
Report of Supreme Court-Constituted One-Man Commission on National Curriculum: An Analytical Study in Islamic Context

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Abstract

The Pakistani government's introduction of the Single National Curriculum (SNC) marks a significant step towards standardizing education across diverse socio-economic groups. Launched in 2021 after extensive consultations, the SNC aims to provide equitable educational opportunities nationwide. However, its implementation has sparked debates regarding its implications for minority rights, particularly concerning the inclusion of Islamic content in textbooks. In response to these concerns, the Supreme Court of Pakistan established the One-Man Commission on Minority Issues, which recommended limiting Islamic material to the subject of Islamiyat. This study examines the socio-legal implications of these recommendations, highlighting their potential impact on civil liberties and minority rights as enshrined in the Pakistani Constitution.

Keywords: Single National Curriculum (SNC), Minority Rights, Socio-Legal Implications, Educational Equity, Islamic Education

1. Introduction

The National Curriculum was declared by Pakistan's former government about three years ago. As a result, different segments of society began speaking out about their concerns and pursuing their rights. Regarding the curriculum, it was inferred that Islamic content and history are being excised from textbooks in educational institutions from the first to the twelfth grades. Aside from Islamiyat, Islamic and Muslim history chapters are also being removed from other subjects, especially Urdu, social studies, history, sociology, and English. The government was alerted to this by the Islamic and religious classes, and as a result, some action was taken. After that, the curriculum for Islamiyat was reevaluated, and in

addition to Islamiyat, Islamic and historical chapters and lessons were also added in other subjects. However, some members of the minority community and other progressive classes approached the Supreme Court to endorse their argument. As a result, the Supreme Court established a One-Man Commission, headed by Shoaib Suddle, with the mandate to review the curriculum's inclusion of Islamic education.

A One-Man Commission headed by Dr. Shoaib Suddle was set up in January 2019 to review the implementation of the Supreme Court's landmark judgement on minority rights on June 19, 2014¹(PLD 2014 SC 699) by Chief Justice Tassaduq Hussain Jilani of the Supreme Court. Peter Jacob was designated as the Commission's Special Adviser. At the same time, Saqib Jilani Advocate, Dr. Ramesh Kumar Vankwani, and an Additional Advocate General were named to support and facilitate the Commission, which comprised Dr. Shoaib Suddle. The Commission's task is to initiate all necessary steps for implementation, and the federal and local governments will fully assist him possible in completing this task. On March 30, 2021, the Shoaib Suddle Commission delivered a report to the Supreme Court. This 19-page report has over half of its pages devoted to curriculum and education². The report created a commotion in the otherwise tranquil atmosphere of SNC's developments. The report by the One-Man Commission mainly focuses on the following points:

1. The Commission strongly opposes the SNC or National Curriculum. It contends that it is against Article 22 of the Constitution to include Islamic topics in the core subjects like Urdu, English, and General Knowledge³. The basis for the issues raised by the Suddle Commission is that Article 22 of the Constitution contains the following provisions:

(a) No student enrolled in an educational institution may be made to attend religious instruction or engage in worship or rituals if they are related to a religion other than their own.

(b) No community must be discriminated against with regard to any religious institution where exemptions or concessions from taxes are granted.

(c) No religious group or denomination may restrict the provision of religious instruction for members of that group in any institution owned entirely by that group or denomination. Additionally, no citizen may be excluded from any educational institution that receives government funding based solely on their race, religion, caste, or place of birth.

Reports state that Article 22(1) explicitly states that no student shall be forced to take religious instruction if it is related to a religion other than his own⁴. Islamic material in English and Urdu textbooks is considered

religious instruction within the framework of SNC, and non-Muslim students cannot be forced to study it.

2. According to the report, this curriculum violates several international treaties, including Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights.

Following Article 29 of the 1989 International Convention on the Rights of the Child⁵ (which Pakistan has ratified),

