

*Exploring The Implementation of Freedom of Expression Rights ...*

## Exploring The Implementation of Freedom of Expression Rights and The Use of Corporal Punishment in Pakistani Madrasas

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### Abstract

A country's long-term success depends on educating its citizens. Madrasas are Islamic educational institutes in Pakistan. The media's coverage of Pakistani madrasas' violations of children's rights, particularly in the areas of freedom of expression and corporal punishment, is contentious. Punishment that is based on bodily suffering is known as corporal punishment. The goal of this research was to establish how Pakistani madrasas implement their students' rights to freedom of speech and to avoid corporal punishment. This qualitative study explored the phenomenon of madrasa education in depth with regard to freedom of expression and corporal punishment. The population of this study includes all students and teachers in the Madrasa education system. A purposive sampling technique was used to pick eight students and eight teachers from madrasas in Rawalpindi, Pakistan. Semi-structured interviews were used to obtain data that was collected by hand. The direct quotation method was used to analyse the data. According to the findings, the majority of madrasas allow for the free expression of pupils. The data indicated that, although the Madrasa's administration listens to and appropriately addresses student complaints about teachers, the vast majority of students do not complain about teachers. In Madrasa, it is discovered that misbehaving pupils are counselled,

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motivated, and finally punished. It was revealed that teachers feel that madrasas can tolerate discipline because the dread of punishment encourages students to achieve their best in the classroom. The conclusion may be drawn that some students, particularly in pre-courses, are unable to openly express their concerns, while others, with the help of friends and the guidance of teachers, are able to overcome their reluctance.

**Keywords:** Freedom of speech, Child rights, corporal punishment

#### **Introduction:**

A true madrasa is a "position of advice," particularly in the sphere of religious law, which is the principal purpose of this kind of institution. Intermediate and advanced courses in Islam and related fields are available in madrasas. The term "middle-of-the-road" was formerly used to describe a progressive course of action in Islamic jurisprudence. While religious classes and a rudimentary knowledge of the Quran are taught in elementary schools (Redford, 2015),

In Pakistan's cultural environment, madrasas have been the most divisive educational institutions. Connected thoughts and hypotheses are presented in this study's next chapter. Butt (2020) views madrasas as a source of vital necessities for those who are ignored by society as a warning against modernization. This chapter focuses on madrasas' social development in this context. The majority of Muslims tend to agree that education should be delivered regardless of religious beliefs, caste, religion, or educational institution. Not only does the country generate some of the country's top religious academics in this particular discipline, but also in other fields like natural sciences. Hence, the chapter on Pakistani education and the function of Pakistani schools, as well as the role of Pakistani schools in defending the rights of Pakistani children, is presented here.

The term is often used nowadays to refer to educational establishments that provide religious Islamic instruction at all levels. As a structure, legal entity, and educational institution, the madrasa may be considered. Madrasa Another way of putting it is this: In general, the middle-aged madrasa served male students who had finished elementary education and aspired to become Ulema, or religious experts. The school of practical or vernacular education was often referred to as such by various names (Peletz, 2018). As stated by Alaghmand, Salehi, and Mozaffar (2017), in the majority of madrasas, there are prayer halls, classrooms for students and professors, and sometimes a library. It was common in Istanbul to have a huge mosque complex with a number of madrasas connected to it. Madrasas in the Middle East are typically one or two stories high, with a courtyard in the middle. Student rooms face the courtyard in single-story structures, while classrooms and staff quarters are positioned on the ground floor in two-story buildings. Slapping is the most common method of physical punishment in madrasas, despite the fact that it is outlawed inside.

According to Bassem (2015), physical punishment at madrasas is a concern in many countries, not only Pakistan. A teacher smacked an 11-year-old in the face on camera, which went viral on YouTube, perhaps violating the child's right to protection and safety (Daily Times, 2019). Plus, one of the school's professors used a "cane" to reprimand students. In class, misbehaviour will scare teachers. Using these approaches, teachers hoped to instil in children a feeling of obedience, respect, and avoidance of any action deemed wrong in Islam.

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If you're a student dealing with this, you're more prone to acting violently than others. Teachers are more welcoming to female pupils than male ones.

