

Minority Rights with Reference to Judicial Precedents in Pakistan

Dr. Rasool Buksh Mirjat
Additional District and Sessions Judge
East Islamabad

Doi:10.19044/elpl.v10no2a1

[URL:http://dx.doi.org/10.19044/elpl.v10no2a1](http://dx.doi.org/10.19044/elpl.v10no2a1)

Submitted: 12 March 2023

Copyright 2022 Author(s)

Accepted: 15 September 2023

Under Creative Commons BY-NC-ND

Published: 31 October 2023

4.0 OPEN ACCESS

Abstract:

All inhabitants of a state are similarly eligible for basic privileges and human rights. Likewise, basic entitlements of the religious minorities are also assured through the Constitution of the country generally, and through various legislations particularly. Whereas Pakistan was given independence in the name of Islam, different minorities are settled here as well, and their rights are equally protected under the Constitution of Pakistan 1973. However, due to the current wave of terrorism in the country, the entire nation is affected generally, and minorities particularly. The fanatic groups, non-state actors, and self-claimed religious organizations found minorities an easy target for showing their power and gruesome acts, and spread their message by attacking minorities or their places of worship and educational institutions. In this paper, the desk-based research methodology has been adopted based on the available literature, international conventions, and decisions of the High Courts and the Supreme Court of Pakistan regarding the rights of minorities.

Keywords: Constitution, Religion, Minorities Rights, International Covenants, Judicial Precedents.

Introduction

The notion of fundamental rights is an ever-changing thought that means and includes the right to a reasonable trial, freedom, and liberty of life, dignity, and security by birth to every citizen to lead his dignified life, which is also concerned with the protection and promotion of individuals that cannot be withdrawn and is indisputably universal. Human beings are equally eligible for the aforementioned rights notwithstanding religion, language, gender, faith, culture, or financial status. Likewise, the rights of minorities are an integral part of human rights, which are protected globally and are inalienable. They are enacted through various covenants passed by The United Nations (UN), including the UN Declaration of 1947, the European Convention on Human Rights and Fundamental Freedom (ECHR), the UN Declaration on Minorities, and much more. (Alam et al, 2019) Hence, this paper aims to discuss various perspectives regarding minority rights in Pakistan in line with international conventions, its implementation and enforcement through the Constitution of Pakistan, and decisions of the Constitutional Courts of Pakistan.

1. Historical Account of the Rights of Minorities, with Special Reference to International Agreements

Though the most common perception about the unprecedented enactment of minority rights is the revolutionary work of the Parliament of Hungary in July 1849, but there is also opinion of scholars that much prior to that, they were introduced by Islam through its last Prophet (Peace be upon him) in the shape of the famous social contract, i.e., Charter of Madhina in 622 A.D, whereby the rights of all citizens were granted protection, be it Muslims or Non-Muslims (Khalid & Anwar, 2018). This document also came to be known as one of the first-ever statutory commandments in the history of humanity, and the first written legal document in Islam, which protected the rights of Muslims and Jews while also ensuring an exemplary brotherhood for even non-believers and citizens of any peaceful country (Idris & Ozdemir, 2021). It is also worth mentioning here that this contract envisaged that the enemies of non-believers would not be helped, even if they were Muslims. And a non-believer would not be victimized merely for being a non-believer (Malik, 2002). It was also declared that all sincere citizens would be assured equivalence in their societal, financial, and legal matters and given rights at par to Muslims (Saeed et al., 2020).

International Covenants on Minority Rights:

There is a volume of enacted international corpora, which includes most of the features regarding minority rights. They are based on number of accords, resolutions, and declarations accepted by the UN as well as various worldwide organizations related to minority rights, e.g. Universal Declaration of Human Rights (UDHR), 1948; Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, 1992; European Charter for Regional or Minority Languages, 1992; International Covenant on Economic, Social, and Cultural Rights (ICESCR), 1966; International Covenant on Civil and Political Rights (ICCPR), 1966; International Covenant on Economic, Social, and Cultural Rights (ICESCR), 1966; Framework Convention for the Protection of National Minorities, 1994-1998; United Nations Declaration on the Rights of Indigenous Peoples, 2007; Organization for Security and Cooperation in Europe (OSCE) Copenhagen Document, 1990.

