
Religious Freedom during the Sultanate Period**Dr. Munazza Batool***Assistant Professor, Department of Comparative Religions,
Faculty of Usulddun (Islamic Studies), International Islamic University, Islamabad**Email: munazza.batool@iiu.edu.pk**ORCID: <https://orcid.org/>***ABSTRACT:**

Religious Freedom means the freedom of practicing one's religion under a state or majority that adheres to some other religion. While this right of freedom of religion has been documented by the international forums and United Nations during the twentieth century it is worth considering that how the Muslim rulers have provided this right to their non Muslim subjects due to Islamic injunctions. The paper seeks to highlight the issue of religious freedom during the Sultanate period, while doing so an attempt has been made to highlight the various principles that shaped the religious policies of the Sultans towards their non-Muslim subjects. Despite the fact that Sultanate period is not monolithic and there were various ruling dynasties as well as their religious dispositions were different, likewise that their non-Muslim subjects were also heterogeneous in terms of their beliefs and practices, it is argued that there were certain principles governing the religious policy of the Sultan towards their subjects generally allowing them to practice their religion without coercive measures. Thus the paper highlights that despite the despotic tendencies of the Sultan the religious affairs of the non-Muslim subjects were dealt in lieu with some religious, political and ethical norms and principles. Finally it is concluded that the Non-Muslim subjects enjoyed a good degree of religious freedom during the Sultanate period.

Key words: Sultan, Religious Freedom, Shariah Principles, Akhlaqi, Non-Muslims, Hindus.

Religious freedom is considered as a fundamental human right in today's world. The right of religious freedom is the right to practice one's religion under a state or a dominant culture. In today's globalized world this right is guaranteed through various declarations for instance the 'article 18 of the Universal Declaration of Human Rights, article 18 of the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.'¹ These declarations assure that it is fundamental human right to practice his religion in public or private with freedom. Thus the right of religious freedom is to have freedom to express religion through teaching, practice, worship, and observance. While in today's globalized world it is a fundamental human right but perhaps historically speaking that has not been the case. The rulers or the political authority rested in the hands of Monarchs who made their policies according to their own choices. It is pertinent to consider that Islam has accorded the freedom of religion centuries ago thus religious freedom was a basic principle of Islamic polity and the Muslim rulers have adopted it in various degrees and various situations.

Taking into account the religious freedom as a basic human right in the modern times and a principle of Islamic polity a historical perspective of Muslim rule is worth considering. As a researcher in the history of religious thought of Indian subcontinent, it is very important to consider the fact that Islam prospered in this part of the world both in quantity and profundity. While the spread of Islam in the subcontinent is a symbolic landmark in the history of Islam, the establishment and consolidation of Delhi Sultanate is an emblematic signpost in the history of Islamic socio-political system. That resulted not only in the geographical expansion of Islamic frontiers but also introduced the radical changes that effected the caste ridden social structure of the subcontinent, as a matter of fact the first Sultan of Delhi was a slave who received his title as Sultan and letter of manumission at the same time, ²thus leaving an in-depth impact of Islamic socio-political values of equality, justice and supremacy of merit on the political history of the subcontinent.

After the establishment of Delhi Sultanate in 1206 Hindus were defeated and deprived of their political power and despite their overwhelming majority were to be ruled by the Muslims minority for the centuries to come. It is pertinent to ask that while dispossessed of their sovereignty whether the Hindus and non-Muslim subjects were allowed to practice their religion during the Delhi Sultanate period or were forced to conversion? Whether the Sultanate despot rulers were forbearer of

religious freedom? And for answer to such questions there are multiple sources that can be helpful. Delhi Sultanate has been a preferred theme of many historians and researchers. Historians have dealt with various aspects of the Sultanate period, among these one finds the works dealing with the political, cultural and administrative aspects of the Sultanate period. There are works that deal with the establishment and consolidation of Delhi Sultanate at length³ likewise the administration and political system of the Delhi Sultanate, the religious and ethnic origins and orientations of the various ruling dynasties of Sultanate has been studied and evaluated.⁴ The socio-economic history of the sultanate period has been also covered by many historians.⁵ The architecture of the sultans⁶ as well as the religious attitudes has been well discussed and analyzed.⁷ However the focus of this paper will be the issue of religious freedom; whether the non-Muslim subjects were granted their religious freedom during the period under review.

Study of the Muslim rulers relations with their non-Muslim subjects in mediaeval India has been usually seen and interpreted in binary terms of conflict and composite culture⁸; however a thorough reading of the contemporary Persian sources as documentary evidence helps us to look beyond the bias of recent historiography and to appreciate the nature of religious freedom that existed during the Sultanate period. We can discern from these sources that despite the fact that the Sultanate was a monarchy but the Sultans always sought their legitimacy from the circles of nobles and Ulama. Their policies were shaped by various factors and they were not completely given to their own despotism rather their policies were guided by various principles and were indirectly controlled by these. A keen look into the contemporary sources reveals that the various discourses of the Islamic thought shaped their policy of religious freedom for their non-Muslim subjects. Among the key discourses of Islamic thought that influenced the religious policies of the sultans towards their non-Muslim subjects one finds the Fiqh, the Jahandari, the Akhlaqi, the Sufi and the Adab or the literature.

