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## PROPHETHOOD PERSPECTIVE AND LAWS UNDER CONSTITUTION OF PAKISTAN

**Mr. Salman,**

MS Islamic Studies, Seerah, IIU Islamabad

**Usman Ali,**

MS Islamic Studies, Seerah, IIU, Islamabad, Pakistan

[usmanalisohan@yahoo.com](mailto:usmanalisohan@yahoo.com)

### Abstract:

*The finality of Prophethood, Nabuwat or Risalat is proved articulately by the Holy Quran and the Ahadith of the Holy Prophet. There are many verses which explain this concept. No one will be considered a Nabi or Rasool after the Holy Prophet. This Belief is one of the major and vital beliefs of Islam. Pakistan is a Muslim country and its constitution and law also protect the creed of Khatm e Nabowat, therefore this article determines in the light of the Constitution of Pakistan, 1973 and Pakistan Penal Code, 1860 the status of those persons who do not believe that Prophet Muhammad Sallah o Alayh e Wasallam is the last and Final Prophet sent by Allah. Furthermore, this article will also highlight the efforts and struggles for the protection of Khatme Nabowat.*

### Keywords:

*Seal, Last, Creed, Katm e Nabowat. Constitution of Pakistan, 1973. Pakistan Penal Code,*

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**Introduction:**

Acknowledging the Holy Prophet (peace and blessings of Allah be upon him) as the last of the Prophets and considering the door of prophethood closed on him is called the belief of the end of prophethood. This is the basic belief of Islam. Denial of this belief is a far cry from any doubts about it. One loses precious wealth like faith, it is a clear, final, definite, and irrevocable belief. Therefore, the chain of calling the Prophets Messengers, which started with Hazrat Adam (peace be upon him) and ended with Hazrat Muhammad (peace be upon him) and "Today is the end of the day for you," and then Muhammad was the father of your people, but the Messenger of God ended with the declaration of the Prophets and the descent sealed it.

Therefore, after you, there is no concept of any kind of Shari'i or non-Shari'i, shadowy, or shadowy Prophet. The Holy Prophet (peace and blessings of Allah be upon him) ordered the killing of Aswad Ansi, who claimed prophethood during his time and then killed him. But Hazrat Abu Bakr Siddique (RA) also expressed his happiness. During the reign of Hazrat Abu Bakr, the first Caliph, the Companions of the Prophet agreed on the killing of Musailma Qadab ([Wasaya, 1975](#)).

When this sedition arose in the sub-continent of Pakistan and India, the scholars and the sheikhs fought the sedition of Qadianism on all fronts to protect the end of Prophet Hood and the sedition of Qadianism could not succeed in its ambitions.

**Bahawalpur case, 1934-35:**

Initially, the Bahawalpur case is of great importance regarding the rejection of Qadianism, this case provided strong legal and moral support to the Khatam-e-Nabuwat movement regarding the protection of Khatman-e-Nabubat. It is that a man named Abdul Razzaq accepted Marzaites in Ahmedpur Sharqiya, a Tehsil of Bahawalpur State. The unmarried Abdul Razzaq Masamat Ghulam Aisha bint Maulvi Elahi Bakhsh filed a claim for annulment of marriage in the local court there through her father ([Wasaya, 1975](#)). This case became very important between the Mirzaites and the

Muslims. The reason was that the ground of the non-Muslims of the Mirzaites was also taken in the claim.

So this case was transferred to District Judge Bahawalpur for Shariah's investigation of whether the Mirzais would be considered Muslims or not. Kolutarvi, Maulana Muhammad Shafi, Maulana Murtaza Hasan Chandpuri, Maulana Nizamuddin, and Maulana Abul Wafa Shah Jahanpuri also joined it, then a 600-page answer was filed in the court. The necklace began to appear therefore, after the death of Abdul Razzaq, he applied that there was no need for the case after the death of this person, so this case should be dismissed, but the judge did not dismiss the case, but on February 7, 1935, Mr. Muhammad Akbar Khan District Judge Bahawalpur gave his decision. In this detailed decision, Mr. Fazil Judge Sahib declared Mirza Gholam Ahmad and his followers to be out of Islam.

**1953 Movement for Protection of Khatam Nabub and its Background:**

When the All India Muslim League started the struggle for a separate state under the leadership of Quaid-e-Azam, the Mirzais strongly opposed it by becoming allies of the Congress. On the other hand, the Congress also supported Ahmadiyyat. Gave full support and when the Qadiyans wanted to turn the Muslims towards Qadian instead of Makkah and Madinah, then the Hindu leaders applauded them wholeheartedly. As a result of the Muslim movement, Pakistan appeared on the world stage through the partition of India in 1947. ([Abdul 2014](#)). Now Pakistan's foreign minister, Sir Zafarullah Khan, who was Qadian by religion, promoted his religion at the domestic and international levels. Introduced his religion and used the government resources immensely. Along with this, the editing of the Constitution of Pakistan was also under discussion by the government of Khawaja Nazimuddin. In this, the Muslims demanded that the Mirzaites should be considered a minority group, but when the report of the committee was published, a separate method of election was adopted in it, but the Mirzaites were not considered a minority, but a part of the

Muslims. Was introduced as given this success, the leader of the Qadianis announced that this is our year and we will make Punjab and Balochistan an Ahmadi province. This announcement was certainly unacceptable to the Muslims. Bringing it to the platform and establishing the Council of Protection of Khatman Nabut. At the end of January 1953, a delegation met Khawaja Nazimuddin from the platform of the Majlis-e-Tafzaf-i-Khatm-i-Nubat and presented the following demands.

