

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

أَلْحَمْدُ لِلَّهِ كَمَا هُوَ أَهْلُهُ وَالصَّلَاةُ وَالسَّلَامُ عَلَى سَيِّدِ وُلْدِ آدَمَ كَمَا يُحِبُّ وَيَرْضَى بِأَنْ يُصَلَّى عَلَيْهِ

In The Name Of Allah The Most Compassionate Very Merciful  
All Praise Due To Allah And Peace And Blessings Be Upon His Beloved Messenger

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## Ghazi Mumtaz Qadri – Fatwa by Mufti Muhammad Khan Razvi

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(a) The incidents and testimony which has been presented by the questionnaire pertaining to Salman Taseer proves the following:

1. The law of blasphemy which has been promulgated by the Judicial religious court and which has been adopted by the country, he has condemned as being a “black law”.
2. At the same time, a female who has been convicted by the court of this country as having committed blasphemy, he has displayed immense sympathy towards her and has suggested that her punishment is something which is oppressive and extremely severe and has also displayed the intention of abolishing the law of blasphemy.
3. He has also committed himself to forgiving this convicted female, thereby himself becoming guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam). This is the reason that his blood has become lawful and all safety for his life and property has been abolished.

It must be remembered at the same time, that even though there are laws in this country to restrict this type of behaviour, but because he is protected by the constitution of Pakistan, hence there was no possibility of instituting any legal proceeding against him. This is also the main reason that all legal recourse against him had become impossible. There were certain people who tried to institute legal action against him but the constitutional law of the country became their main obstacle.

As per the circumstances, it should have been the responsibility of the government to remove this person from his official position so that legal proceedings could be initiated against him, however, sadly, the government remained silent and laughingly looked on. Taking advantage of this behaviour of the government, Salman Taseer became even more brave and hard-line in his stance and also belittled the Islamic verdicts which were been issued and which itself is a cause or source of Kufr. In spite of the fact that this female was guilty of blasphemy, he continued to support her thereby insulting the entire legal system of this country. According to the clear evidence as found in the Quran and Ahadith, it is Waajib to have a person who insults the Holy Prophet (Salal laahu alaihi wa sallam) to be immediately killed. The entire Muslim nation is unanimous in this decision.

(b). Aside from this, by saying that the Shariah punishment which has been prescribed (upon this guilty female) as being oppressive is actually to mock the laws of Islam and by doing this, a person is guilty of Kufr. The person who presented the question has also mentioned that the daughter of this person had also indicated that her father was totally against the constitutional law which had declared the Qadiani sect as a non-Muslim group and that he was bent on abolishing this law. This is clear testimony of his Kufr. The reason is that belief in the Holy Prophet (Salal laahu alaihi wa sallam) as being the last and final Prophet is something which is clearly proven from the Quran and Ahadith and from the statements of the Islamic jurists and is also considered as an essential belief in Islam. A person who refutes this, instantly becomes a Kaafir and by accepting the non-Muslim Qadiani sect as Muslim and by accepting what the guilty female has said against the Holy Prophet (Salal laahu alaihi wa sallam) as

being the truth and by being happy with both of these parties, clearly proves that he is happy and pleased with Kufr and by doing this, he himself has become a Kaafir. This is proven from the Quran, the Sunnah and from the opinion of the Islamic jurists. Hence, merely by been guilty of these un-Islamic acts, he has become a murtad and his blood has become lawful. He was even asked to make Taubah, but he remained adamant on his Kufr and heretic behaviour.

(c). Ghazi Mumtaz Husain Qadri who was one of the bodyguards of this person decided to therefore kill this person for his consistent behaviour of supporting those who insulted the Holy Prophet (Salal laahu alaihi wa sallam). According to the statements of the Holy Prophet (Salal laahu alaihi wa sallam), the blood of such a person is to be considered as wasted and lost and if any Muslim even prior to (the command) of a Qadi or Imam, kills such a person, still too, there is no retribution or Diyat upon the killer. The reason is that the Almighty (Azza wa jall) and His Prophet has given special preference for this type of action and it is something which is considered as exceptional. All the four Imams of the four Sunni schools of Islamic jurisprudence have also stated that even before any trial, there would be no retribution such as Qisas or Diyat on the killer.