The Principles of Shariah:

The Muslim State as well as the Muslim community was subject to the Shari'ah, which involved both doctrine and legal opinion. But it is very important to consider here that the rulers acted independently in matters of administration, and the laws of the Qur'an and Sunnah were not put into practice always. It was Islamic in the sense that the ruler was Muslim. There were rulers who took their policies as a matter of personal disposition, and not as commended by the Shari'ah. While there were also

rulers who devoted themselves for the upholding of Shari‘ah for example, Barani says Balban (1266-1286), never sat down to a meal unless some ulama were present with whom he could discourse on religious matters. On the other hand we find Alau al Din Khilji (1296-1316) made his policies independently not taking in consideration the recommendations of the Shari‘ah and declared roundly that he would do as he thought fit, and not what was required by the Shari‘ah. During a dialogue with a learned theologian Qazi Mughith al Din on the issues of Shari‘ah after hearing his comments told him that “I do not know whether such commands are permitted or not by the Shari‘ah. I command what I consider to be of benefit to my country and what appears to me opportune under the circumstances.”⁹

Though the Sultanate as a polity cannot be rightly termed as a Shariah based political system however the question of the rights and obligations of non-Muslims living in an Islamic state and especially those who were not mentioned by their names in the Quran and Sunnah was an important one for the Muslim rulers and theologians of the subcontinent. In the other parts of the Islamic world, the non-Muslim groups at that time were mostly Jews and Christians and both Quran and Sunnah contained many references to these two communities and the relationship that the Muslims rulers should evolve with them was categorically defined. These both communities were given the status of ahl al dhimma. But as regards the Indian religious traditions, there was no direct reference to these in Quran or Sunnah. Muslim jurists had therefore to make their decisions based on the patterns adopted in other Islamic lands.

Thus for the Delhi sultanate the guiding principle for the treatment of non-Muslims was the rulings of Quran and Sunnah of the Prophet ﷺ. The Shariah principles included the views and interpretations of the fuqaha regarding the concept of Ahl al dhimmah that encompasses the issue of religious freedom for different religious communities living under the Muslim state. Though the Shafi‘ah and the Hanabilah insisted that only Jews, Christians and Zoroastrians may be included in the category of ahl al-dhimma¹⁰, the Hanafiyah and the Malikiyah on the other hand agreed to include all non-Muslims even idolaters or polytheists who were not Arabs or apostates¹¹ in the category of ahl al-dhimma. This view of the Hanafi and Maliki madhhab enabled the Sultanate to find legal justification for the policy of religious freedom and tolerance that they had adopted towards their non-Muslim subjects.

The categorization of the Hindus among the ahl al dhimmah granted them the right of religious freedom according to the Shariah perspective. The inhabitants of India were treated as ahl al dhimma from

the very early period from the time of Muhammad bin Qasim¹² who had also accorded the status of ahl al dhimmah to the local Hindu and Buddhist population of Sindh¹³. Later on the Ghaznavids, Ghorids and all other Muslim rulers of the subcontinent adopted the same view.

Though the Muslim rulers from the time of Muhammad bin Qasim maintained that Hindus may be considered as ahl al dhimma, some Muslim thinkers living in Indian subcontinent, such as Fakhr e Mudabbir and Ziya al Din Barani (1285-1357), demanded that some specific measures were to be adopted against them. According to Fakhr e Mudabbir the adornment (zinah) the dress (jamah) and the deportment (nishat) of the dhimmi should be different from those of Muslims¹⁴. But at the same time he holds the view that non-Muslim were to be allowed to live separately and distinctly under an Islamic state. While the well-known historian and political thinker Barani thought that:

“The Muslim king must not be content with the imposition of the jizyah; he must strive with all his courage to overthrow infidelity and slaughter its leaders, who in India are the Brahmans. But if a king is content merely to take kharaj and tribute from the Hindus, who are worshippers of idols and cow-dung, and the Hindus are able with peace of mind to preserve the customs of infidelity, then of course infidelity will not be liquidated”.¹⁵

The contemporary sources clearly show that these particular views of both Fakhr e Mudabbir and Barani were never put into practice which was perhaps due to the hold of Hanafi fiqh in the sultanate period. Barani himself has indicated in his Fatawa e Jahandari that according to Shaf'i madhhab the Hindus were not entitled to the status of ahl al dhimmah¹⁶. Thus principle of religious freedom was part of the practice in general though there are stances when Muslim rulers wanted to adopt some strict policies towards their non-Muslim subjects but the Muslim scholars stopped them from doing so and protected the rights of ahl al dhimmah. For instance we find that Malik al Ulama Abdullah Ajodhani stopped Sikandar Lodhi from destruction of temple and sacred lake in Thanesar because it was against the ruling of Shari'ah¹⁷

We find that rulers followed the rulings of Shari'ah as regards to their Non- Muslim subjects and tried to establish their legitimacy by connecting themselves with the institute of khilafah and shariah. Their connection with the shariah provided them with the legitimacy of their rule on the Muslim community on the one hand and on the other they being the Muslim monarchs sought the guidance from shariah for their policy towards their non- Muslim subjects.

