the issues that were the work of the government into their hands, so some of the powers that the government had reserved were taken away by the individual and the crowd. After 9/11 there were many incidents in which individuals and mobs made their own decisions. In the face of these decisions, the state remained as a helpless spectator. Now, it would be

¹⁶ Surah al-Baqarah, Verse, 256.

¹⁷ Islami Hukumat men Ghar Muslimu ka Hakuk, page, 11.

appropriate to present here some incidents that will clarify the decisions and power grabs of the individual and the crowd in the 21st century Pakistan.

There was an incident in June 2009 in Sheikhpura district of Punjab province in which two Muslim women accused a Christian woman Asia Bibi of blasphemy while working in the field. In June 2009, a case was registered against her under Section 295C of the Blasphemy Act, alleging that Asia Bibi uttered 'three insulting words' against the Prophet of Islam during an argument with women who worked with her in the fields. had said: At that time, People's Party leader and Governor of Punjab Salman Taseer went to meet Asia Bibi in jail and spoke in her favor. He was shot and killed in the market. Salman Taseer insulted Mumtaz Qadri, due to which he was forced to kill him.

In November 2014, Shahzad and his wife Shama were killed and then burnt by an angry mob in Kasur's Kot Radhakshan town over alleged desecration of the Quran. Similarly, Mashal Khan was severely tortured and killed on April 13, 2017 at Abdul Wali Khan University in Mardan by a mob consisting of students and others after accusing him of blasphemy. Chief Justice Saqib Nisar took notice of the incident. The then IG Police Salahuddin Mehsud had said that during the investigation, no evidence was found of the use of offensive words by Mashal Khan and his friends who were killed by angry students in Mardan.

Mishal Khan could not be proven insulted or indecent talk and he was killed by the mob. Earlier in March 2013, a case of blasphemy was filed against Junaid Hafeez, a lecturer of Bahauddin Zakariya University. Junaid Hafeez's lawyer Rashid Rehman was killed in May 2014 in this case.

Then in March 2019, Associate Professor of English Khalid Hameed was stabbed to death inside the college by a student, Khatib Hussain, in Bahawalpur. The student accused Professor Khalid Hameed of being anti-Islamic. In November 2020, a bank security guard killed bank manager Imran Hanif in Khushab on charges of blasphemy. When the killer reached the police station, a crowd accompanied him on the way, shouting slogans in his favor. Some people in the crowd were even found kissing him. On October 31, 2018, the Supreme Court of Pakistan acquitted Asia Masih, who was sentenced to death in the case of blasphemy. The event that took place in June 2009.

On August 16, an alleged incident of blasphemy took place in Faisalabad's tehsil headquarters, Jaranwala. The angry people burnt 4 churches, dozens of houses, vehicles, and belongings of the Christian community. But if you think about it, we as Muslims in other countries protest these countries for insulting Quran and religion, we make demands from them, but if such incidents happen in Pakistan, then how do we respond to them? As Pakistan condemned the events of Manipur, there were demonstrations across Pakistan on blasphemy in Sweden and Norway and whenever there is blasphemy in any part of the world, Pakistan does not strongly condemn it, but with religion. Lovers show their love for religion by burning some vehicles of their own country and some government properties. But the question arises that after this incident, can Pakistan condemn the persecution of Christians in Manipur, India?

After this incident, can Pakistan protest the blasphemy in France, Sweden, Holland, and Norway etc. and can religious lovers hold rallies in which they abuse these countries, boycott them and their ambassadors? Demands for withdrawal must be made. If such rallies and

processions take place in Christian countries now, in which they demand the boycott of Pakistan and the expulsion of Pakistani ambassadors, will it not be correct? And most importantly, whether burning a place of worship of another religion, killing innocent people, burning their property, etc. does not fall under the category of blasphemy. Announcing from the mosque to burn the church is not blasphemy against Islam and religion. What is the responsibility of our religious scholars in these situations? Is the responsibility of the government officials to the extent that they should condemn. The Chief Minister should say that the criminals should be punished. I can say, but how can those whose responsibility is to protect people's lives and property use words like "must" in the form of advice. Why are concrete steps not being taken to eradicate such incidents are?

Conclusions and recommendations

Islam is a complete code of life. In it there is guidance in all matters of humanity, whether that person is a follower of the religion of Islam or not. In Islam, the teachings regarding the rights of non-Muslims, their institutions, the protection, and comfort of places of worship are very clear, but despite this, there is a lot of negligence in this regard in Muslim countries. It is totally against Islamic teachings to harm many people and damage their properties and places of worship due to the fault of one person. Burning the places of worship of non-Muslims in an Islamic country is equivalent to burning one's own places of worship. Therefore, if someone burns our mosques, it hurts us as much as it hurts non-Muslims. Then burning their houses and properties, where is this Islam? The need is that incidents like these need to be completely eradicated, for which the government should immediately implement the law so that no one can dare to do this kind of thing in the future.

The international community must set new rules and regulations, bring forth a code of conduct that condemns all forms of violence and discrimination against all religions, including Islam and faith. This requires a global dialogue to promote a culture of tolerance and peace. Many Pakistanis believe that people guilty of blasphemy should be punished. But in this regard, it is necessary to convey the religious teachings to the public regarding what the religious teachings are and how the laws of today apply them.

If Muslims want that non-Muslims respect their Prophet ﷺ, they must first follow the teachings of their Prophet ﷺ. Hazrat Muhammad ﷺ was a preacher of the land. He asked Muslims to respect other religions. Once he allowed the Christian delegation, including the bishop, to worship in the mosque. Muslim leaders should speak openly against attacks on temples and churches. Muslim majority countries should protect the rights of non-Muslims. If the administration and social institutions fulfill their responsibility properly, these accidents can be avoided.

A common man takes the law into his hands when he loses faith in the police and the justice system. It has settled in people's minds that there is a flaw in our judicial system due to which the criminal is spared. Therefore, there is a need to bring a positive change in judicial decisions. At the official level, those who take the law into their hands are not treated harshly, but only a statement of condemnation is issued while being lenient. Politicians do not openly discuss religion and extremism; they are afraid of not taking timely decisions. The role of media is also very important in these events whether it is social media or mainstream media. Young people are the most present

in the crowd and this segment is the most influenced by social media. Therefore, it is the responsibility of the media not to broadcast such news without full verification. This is a serious and sensitive topic.

