

Analysis of the Religious Problems of Hindus in Khyber Pakhtunkhwa

Fazli Hadi^{*}, Hafiz Salih Uddin[†], Syed Rashid Ali[‡]

Abstract

In this article literal as well as figurative meanings of Hinduism are given along with a brief history of this creed. Then some of their main religious problems and their solution in the light of sharia are discussed. We have attempted to find the main religious problems confronting the Hindu community through print and electronic media, literature and interview of some social and religious Hindus. Then an analysis has been made in the light of the sharia for the valued. These major problems include insecurity of places of worship, construction and repair of the old places of worship, forced conversion, registration of Hindu marriage, cultural and religious festivals and building of new places of worship. The Islamic Sharia allows them full religious freedom under certain conditions and keeping in view the sentiments of the Muslims which is an important part of the Islamic history.

Key Words: *Hinduism, Religious Problems, Sharia, Khyber Pakhtunkhwa*

Introduction of Hinduism

Hinduism is the well-known religion of the Aryan's. Hindu is a Persian word which is used to denote the people living on the eastern side of the Indus (Kanwar). Hindu is derived from Sindhu which is a Sanskrit word used to mean river Indus. The word Sindhu is found several times in the Hindu religious books. Hinduism is the name of a number of beliefs and rituals. The epithet Hindu is applicable to every inhabitant of India. Hinduism is not an active and expanding religion like Islam or Christianity. It is a three thousand years old complicated religion. Glimpses of Jainism, Buddhism and Sikhism are evident in this system. Tolerance, ghost worship, polytheism and philosophical thinking are the characteristics of this religion. Numberless gods and goddess and their temples are worshiped (Jawad, 2003).

This region has witnessed the rise and fall of various nations since ancient times. Notable among them are Zoroastrians, Buddhists, Hindus, Muslims and Sikhs. The recent wave of terrorism almost paralyzed the law and order of the area. When the life and property of nobody was safe but

^{*} Scholar Department of Islamic Studies (AWKUM)
E-mail: fazlihadi730@gmail.com

[†] Associate Prof & Chairman Department of Islamic Studies (AWKUM), Research supervisor, E-mail: salihuddin@awkum.edu.pk

[‡] Dr. Syed Rashid Ali, Associate Prof & Chairman Department of Sociology (AWKUM), Research co-supervisor

Hindus are the people who could retain their separate identity and also feel pride in being Pakistani.

Different people have written articles and papers on the minorities in different times. They include Prof Syed Haider Shah, Prof Ishrat Husain and Miss Naheed Husain whose research papers are entitled “The rights of minorities in Islam”, “The rights of minorities in Pakistan” and “The Rituals and Status of the Sikhs in Peshawar” respectively. But nobody has touched the problems especially religious problems being faced by Hindus. In this paper we have attempted to find and analyze the religious problems confronting the Hindu community in the study area. In this vein, we have conducted interviews with respondents from Hindu faith and analyzed the religious issues raised by them in light of Islamic Sharia. The themes emerged from the interviews which are analyzed in the coming section are relevant to places of worship, forced conversion, marriage with Hindus, and problems concerning religious and cultural festivals.

Insecurity of the places of worship

Like other parts of the country, the Hindus’ places of worship are not secure in Khyber Pakhtunkhwa. According to Hindu Scholar Haroon Sarb Deyal, “Chacha Younas Park Peshawar, a School in Kohat and a Hotel in DI Khan are built on Temples”. Some of them said, “If there is any incident of blasphemy or of any desecration of the Quran and Hadith anywhere in the world, emotional and disruptive elements in Pakistan especially in Khyber Pakhtunkhwa assault the minority’s places of worship and desecrate them, which is not allowed in any religion”. For instance, “when on December 6, 1992, the extremist Hindus demolished the Babari Mosque in India the minorities places of worship suffered total or partial damage in the whole country as well as in Khyber Pakhtunkhwa” (Kumar, 2018).

Analysis in the Light of Sharia

Islam takes care of the security of the places of worship and religious people both in times of peace and war. The Holy Quran says:

وَأُولَٰئِكَ دَفَعُ اللَّهُ النَّاسَ بَعْضَهُمْ بِبَعْضٍ لَّهَدَمْتُ صَوَامِعَ وَبِيَعٍ وَصَلَوَاتٍ وَمَسَاجِدٍ يُذَكَّرُ فِيهَا اسْمُ اللَّهِ كَثِيرًا وَلَيُنصَرْنَ اللَّهُ مَن يَنْصُرُهُ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ.