The Principles of Jahandari:

Apart from the Islamic rulings or Shari'ah Muslim rulers and politicians had laid down certain other principles of governance or the Jahandari. While doing so they were mindful of their strength in numbers and considered it more practical to accord the religious freedom to their non-Muslim majority than to raise the religious and social violence by persecuting and forcing them to embrace Islam, which was both against Islamic principles and impractical as well. With the establishment of Delhi sultanate in 1206, the whole of the subcontinent was not subdued and Muslims had annexed Multan, the Punjab, Ajmer, Delhi and Kannauj so far while Benares, Bihar, Orissa, the Kakatiyas, Yadavas and Cholas of South India were still unsubdued. With the exception of Western Punjab and Western Rajputana, the people living in the country were mainly Hindus.¹⁸

The Sultans were aware of this oscillation of power between themselves as ruling minority and their subjects as a ruled majority. Thus we find Shams al Din Iltutmish (r. 1210-1236) when persuaded by Ulama at his court to treat the Hindus as polytheists and not as ahl al dhimmah asked his learned Wazir Nizam al Mulk Junaidi to give a reply who pointed them to the fact that the Muslims, in terms of strength, were still like salt in a dish and were thus unable to wage an all-out war either to force the infidels to accept Islam or to exterminate them all in case of their refusal¹⁹. So the Muslim rulers did not demand the non-Muslims living in the state to follow their religion by force as it is generally assumed but they were demanded to follow the *zavabet* or the rulings which were designed to regulate the state. The Sultanate rulers shaped their policy of religious freedom from the Jahandari perspective that was support by a clearly defined political and religious ideology. This stance developed further and became a basic principle of Islamic polity or Jahandari in the Indian subcontinent.

The Muslim rulers and their governors were not to interfere with the religious matters of their Hindu public and if some of them wanted or planned for such they were checked by the Ulama as it is recorded in *Tabaqat e Akbari*.²⁰ The other main principle of Jahandari was justice which not only meant the equality before the law but also the freedom of practicing one's faith. The Muslim and non-Muslim alike were entitled to the justice. A number of political treatises like *Adab al Harb*, *Zakhirat al Muluk*, and *Fatdwa e Jahandari* highlight the responsibilities of the rulers towards their people. These political treatises focus on the motive of justice which sometimes was inscribed on coins as well that 'If there was no Sultan people would devour each other'²¹. These Jahandari treatises of

the Sultanate period had their imprint on the Mughal manuals of Jahandari like dastur al amal compiled by Abu al Fazl for the officials at Akbar's court with an advice to them to guard against the dangers of the violation of the principles of justice and equity and of non-interference in matters of faith of the people. It was in light of such principles of Justice that the policy of religious freedom was adopted by the Muslim rulers towards their non-Muslim subjects and feudatories.

As far as the instances of allowing equality and justice in the sphere of religion we learn about Sultan Muhammad bin Tughlaq who had established contacts with Hindu religious thinkers for discussion. It is also recorded that he even made endowments for the Hindu temples and the religious communities thus it is mentioned by Isami that Sultan made gifts of one thousand cows to their cow centers, visited their temples, issued a farman for the construction of a new basti upasraya or rest house for monks and a gow-math cow temple, celebrated Hindu festivals, established in Awadha a colony known as Saragdwari²². These gifts and grants leave no doubt that the Hindus enjoyed certain religious autonomy and freedom to practice their religion. Later on the Mughal emperors continued the policy of religious freedom of their predecessors. According to the document available in the State Library of Bhopal, Babur left the following will to Humayun:

“My son take note of the following: Do not harbor religious prejudice in your heart. You should dispense justice while taking note of the people's religious sensitivities, and rites. Avoid slaughtering cows in order that you could gain a place in the heart of natives. This will take you nearer to the people. Do not demolish or damage places of worship of any faith and dispense full justice to all to ensure peace in the country”.²³

The Akhlaqi Principles:

Another important source for analyzing the religious freedom during the period under view is the Akhlaqi perspective. The Akhlaqi discourse consisted of the philosophy of ethics laid down for the rulers in general and the Muslim ruler in particular. There were two main Akhlaqi texts which shaped the ethical outlook of the Muslim rule in the subcontinent Dawani's²⁴ Akhlaq e Jalali²⁵ and Akhlaq e Nasiri²⁶. Both the texts had an important place in the Muslim courts of the Indian subcontinent. The Akhlaqi discourse involved the discussion about perfect and ideal ways of ruling as compare to the imperfect ruling. The ideal and the perfect governance according to the Akhlaqi tradition is which can assure equal rights and opportunities for each class and individual.

Nasiruddin al Tusi²⁷ wrote his ethical treatise Akhlaq e Nasiri in the Persian, it was basically a translation of an Arabic work ‘Tahdhib al Akhlaq’ of Ibn e Miskawayh²⁸. The Akhlaqi discourse of Tusi was pluralistic in its nature and dealt with the ethics of rulers and the rights of the subject irrespective of their religious affiliations. Akhlaq e Jalali which followed the Akhlaq e Nasiri became very popular in the Indian subcontinent. These texts served as selected readings or syllabus for the rulers and their courts. These Akhlaqi discourses stressed that the rule is sustained by equality and justice and declared that it is possible to rule with infidelity and disbelief but not with injustice²⁹.