Therefore, to condemn Mumtaz Husain Qadri as a terrorist as the court has done and to sentence him to death is something which is clearly against the Quran and Sunnah. The reason is that a Muslim would be killed in place of a murtad which Islamic law clearly does not give permission for. Even the judge in this case, has himself admitted that, “whatever Mumtaz Husain Qadri did, it is correct according to Islam.” In other words, Salman Taseer was certainly guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam) and this was his punishment, however, the sentence meted out to Mumtaz Husain Qadri, was given according to the law of another country. This is the brief answer to your questions. However, keeping in mind the importance of this issue, we will present an in depth answer to all your questions.

Answer to the first question:

For Salman Taseer to consider the law of blasphemy as a “black law” and to consider a person found guilty of breaking this law and the punishment given to

her as been oppressive and barbaric and to sympathise with such a person is nothing but to flaunt the constitutional law of Pakistan and to go beyond the limits of his official position and to call for such a law to be abolished and to insult such a law is clearly an act of behaviour which certainly insults the dignity and status of the Holy Prophet (Salal laahu alaihi wa sallam).

Furthermore, to sympathise with someone who insults the Holy Prophet (Salal laahu alaihi wa sallam), to display no confidence in the laws of the country and to insist that a person guilty of this crime be forgiven has clearly proven that Salman Taseer is certainly guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam).

The Holy Quran has clearly refuted the idea that we make friends or become bosom and intimate companions with the Jews and Christians and it has also made it clear to Muslims that if ever they make friends with the Jews and Christians, then they will be included among them.

In Surah Ma'idah, verse 51, the Quran declares that”

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَىٰ أَوْلِيَاءَ ۚ بَعْضُهُمْ  
أَوْلِيَاءُ بَعْضٍ ۗ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ ۗ إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ  
الظَّالِمِينَ ﴿٥١﴾

O believer! Do not take the Jews and Christians as friends, they are friends of each other among themselves, and whosoever of you makes them his friends, then he is one of them. Undoubtedly Allah guides not the people unjust.

The words “he is one of them” in this verse informs us that when a Muslim takes these people as his protector and his intimate and personal friend, then he would be considered as someone who is among them. In the “Ahkaamul Quran” by Imam Jassaas, it is mentioned that, “If this verse addresses the Muslims, then by merely giving himself to these people in support, he would become a murtad.” (Volume 2, page 555).

Shaikh ibn Hazm has also presented his opinion in this regard which is, “It is proper that we see this verse in its clear and apparent meaning and that once a Muslim gives himself over to them, then he would be included among them. This is such a clear truth that no two Muslims differ about it.” (Al Mahali, 11/138).

There are numerous statements of the Holy Prophet (Salal laahu alaihi wa sallam) where it is clearly seen that a person who insults the Holy Prophet (Salal laahu alaihi wa sallam) is clearly considered as an ardent enemy of the Holy Prophet (Salal laahu alaihi wa sallam) and the Ummah have been clearly instructed to stop or capture this person.

Once, when he came to know of someone who was speaking ill about him, he asked, “Who will be sufficient for me against my enemy?” Hadrat Khalid stood up and declared that he was present for this task. Thereafter, Hadrat Khalid had this person killed. (Shifa shareef, 2/195).

In Surah Mumtahinah, verse 1, the Quran declares that:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ

O believers! Take not for friends My and your enemies

In another verse, the Almighty (Azza wa jall) has clearly instructed us not to take these people as our friends even if they be our close blood relatives.

In Surah Mujadilah, verse 22, the Quran declares that:

لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ ط

You will not find a people who believe in Allah and the last Day taking as their friends those who opposed Allah and His Messenger, even though they be their fathers or their sons or their brethren or their kinsmen.

Hadrat Sayyiduna Ali (radi Allahu anhu) has stated that, “There are three enemies. The first is your enemy, the second is the enemy of your friend and the third is the friend of your enemy.” (Nahjul Balaagha sharah ibn Abil Hadeed. 4/384).