For had it not been that Allah checks one set of people by means of another, monasteries, churches, synagogues, and mosques, wherein the Name of Allah is mentioned much

would surely have been pulled down. Verily Allah will help those who help His (Cause), Truly, Allah is All Strong, All-Mighty (Surah Alhajj 22:40).

Al-Mawardi says, that in the absence of this divine injunction on Jihad the places of worship of the minorities would have succumbed to the atrocities of the oppressors. If the Muslims are not allowed to put an end to the oppression of the wicked ones, the synagogues of the Jews, the temples and abbeys of the Christians, and even the mosques would be demolished (Mawardi).

Hazrat Umar (R.A) signed the treaty with the people of Elea, according to which, “their churches, the cross and all the people professing any religion will be safeguarded. Neither the churches will be occupied nor will they be demolished, nor will any damage be caused to them. Moreover, neither the cross nor any other property will be eliminated (Tabari M. B., 1387AH).”

Imam Abu Yousaf writes in *Kitabul Khiraj*, “the Muslims kept their places of worship in the former state; their buildings were neither demolished nor were they resisted (Yaquub bin Habib, 1399 H).”

According to Abu Qatada (R.A), “the word *Salaat* in surah Hajj means the places of worship of *Saibeens* (Fire and Star worshippers) who were not Ahl-e-Kitab. There is no possibility of their having a divine book (Tabari M. B., 2000). Any damage to their places of worship is contrary to Sharia.

Hazrat Umar Bin Abdul Aziz (R.A) had issued the order that “No church, synagogue or magus shrine be demolished which has been agreed in the treaty of peace (Tareekh-Ul-Umam Wal Mulook)”.

In India no Muslim ruler ever caused any damage to any community’s places of worship. As far as the *Somanath* temple incident is concerned, the temple was used as a trench against the Muslims. Moreover, this act of Mahmood Ghaznavi was a part of the war. The Hindus had not recognized themselves as subjects, nor was there any agreement. This incident is supported by the demolition of *Masjid-e-Zarar* (Quran).

Repair and Reconstruction of the old places of Worship

The Hindus (Gulzar Jari minorities’ representative, 2018) complain about the delaying tactics in the allocation and utilization of the government funds for the repair of the old temples. Moreover, the funds are meager, belated and often the work remains incomplete. For instance, the reconstruction

of Oil Godam temple Nowshera, Sworn Singh, a Minority Ex-MPA approved fund for this purpose, the work was started but suddenly stopped due to unknown reasons and still remains incomplete. The people offer their worship in the open. Similar is the case of other temples.

Analysis in the light of Sharia

The Muslim jurists have divided the Muslim towns into various categories:

1. *The towns built by the Muslim from the beginning:*

Repair and construction of places of worship for non-Muslims is disallowed by the unanimous decree of the jurists in such towns. If any Muslim ruler enters into such agreement with the non-Muslims, it will be invalid.

” لَا تُبْنَى كَنِيسَةٌ فِي الْإِسْلَامِ وَلَا يُجَدَّدُ مَا خَرِبَ مِنْهَا “ (Shokani, 1993)

“No church should be built in Islam nor should it be repaired or renovated”

Another tradition states:

” كُلُّ مَصْرٍ مَصَّرَهُ الْمُسْلِمُونَ لَا تُبْنَى فِيهِ بَيْعَةٌ وَلَا كَنِيسَةٌ، وَلَا يُضْرَبُ فِيهِ بِنَاقُوسٍ، وَلَا يُبَاعُ فِيهِ لَحْمُ الْخَنزِيرِ. “ (Behaqi, 1989)

“No church or temple shall be built in any town founded by the Muslims nor a bugle be sounded nor pork be sold there”

2. *The towns conquered by the Muslims without fighting:*

The construction of places of worship for non-Muslims in these towns is unlawful by consensus of the jurists, because now these areas belong to the Muslims. And the already existing temples will not be demolished according to Malikis and Hanbalis. The Sahaba had occupied many cities peacefully but did not demolish the existing shrines (Shamsuddin, 1994). However, according to another statement of the Hanbalis and Shafies it is mandatory to demolish the old temples (Zakria Ansari, 2000). However, according to the Hanafies these temples will be taken into custody and worship will be stopped there (Kamaluddin). Non-Muslims cannot construct a temple in an Islamic land but the repair and construction of the old temples is allowed.