The Muslim legacy of religious tolerance bore the impact of the tradition of Akhlaqi discourse in which it became binding on the Muslim rulers of the subcontinent to ensure the religious freedom to their subject not only in legalistic but also in the ethical sense. It was not simply that the Hindus enjoyed the freedom of belief under the Islamic rule; their treatment was much better as compare to their cotemporary religious minorities of the world and even than the ahl al dhimmah under other Muslim states. It was in light of this ethical discourse that the Hindus and believers of other faiths were free to propagate their religion and even to criticize Islam openly. The particular views of Zia ud Din for instance regarding specific measures for Hindus was in fact a reaction and a response to the rising Hindu influence and hold and not a general principle.³⁰

The Principles of Sufi tradition:

Beside the ethical literature a number of other traditions influenced the politico-religious climate in Muslim ruled subcontinent. There was for example, the powerful influence of the Sufi thought in the Muslim elite. While the Muslim Sufia emphasized that true mystical experience was not possible outside the framework of the religious law, they also worked to promote the understanding and regard for the religious traditions of Hind.

From the very early period the Sufia and saint scholars had migrated to the subcontinent and the main aim of their settlement in this land was to work for da‘wah. Although they were more religiously motivated group of Muslims but they preached in a more liberal manner. Their discourses about God and love of God and his creature resulted in a more sympathetic understanding of the beliefs of others. The Sufi concept of wahdat al wujud³¹ was a key factor in shaping their attitude towards the religious traditions of India. The concept of wahdat al wujud, the expression like Hama u-st³² and sulh e kul³³ promoted a pluralistic

approach towards the religious traditions of India. These ideas of Sufia promoted a culture of coexistence and tolerance between Muslims and Hindus. The Sufia of the subcontinent by interacting and sharing with the Hindus provided model for the Muslim society to follow. We can find many examples of such interactions recorded in the Sufi literature. Among the Sufia who allowed Hindu audience at their Khanqahs we find Fariduddin Mas'ud Ganj Shakar and Sheykh Ahmad 'Abd al Haqq. Sheykh 'Abd al Quddus was amongst the eminent Sufia associated with this khanqah. He explained Sufi beliefs based on Wahdat al wujud, with the help of ideas and practices of local Indian tradition the Gorakhnathis.³⁴

Later on Abd al Wahid Bilgrami³⁵ (1510-1608) in his work Haqa'eq e Hindi tried to reconcile the Vaishnav symbols and the terms and ideas used in Hindu devotional songs with orthodox Muslim beliefs. According to Bilgrami, Krishna and other names used in such verses symbolized Prophet Muhammad ﷺ, or the reality of human being in relation to the abstract notion of oneness of Divine essence. Gopis sometimes stood for angels, sometimes the human race and sometimes its reality in relation to the wahdiyat or the oneness of the Divine attributes. Braj and Gokul signified the different Sufi notions of the world in the different contexts, while the Yamuna and the Ganga stood for the sea of wahdat, the ocean of ma'rifat or the river of hads and emkan.³⁶

The Sufi thought presented a more inclusive approach to the religious beliefs and practices, asserting that 'every nation has its own direction and its own religion'³⁷. It is also significant that such Sufi expressions strengthened the feeling that God is worshipped in numerous ways. This pluralistic attitude of the Sufia influenced the religio-political outlook of Muslim society in the subcontinent and accommodated people of diverse beliefs and practices according them with complete religious freedom.

The Adabi Imprint:

By the Adabi imprint of the period here the Persian Adab is meant that was circulated and produced in the subcontinent during the period under review. From the 10th century onwards the Persian had acquired the status of a spoken language in the Muslim centers in Sindh, Multan and Punjab. During the next two centuries it gained more importance for three basic reasons; 1) it became the medium of the religious discourses as the religious scholars, mystics and the Ismaili preacher all used the Persian for the expression of their ideas. 2) The Muslim rulers from Ghaznavids to Mughals all adopted Persian for court 3) Muslim historians and chroniclers also adopted Persian for their writings.

Beside the Persian, the Sultanate period also witnessed emergence of a new language Hindavi which absorbed different cultural and linguistic trends in it. This new language which latter on came to be known as Urdu also had to contribute new attitudes towards the religious freedom. During Delhi Sultanate period Hindavi had become popular language for Sufi sama'. Thus Sufi poetry written and expressed in Hindi added a new dimension to the spiritual message of Sufia whose basic philosophy was to preach through their lives and these sufia scholars were at the same time torch bearers of Islam as well as the idea of religious freedom

As far as the Persian Adab is concerned we find that by the thirteenth century Persian had become a language of political, religious, educational and intellectual discourses of the Indian subcontinent. Amir Khusrow in his preface to Ghurraat-ul-kamal informs that the Persian was used as a spoken language from the bank of river Indus up to the river Bakzayan. This Persian was Dari and that this spoken Persian was almost identical to the literary or academic Persian³⁸. The second half of the fifteenth century witnessed a symbolic increase in the importance of Persian language when Sikandar Lodhi encouraged Hindus to its learning³⁹.

Persian was the main official language in which all official correspondence was carried on wherever the writ of the Sultan was established. The historical role of Persian in administrative matters of the state can be estimated by the fact that all the documents, Farmans, inscriptions were mainly in Persian during the Muslim rule in the Indian subcontinent. Persian literary traditions determined the style and spirit of the official documents from Fath Namahs to routine instructions to officers in far flung parts of the land. The first manual on political organization in the Indian subcontinent Adab ul harb was in Persian which was followed with series of official and historical works in the next centuries.