- State parties concur that the child's education will focus on:
 - The child's personality, skills, and physical and mental development reaching their full potential.
 - Developing an appreciation for human rights and fundamental freedoms, as well as the principles embodied in the United Nations charter.
 - Developing an appreciation for the child's parents, cultural identity, language, and values.
 - Developing an appreciation for the national values of the child's home country and any other country in which the child may have originated; and (e) Preparing the child for a responsible life in a free society in the spirit of mutual understanding, peace, tolerance, equality of genders, and camaraderie among all individuals, including those from Indigenous origin and ethnic, national, and religious groups.
 - A child is protected from discrimination based on religion or belief under Article 5(3) of the 1981 declaration on the abolition of all types of intolerance and discrimination based on religion and belief. He will grow up with a spirit of tolerance, friendliness between people, peace, and fraternity worldwide. He will also be raised fully aware that his time and abilities should be used to help his fellow humans.
- 3. In its report, the Commission has identified all topics that are based on Islamic teachings in the Urdu, English and General Knowledge curriculum prepared for classes I to V under SNC. More prominently, the Urdu books have been indicated to carry Hamd and Na'at. Simultaneously, the presentation of the Prophet Muhammad (peace be upon him) as a role model in English textbooks has been identified. Similarly, using correctly guided caliphs and other Islamic personalities to convey moral characteristics [such as patience and tenderness towards children] has been considered offensive.
- 4. In the same spirit, the discussions about the recipients of the highest military award of Pakistan (Nishan-e-Haider) in the textbook of English have also been objected to. In the book of General Knowledge, the selection of events from Islamic history to promote compassion and forgiveness has also been identified as an omission.

For each of these topics, the Commission has distinctly commented to suggest alternatives. If, however, there is no particular alternative, all such things are suggested for inclusion in the Islamic studies curriculum.

Therefore, the Federal Ministry of Education and Professional Training acknowledges that English and Urdu textbooks contain Islamic content and that it has instructed teachers not to impose this information on their students. It needs to be clarified, though, how this will be accomplished. One approach that prevents non-Muslim pupils from reading or hearing anything about Islam is to have them skip that part of the lesson. Asking minority students to leave class, however, will be interpreted as discriminatory and demeaning. It will also result in social exclusion and greater marginalisation of the minority child population. In addition, there are problems with creating exam questions with Islamic themes and violating Article 25 of the Constitution⁶. Therefore, there are not alternatives that can be used. It would be equivalent to receiving religious instruction in a religion other than their own if the student chooses to stay in the class to avoid embarrassing themselves.

It would be discriminatory to assign test questions other than those on Islamic religious subjects to non-Muslim students, as this could cause harm to them and allow the examiner to use their religious bias against them. Like this, by posing a challenging alternative question, the paper checker may be able to use his or her religious prejudice against a student who not Muslim is.

2. Significance of Research

The report of the One-Man Commission formed on the rights of minorities under the orders of the Supreme Court was submitted to the Court on March 30, 2021. According to the report, only Islamic textbooks should include a course on Islamic history and teachings. Additionally, religious content should not be included in books on other subjects like Urdu, English, or Pakistan Studies. In addition to Article 1 of Section 22, the rights of minorities, and other civil liberties, they claim that it also violates other similar clauses of the Pakistani Constitution.

In addition to rejecting this report, the Council of Islamic Ideology said it violated several clauses of Pakistan's 1973 Constitution⁷.

The report of the aforementioned commission also specifies which book, where, and how many times Islamic teachings are mentioned. Therefore, an analytical study on this subject is required to clarify the situation. It has also been debated in various ways by various scholars. Some claim that this amounts to a violation of basic rights, and others believe that there is a plot to remove Islamic material from the curriculum.

Keeping these considerations in mind, it is essential to conduct thorough research to know the truth.

3. Literature Review

Since this syllabus was introduced three years ago, no direct study has been done on the topic to date. Yes, without a doubt, research has been done in Pakistan on curriculum development, the educational system, or the curriculum of a specific subject and its effects. Department of Islamic Studies at Numl University, Islamabad, at the MPhil level, worked on the topic of Islamic teachings and educational policies in Pakistan. Allama Iqbal University in Islamabad's Department of Arabic and Islamic Sciences conducted a study in 2009 with the title "Promotion of Islamic Sciences and National Education Policy." Similarly, at the PhD level, a student of Kalia Ma'rif Islamia, University of Karachi, conducted research titled "Comparative Review of Islamic Education System in Pakistan".

4. Research Questions

1. Is there really anything in the National Curriculum that is hostile to Islam, Pakistan's Constitution, or minorities' rights?
2. Does the national curriculum contain hateful content for minorities?
3. What is the validity of the objections to the report of the Supreme Court 's One Man Commission?

5. Objectives of Research

1. To identify if there is content against Islam, the Constitution of Pakistan, and the rights of minorities in the National Curriculum, and if there is not, then to answer the concerns and objections found about it.
2. Responding to objections to the inclusion of Islamic content in subjects other than Islamiyat-
3. Responding to the objections raised regarding the Inevitability of Holy Quran, the curriculum of Islamiyat and the teaching of other religions.