It needs to be added here that Pakistan being a signatory of a number of UN compendiums and treaties have adopted and passed a number of enactments in pursuance of Article 20, 21, and 36 of the Constitution of Pakistan, 1973, for the protection of the minorities including, The Christian Marriage Act, 1872; The Hindu Marriage Act, 2017, and The Sikh Marriage Act, 2018, to regularize the marital relations of the major religious minorities, i.e., Christians, Hindus and Sikh communities. Similarly, The Protection of Minorities Act 2019 was enacted for the protection of worship places of minorities to make them feel secure and safe while praying. Besides, The Protection of the Rights of Minorities Bill 2019 was enacted to safeguard minorities' rights concerning their jobs and education while also ensuring the representation of people of minority in National and Provincial Assemblies. Moreover, a commission was also formed in the year 2015 by an Act of the Parliament, namely, the National Commission of Minorities, to monitor the progress regarding the implementation of Constitutional and special enactments with reference to minorities, which includes research regarding discrimination (if any) against the minorities and their socio-economic status, and make recommendation to government

regarding rights of the minorities (Minority Rights Group International, 2020).

2. *Minority Rights and The Constitution of Pakistan:*

In terms of scientific and social study, various concepts, theories, and explanations are forwarded by philosophers with respect to human rights, all containing the concept of humanity at their core (Khalid & Anwar, 2018). The practical shape to those theories was given by the international institutions in the 21st century when the colonial powers brought about legal changes in their colonies. Moreover, as a consequence of WW II, the UN declaration passed in 1948 regarding Human Rights strengthened the theory of fundamental rights available to every living soul by incorporating the basic rights, i.e., cultural, economic, and, more importantly, the rights of minorities (United Nations, 1948).

The term minority or minorities is not defined specifically in international treaties; however, the general concept of the minority is revealed from various treaties and covenants (Batool, 2014). Whereas the minority in the society can be identified by ethnicity, linguistics, sectarianism, religion, and culture, which are commonly the disempowered people and statistically fewer in any society, area, or part of the country (Alam et al., 2019). In some cases, people of different genders are also claimed as minorities e.g., women, transgender, or children (Shah & Nawaz, 2021). The rights of such minorities are also recognized by religion, culture, and various legislations passed domestically and internationally to protect the same. Albeit all religions are based on the ideology of harmony, tranquillity, and humanity, Islam recognizes human rights as its foremost and integral part (Khalid & Anwar, 2018). Moreover, the founder of Pakistan, Mohammad Ali Jinnah (R.A), during his first speech in the Constituent Assembly of the Country on 11.08.1947, stated that the “people of the country are free and at liberty to move to their temples; free to visit their mosques or to any other places of devotion (Jinnah, 2013). They may belong to any faith or caste or belief that has no concern with the affairs of the country.” (Mehfooz, 2021)

Furthermore, Chapter II of the Constitution of Pakistan, Principles of Policy, includes Article 36, which envisages the protection of minorities and enunciates that “The State shall protect valid rights & benefits to the minorities with their reasonable representation in the parliament & services.” In continuation of Article 36 of the Principle of Policy, Article 20 envisages that “Every native of the country is at liberty to acknowledge his faith and organize the place of religious.” It also provides that every person in the country has the privilege to profess, exercise and spread his faith. In addition to that, all religious groups and schools of thought have the freedom of constituting, maintaining, and carrying on their spiritual places (Khalid & Anwar, 2018). That under Article 2-A of the Constitution of the country and Objective Resolution, which is an essential portion of the Constitution, provides that the suitable necessities shall be extended for religious minorities to freely acknowledge and practice their religion and develop their culture. And ample provision shall be made to protect the genuine interest of the minorities.

Moreover, Article 20 of the Constitution also says that “Citizen of the country shall have the liberty to practice, profess and spread his religion subject to public order and morality and law, (The Constitution of the Islamic Republic of Pakistan, 1956).” Therefore, religious minorities have been equally guaranteed fundamental rights under

the Constitution like the people in the majority, which includes Article 15, freedom of movement; Article 16, freedom of assembly; and Article 20, freedom to profess religion and to manage the religious institution. Not to mention, under Article 25, equality of citizens, right to life, liberty, self-respect, and indiscriminate are also enlarged to the religious and non-religious minorities like any other citizen of Pakistan (Korai, et al., 2021). Minority rights are part and parcel of Constitutional values and basic rights and fall within State obligations under the ambit of the Constitution, the principles of policy, and international conventions on human rights (The Constitution of the Islamic Republic of Pakistan, 1973).