The Persian poetry of the period in particular had certain basic and important contribution in this regard. In the Persian literature about Hinduism there was not only an appeal for religious freedom but more than that an admiration and praise of those who are Hindus. For instance Amir Khusrow Dihlawi⁴⁰ expressed his views on Indian religions in his Mathnawi Nuh Siphir⁴¹ in which he pays glowing tribute to India and to the intellectual achievements of its inhabitants.

According to Amir Khusrow Hindus are not the only ones who have lost their way in the sphere of religion; many others have gone astray in this realm, thus one may not blame them alone. Amir Khusrow maintains that the Hindu believes in the oneness and eternity of God and in his power to create and that He knows everything since eternity this in

contradistinction to many other groups which persist in their false creeds. Therefore, the Hindu is, according to Khusrow, better than those who believe in the eternity of the world dahriyya, the dualists or thanawiyya, the Christians who attribute to God spirit and progeny, and the star worshippers, who acknowledge seven Gods. As for the things which the Brahmans worship, such as the sun, stones and various animals, they admit that these objects do not bear a likeness to God, but are rather a part of his creation. They worship them only because this is a part of the tradition transmitted to them from their ancestors.⁴²

This type of moderate approach was much popular in Persian literature and was very influential among the Muslim elites and rulers of the period. Further, Persian poetry, which had integrated many things from pre-Islamic Persia and had been an important vehicle of liberalism in medieval Muslim literature of the subcontinent, helped to create and support the policies of religious freedom and to accommodate diverse religious traditions.

The echoes of these messages is unmistakable in Persian Adab of the later period as well, where poets like Fayzi had the ambition of building “a new Ka‘ba” out of the stones from the Sinai :

Biya ka ruy be mehrabgah e now be nehim

Bana ye Ka‘ba ye digar ze sang e ʿTur nehim⁴³

(Come, let us turn our face toward a new altar, let us take stones from the Sinai and build a new Ka‘ba).

Thus we find that the Persian discourse not only called for the religious freedom but it went even further to the possibility of seeking the eternal and divine secrets from the master of the wine house and in the temple, instead of the mosque:

She‘ar e mellat e Isalmiyan be gozar gar khwahi

ke dar dayr e moghan ay‘i va asrar e nehan bini⁴⁴

(Give up the path of Muslims; come to the temple, to the master of the wine house so that you may see the Divine secrets).

In the Persian allegory the idol was used as the symbol of Divine beauty and idolatry represented the love of the Absolute, and significantly they emphasized that the Brahman should be held in high esteem because of his sincerity, devotion and faithfulness to the idol. To the poets like Fayzi it is a matter of privilege that his love for the idol led him to embrace the religion of the Brahman;

Shukr e khuda ke ‘eshq e butan ast rahbar am

Bar mellat e Brahman o bar din e Azar am⁴⁵

(Thank God, the love of the idols is my guide; I follow the religion of the Brahman and Azar.)

There is no difference between temple dayr, bot-kada, the wine-house mey-khana, the mosque and Ka'ba all are the same to 'Orfi when he says:

Cheragh e Somnat ast atesh e ʿTur

Bovad z an har jehat ra nur dar nur ⁴⁶

(The lamp of Somnath is the same as the fire at the Sinai, Its light spreads everywhere).

Conclusions:

The Contemporary and court historians of the Islamic rule in the subcontinent categorically illustrate the nature of religious freedom. These records show that how the Hindus were not only given the right of religious freedom but also were employed in state service and this was a common policy of all of the Muslim rulers of the subcontinent from time of Muhammad bin Qasim till the later Mughals and Sultanate was no exception. Thus we find that not only the Hindus were given the right of religious freedom but also were encouraged by the Muslim rulers to learn and to take part in the state service and even were given high positions.

The attempt of integration of indigenous people, who were largely Hindus, was a common policy of the Muslim rulers of the subcontinent from the very early period. For instance Muhammad bin Qasim integrated the Brahmanas and all other privileged groups of the Sindh by assigning them the tasks of revenue collecting and other social activities which they used to do before Islamic conquest⁴⁷. Moreover when he wrote to Hajjaj about the demand of Brahmanas to restore and rebuild their temple he received from him an answer in black and white to accord them religious freedom.⁴⁸

Likewise the Muslim rulers of Multan and Mansura and Sindan allowed their non-Muslim subjects to practice their religion freely.⁴⁹ Mahmud Ghaznavi who is always criticized by the Indian and the Western historians for his hate for Hindus⁵⁰, had a contingent of Hindus in his Army and also a Hindu Commander Tilak who rose to the status of his personal staff as well for his troops which shows that it was not for the hate of Mahmud Ghaznavi that one should blame rather the repudiation and treachery of the Hindu rulers was the cause of war and conflict. Moreover the conditions of war cannot be generalized as he had not persecuted the Hindus during the peace or those who were his Dhimmis. Thus we read in Tarikh e Farishta that Mahmud actually had subdued Jaipal a Hindu Shaiha monarch who agreed to pay the jizyah but later repudiated and plotted with the Rajas of Thanesar, Kanauj, Kalinjra for their joint ally against Mahmud and due to this breach of his agreement with Mahmud was persecuted by Mahmud along with other rulers.⁵¹

During the Delhi sultanate same pattern was adopted and the Hindus were treated as Dhimmis and were allowed to practice their religion. This religious freedom was not a specific measure in the subcontinent rather it was in continuity with the Islamic tradition of granting the ahl al dhimmah with the rights of religious freedom besides the other rights of citizenship in an Islamic state i.e. right of security and right of having justice and so on. The period of the Delhi sultanate was not monogamous, because there were different ruling houses and dynasties who ruled the subcontinent during the period between 12th to 15th centuries. But this ethnic variety of Muslim rulers did not mean that their understanding and attitude towards the non-Muslims living in their state was entirely different from one ruler to the other rather there was a uniformity among all, and even those who did not recognize for Hindus the status of ahl al dhimmah⁵² did not ban the religious freedom of Hindus which was perhaps due to the presence of an overwhelming majority of non-Muslims in this part of the Islamic world.