Bradley and Saigol (2012) claim that a teacher's behaviour is determined by the madrassa they teach at; those with no or low fees have more disciplinary issues. The great majority of madrassa teachers are male, and they get no training to enhance their teaching methods or to educate their students on their rights (Abu-Nimer & Kadayifci, 2011). UNICEF (2016) argues that educational institutions must safeguard a child's safety and security. Su, Toure, Do, and Ramos (2019) describe corporal punishment as an intentional act intended to cause physical pain to a victim. Since ancient times, misconduct has been punished by causing pain or suffering, including flogging, branding, and even mutilation. Since the Enlightenment, humanitarian ideals have become stronger, and heavier sanctions have come to be seen as cruel. By the start of the twentieth century, the majority of industrialized countries' legal systems had abolished corporal punishment.

In schools, 69 countries, including the United States and Pakistan, permit physical punishment. Although the United Nations has classified physical punishment as child abuse, teachers continue to use it to maintain discipline and compel children to work, even in nations where it is outlawed. Comprehensive transformation is critical in countries like Pakistan that are afflicted by recurring cycles of conflict. The detrimental implications of corporal punishment have been well proven. It has a negative influence on a child's motivation to attend school and academic advancement (Gershoff, 2017). At least 44% of Pakistani children between the ages of 5 and 16 do not attend school, and those who do poorly academically. Students face a slew of difficulties in the classroom, and physical punishment exacerbates them. While instructors in Deeni Madras frequently use corporal punishment to help students develop their character, it has a significant psychological impact on the child (Shah, Jafri, Mobin, Mirza, Nanji, Jahangir, & Aziz, 2018).

#### **Statement of Problem**

Media coverage of Pakistani madrassas' breaches of children's rights, notably in the areas of freedom of expression and corporal punishment, is fiercely contested. Due to a dearth of literature on Pakistani madrassas, they have been mainly ignored in terms of student rights in relation to freedom of expression and physical punishment. The problem of the research study was to explore the implementation of freedom of expression rights and corporal punishment in Pakistani madaris.

#### **Research Objectives**

(1) To investigate the implementation of freedom of expression rights in Pakistani madrassas.

(2) To find out why children's rights are being violated in the madrassas through corporal punishment.

#### **Research questions**

1. What is the role and responsibilities of Madrassa Head to implement the children rights?
2. What is the role of punishment in violating the child rights in Madrassa?

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### **Significance of the study**

This research brings up the topic of students enrolled in madrasas. The study's findings provide light on how students' rights are followed in madrasas. The government's participation in madrasa education and the obstacles to the exercise of freedom of speech and corporeal punishment in Pakistani madaris. This research may contribute significantly to the study of freedom of speech and corporeal punishment in Pakistani madrasas and can also serve as a set of instructions for the administration of madrasas in terms of training instructors on their emphasis on freedom of expression and corporal punishment. Additionally, this research has national relevance and calls on all religious education committees to prioritise the implementation of student rights that may assist students in improving their futures.

### **Methodology**

#### **Nature of Research**

The study's objective was to examine how freedom of speech and physical punishment are implemented in Pakistan's madaris. In this study, the qualitative research approach was employed to obtain data about madrasa education. The research is exploratory in nature since the objective is to ascertain the extent to which the rights of children in Pakistani madrasas are respected.

#### **Populations**

The population of this research included teachers and students from madrasas in Rawalpindi District.

#### **Sample size**

The target sample consisted of eight teachers and eight students from Rawalpindi's Madrassas. Six interviews, according to Guest, Bunce, and Johnson (2006), correspond to Orosz, (1997). suggestion for qualitative investigations.

#### **Sampling technique**

The data collection method employed was a purposive sampling approach. The selection criterion considered the convenience and readiness of madrasa representatives to discuss and answer to questions.

#### **Research Instruments and validation**

Data for this investigation was collected using two semi-structured interview protocols for instructors and students, one for each group. Pilot testing was conducted by experts in Madrasa education, and the instruments were enhanced in response to their suggestions.

#### **Ethical Consideration**

Institutional standards and rules were prioritized, and everyone was treated equally as a result of this. Nothing was kept a secret from the interviewees, and no inappropriate topics were brought up. There was a concerted attempt to conduct in-person interviews with

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madrassa teachers and students in the private and secure environment of the madrassa 's facilities.

#### **Data Analysis Technique**

The audio-recorded responses of the teachers and students to each interview topic were carefully transcribed into text form. These documents were then translated into the English language. The data was analysed using direct quotations. During the quotation, "T" represented the comments of teachers, whereas "S" denoted the responses of students. After the interviews had been conducted, the researcher went back and looked over the questions and replies again, highlighting those elements that were critical to achieving research goals.