6. Research Methodology

This paper will employ a descriptive and analytical methodology. It will commence by discussing the National Curriculum using a narrative style. The main subject, the report of the One-Man Commission, will then be thoroughly explained, and an effort will be made to analyze their objections in an Islamic context. And by categorizing the context, viability, and usefulness of these objections, an attempt will be made to make the facts more clear. The courses or subjects objected to will be analysed in conjunction with the course outline issued by the Ministry of Education. So that the real facts can be brought out. After analysing the opinions of

all academics, the findings will be compiled, and recommendations will be made based on the research.

7. Research and Findings

The Shoaib Suddle report has been presented with the protection of the rights of minorities in mind. Still, it is noteworthy that the one-man commission did not even consult anyone even the National Commission for Minorities. Therefore, the report of the one-man commission after it became general was rejected by the head of the National Minority Commission, Chela Ram and the surprising thing is that Islam and Islamic teachings in the curriculum are not only acceptable to the minorities but they are also in favour of allowing the curriculum to remain as it is.

1. As far as hate content for minorities is concerned, the consideration of the Single National Curriculum is clear that there is no such thing. Rather, the SNC positively includes all the themes declared as wanted in the decision of the Supreme Court in 2014⁸.
2. As for the material based on Islamic teachings, it was also made clear that non-Muslim students don't need to read it, and it will not be tested. As far as discrimination is concerned, discrimination is a part of human personality and a sign of diversity in human life. Religious harmony does not mean that people hide their true identity. 21 topics are suggested for the English curriculum for Grades 1 to 3⁹. These 21 topics are related to social etiquette, stories, poems and festivals, while only one lesson focuses on teaching the Prophet (PBUH) as a role model. It is disappointing that the one-member Commission has only voiced opposition to the theme, which is fundamental to the moral, ethical, and social education of 96% of pupils while accepting the beneficial variety of other themes.
3. On the other hand, as previously said, it has been clearly stated that the course content based on Islamic teachings for non-Muslim students is not mandatory, nor will they be assessed concerning it. That is under the constitutional protection mentioned in Article 22 (1). As a welcome step, the MoFEPT has created a separate book for minorities in place of Islamiyat¹⁰.
4. The curriculum is not in any way usurping the rights of minority children. Still, while making progress in a positive direction, the Ministry of Education has prepared a separate book for minorities living in Pakistan, including Hindus, Christians, Sikhs, Bhai, and Kalash. Implementation of Article 22 of the Constitution of Pakistan is undoubtedly necessary, and appropriate conditions for this have already been provided in the syllabus. But during its implementation, it is also important to keep in mind that the resolution objectives and the

implementation of the provisions of the Constitution of Pakistan are also constitutional requirements that declare the promotion of Islamic teachings as the primary responsibility of the government. Every law has certain values in the light of which laws and policies are interpreted. If one observes, various articles of the 1973 Constitution of the Islamic Republic of Pakistan declare the implementation of Islamic society's values as the state's responsibility. These articles include Articles 1, 2, 2(I), (31), (36), and 227.

5. It is crucial to realize that the Prophet (peace be upon him) and those individuals are the most influential people that Muslims look up to as role models, and that understanding is necessary if Muslim pupils in Pakistan are to be implanted with the ideals indicated in the Supreme Court's ruling. It is unwise to think that suppressing these figures will efficiently advance these ideals in Pakistani society. On the opposite side, in order to accomplish the stated goals of the Supreme Court, it would be more beneficial to add more of this kind of content. Additionally, the Constitution's articles 2, 2-A, and 31 dictate that Pakistani Muslims be taught the fundamental ideas and concepts of Islam to mold their individual and collective life. Article 20-B of the Constitution also grants members of all religions and sects the freedom to start and run their independent educational institutions. Article 31 of the Constitution demands that the State take action to advance the Islamic way of life. Article 29 of the Principles of Policy stipulates that all branches and authorities of the State must adhere to them, and they are recognized as offering a **purposeful interpretation** of the fundamental rights outlined in the Constitution¹¹. It is critical to recognize that if Muslim students in Pakistan are to be prepared with the values outlined in the Supreme Court's verdict, the Prophet (peace be upon him) and those figures that Muslims view as role models are the most influential personalities. How can we leave him out of the curriculum? The majority in Pakistan are Muslims, and even the Constitution of Pakistan is Islamic. Therefore, it is necessary to have Islamic teachings in the curriculum.
6. While it is true that discrimination occurs when a student is kept out of the classroom for a particular subject, pupils' identities as Muslims, Hindus, Christians, or Sikhs are legitimate. Should people hide their religious ties in the name of religious harmony? In fact, there are so many ways that worship, celebrations, and lifestyles are observed in daily life that any attempt to eradicate an identity for the sake of discrimination will be false and create new issues. The differences represent diversity in human life and are an integral aspect of human

identity. It's crucial to concentrate on fostering human values that allow people to coexist despite differences rather than trying to eradicate them. Such a strategy is offered by the SNC in its leading principles.