Mainly, the minorities of Pakistan include Hindus, Christians, Sikhs, Parsis, Buddhists, and Ahmadis. These minorities are further divided into sub casts and sects as well; nonetheless, despite being different from religious minorities, ethnic, linguistic, racial, and gender groups, e.g., females & transgenders, are treated minority as well generally, not particularly nor counted separately, but they face discrimination directly and indirectly. Still, in the forgoing wave of terrorism in Pakistan, the most affected minorities remain to be Hindus, Christians, and Ahmedis, as per its numbers (Rais, 2005). As per the 2022 census, the population of Pakistan – faith-wise – is (i) Muslims 96.47%, (ii) Hindus 2.14 %, (iii) Christians 1.27 %, (iv) Ahmadiyyas 0.09%, (v) Sikhs 0.01 %, and Others, i.e., Zoroastrians, Bha'I's, Buddhists, Irreligious are 0.01% (Pakistan Bureau Census, 2022). Moreover, Muslims are divided into different sects; therefore, the number of infringements of their rights is according to population, yet Hindus and Christians are the most discriminated religious faiths with accusations of blasphemy and attacks over their worship places (Batool, 2014). On the other hand, sectarian violence also affected various sects in the country, which are also known as religious minorities; out of these two major sub-sects, i.e., Ahal Sunnat and Ahal Tashi (Shias), the latter are facing accusations over blasphemy, violent attacks on their processions as well (International Crisis Group, 2022).

3. Jurisprudence Developed in Pakistan over the Years:

In the current scenario, the world in general, and Pakistan in particular, is facing several different natures of problems, i.e., poverty, social security, religious (sectarian) violence, and ethnic differences. Nonetheless, one of the most vulnerable problems being noticed is the violation of the Rights of Minorities, especially in the wake of terrorism. It has paralyzed the life of minorities, be it religious, sectarian, or political, alongside their economic conditions, education, and security of lives, health, trade, etc. Indeed, in pursuance of Article 37 (d) of the Constitution, which provides inexpensive and swift justice, the State is highly striving to protect these minorities by adopting adequate measures for their rights and protection (Hussain, 2005). Besides, the Apex and High Courts of the country are also not sitting back and are dispensing justice to the aggrieved people in general and in particular belonging to minorities (Zahid, 2019). Judiciary by way of ensuring fair trial as provided under Article 10 of The Constitution of the Islamic Republic of Pakistan, 1973 and exercising their writ jurisdiction Under Article 199 and 184 (3) of the Constitution respectively, regarding public importance and fundamental rights by employing, enforcing interpreting the provision of the Constitution, while also ensuring the protection of the rights of minorities by penning down landmark judgments, a few of which are discussed hereunder, especially after reinstatement of former Chief

Justice Iftkhar Chudhary (Omer, 2013).

Precedents Set by The High Courts of Pakistan:

The Hon'ble bench of Lahore High Court laid down in the reported case of Mubashir Nadeem that the Constitution suggested that there would be no discrimination between the people of the country pure on the pretext of credence, class, faith, and gender. Under Article 04, Article 25, Article 27, & Article 36 of the Constitution of Pakistan, each citizen of the country is equivalent before the law, rules & principles outlined by the law. The Constitution had principally assured and protected the valid human rights & the welfare of these factions with their proper representation in the national and regional services. In this case, the honourable Lahore High Court protected the rights of a citizen belonging to a religious minority, whose status as permanent Lambardar (a village headman) was challenged only on the ground of religion, but it was held that prior to being nominated as Lambardar he remained as Sarbrah in the life of time of his father, and owns 32 Kanals 09 Marls Land (Mubashir Nadeem v. Member Judicial, 2018).