#### **Q NO 1: Do you allow your students freedom of expression? If yes, please specify the limits.**

Madrassas, in response to this issue, often respond by stating that students enjoy freedom of speech, but only within certain parameters. When asked about their views on this, participants T1 and T2 replied that students had the right to free speech, but only "those expressions which do not undermine Madrassa policy and do not make Madrassa suspicious," respectively. "Which is not against Shariah," stated another attendee. Students have freedom. Participant T5 said that "no reflection of respect is not permitted" when it comes to freedom. Following T6's comments, students are allowed to express themselves "within morale bounds." Finally, the last participant asserted that kids may freely express themselves.

#### **Q NO 2: Does the management of your madrassa listen to you complain about teachers and what is the reaction of the management on it?**

Students responded to this question by saying that they don't have any complaints about their professors and that they haven't been in any situations that might prompt them to do so. Response from student S1: "Listen to our complaints regarding professors," from the Madrassa management. He further added that instructors are highly regarded in our society, and we would never dream of lodging a complaint against our revered professors. Participant S2 said that neither he nor a buddy had made a complaint, but I am hopeful that management will pay attention if either I or any other student does so. A fellow participant said there are "rare possibilities to complain against" despite the fact that madrassa management encourages us to do so, a fellow participant said. Students from S6 remarked, "I complained, and the head of the madrassa took action." Participant S8: "Management listens and takes action." Madrassa's administration responds to student complaints against professors according to the circumstances, but most students do not voice their displeasure.

#### **Q NO 3: Do your fellow can tell their problems to the administration or hesitate to do so?**

According to S1's answer to this issue, "If they feel reluctance, other pupils urge them to tell." In S2's words, "Some kids are reluctant to open up about their issues." Participant S3 said, "If kids have any issues, they may come out and tell us about them without any concern." Students in prey courses do not tell because they are terrified of their professors, a fellow participant stated. While some students may be reluctant to discuss their concerns, others

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may be able to overcome their reluctance with the help of friends and guidance from instructors. S8 made this statement during a discussion on the importance of students being able to openly discuss their concerns.

#### **Q NO 4: How do you deal with the student those are non-serious towards learning?**

In the majority of the responses to this question, students were encouraged to study in a variety of methods from the beginning of their education. According to participant T1, "We strive to develop interest in pupils by hosting literally programmes." Participant T2 said, "We call the parents and inform them that their kid is not taking interest in studies even then he does not improve we expel him from madrassa." We penalize them lightly, according to another participant T5. Participant T6 said, "We give them a mild discipline but not with a stick". T7 remarked, "We warn such pupils, and then expel them from Madrassa.". T8 said that "first we encourage the pupils via counselling and then we give them mild punishment."

#### **Q NO 5: How do you treat naughty students?**

The participant T1 said, "We treat them like parents in order to encourage them to go to school." "With the guidance of parents, we offer them minimal punishment," participant T2 said. "Students who are very naughty are punished," another attendee said. Students who are very naughty, according to respondent T4, "are disciplined with stick, but within a limit." We treat such pupils "like parents and treat them with affection" as the next group of participants T5. In T7's words, "Teachers get close to them, and they are driven by counselling." Afterwards, they were expelled from the madrasa, according to the last participant.

#### **Q NO 6: Is corporal punishment allowed in your madrassa? If yes, then please specify why it is allowed?**

As the first instructor put it, "We disciplined them with tactics to keep them in discipline" since certain pupils "make trouble in the madrassa". The second participant responded, "Light punishment is acceptable since with dread pupils begin to conduct studies." Punishment should be permitted "because without punishing the pupil, the lesson would not be remembered". It was said that "punishment is not permitted in our madrassa" by participants T4 and T5. Another participant's explanation of punishment was: "We tied the pupil not to go home and there was a cessation of food and sleep." "Punishment is permitted for study and respect of instructors" was the response from participant T8.

#### **Q NO 7: Did any parents complain about Corporal punishment? If yes, then what was their opinion about Corporal punishment?**

This question was posed to find out whether parents were on board with the punishment procedure. They reject or support punishment if their kids are disciplined by instructors. "Parents press for punishment of their children," T1 participant observed, "but no parent complained because there is no punishment in our madrassa." a result of their belief that this would benefit their children and encourage them to study more as a result of the threat of punishment. Parents of pupils are in favors of lenient punishment, according to the following participant, T2. Another participant said, "If punishment is more than the offence, then they complain, or if they receive a mark after punishment, then they complain." However, parents



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have asked that their children be punished on occasion, according to participants T3 and T6. Another participant claimed that there is no physical punishment, simply emotional anguish. Although there are few examples, we were able to meet the needs of one participant. The last participant also said that some parents asked that their children be punished at the madrassa.