- A) Mirzais should be declared a non-Muslim minority.
- b) Sir Zafarullah Khan should be removed from the Ministry of Foreign Affairs.
- c) Rabwah should be declared an open city.
- d) Mirzais should be removed from key positions (Abdul 2014).

As a result of Khawaja Sahib's refusal, the delegation gave a one-month written notice to the government and demanded that our demands be accepted or not, we will announce the movement. Went and this movement took the form of a huge movement. The rulers considered it a threat and used force and during this time the Prime Minister imposed partial martial law in Lahore for the first time

### **1974 Movement for the Abolition of Prophethood and Amendment of the Constitution of Pakistan, 1973:**

The movement of 1953 was over, but scholars continued to argue against the Qadiyans in their respective positions. In the 1970 election, the Qadianis won some seats in the country and now they started dreaming of taking over the country of Pakistan based on these seats. Meanwhile, an incident took place in May 1974 which reorganized the movement. That is, the students of Nishtar Medical College were going sightseeing when the train reached Rabwah, the Qadianis distributed their literature, on which the students became enraged and the Qadianis attacked and beat the students armed with weapons (Abdul 2014).. A series of protests and demonstrations began across the country. Opposition Leader in Punjab Assembly Allama Rehmatullah Rashid recorded his protest on the said incident and said:"

Regarding the religious status of the end of prophethood, the scholars of all schools agree that the Qadiani circle is excluded from Islam."

Then, on June 9, 1974, Majlis-i-Aam Tahafus-e-Khatm-e-Nabuwat started a movement against Qadianism in the whole country, at first the leaders in the government were put in jails, but still this movement gained more strength. Finally, the Prime Minister of that time, Zulfikar Ali Bhutto, after the incident of Rabwah and The entire National Assembly declared a special committee on the discussion and recommendations on the issue of Qadianism (Wasaya, 1975).

On September 30, 1974, a historic resolution was presented by the opposition in the National Assembly of Pakistan regarding the protection of the end of Prophet hood, the text of which is as follows.

Mr. Speaker, National Assembly of Pakistan Ms. We seek permission to submit the following motion!

It is a well-established fact that Mirza Ghulam Ahmad of Qadian claimed to be a prophet after the last prophet, Hazrat Muhammad, as well as his false claim to be a prophet, denying many Qur'anic verses and promoting Jihad. His efforts to end it were a betrayal of the major precepts of Islam (Khan, 1988).

Also, the entire Muslim Ummah agrees that the followers of Mirza Ghulam Ahmad, whether they believe in the prophethood of the said Mirza Ghulam or consider him as their reformer or religious leader in any case, are excluded from the circle of Islam. And everywhere their followers, no matter what name they are given, are engaged in subversive activities internally and externally by mixing with Muslims and pretending to be a sect of Islam. In the conference which was held in the holy city of Makkah between 6 and 10 April 1974 under the auspices of the Islamic League and in which 140 delegations of Muslim organizations and institutions from all parts of the world participated, unanimously expressed their opinion (Wasaya, 1975). It has been said that Qadianism is a subversive movement against Islam and the Islamic world, which claims to be an Islamic sect.

This Assembly should now proceed to declare that the followers of Mirza Ghulam Ahmad, by whatever name they may be called, are not Muslims and that an official bill be introduced in the National Assembly to give effect to this declaration and to establish an Islamic Republic. Appropriate and necessary amendments should be made to the Constitution to enact provisions for the protection of its legitimate rights and interests as a non-Muslim minority of Pakistan. The number of members who presented this resolution to solve the problem of the end of Prophet Hood was 36. Among the movers are Maulana Mufti Mahmood, Maulana Shah Ahmad Noorani, Chaudhry Zahoor Elahi, Sardar Shaukat Hayat, Professor Ghafoor Ahmed, Maulana Abdul Haq, Sardar Sher Baz. Mazari, Abdul Hameed Jatoi, Maulana Bakhsh Soomro, Ali Ahmed Talpur, Rais Atta Muhammad Marri, Sahibzada Safiullah, Khawaja Jamal Koreija, Muhammad Ibrahim Barak and Sahibzada Naseer Sultan and others were included. In the closed session of the National Assembly for several days Attorney General Yahya Bakhtiar cross-examined Ahmadiyya Jamaat chief Mirza Nasir Ahmad and finally Law Minister Abdul Hafeez Pirzada presented an amendment bill which was passed (Wasaya, 1975).