Likewise the politicians like Fakhr e Mudabbir and after him Zia ud Din Barani pleaded their rulers to take some specific measures in case of the Hindustan. For instance Barani's suggestions regarding specific measures for Hindus is in fact a reaction and a response to the rising Hindu influence and hold. Though we read in his Fatawa e jahandari that a Muslim king should not be contented with merely levying the jizyah and Kharaj from the Hindus, He should establish the supremacy of Islam by overthrowing infidelity and by slaughtering its leaders who in India are the Brahmans⁵³ but it was never adopted as a state policy.

The sultanate policy of religious freedom was later on adopted by the later dynasties. After the emergence of regional states from the mid of the 14th century onwards different Muslim and Hindu monarchs had established themselves independently of Delhi and had split into different regional kingdoms. The rise of the regional kingdoms also resulted in a deep rooted interaction between Muslim and Hindu culture and provided a fertile ground for the cultural and religious confluence. During the days of the sultanate, Delhi was the one major center of Islamic culture and religion but with the emergence of new capitals like Ahmadabad⁵⁴, Jaunpur⁵⁵, Gulbarga⁵⁶, Sonargaon⁵⁷, Gaur, Pandua⁵⁸, and other provincial capitals like Sindh and Kashmir the centers of religious and cultural activity were also increased. Delhi had a large number of influential immigrants, and the cultural traditions of the capital reflected mainly the Central Asian pattern while at the capitals of the new regional kingdoms, the cultural activities mostly integrated the indigenous traditions and languages. Another important difference between the capital and the

regional kingdoms was the fact that the diversity of political and religious affiliations guaranteed the religious freedom to the Muslims living in a Hindu ruled territory and vice versa.

Later on the early Mughal rulers also provided their Hindu public with complete religious freedom and a high status in their courts to the extent that some sections of the Muslim notables felt that their status was being threatened and thought that their own religious freedom was at risk. Contemporary scholars and historians like Abdul Qadir Badayuni⁵⁹ and Sheikh Ahmed Sirhindi⁶⁰ raised their voices against such circumstances. Abdul Qadir Badayuni in his history *Muntakhab al Tawarikh* writes: “Hindustan is a wide place, where there is an open field for all licentiousness, and no one interferes with another’s business, so that everyone can do just as he pleases”.⁶¹ It is also very interesting to read the following lines of Sheikh Ahmed Sirhindi in one of his letter for the analysis of the religious freedom of Hindus during the sixteenth century he wrote:

“Islam has become an alien and helpless to the extent that Kuffar openly ridicule Islam and Muslims. The commandments of kufr are practiced openly while Muslims are forced to not to practice according to Islamic law and are criticized and punished for practicing their faith.”⁶²

These historical sources also indicate that besides the enormous increase in the religious freedom, the Hindu elites began to influence the religious outlook of the Mughal court to a certain degree, not only did they enjoy the religious freedom they were allowed equally to propagate their religious ideas publically. The emergence and growth of the synthetic and syncretistic efforts among the Muslims was in fact a result of such propagation. Different activities of the Hindus like risings and revolts and the emergence of various religious movements and sects during the period are a clear proof of the religious freedom which the Hindus enjoyed under the Islamic rule in the subcontinent.

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¹ <https://www.ohchr.org/en/special-procedures/sr-religion-or-belief/international-standards>

² Qutbuddin Aibak was brought from Turkestan and was sold as a slave at Nishapur, his master Qazi Fakhr ud Din Kufi gave him good education along with his own sons. On the death of qazi he was sold to a merchant who brought him to Ghazna and was purchased by the sultan Mu ‘izuddin. As far as the appraisal of Sultan for his slaves see; Abu UMER, MINAHAI AL DIN USMAN BIN SIRAJ AL DIN JUZJANI, ed. W NASAU LEES, KHADIM HUSSAIN AND ABDUL HAI (1864), “Tabaqat e Nasiri” pp. 131-132.

