

Madressah Education in Pakistan

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Abstract:

Ignored and neglected not only by the West but also by their own modern countrymen, religious seminaries that is Madressah of Pakistan suddenly became a matter of concern in the national and international media after the 11th September 2001 incident of New York. These institutions impart orthodox education based on basic theological teachings of Islam and the syllabus is called Dars-i-Nizami.

This study focuses on the madressah education in Pakistan yet an

Overview of the Islamic world Madressah is also observed. Madressah is an institution where Islamic religious education is mandatory on the same pattern as Medical colleges produce Doctors, Engineering universities produce Engineers and other professional institutes produce experts. This study attempts to observe some basic aspects like madressah education, government policies, criticism by the W PHD

Estern media and madaris or Faith schools of non-Muslims as well.

Introduction

Madressah is a genuine Arabic formation. It is derived from the noun dars, /dars/, "to read", "to study", *tadris*, its verbal noun (*masder*), meant "the teaching of law", the function as well as the post of professor of law; the plural, *tadaris*, or "professor of law", was of later development, when the holding of several professorships of different subjects by one doctor of the law became a common practice. The term dars, means "a lesson or lecture on law.

Key words: *Madaris, Syllabus, Religious education, Western media, Faith schools of non-Muslims*

First Madressah in Islam

The first Madressah in the history of Islam was established by the Holy Prophet

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- (24) Ibid: 7/14 to 19.
- (25) Ibid: 7/20 to 24.
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- (27) Laws of Mano: 7/262,263-264.
- (28) Ibid: 7/345-346 & 356.
- (29) Ibid: 7/272 to 276 & 366 to 369.
- (30) Ibid: 7/391.
- (31) Ibid: 8/371.

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- (1) Al.Quran: 33/62
- (2) Ibid: 3/145
- (3) Ibid: 2/196,211 and 12/22
- (4) Ibid: 36/54
- (5) Ibid: 16/34
- (6) Ibn.e. Hanbal, Masnad.e.hanbal, vol:5,p54.
- (7) Al.Quran: 42/30.
- (8) Ibid: 22/100.
- (9) Ibid: 4/48.
- (10) Ibid: 2/275.
- (11) Ibid: 49/12.
- (12) Ibid: 4/10.
- (13) Ibid: 69/34, 35, 36 & 37.
- (14) Ibid: 5/36-37
- (15) Abu Daod, Sunan.e.Abi Daod, vol: 4, p378.
- (16) Al.Quran: 2/178-179.
- (17) Ibid: 5/38-39.
- (18) Ibid: 24/2-3
- (19) Ibid: 24/2-3
- (20) Ray Roshan lal, Urdu Commentary of Bhagwat Gita, Fiction House, 1996: p13
- (21) Ibid: p15
- (22) Laws of Mano: 12/3 to 9

2-Financial punishment or charge:

Financial punishment was for the sins like stealing, theft and breach of promise. Financial punishment was greater for Brahman, Khashtriyas, Vaisyas and Sudras respectively as the means of income for Brahmans was greater and for Sudras were limited. For example in case of a robbery Sudras' fine had been fixed eight times, 16 times for Vaisyas, 30 times for Khashtriyas, whereas for Brahman it was 64 times or 100 times. It depended on the type of crimes. Along with it if a trader imported a stuff which is the king's monopoly or import the stuffs on because of greed his property could be seized in the favor of the king.⁽³⁰⁾

3-Social boycott or elimination from the caste:

Those people are excluded from the cast as a denunciation who are unable to perform the holy rites, are excluded from caste. The same happens to those who are born lower caste women. If a woman of the lower caste gave birth to the Brahman's child or a person from any other higher caste they are called "*Aspad*" i.e. Low cast .while .If a woman of the higher caste gave birth to the Sudra's child he is called a Diabolical creature. According to Hindus these are considered as worst amongst humans. Similarly the ones born of the intermingling of Brahman, Khashtriyas, and Vaisyas whose holy rites had not been performed were out casted and were called *Viratya*. The Brahmans had to face a social boycott as a result of those sins which would lead to a death sentence for the other castes. Brahman could never be sentenced to death. That's why they were exiled after having their heads shaved. Manu states, "A Brahman who has committed all the sins will not be sentenced to death. The king should exile such a sinner and confiscate his property."⁽³¹⁾