Similarly, in the case of Ameen Masih Lahore High Court, the petition was filed against the repeal of section 07 of the Divorce Act 1869. It was argued that in the year 1948, the UDCHR, in the U.N General Assembly, enumerated Article-1, which stated that "Every person inbred equal, free in poise with certain privileges. They are endowed purpose and values who should perform to and enhance in the essence of society." It is within this worldwide outline of human rights and the pointers of equivalence and non-discrimination that discourse on the defense of minorities. The Honourable Court, while discussing the rights of the minority within the framework of the Constitution of the Country, held that the Objective Resolution, 1936, and the preamble of the Constitution, which makes up the indispensable portion of the Constitution under Article 2-A, envisages the sufficient arrangements ought to be held for various religious segments to pray & exercise generously their belief and propagate their philosophy. That suitable facility ought to be made to protect the candid interest of the factions. It is further held that Article 20 as a basic entitlement envisages that each inhabitant shall have the privilege to exercise, proclaim and spread the conviction within the four corners of the law, morality, sense of people's safety, and peace. It is also laid down that Article 36 of the principles of policy delivers that the State has to protect valid prerogative and engross of the minorities under Article 29 of the Constitution of Pakistan. It is the duty of the State and its functionaries to perform according to such values. The people who belong to a minority should be adorned with basic rights ensured to every person as per the Constitution, along with the liberty to life, self-respect, and disregard of inequity to become a well-being inhabitant of the country. The rights of the people of the minor communities are thus, a punnet of basic rights, Constitutional principles as well State responsibilities according to the principles of policy and international convention, such as ICCR, and the rich jurisprudence developed over the years. (Ameen Masih v. Federation of Pakistan, 2017).

In 2022, the Baluchistan High Court, in the case of Church Missionary Trust Association, while protecting the right to property guaranteed in the Constitution to every citizen, including minorities, observed that due respect to the minorities and their rights would create a harmonious atmosphere in the society. By commanding courts as saviors of the rights of the people, the High Court issued directions to all the civil and revenue

courts and other departments of the province, while peening down the importance of minorities' rights to decide expeditiously the matters pending before such fora. It is also restricted that the properties belonging to the Trust shall not be transferred, which are spared for communal use, nor can anyone buy the same under the Balochistan Protection of Communal Property of Minorities Act, 2018. (*Church Missionary Trust Association v. Federation of Pakistan*, 2022)

Precedents Set by The Supreme Court of Pakistan:

The Supreme Court of Pakistan laid down in the case of *Zaheer-ud-din* had observed that “the rights of the people of minorities are also protected by Islam through Quran & the Sunnah in such suitable manner that no other lawful enactment can suggest anything equivalent.” (*Zaheer-ud-din v. State*, 1993)

In *Suo Moto* Case No.1 of 2014, the Supreme Court of Pakistan, by invoking its jurisdiction under Article 184 of the Constitution on the brutal attack on the Church in the city of Peshawar, Pakistan, has held in the preview of Article 20 of the Constitution of Pakistan that the liberty with respect of religion includes acceptance, belief, realisation, expression and thought, every individual of the country is at complete liberty to acknowledge, spread and exercise his spiritual thoughts. The Supreme Court directed to ensure foolproof security of worship places of the minorities, and any vandalism against their places held as an offence against the place of worship of Muslims, within the preview of Pakistan Penal Code. (*Suo Moto*, 2014)

In the case of *District Bar Association Rawalpindi*, the Supreme Court of Pakistan held that: Any person from the religious minorities can participate in the election of National or Provincial Assembly in a combined electorate from any electorate and any seat of the parliament and observed that it is out of the structure of the Constitution, to upset or curtail the equality or violate the fundamental rights of the people of minorities. (*District Bar Association Rawalpindi v. Federation of Pakistan*, 2015)

The Honourable Supreme Court of Pakistan issued the guidelines drawn by itself, which were to be complied by the state, including provincial Governments, for the forceful enforcement of basic rights provided in the Constitution to the people of minority communities. The Supreme Court held against the forcible conversion of people of the minor community and the Constitution envisaged a distinct position to them.

The foundation of Pakistan was based on safeguarding the sacred rights of Muslims and people of minorities. It is also observed that the occurrences of despoliation of holy places exist for the reverence of people belonging to minorities could be protected if the concerned State authorities had taken a course of action at a suitable time, and the failure to take appropriate measures well in time by the concerned state organization is the absence of accurate indulgent of the applicable provisions of law. There is an overall dearth of consciousness regarding the rights of religious minorities amongst individuals and the people assigned to the administration of such regulations had not been entirely briefed about such concerns. Not to mention sacrilege of worship places of minorities is punishable under Pakistan Penal Code 1860.