This amendment is known as the second amendment in the Constitution of the Islamic Republic of Pakistan, 1973. Which is as follows. Amendment of Article 106 of the Constitution, in the constitution of the Islamic Republic of Pakistan, hereinafter referred to as the constitution, in Article 106, in clause (3), after the word “communities”, the words and brackets “and persons of the Quadiani group or the Lahori group (who call themselves ‘Ahmadis’) shall be inserted.

Amendment of Article 260 of the Constitution, in the constitution, in Article 260’ after clause (2), the following new clause shall be added, namely:-

“(3) A person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him) the last of the Prophets or claims to be a Prophet, in any sense of the word or of any

description whatsoever, after Muhammad (peace be upon him), or recognizes such a claimant as a Prophet or a religious reformer, is not a Muslim for the constitution or law.”

Therefore, the definition of Muslim and non-Muslim in the Constitution of Pakistan 1973 is as follows:

“Muslim” means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the Prophets, and does not believe in, or recognize as a prophet or religious reformer, any person who claimed or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him); and “non-Muslim” means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist, or Parse community, a person of the Quadiani Group or the Lahori Group who call themselves ‘Ahmadis’ or any other name) or a Bahai, and a person belonging to any of the Scheduled Castes (Abdul 2014)..

Therefore, the definition of Muslim and non-Muslim in the Constitution of Pakistan 1973 is as follows:

**298-B.Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places:**

- (1) Any person of the Quadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name who by words, either spoken or written, or by visible representation-
- (a) Refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (peace be upon him), as "Ameer-ul-Mumineen", "Khalifatul-Mumineen", "Khalifa-tul-Muslimeen", "Sahaabi" or "Razi Allah Anho";
- (b) Refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him), as "Ummul-Mumineen";
- (c) Refers to, or addresses, any person, other than a member of the family "Ahle-bait" of the Holy Prophet Muhammad (peace be upon him), as "Ahle-bait"; or



(d) Refers to, or names, or calls, his place of worship a "Masjid" (Wasaya, 1975).

Shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

(2) Any person of the Qadiani group or Lahori group (who call themselves "Ahmadis" or by any other name) who by words, either spoken or written, or by visible representation refers to the mode or form of call to prayers followed by his faith as "Azan", or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

**(298.B) Improper use of specific titles, attributes addresses, etc. for certain holy persons or places**

(a) Any person belonging to the Qadiani group or the Lahori group (who call themselves "Ahmad" or any other name) by words, whether oral or written or by visual impressions;

(d) Ascribes or names or calling his place of worship "Mosque" shall be punished with imprisonment for a term which may extend to three years and shall also be liable to a fine.

(1) A person belonging to the Qadiani group or the Lahori group (who call themselves Ahmadis or by any other name) who, using words, whether spoken or written or by visible impressions, is the mode or form of calling to worship in their religion or gives the call to prayer in the manner of Muslims, he shall be punished with imprisonment for a term which may extend to three years, and the fine shall be whenever

298-C. Person of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith:

Any person of the Qadiani group or the Lahori group (who call themselves 'Ahmadis' or by any other name), who directly or indirectly, poses himself as a Muslim, calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any

manner whatsoever outrages the religious feelings of Muslims shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

(298.B) Improper use of specific titles, attributes addresses, etc. for certain holy persons or places this ban and the ordinance were challenged in the Federal Sharia Court, its hearing continued uninterruptedly from 15 July 1984 to 12 August 1984, the petition declared the ordinance against human rights, on 12 October 1984 the Federal Sharia Court dismissed the petition done. Chief Justice Fakhur Alam wrote the decision. Justice Chaudhry Muhammad Siddique, Justice Maulana Malik Ghulam Ali, and Justice Maulana Abdul Qudous Qasmi signed in support (Khan, 1988).

(298.B) Improper use of specific titles, attributes addresses, etc. for certain holy persons or places

**298 - Use of derogatory remarks, etc., in respect of holy personages:**

Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of any wife (Ummul Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulafae-Rashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

In the statement of the objectives of the bill, it is said that insulting the Companions and other holy persons not only promotes terrorism and corruption in the country but also harms people belonging to all walks of life. Therefore, the punishment should be increased for insulting the Mothers of the Believers, the Ahl al-Bayt, the Righteous Caliphs, and the Companions (Radiwan Allah Ta'ala alaihim ajjamin). This bill was presented by Maulana Abdul Akbar Chitrali of Jamaat-e-Islami. Presenting the bill, Chitrali said that the punishment for insulting a Member of Parliament is five years, but the punishment for insulting holy figures of Islam is only three

years. That in itself is an insult. In the bill, the minimum punishment for insulting holy persons has been increased from three years to 10 years, and a fine of Rs. 10 lakh. Chitrali said that in case of serious dishonor, the punishment should be increased to life imprisonment (Khan, 1988).

### Conclusion

Theoretical considerations of social, economic, and demographic factors promoting delayed marriage on a national. This requires an identity shift to reframe singles as a positive social identity which begins by raising awareness about singles. The findings of this study may promote positive social change by raising awareness about singles.

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