Conclusion:

It is evident from the examples in this article that both Islam and Hinduism have tried to moralize their followers by providing them rules for punishing the sinners. They aim to rehabilitate and reform the society and purge it of its harmful elements. But where Hinduism has based its laws on the caste system, Islam preaches equality. The Islamic laws for retribution follow the principal of equality and no one is exempted from any kind of punishment. Its laws are more logical and satisfying the ones who were wronged, whereas the caste system may lead to the frustration of its followers sometimes.

wife, was sent to the forest (*Dandak Jangal*) as a punishment, where one spent a specific period of time, usually 14 years.⁽²⁶⁾

1- Physical punishment or death sentence:

A Brahman never received physical punishment or death sentence. According to Manu Shastar whatever the sin was, a Brahman could never be sentenced to death, because the death of a Brahman was considered the death of whole humanity and this universe exists because of Brahmans. They are the reason of the creation of the universe therefore they were not punished physically. Physical punishments or death sentence was mostly reserved for sudras as they were servants of Brahmans, Kashtriyas and for Vaisyas. So, whenever they wanted they could penalize Sudras.

Sudras were punished in case of going against Vedas teachings. For example it has been written in *Manu Shastar* that in case of showing arrogance or rudeness to the *Brahman, Kashtriyas, or Vaisayas* the *Sudras* will be deprived of the tongue. If he reminds a Brahman his duties in an insulting way the king will pour boiling oil in their eyes and mouth. If *Sudras* talk about a person of the higher caste in insulting way, a hot red iron nail of ten finger length will be nailed into his mouth. That organ of a lower caste person was to be amputated with which he attacked. Lower caste men were punished with burning hot iron rods in the case of sitting on the seat of high caste person or king. If someone spat over a higher caste man with scorn, his lips were cut off.⁽²⁷⁾

The ones who had illicit sexual relationships were penalized and the reason behind it was that such relations are responsible for intermingling of different castes. This destroys the social system utterly and leads to destruction of everything. Therefore it has been emphasised in Manu Shastar that one should be punished in such a way that it leaves a mark on his body for having illegal sexual relations with other's wives. The important thing to be mentioned in such a punishment is that, if one had illegal sexual relation by force, he deserved to be punished immediately. But if a woman was willing in this relation, then he will be punished financially not physically. Therefore it has been written in *Manu Shastar* that after the resistance of a virgin a guilty person deserved to be punished immediately. But if someone had fun with willingness of a same caste virgin, he would not deserve physical punishment.⁽²⁸⁾ So in this case the most important aim of physical punishment was to stop the intermingling of castes. The punishments for having illegal sexual relationships with women from the other castes varied from a death sentence to a fine of one thousand for people from different castes.⁽²⁹⁾

Those who robbed grains, honey, milk, ghee will be reborn as rats, stinging insects, crow and scorpion respectively. These are some of the examples and the list of crimes and penalties goes on. ⁽²³⁾

In Hinduism these spiritual punishments are the moral teachings for the prevention and prohibition of sins and social evils. They play a prominent role in the lives of Hindus and make them stick to their religious and social duties. These teachings have let them remain attached to their old tradition and religion for thousands of years.

Material and Corporal Punishments:

The concept of physical punishments in Hindu religion is that punishment is Ishwar's son, who was created by Ishwar (God) for the king. Ishwar's son is the protector of all creature and the Avatar (incarnation) of laws created by the Brahma himself. Due to the fear of punishment all the creatures whether in quiescent or moving all have fun and get pleasure without being dishonest in their duties. Managerial systems are run correctly due to this system of retribution and it helps to make the ruler and people from the four castes to obey law. Punishment is the master of creatures and it is their protector. A proper punishment is a source of happiness and satisfaction, whereas, an unjust punishment brings about destruction. ⁽²⁴⁾

If the king does not punish in a just manner, according to the Manu, the weaker will be roasted like fish by powerful. The crows will eat the limbs of *Yagya* and the dogs will lick *Yagya's* meal. Nothing and no one will remain safe. The position of higher caste will be seized by lower caste, because the discipline exists due to punishment in the world. ⁽²⁵⁾ Finding out of an innocent person is difficult and the whole world has fun due to presence of punishment. So this system of retribution is the power behind the discipline in universe and basic part for the human social life.