If we look at the Quranic verses, the statement of the Holy Prophet (Salal laahu alaihi wa sallam) and the statement of Hadrat Sayyiduna Ali (Radi Allahu anhu), it clearly proves that we are not allowed to take these people who insult Islam as our friends. Now, when this is the case, for a person like Salman Taseer to continue supporting someone who has openly insulted Islam, clearly proves that this person, (Salman Taseer), is an open enemy of the Holy Prophet (Salal laahu alaihi wa sallam).

All the other factors also clearly prove this. By him saying that the laws of Islam are “oppressive”, by him asking for the pardon of someone who has been found guilty of insulting Islam, by him asking for the abolishment of the blasphemy law, all of these factors clearly and openly testify to the fact that this person has insulted the Holy Prophet (Salal laahu alaihi wa sallam).

Again, by him sympathising with someone who has been found guilty of insulting Islam. By him sitting next to her in public and admitting that the blasphemy law is something which is a “black law” and publicly declaring that the punishment given to her is oppressive, is not only an insult to the Holy Prophet (Salal laahu alaihi wa sallam) but it is also clear and apparent Kufr. The reason is that the moment he agreed to her irreligious comments and stance, it means he also agreed with her Kufr and became pleased with it and to become pleased with Kufr, is itself Kufr! At the same time, when someone becomes pleased with insulting the dignity of the Holy Prophet (Salal laahu alaihi wa sallam), then his Kufr also increases.

In Surah Ale Imran, verse 90, the Quran declares that:

إِنَّ الَّذِينَ كَفَرُوا بَعْدَ إِيمَانِهِمْ ثُمَّ أَزْدَادُوا كُفْرًا لَنْ تُقْبَلَ تَوْبَتُهُمْ وَ

أُولَئِكَ هُمُ الضَّالُّونَ ﴿٩٠﴾

No doubt, those who disbelieved after believing then increase (in their) infidelity, their repentance shall never be accepted and these are they who have gone astray.

Imaamul Mufasireen, Imam Fakhrudeen Razi (Radi Allahu anhu) has explained that, “This would imply anything which increases their Kufr”. He also further clarifies that this would also include (the intent) of leaving Islam as the person would instantly become a Murtad simply because he wishes to combine one kufr with another. He then explains four viewpoints of the scholars of Tafseer which are:

1. Prior to his blessed arrival, the people of the Book were prepared to accept him, however, when he arrived, they refuted him. Thereafter, they continued to insult him, (in addition), they also began to find faults in him, they began to cause problems for the believers, they refuted his miracles. All of these factors, increased their Kufr. (Tafseer Kabbeer. 8/286).

The guilty female in this instance, namely Asiya was already a disbeliever, however, her kufr increased with her openly insulting the Holy Prophet (Salal laahu alaihi wa sallam). At the same time, for someone like Salman Taseer to then publicly sympathise with her, to consider her innocent, to sit with her and call for the abolishment of the law of blasphemy, clearly and indisputably proves his own Kufr.

Imam Qurtabi, explaining the 140<sup>th</sup> verse of Surah Nisa, states that, “This clearly proves that when sinful people commit any sinful acts, then one should refrain from their company, if one does not do so, then it means that one is happy and content with this type of transgression. And to become happy with Kufr is itself Kufr.” (Al Jaami’ul Quran. 5/418).

Pertaining to the same verse, Imam Fakhrudeen Razi (Radi Allahu anhu) states that, “The people of knowledge have mentioned that this verse clearly proves that if one is pleased with kufr then he, himself becomes a Kaafir. If someone sees another committing a certain sin and becomes pleased with this and also joins the people that are transgressing, whether he commits this transgression or not, it would be as if he has also committed this transgression.

Again in Surah Taubah, verse 23, the Quran declares that:



يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا

الْكُفْرَ عَلَى الْإِيمَانِ ۗ وَمَنْ يَتَّوَلَّهُمْ مِّنْكُمْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ ﴿١١٣﴾

'O Believers! Take not your fathers and brothers for friends, if they prefer infidelity over faith. And whosoever of you will befriend them, then they are those who are unjust.