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- ³ MUZAFFAR ALAM (2004). "III. Competition and Co-Existence: Indo-Islamic Interaction in Medieval North India", *Itinerario* 13, no. 1 (1989) pp. 37–60.
- ⁴ See for instance the work; RICHARD, M. EATON et al ed. (2013) "Expanding Frontiers in South Asian and World History"
- ⁵ IRFAN HABIB (2016) "Economic History of India: AD 1206-1526" on the same theme see also IQTIDAR HUSSAIN SIDDIQI (2009). "Delhi Sultanate: Urbanization and Social Change"
- ⁶ On the architecture during the Sultanate period one good work is; ALEKA PATEL (2006). "The Architecture of the Sultans of Delhi"
- ⁷ BLAIN AUER (2012). "Symbols of Authority in Medieval Islam: History, Religion and Muslim Legitimacy in Delhi Sultanate" see also: FAUZIA FAROOQ AHMAD (2016). "Muslim rule in Medieval India: Power and Religion in Delhi Sultanate" See also: KHALIQ AHMAD NIZAMI (1981) "Salatin e Delhi ke Mazhabi Rujhanat"
- ⁸ MUZAFFAR ALAM (1989): "III. Competition and Co-Existence: Indo-Islamic Interaction in Medieval North India", *Itinerario* 13, no. 1 pp. 37–60.
- ⁹ FRISHTAH, MUHAMMAD QASIM HINDU SHAH(1965). "Tarikh e Frishtah" vol. 1, pp. 368-9
- ¹⁰ For a detailed discussion on the subject see the work; ZAYDAN, 'ABDUL KARIM (1963). "Ahkam al Dhimmīyin wal Mustaminin" pp. 24-26.
- ¹¹ See; QAZI ABU YUSUF BIN IBRAHIM "*Kitab al Kharaḥ*" p.139.
- ¹² For the treatment of people of Sindh by MUHAMMAD BIN QASIM see MASUMI (1938) Chach Nama, pp 291-300 also AL BALADHURI (1319AH). "Futuh ul Buldan" pp. 290-293.
- ¹³ AL BALADHURI (1319AH). "Futuh al Buldan" pp.292-293
- ¹⁴ FAKHR E MUDABBIR, ed. AHMED SUHAIL KHAWANSARI ed. AHMED SUHAIL KHAWANSARI (1972) "Adab al Harb wa Shuja'a"
- ¹⁵ BARANI, ZIA UD DIN Trans., ed., AFSAR SALEEM KHAN, (1972). "Fataw e Jahandari" p. 165
- ¹⁶ Ibid. 18.
- ¹⁷ NIZAM UD DIN AHMED BAKHSI. ed., MAULAVI WILLAYAT HUSSAIN.(1913) "*Tabaqat e Akbari*". vol.1, p.170
- ¹⁸ MUHAMMAD BASHEER AHMAD (1941) "The Administration of Justice in Medieval India" p. 57
- ¹⁹ Barani, Zia uddin in his work *Naat e Muhammadi* as quoted by KHALIQ AHMED NIZAMI (1974) "Some Aspects of Religion and politics in India during the thirteenth century" p.315.
- ²⁰ The story of Sikandar Lodhi when he wanted to destroy the temple and the lake in Thanesar see; NIZAMUDDIN, Ta'baqat e Akbari, vol.1, p. 170
- ²¹ Fakhr e Mudabbir, Adab ul Harb, quoted by Nizami (1974) Some Aspects of religion, p. 110
- ²² ISAMI, ABDUL MALIK (1948). "Futuh us Salatin" p. 515
- ²³ The original document is in Persian and is treasured in the Hamida Library at Bhopal, it was first published in 1936 in the 'Twentieth Century' Allahabad by Mr .N.C.Mehta with its English translation.
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²⁴ Jalal al-Din Muhammad ibn As'ad al-Dawani (or Dawwani) was born near Kazarun, southern Iran, in the village of Davan in AH 830 /AD1426

²⁵ JALAL DL DIN IBN ASAD AL DAWANI (1923) *Lawami'al-Ishraq fi Makarim al-Akhlaq*

²⁶ Basically a translation of *Tahdhib al Akhlaq* of Ibne Maskawayah by Nasir ud din Tusi.

²⁷ Nasiruddin Tusi was born in Tus, Khorasan in 597/1202. In his youth, about in 624/1227, he entered the service of Nasiruddin Abdu Rahman bin Abu Mansur (d. 655/1257), the Ismaili governor in Kohistan. During his long stay at Qain and other strongholds in Kohistan he was influenced by Ismailis and embraced their creed. The Mongol chief Halagu made him his trusted advisor, and built a great observatory for him at Maragha in Azerbaijan. He was a writer, an astronomer, a philosopher, physician and a scientist too. He died in 672/1274.

²⁸ Ahmad bin Muhammad bin Miskawayh was born in Rayy around 320AH/932CE. According to Yaqut he died on 9 Safar, 421AH/1030CE. He is well known for his philosophy of ethics.

²⁹ DAWANI, JALLALUDDIN (1923) "Akhlaq e Jalali" p.276

³⁰ ZIA UD DIN BARANI (1972). *Fatawa e Jahandari*, p. 118, 165

³¹ The doctrine of *wahdat al wujud* is attributed to Ibn e Arabi, who was born at Murcia in Spain in 1156 and died in Damascus in 1240. The doctrine can be summarized in his own words "there is nothing but God, nothing in existence other than He."

³² The phrase much common in the Sufi circles, but was first used by Abu Fazal as expression for the unity of religions.

³³ *Hama ust* is the pantheistic Sufi concept which means that all is God

³⁴ SAYYAD ATHAR ABBAS RIZVI (1978). "History of Sufism in India" pp. 335-40.

³⁵ For Bilgrami's biography, see MIR GHULAM 'ALI AZAD BILGRAMI ed. MALAUVI ABD UL-HAQ, (1913). "Ma'aser al Karam" vol. II., pp. 247-8.