There are three types of punishments in this world:

- 1- Physical punishment or death sentence.
- 2- Financial punishment or fine.
- 3- Social boycott or elimination from caste.

Whereas one of the oldest kind of punishment was that if someone robbed the Brahman, hurt an innocent person physically or showed desire for another's

punishment for the sin of fornication is flogging them with hundred stripes and in some cases a death sentence. It has also been stated that at the time of punishment not to show kindness to the guilty person.⁽¹⁹⁾

Concept of Punishment in Hinduism:

This was a short account of the *Hudud* in *Sharia* (Islamic law), now we will proceed to discuss the concept of punishment in Hinduism. In Hinduism an intricate system of penalties and punishments has been provided to its follower, but the caste system has influenced its efficacy adversely. Its system of retribution and penalties is based on the caste system. For various classes the penalty is totally different for committing the very same crime. According to these laws a person from the superior caste is exempted from physical punishment whereas the ones belonging to the lower castes deserve a higher degree of punishment.

In Hinduism, punishments are of two kinds. They are the spiritual and the corporal ones. The concept of the after life punishments is based upon the *Awagwan* theory, i.e., a person will be treated according to his deeds in the next life. Whereas, the king carries out the corporal punishments in this world himself based on caste system.

There are two factors of spiritual punishments. One is the concept of *Karam* which is based upon the idea that the human beings and universe has been clamped into the cause and effect relationship. According to this theory the aim of human struggle and efforts is to break the shackles of this obstacle and connection of cause and effect and this is called human salvation. This idea is further developed into the theory of the immortality of soul.⁽²⁰⁾ According to the *Karam* theory the soul gets absorbed into new body⁽²¹⁾ after leaving of the old one the way human beings replace the old clothes with the new ones. Good or bad whatever a human faces is in fact the consequence of one's own deeds. These actions divide humanity into three groups i.e., the highest, the medium and the lowest. Similarly, even an evil thought can lead to one's punishment in this world or the next.⁽²²⁾

According to *Mano Shastar* the guilty after bearing years in the hell at the end of their punishment will be purged of their sins. Still they will be born in the form of animals in the next life. The murderer of a Brahman will be born to a dog, pig, donkey, camel, cow, goat or a bird. If a Brahman drinks *Sora* (a kind of wine) he will be reborn in the form of an insect in the next life. If someone gets pleasure in inflicting pain upon others will be reborn as carnivores or insects.

The second phase is the interval between the death and resurrection ^[8] where the soul of all human being will remain for a specific period and will be punished or rewarded accordingly for its deeds.

The third phase is the day of Resurrection when all the human beings will be raised back to life and presented before their Lord, the Almighty. The record will be presented to Allah and they will be divided into two groups i.e. the righteous and the wrongdoers. The scales of justice will be set up, so that no man is wronged in the least. Everyone's deeds will be brought forward, even a deed as small as a mustard seed will not remain hidden. Then, witnesses will be presented so that no one is left with an excuse to deny their sins. Heaven would be the reward for the righteous whereas hell would be the abode of the sinners as their punishment. Hell is also the place where the sinners can be purged and cleansed of their sins except for the sin of polytheism. ⁽⁹⁾ Beside this the punishments of various sins have been mentioned in such a manner in the Holy Quran that the reader can easily imagine and ultimately understand.