It has been highlighted by the Apex Court in another case of *Malik Mumtaz Qadari* (*Malik Muhammad Mumtaz Qadri v. The State*, 2016), that as per the view of the slain Governor, Salman Taseer, the laws regarding blasphemy have been enacted by the then un-elected ruler and the same has been used against the religious minorities and the

same view of the deceased held beyond the scope of provisions enacted in penal laws, i.e., 295-C PPC, hence held his murder was unjustified. In the case of Ahmed Yar Chauhan, the appointments in all Pakistan Services ought to be made keeping in view the due representation of all federating units under Article 36 of the Constitution of Pakistan 1973 had made it mandatory for organs of the state to protect genuine interests & rights of people of minority communities comprising their proper joining in the services of Pakistan, including Federal Government & Provincial Governments respectively. (*Ahmed Yar Chauhan v. Federal Public Service Commission*, 1998)

4. Conclusion

Although Pakistan is still a developing country, a substantive amount of legislation has been enacted so far in line international covenants to safeguard the rights of minorities. The minority's rights are granted in the Constitution of Pakistan 1973, which should be observed in the letter and spirit of the law and commandments of the courts. This will not only lead to the development of the rights of minorities in the country, but it will allow the State to run smoothly while adhering to its ideology and principles of policy and creating a sense of protection among minorities.

However, the day-by-day increase in terrorism in the world in different forms has created fear, horror, panic, violence, and intimidation among people generally, and among minorities particularly, though it has not been adapted owing to the broader concept with various classifications rendering all and sundry thoughts and ideologies. Conversely, the United Nations Organization defines terrorism as 'All the criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public.' Whereas minorities, whether religious, ethnic, cultural, or sectarian, are most affected by terrorism, it is, therefore, imperative to understand the impact of terrorism on their rights under the legal and Constitutional perspective, or else, it would not be possible to protect them.

Whatever the case might be, the protection of human life shall be the prime motto of the State, and minorities being nothing short of ordinary human beings are entitled to enjoy this sacred trust that the Creator has ordained every living soul with. Even if the surge in the deteriorating conditions of human life due to terrorism is considered, there is no way to save minorities from its effects except by the enforcement of fundamental rights by the state itself or through court of law. And for this object, along with law enforcement agencies, means of education, participation of people in the political process, access to free and speedy justice, and ensuring the fulfilment of basic needs can play a substantial role in uplifting the standards of humanity.

Conflict of Interest:

The authors reported no conflict of interest.

Data Availability:

All of the data are included in the content of the paper.

Funding Statement:

The authors did not obtain any funding for this research.

References:

1. Ahmed Yar Chauhan v. Federal Public Service Commission, 1998 MLD Lah 1832.
2. Alam, A., Rehmat, A., & Jacobson, E. (2019). *Narratives of Marginalization: Reporting religious minorities in Pakistani media*. Institute of Research, Advocacy and Development.
3. Alison, B. (Ed.). (2002). *Globalization and Human Rights*. University of California Press.
4. Ameen Masih v. Federation of Pakistan, PLD 2017 Lahore, 610.
5. Batool, S. (2014). *Comparative Analysis Of Representation Of Religious Minorities in Pakistani And Indian Print Media (1990 – 2010)*. [Http://Prr.Hec.Gov.Pk/Jspui/](http://Prr.Hec.Gov.Pk/Jspui/)
http://prh.hec.gov.pk/jspui/bitstream/123456789/13138/1/Sumera_Batool_Communication_Studies_HSR_2016_UoP_Punjab_11.05.2017.pdf
6. Charters, David (Ed.). (1994). *The Deadly Sin of Terrorism its effect on Democracy and Civil Liberties in Six Countries*. Westwood, Conn: Greenwood Press.
7. Church Missionary Trust Association v. Federation Of Pakistan, PLD 2022 Bal 36.
8. District Bar Association Rawalpindi v. Federation of Pakistan, PLD 2015 SC 401.
9. Donnelly, (2003). *Universal Human Rights in Theory and Practice*. Cornell University Press
10. Duke, V.V. (1970). *Human Rights, The United Nations and the World Community*. New York
11. Dunne, T., & Wheeler, N.J., (Eds). (1999). *Human Rights in Global Politics*. Cambridge University Press.
12. Emmanuel, & Zafar, (1998). *The Law Relating to The Suppression of Terrorism in Pakistan*. Irfan Law House Mazang Road Lahore Edition.
13. Finn, John, E., (1991). *Constitution in Crisis Political Violence and Rule of Law*. Oxford University Press, London.
14. Hussain, J.S. (2005). *Constitutional Law of Pakistan- Text, Case Law and Analytical Commentary*, 2nd Revised Ed. Lahore.
15. Ideris, F.B., & Ozdemir, O. (2021). *Understanding Muslim-Jewish Relationship in Medina during the Era of Prophet Muhammad*. The Journal of Sirah Studies, SAD, 11 (Special Issue), 89-103. <https://dergipark.org.tr>