7. It is true that every country has unique circumstances and realities, and that it is best to take the local context into account rather than importing a foreign strategy, but it is also true that, even in a secular state like the United States of America, there is a divide between the government and different societal groups over the place of religion in the curriculum and educational institutions. Still, sometimes the conflict takes a gruesome turn, according to a report by the PEW Research Centre. Suppose America's secular backdrop and decades of governmental support for liberalism haven't convinced society to keep religion and religious instruction out of schools. How can this theory work in Pakistan, where the majority of the population is Muslim and expresses their enthusiasm for Islam, where the Constitution is founded in Islam?
8. This is not just a philosophical question; it also has real-world impacts. About 3% of Pakistan's population is non-Muslim, and they don't practice a single religion¹². In a class with this ratio of Muslims (about 97%) to non-Muslims (approximately 3%), all of the pupils are usually Muslims. In some communities, non-Muslims make up the majority of the population; in these towns, there may be many non-Muslim students in a given class. The Commission has presented a graphic image of a student being expelled from a class; yet are there several such cases significant enough to support important policy decisions? The exception is a usual aspect of life, there are exceptions. Discrimination and exceptions should always be viewed at two distinct levels.
9. An incident from the life of the Holy Prophet is cited in General Knowledge of Grade III as an illustration of kindness and forgiveness. The one-member Commission has also expressed disapproval of this example and suggested, as a substitute, that incidents from three major religions be cited rather than just Islamic ones. The Commission has not made it clear how these instances will be taught to pupils who belong to other religious minorities that are present in Pakistan, such as Hindus, Parsis, and Sikhs. Asking these pupils to leave the classroom while such lessons are being given would be, once more, a prejudicial approach.
10. Since Hamd and Naat are not only a religious aspect but also literary, they cannot be overlooked as a major genre of literature in Arabic, Persian, Urdu, and other languages. That is why the Hamd and Naat

contained in textbooks of subjects (like Urdu, English, etc.) other than Islamiyat should be viewed as literary rather than indoctrination.

8. Conclusion

The recommendations of the One-Man Commission to limit Islamic content in the educational curriculum to the subject of Islamiyat, based on Article 22 of the Constitution, raise significant concerns. A thorough analysis indicates that the exclusion of Islamic material could inadvertently lead to harassment and violations of minority students' rights, with potentially profound negative consequences. Pakistan was founded as an independent nation rooted in Islamic ideology, which remains central to its national identity. The curriculum should reflect these foundational principles, serving both as a means of preserving the nation's heritage and promoting its future development. Therefore, incorporating Islamic content into the Single National Curriculum is not only appropriate but necessary. Given that the majority of Pakistanis identify as Muslims, it is reasonable for the curriculum to include elements that resonate with the predominant religious values of the country. At the same time, it is crucial to foster an environment where minority students can learn about their own beliefs alongside those of the majority. Education about different religions should be approached with sensitivity and respect, ensuring that it does not infringe upon human rights or promote intolerance. In conclusion, a balanced approach that includes Islamic teachings while respecting minority rights can contribute to a more inclusive and harmonious educational landscape in Pakistan.

5. Suggestions:

1. **Establish a Working Group:** Form a working group comprising curriculum specialists, psychologists, and researchers from the Islamic Ideological Council to examine the implications of the Single National Curriculum (SNC) within a broader educational framework.
2. **Enhance Legal and Social Awareness:** It is crucial for legal experts to engage actively in this discourse, while simultaneously promoting widespread social awareness regarding the importance of inclusive education and the rights of minority students.
3. **Promote Harmony and Respect:** Educational programs should focus on teaching future generations the value of living harmoniously and respecting one another despite differences. Instead of attempting to eliminate social diversity, we should encourage understanding and appreciation of various cultures and beliefs.
4. **Increase Exposure for Minorities:** To enable minorities in Pakistan to participate effectively in decision-making processes, they must receive adequate exposure to the religious beliefs and values of the

97% Muslim majority. This understanding is essential for fostering inclusivity in administrative roles.

5. **Honor Exemplary Figures:** Recognize and draw inspiration from figures such as Justice A.R. Cornelius and Justice Rana Bhagwan Das, whose commitment to integrity and ethical standards earned them respect in both policymaking and academic circles. Their legacies can guide efforts to create a more inclusive educational environment.

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