In Surah Hud, verse 113, the Quran even informs us not to have even the slightest leaning towards them. The Quran declares:

وَلَا تَرْكَنُوا إِلَى الَّذِينَ ظَلَمُوا فَتَمَسَّكُمُ النَّارُ ۖ وَمَا لَكُمْ مِّنْ دُونِ اللَّهِ

مِّنْ أَوْلِيَاءَ

And do not lean towards wrong doers, lest the fire should touch you, and you have no supporter besides Allah

Imam Alusi Baghdadi (Radi Allahu anhu) explains this verse by stating that, “One should not even display the slightest leaning towards them. A person once asked Hadrat Sufyan (Radi Allahu anhu), “I sew the clothes of those who are oppressors, am I included among those who assist them?”. He replied, “You are among them, as a matter of fact, even that person who sells you the needle, he is also included among their helpers.” (Ruhul Ma’ani. 12/480).

Imam Abu Hayyan Andalusi (Rehmatullah alaihi) explains that, “Once, Hadrat Sufyan was asked about an oppressive person who was close to death on some plain and whether it was permissible to give this person water. He replied in the negative. When he was again told that perhaps the person would die, (if not given water), he replied, “Leave him so that he might die.” (Tafseer Barul Muheet. 5/269).

In Fatwah Qadi Khan, it is mentioned that, “To be pleased with Kufr is itself Kufr.” (Al Fataawah Qadi Khan. 2/467).



In the treatise, “Al Muheet” by Al Burhani, after fully explaining this issue, it is stated that, “We have been informed about the statement of Imam Abu Hanifah (Radi Allahu anhu) that, “to become pleased with the kufr of someone without further explanation is in itself kufr.” (Al Muheet Al Burhani. 7/399).

From the above explanation and testimony, it becomes clear and apparent that someone who insults the Holy Prophet (Salal laahu alaihi wa sallam) as the female Asiya was guilty of and to become pleased with this Kufr as Salman Taseer was guilty of, clearly proves that Salman Taseer was indeed a Kaafir and had clearly left the folds of Islam.

In the light of Islamic law, it becomes Waajib to kill someone who insults the Holy Prophet (Salal laahu alaihi wa sallam) and the entire Ummah is unanimous in this decision. All the four schools of thought are unanimous in this, that the person must be killed. Some Ulama are of the opinion that he should be given the opportunity to make Taubah, however, it still does not in any way negate the general principle applicable in this instance. There is no doubt that Salman Taseer until the time he was killed, did not make Taubah even though many opportunities had been given to him through numerous media sources.

We will now present the testimony of the Quran, the Sunnah and the statements of the Islamic jurists in this regard.

The Almighty declares in Surah Al Ahzab, verse 57 that:

إِنَّ الَّذِينَ يُؤْذُونَ اللَّهَ وَرَسُولَهُ لَعَنَهُمُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ وَأَعَدَّ لَهُمْ

عَذَابًا مُهِينًا ﴿٥٧﴾

Undoubtedly, those who annoy Allah and His Messenger, Allah's curse is upon them in the world and in the Hereafter and Allah has kept prepared for them a degrading torment.

In verses 61 and 62, in the same Surah, He has called them “cursed people” and has given the following command about them:

مَلْعُونِينَ ۖ أَيَّمَا تَقْفُوا أَلْخُذُوا وَقْتًا تَقْتِيلًا ﴿٦١﴾

Cursed they are wherever they are found they shall be seized, and be slain counting one by one.

سُنَّةَ اللَّهِ فِي الَّذِينَ خَلَوْا مِنْ قَبْلُ ۚ وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا ﴿١٧﴾

This has been the manner of Allah regarding those who have gone before, and you shall never find a change in the Manner of Allah

These verses clearly inform us that someone who insults Allah (Azza wa jall) and His beloved Prophet (Salal laahu alaihi wa sallam) should be killed. This is also one of the reasons that the Holy Prophet (Salal laahu alaihi wa sallam) had the person named Ka'ab bin Ashraf killed because he used to present certain poems which used to insult the Holy Prophet (Salal laahu alaihi wa sallam). This report is to be found in the Muslim **shareef**. The blessed companion who volunteered to carry out this mission was Hadrat Mohammed bin Musallimah (Radi Allahu anhu)!

Another Prophetic statement is, “Whosoever has sworn at a Prophet, he will be killed and whosoever has sworn at my companions, he will be whipped.” (Al Mu’jamus Sagheer. 220).