16. International Crisis Group. (2022, September 5). *A New Era of Sectarian Violence in Pakistan*. crisisgroup.org. <https://www.crisisgroup.org/327/asia/south-asia/pakistan/new-era-sectarian-violence-pakistan>
17. Jinnah, A. (2013). *Jinnah Speeches as Governor-General of Pakistan, 1947-1948*. Sang-e-Meel Publications.
18. Khalid, I., & Anwar, M.(2018). *Minorities under Constitution(s) of Pakistan*. Journal of the Research Society of Pakistan, 55(2), [51-62].
19. Korai, A.G., Uddin, I., Memon, I.A., Ghaffar, A., & Samad, A. (2021). Pakistani Minorities: Are they protected by or Prosecuted by the Constitution? Palarch's Journal of Archaeology Of Egypt/Egyptology, 08 (4), 7064-7076. ISSN 1567-214. <https://archives.palarch.nl/index.php/jae/article/view/7379>
20. Macklem, P. (2008). Minority rights in international law. *Icon-international Journal of Constitutional Law*, 6(3-4), 531-552. <https://doi.org/10.1093/icon/mon019>
21. Malik, I. H. (September 2002.). *Religious Minorities in Pakistan*. <https://www.refworld.org/pdfid/469cbfc30.pdf>. Minority Rights Group International.
22. Malik Muhammad Mumtaz Qadri v. The State, PLD 2016 SC 17.
23. Mehfooz, M. (2021). *Religious Freedom in Pakistan: A Case Study of Religious Minorities*: Vol. 12(1), 51.
24. Melka, H. (2003). *Must Innocent Die? The Islamic Debate over Suicide Attacks Middle East*
25. Quarterly Minority Rights Group International. (2020, June 2). *Beyond Commissions: Institutionalizing Minority Rights In Pakistan*. <https://minorityrights.org/2020/06/02/minority-commission-pakitsan>
26. Mubashir Nadeem v. Member Judicial, 2018 CLC 702.
27. Omer, R. (2013). *Authority without accountability: The search for justice in Pakistan*. In www.refworld.org. International Commission of Jurists. <https://www.refworld.org/pdfid/530f088d4.pdf>
28. Pakistan Bureau of Statistic Census, 2022 <https://www.pbs.gov.pk/>
29. Rais, R. B. (2005). *Islamic radicalism and minorities in Pakistan*. *Religious radicalism and security in South Asia*, 19, 447-65.
30. Saeed, R.A., Tahir, M., Akhtar, N., & Rasheed, H.A. (2020). *Minorities' Rights from Islamic Socio-political perspective: Exploration of Madinah charter and Constitution of Pakistan*. *Journal of Al-Tamaddun*, 15 (2), 133-145. <https://doi.org/10.22452/JAT.vol15no.2.10>
31. Saxena, J.N. (1987). *Relationship between Human Rights in the World Order*. *Indian Journal of International Law*, Vol. 27.
32. Shah, A. R., & Nawaz, B. (2021). *Issues and State of Religious Minorities in Pakistan: A Systematic Literature Review*. *Pakistan Social Sciences Review*, 05(03), 70-88. <https://pssr.org.pk/issues/v5/3/issues-and-state-of-religious-minorities-in-pakistan-a-systematic-literature-review.pdf>
33. Sou Moto Case No.1 of 2014, Supreme Court (2014 PLD 699 Supreme Court).
34. The Constitution of the Islamic Republic of Pakistan. (1956).
35. The Constitution of the Islamic Republic of Pakistan. (1962).
36. The Constitution of the Islamic Republic of Pakistan. (1973).

37. U.N Declaration of Human Rights. (1948).
38. Zaheer-ud-din v. The State, 1993 SCMR SC 1718.
39. Zahid, N. A. (2019). *The Role of the Judiciary in Protecting the Rights of the People Judicial Activism.* www.lao.org.pk.
<https://www.lao.org.pk/wpcontent/uploads/2019/02/The-role-of-the-judiciary-in-protecting-the-rights-of-people.pdf>