#### **Q NO 8: Do you like going to the Madrassa? Kindly give details of your Answer.**

For the purpose of ascertaining whether or not Madrassa students are attending out of self-interest rather than out of fear of punishment, this question was posed to them. It is because of the "calm environment" that I like attending Madrasa, as stated by student S1. We enjoy it because we feel "satisfied in the heart," commented participants S2 and S3. They go on to discuss their religious beliefs. The next participant said that in 9th grade, his interest in religion grew. I like going to Madrassa because of my interest in "memorizing the holy Quran," as stated by S6 and S7 participants.

#### **Findings of the study.**

- The findings of the current study highlight that students may express themselves freely in the majority of madrasas in Pakistan.
- The study highlighted that students express themselves while adhering to the norms and instructions established by the madrasa administration.
- The study highlighted that while the administration of the Madrasa listens to student complaints about instructors and reacts appropriately, the majority of students do not complain about teachers.
- The study highlighted that students are unable to communicate their concerns, particularly in pre-classrooms, while other kids, with the encouragement of a friend and under the guidance of professors, overcome their shyness and communicate their concerns.
- The findings indicate that students who are not committed to their studies are first counselled and religiously motivated, and then penalised or expelled from the madrasa. It is discovered that misbehaving pupils in Madrasas are counselled, motivated, and then punished.
- The findings indicate that punishment is permitted in madrasas because madrasa instructors believe that children do well in class owing to their dread of punishment.
- The findings indicate that parents do not object to their children being punished, and that parents believe that punishment may help students improve their performance; more importantly, they believe that punishment is crucial for the kids' development.
- It may be deduced from the comments that students choose to attend Madrasas owing to the trend and passion for religion among students and their families.

#### **Discussion:**

Muslims were taught the Qur'an and Hadith at the mosque, which had been the customary venue of worship for centuries. The madrasa system of education was tied to this mosque. The madrasa served as both a school and a place to live for its students. Freedom of speech for children includes the right to seek, receive, and transmit knowledge freely, as well as the right to express their ideas and judgments in all areas, especially those that pertain to them. In Pakistan, the campaign for the rights of children is a new phenomenon. However, legislation

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on children's rights in this country has been a sluggish one. Child rights are being acknowledged and promoted by the Pakistani government in a step-by-step manner. The current study highlighted that students may express themselves freely in the majority of madrasas in Pakistan, and the results were supported by Qamar, (2015). The highlighted results of this study that students express themselves while adhering to the norms and instructions established by the Madrasa administration were confirmed by Iqbal. Khanam. & Dogar. (2017).

Most students at the Madrasa do not complain about their lecturers, despite the fact that the management pays attention to student issues and responds promptly, as supported by the study results (Younus, Chachar & Mian, 2018). A dread of punishment is seen to be a motivating factor for pupils in madrasas. According to many parents, punishment is a necessary part of their children's development, and the research results were contradictory to this belief (Voelkle & Wagner, 2017). The study demonstrated that pupils are unable to articulate their worries, particularly in classrooms, while other children overcome their nervousness and communicate their concerns with the aid of a friend and with the guidance of professors, as supported by (Abu-Nimer & Kadayifci, 2011). According to Zaidi, (2013).) views, students and their families visit Madrasas because of the growing trend of devotion to Islam among them and their families .This also supported the current study results.

### **Conclusions**

It was concluded that students in the majority of Pakistani madrasas are free to express themselves as long as they follow the rules and guidelines set by the management. There is a first counselling session before a student is reprimanded or expelled from the Madrasa. Further, it was concluded that children who go off the rails are first counselled, then inspired, and finally reprimanded. Teachers at madrasas believe that the threat of punishment is a powerful motivator for their pupils. They believe that punishment may help students do better and don't object to their children being punished. It was learned that children enroll in Madrasas because their peers and family have become more religiously inclined.

### **Recommendation**

1. Teachers at madrassas should be given training by the government to enhance their abilities and teach methods.
2. In order to keep an eye on the madrassa in regard to student rights and other issues, the government should designate a monitor who visits on a regular basis.
3. Punishment should be portrayed in the media in a more positive light so that parents' perceptions of it are altered.
4. In order to strengthen the teaching abilities and teaching methods of Madrassa teachers, the government should equip them with training and education.

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