3. *The towns conquered through peaceful compromise:*

If a Muslim ruler concludes a compromise on the condition that the land will be owned by the non-Muslims and they will pay tribute to the Muslims, the rulers will build places of worship, according to the authentic opinion of the Hanafies, Malikis, Hanbalis and Shafies. However, a less authentic opinion of the Shafies forbids such constructions. But if the Muslim rulers conclude a

compromise that the land will belong to the Muslims and the non-Muslims will pay *Jizya* in such a case the construction or non-construction of the places of worship will be dealt with according to the condition of the compromise. Moreover, if there is unconditional compromise, then according to popular jurists, no places of worship for non-Muslims should be built, whereas according to Malikis, the construction of the places of worship for non-Muslim is allowed only if not a single Muslim lives there and the old temple will not be touched according to Hanafies, Hanbalis and even Malikis whereas according to the Shafies, prohibition is better (Fathul Qadeer, Commentary).

Ibn-e-Qudama (R.A) quotes this report of Hazrat Ibne Abbas “if a town is built by non-Muslims and by the Grace of Allah it falls into the hands of Muslims all things in that town belonging to non-Muslims will be safe and secure, as decided upon in the agreement (Ibn-e-Qudama, 1412AH).”

Islam does not favor the demolition of any community's place of worship. Whenever the Muslims conquered the area of non-Muslim, they kept the places of worship in their own position like the churches in Baghdad. In case of any damage in some natural or any other calamity to them, Islam has allowed the repair and construction of such places of worship.

Problems in construction of new temples

The Hindus also complain that: “the construction of new temples is urgently required in some places, but it needs NOC from Auqaf and Minorities Affairs Board, which is not granted. Articles 21 & 22 of the constitution grant full right of religious freedom, which includes the construction of temples. Recently, the government allowed the construction of the Krishna temple in Islamabad; however, it has been stopped due to security issues and political pressure.

Analysis in the light of Sharia

Hazrat Umar (R.A) did not allow them to construct temples in new cities of Kofa and Basra.

Ibn-e-Qasim Maliki and the Zaidin opine: “that the construction of new temples depends upon the permission of the ruler” (Zaidan, 1963). Islam allows all the non-Muslims to construct new temples in old cities. For example, Mar Marcus church at Alexandria and a church at Fastat were constructed in the 1st century. Abdul Aziz Bin Marwan also allowed the

Christians to build temples at the new city of Halwan. Al Muqrazi writes that “there is no doubt that all the above-mentioned temples were built in the Islamic period” (Ali Hassani Al-Kharbutl, 1969). But in small villages and rural areas consisting of only the non-Muslims there they can construct temples for themselves (Al-Marghinani).

Forced conversion

Some people (Haroon Sarab Diyal, 2018) complain of forced conversion and marriage. Such incidents should be immediately brought into the notice of police and judiciary but non-Muslim families are pressurized for a compromise. In case of refusal they are threatened with dire consequences. For instance, a few years ago in the Khwazakhela Bazar, the embracing of Islam by a Hindu boy was announced. By chance, ex-provincial minister Seth Behari Lal, the father of Ravi Kumar reached on the spot mounted the truck and asked the boy “My son, are you willingly becoming a Muslim?” The boy indicated to his back that he was doing this under a pistol. Then the minister released the boy from those people” (Vennesh Kumar & dated, 2018).

Another similar incident occurred in Topi (District Swabi, Khyber Pakhtunkhwa), which was solved by the intervention of the Supreme Court (Gopal Rai, 2018).