³⁶ SAYYAD ATHAR ABBAS RIZVI (1965). "Mulim Revivalist Movements during the Sixteenth and Seventeenth Century" p. 61.

³⁷ A saying attributed to Nizamuddin Aulia, "*Har Qawm e Rast Rahe, Dine wa Qibla Gahe*"

³⁸ KHUSROW, AMIR ed., WAYYED WAZIR AL HASAN ABIDI (1975), "Dibacha e Divan e Ghurratul Kamal" p. 33.

³⁹ BADAYUNI, ABDUL QADIR ed., KABIR UD DIN and W.N.LEES. "Muntakhab al Tawarikh" vol. 1, p. 323

⁴⁰ Abu al Hasan yamin ud Din Khusrow (1253-1325CE) better known as Amir Khusrow Dehlawi, whose ancestors hailed from Transoxiana A Sufi and a spiritual disciple of Nizamuddin Auliya, Amī r Khusrow was not only a notable poet but also a prolific and seminal musician. He wrote poetry primarily in Persian beside Hindavi for details of his biography see; WAHEED MIRZA (2005) "Ameer Khusrow; Swanah Umri"

⁴¹ *Nuh Sipehr* is the Persian Masnavi of Amir Khusrow in which he basically talks about the love, knowledge, beauty and manners of Hindustan and Hindus.

⁴² AMIR KHUSROW DEHLVI ed. MUHAMMAD WAHEED MIRZA (1950) "Nuh Sipehr" p. 165.

⁴³ ALLAMI, ABU AL FAZL (1869) "Ain e Akbari" Nawal Kishore, ,vol.1, p. 499

⁴⁴ SHIRAZI, ORFI., ed. JAVAHERI VAJDI (1980), Kolleyat, p. 152.

⁴⁵ Quoted by ABU ALFAZL(1869) in "Ain e Akbari",vol.1, p.499

⁴⁶ Ibid

⁴⁷ For the details of the reliefs granted to the non-Muslim population of Sindh See; MASUMI (1938) "Chach Nama", pp.291-300,

⁴⁸ "That we do not have any other right on them except *Jizyahh* and when they have become *Dhimmi* we cannot interfere in their lives and properties. They are allowed to worship their God and you may not check any of them in their ways (of their worship and religion)" MASUMI (1938) "Chach Nama" p. 299

⁴⁹ MUBARAKPURI (1987). "Hindustan me Arbon ki Hakumaten"

⁵⁰ For the severest critics of Mahmud see A. L. BASHAM (2004)"The Wonder that was India"

⁵¹For details see; FRISHTA, "Tarikh e Frishta" pp. 392-415

⁵² Particularly Zia uddin Barani held the view relying on the Shafi rulings in this regard he also states that Mahmud Ghaznvi was a shafite and he did'nt considered the Hindus to be ahl al dhimmah. See BARANI (1972)" Fatawa e Jahandari" p. 18

⁵³ Ibid. pp. 118, 165

⁵⁴ Ancient name of Ahmadabad was Karnavati; at the beginning of the fifteenth century an independent sultanate ruled by Muzaffarid dynasty was established in Gujarat and in 1411 Sultan Ahmed Shah renamed Karnavati Ahmedabad and established it as his capital; KENNETH PIETCHER (2011). "The Geography of India: sacred and Historical Places" p. 171.

⁵⁵ It was founded by Firoz Shah Tughlaq in 14th century. The name Jaunpur attributes its origin to the cousin of Firoz Shah Tughlaq, called Sultan Mohammad, whose real name was Jauna. Later around 1394 AD, Malik Sarvar - the governor of Jaunpur, established an independent Sharqi dynasty that ruled over Jaunpur for about a century. Sharqi rulers were great patrons of architecture and constructed many fine tombs, mosques, madarsas here, during their regime. Jaunpur was a renowned centre of Art and learning during medieval period. OM GUPTA (2006), "Encyclopedia of India, Pakistan and Bangladesh" p. 1108.

⁵⁶ The City of Gulbarga was founded by the Bahmani Sultan Hasan Gangu in 1347 as his capital.

⁵⁷ Its ancient name was *Suvarnagrama* from which the present version of the name *Sonargaon* 'golden village' (its literal meaning) emerged as the capital of an independent Sultanate in the eastern Bengal under Fakhruddin Mubarik Shah (1338-1349) and his son Ikhtiyaruddin Ghazi Shah (1349-1352).

⁵⁸ Gaur and Pandua were the twin cities and remained capital for different dynasties from the ancient period, for a detailed history of these cities see; SALAHUDDIN AHMAD (2004) Bangladesh; Past and Present, pp. 60-62.

⁵⁹ Abdul Qadir Badayuni was a contemporary historian of the Akbar's period. His work Muntakhab al Tawarikh criticizes the religious policies of Emperor Akbar and highlights the different religious trends at his court.

⁶⁰ Ahmad al Faruqi Sirhindi (1564-1624) he is known as Mujaddid Alf Thani or the reviver of the second millennium, for his work in rejuvenating Islam and opposing the heterodoxies and perplexities of beliefs and practices through his criticism and reform

⁶¹ BADAYUNI, “Muntakhab al Tawarikh” vol. 2, 246

⁶² SHEIKH AHMAD SIRHINDI (1977). “Maktubat-e-Imam-e-Rabbani” vol.1, letter no.65