It has been stated about usurers that they will rise up as if they have lost their senses after being touched by Satan ^[10]. For backbiting it has been stated that it is like eating the meat of one's dead brother ^[11]. While the devouring of orphans property by unfair means has been compared with filling their bellies with fire ^[12]. It has also been stated that selfish people, who do not help the needy, will not be able to seek help on the day of resurrection. Those who satiated their own selves and did not bother about the pains of their poor brethren by paying them *Zakat* (alms) of one's wealth, will be given to eat the puss of wounds in the hell. ⁽¹³⁾

The physical or corporal punishments are of two kinds. This classification is with regards to its nature i.e. the individual and collective crimes. There are ones who commit a crime because of the enmity they have for a certain person thus causing someone the loss of life, property or honor. Whereas there are others who are habitual or professional criminals like robbers, Rebels ⁽¹⁴⁾ and infidels have also been considered as ones who deserve penalty and can even be sentenced to death. ^[15]

The basic principle in these punishments is *Qisas* i.e. an eye for an eye treatment. ^[16] A deliberate murderer is to be sentenced to death. Only if the relatives of the murdered agree to pardon him he can live after paying the fine. ^[17] The limbs of a thief are to be amputated. If someone is found guilty of accusing a chaste woman, he will be flogged with eighty stripes along with the disgrace of being branded as a perjurer which invalidates his evidence. ⁽¹⁸⁾ The

and retribution provided by Islam and Hinduism are presented in the light of *Manu Shastra* and Quran-o-Hadith in the statements given below.

Basic Principles of the Islamic laws:

According to Islamic teachings Allah has created this universe and runs it in a systemic way, not haphazardly, which is called *Sunane Ilahi*.⁽¹⁾ In this material and physical world this *Sunane Ilahi* is based upon the principle of cause and effect, the principal of balance in everything. Every act of a human being which is in conformity with the *Sunan-Ilahi* is called a good deed and its inevitable result is the "Good reward"^[2]. While the idea or act against this law is a "sin", and the effect or result is named as "punishment"^[3]. In other words reward and punishment are the ultimate results of human actions.

There is a verse that says:

"Then, on that day, not a soul will be wronged in the least, and ye shall but be repaid the reward of your past Deeds."⁽⁴⁾

Another verse states,

"But the evil results of their deeds overtook them and that every (wrath) at which they had scoffed hemmed them in."⁽⁵⁾

The Prophet Muhammad (S.A.W) said while explaining of this principle, that on the day of resurrection Allah will say O my servants (or slaves) these are your deeds. Those who get a good reward should be thankful to Allah, and those who are reprimanded for their evil deeds, should reproach themselves.⁽⁶⁾

The Islamic philosophy of punishments runs at three levels. The first level is this present mortal world, second is *Barzakh* (the interval between the death and resurrection), and the third one is the life after death the next world.

In this world, if a person commits a sin he is rebuked by his own chiding conscience. Again, when a person plunges himself into lowliness with regards morality and crosses his limits God afflicts him with misfortune to warn him.⁽⁷⁾ This punishment encompasses all the evil deeds that a person can commit. Then, there are crimes for which Islam provides us with defined laws for punishment called *Hudud*. Their details have been given in the Islamic Jurisprudence (*fiqh*) books.

Laws of Penalty in Islam and Hinduism

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Abstract:

Punishment is the imposition upon an offender by an authority. Punishments and retributions have been carried out ever since human existence to seek revenge upon the offenders. It is in fact the force which keeps the societal fabric intact by trying to rebalance injustice. As justice holds an important place in all religions, punishment and reward have always remained the motivating force and an essential part of religions. Religions provide their followers with the rules and regulations to abide by. Then, if someone is found guilty for not following these rules some kind of retribution is there to stop people from disturbing the social structure. All religions have their own laws against the law breakers. These laws are usually pivoted round the ideology of that religion. This article aims at the comparison of such laws provided by Islam and Hinduism.

Key words: Penalty, Islam, Hinduism, Punishment, Reward.

Introduction:

Human acts and their effects, punishment and reward have been clearly explained in the Holy Quran and Hadith. The belief in the hereafter is an important tenet of Islam and a complete system of limitations and retributions has been provided to ensure justice and peace in this world too.

In Hinduism too, there is an effective system of spiritual and physical punishment and reward according to which one's good or evil deeds influence him in this world or life after death. Human acts, their consequences and influences have been discussed in Samitha (four vedas) upanishads, Ithas (Maha Bharata and Ramayana). Amongst these *Manu Shastra* is considered the source of religious and social laws. A comparative analysis of the laws for punishment

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