Analysis in the light of Sharia

Islam does not allow anyone to change a person’s religion by force. Rather Islam allows every individual to profess the religion of his or her choice. Allah says in the Quran; لَا إِكْرَاهَ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ “There is no compulsion in religion. Verily the right path has become distinct from the wrong path (Surah Al Baqara 2:265)”. In another Surah Allah Says, أَفَأَنْتَ تُكْرِهُ النَّاسَ حَتَّىٰ يَكُونُوا “Will you then compel mankind until they become believers? (Surah Younas 10:99).” Similarly another divine injunction says, وَقُلِ الْحَقُّ مِنْ رَبِّكَ فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيُكْفُرْ, “Say the truth is from your Lord” then whosoever wills, let him believe, and whosoever wills let him disbelieve (Surah Al Kahaf 18:29)”

In the commentary of the above mentioned verses Ibne Abbas (R.A) says: “When The Holy Prophet ﷺ exiled the Jewish tribe *Banu Nadheers* from Madina, the Ansaris boys who had been entrusted to the Jews for brought up due to Nazr and who had converted to Judaism, were being saved by their parents from exile, the above mentioned verse was sent down (Ismail

in a just and honorable manner (they can marry) (Surah Al Baqara 2:234).” فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكَحْنَ أَرْوَاجَهُنَّ “Do not prevent them from marrying their (forever) husbands (Surah Al Baqara 2:232).” حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ “Until she has married another husband (Surah Al Baqar 2:230).”

In all the above mentioned verses marriage is associated with woman, because marriage occurs only from a woman’s side (Zel’ei; 1313AH).

Ibn-e-Abidin (RA) says, “When a Muslim woman marries and she has a non-Muslim brother or uncle, he has no right to object to this marriage because he is not her guardian. Such marriage is valid (Shami, 1992).”

According to Jurists, the embracing of Islam by a child is valid when he is grown enough to differentiate & recognize religion. Hence the acceptance of Islam by an adult is valid on all accounts, when the same is true for a child.

Similarly, an adult sensible woman is independent in contracting her marriage. So a sensible adult woman after embracing Islam, can marry with a Muslim. If a girl is sensible but not adult and she embraces Islam and then contracts marriage with a Muslim such marriage is valid.

It is wrong to demand that conversion of a non-Muslim girl to Islam and marriage with her be declared a crime. Rather the Sharia encourages their conversion and marriage with Muslims (Mahmood ul Hasan, 8-1-2019).

The problems concerning Religious and cultural festivals

The Hindus complain that they have a very limited freedom of religious and cultural festivities. Open demonstration in the public also faces several problems. Moreover, our employees and students also find it difficult enough to obtain leave on such days. Sometimes Board and University papers are also held on these days.

Analysis in the light of Sharia

Islam does not impose any ban on the celebration of cultural and religious festivals of the minorities, but such festivals must in no way hurt the feelings of the Muslims. Hazrat Khalid Bin Waleed (R.A) had written it in the treaty with the people of *Hira*, you can blow trumpet at any time of the day or night as you please except the prayers times, also you can demonstrate your cross (sleeve) on your festival days (Al Khiraj).

It indicates that Islam is not against the celebration of social, cultural and religious festivals of a community, but

such celebration should be held at such places where there are no Muslims like their own separate colonies. As for the leave of employees, students and examination is concerned, it is purely an administrative matter.

Conclusion

- Islam grants full religious freedom to the minorities including the construction and protection of temples, religious rituals and expression of faith. However, they should keep in view the feelings of Muslims.
- Those areas and cities where Muslims and non-Muslims live together from ancient times, the minorities can construct their religious places if they feel need for it as they are equal citizens. Moreover, there is no ban on the construction of places of worship for the minorities in the Quran and Sunnah.
- Islam does not allow anyone to change a person's religion by force. Rather Islam allows every individual to profess the religion of his or her choice.
- Thus, if a non-Muslim man or woman willingly embraces Islam and then marries a Muslim, such marriage is allowed.
- It is wrong to demand that conversion of a non-Muslim girl to Islam and marriage with her be declared a crime. Rather the Sharia encourages their conversion and marriage with Muslims.
- Islam does not impose any ban on the celebration of cultural and religious festivals of the minorities, but such festivals shall in no way hurt the feelings of the Muslims. Such celebration should be held at such places where there are no Muslims, like their own separate colonies.

References

- Aini, B. M. (2000). Al-Binayah, Sharhul Hidayah. Beirut: Darul Kutbul ilmia.
- Al-Bukhari, M. B. (1422 AH). Sahih Bukhari. 1st Edition: Dar Tauqun Najaat.
- Ali Hassani Al-Kharbutl, D. (1969). Al-Islam wa Ahluzzimma. Cairo: Majalis Aala Ash-shawanul Islamia.
- Al-Marghinani, A. B. (n.d.). Al-Hidaya fi Sharhi Hidayatul Muftadi. Beirut: Dar-e-Ahya Uttura Sul-Arabi.
- Behaqi, A. b. (1989). Al Sunan Sagher. Karachi: Drasate islamia.
- Fathul Qadeer, Commentary. (n.d.).
- Gopal Rai, B. L. (2018, 05 29). Hindu religious problimes. (f. Hadi, Interviewer)
- Gulzar Jari minorities' representative, K. B.-u. (2018, 02 15). Interview with Renovation and Repair of minorities religious places limited only to paper work. (F. Hadi, Interviewer)
- Haroon Sarab Diyal, G. R. (2018, 05 29). Hindu religious problimes. (F. Hadi, Interviewer)
- Ibn-e-Qudama, A. b. (1412AH). Al Mughni fil fiqqah. Qahira: Maktabal.
- Ismail bin Kasir, A. F. (1999). Tafseerul Quran-e-Azeem. Madina: Dar Tayebba.
- Jawad, Y. J. (2003). Encyclopedia of World Religion (Urdu Translation). Lahore : Al Mat baatul Arabia,.
- Kamaluddin, M. b. (n.d.). Fathul Qadeer, commentary. Bairut: Darul kutbul elmia.
- Kanwar, H. A. (n.d.). Khutbaat Doctor Zakir Naik. Pak Book Empire.
- Kumar, R. (2018, 01 05). Hindues religus problimes, MPA and Ex-Coordinator to CM KP at his office in civil secretariat Peshawar, Interview president PTI Newshehra (Hindu Community). (F. hadi, Interviewer) at his office in civil secretariat: Peshawar.
- Mahmood ul Hasan, S. (8-1-2019). Darul Ifta, Fatwa No. 4218-297-328, serial No.8953. Peshawar: Jamia Usmaia.

- Mawardi, A. H. (n.d.). *Al Basri Annakat Waluyun*. Bairut: Darulkutub ul islamia.
- Muslim Bin Hijjaj Bin Muslim. (n.d.). *Sahih Muslim*. Beirut: Dar Al Khiai.
- Quran. (n.d.). The hypocrites built a mosque in competition of the Quba Mosque which was declared masjid-e-Zarar by Allah. Allah informed the Prophet and He ordered the Sahaba for demolishing this mosque.
- Shami, M. A. (1992). *Raddul Mukhtar Alaldurral Mukhtar*. Beirut: Darul Fikar.
- Shamsuddin, M. b. (1994). *Mughni Al Muhtaj commentary of minhajuttalibin*. Beirut: Darulfikar.
- Shokani, M. b. (1993). *Neil-ul-Autaar*. Mesar: darulHadith.
- Surah Al Baqar 2:230. (n.d.).
- Surah Al Baqara 2:265. (n.d.).
- Surah Al Baqara 2:232. (n.d.).
- Surah Al Baqara 2:234. (n.d.).
- Surah Al Kahaf 18:29. (n.d.).
- Surah Albaqara, 2:221. (n.d.).
- Surah Alhajj 22:40. (n.d.).
- Surah Younas 10:99. (n.d.).
- Tabari, M. B. (1387AH). *Tareekh-ul-Umam Wal Mulook*. Bairut: Darultrras.
- Tabari, M. B. (2000). *Aljame.ul.Bayan fi Tavailul.Quran*. Bairut: MosastuResala.
- Vennesh Kumar, v. c., & dated, i. (2018, 05 29). *Religious problimes*. (F. hadi, Interviewer)
- Yaqub bin Habib, A. Y. (1399 H). *Al Khiraj*. Barut: Darul marafat walnashar.
- Zaidan, A. K. (1963). *Ahkamuzzemiyyin wal Musta'aminin Fil Islam*.
- Zakria Ansari, S. I. (2000). *Asni Al Matalib Fi Sharhe Rauzut Talib*. Beirut: Darul kutbul elmia.

Zel'ei, U. B. (1313AH). Tabyeenul Haqaiq, Sharha Kanzud Daqaiq.
Beirut: Darul Kutabul Islami.