There is Ijmah or complete consensus in the Ummah that one who insults the Holy Prophet (Salal laahu alaihi wa sallam) will be killed.

Imam ibn Munzir (Rehmatullah alaihi) has explained that, “It is the Ijmah, (consensus), of the Ummah, that whosoever insults the Holy Prophet (Salal laahu alaihi wa sallam), his punishment is death.” (Al Ijmah. 76).

The famous Hanafi jurists, Imam Abu Bakr Jassas (Rehmatullah alaihi) explains that, “The entire Muslim community is united in this (belief) that whosoever insults the Holy Prophet (Salal laahu alaihi wa sallam) and had the intent to harm him, even though he is a Muslim, (that person) becomes a Murtad and is entitled to be killed.” (Al Ahkaamul Quran. 3/112).

Imam Shami (Rehmatullah alaihi) explains that, “A murtad, or one who insults the Holy Prophet (Salal laahu alaihi wa sallam), he will be killed even before he makes Taubah, there is Ijmah of the Ummah on this. In summary, there is no doubt in the Kufr of one who insults the Holy Prophet (Salal laahu alaihi wa sallam) and that his blood becomes lawful. This is also the opinion of the four Imams.” (Raddul Mukhtaar. 6/378).

A common murtad who was not guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam), even he, will be killed for having adopted kufr and heretic beliefs.

It is reported that once, the same type of person was brought in front of Hadrat Sayyiduna Ali (Radi Allahu anhu) and he instructed that this person be burnt to death. However, when this news reached Hadrat Sayyiduna Abdullah ibn Abbas (Radi Allahu anhu) he explained that, “If I had been there in place of Hadrat Ali (Radi Allahu anhu) then I would not have burnt him to death for refuting the Holy Prophet (Salal laahu alaihi wa sallam) because he, (the Holy Prophet- Salal laahu alaihi wa sallam) had mentioned that, “One should not punish (someone), with the punishment of Allah (Azza wa jall), (meaning that the act of burning someone alive as punishment, is only restricted to the Almighty (Azza wa jall) and no one else). However, I would have certainly had the person killed because of the command of the Holy Prophet (Salal laahu alaihi wa sallam) which is, “If someone changes his religion, then he should be killed.” (Sahih Bukhari shareef).

Qadi Mullah Khusroe Hanafi (Rehmatullah alaihi) has also stated that, “There was Ijmah among the blessed companions that the punishment of becoming a murtad was death.”

In like manner, during the khilaafah of Hadrat Sayyiduna Abu Bakr (Radi Allahu anhu) there was complete consensus in the killing of a murtad. (Ad dururul hukaam fi sharah ghururul ahkaam. 1/301).

There are many Ulama who had informed Salman Taseer to make Taubah but he remained adamant on Kufr. As a matter of fact, instead of accepting the advice

of the Ulama, he actually began to ridicule the Islamic rulings of these Ulama which in itself is similar to Kufr. As a matter of fact, he even went to the extent of saying the Fatwah of these Ulama were something which was even below his feet. This clearly proves that until the time of death, he never made Taubah! It must be remembered that in the eyes of the Ahnaaf, it is only considered Mustahab to request a murtad to make Taubah, it is not Wajib. This proves that even before making Taubah, if a murtad is killed, then too, it is considered as permissible. The case of Salman Taseer is different, in his case, numerous Ulama advised him to make Taubah through different channels, but he continued to remain adamant on his kufr!

In the Hidayah, it is mentioned that, “To (once again) present Islam to a murtad in the eyes of the Mashaa’ikh is not Wajib because he had already received the message of Islam.”

The answer to the second questions is:

The former governor was certainly guilty of the following:

1. Terming the law of blasphemy as “a black law”.
2. He was guilty of terming the punishment handed to a person found guilty of blasphemy as oppressive and extremely severe.
3. He was guilty of mocking a law which had been promulgated by the Federal Shariah Court.
4. When this specific law was adopted, every school of thought was present and it was based on the Quran and Sunnah and it was unanimously accepted that anyone found guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam) would be killed and that this was also based on the unanimous opinion of the entire Ummah.

It is based upon this solid foundation, that the Federal Shariah Court had adopted the law that anyone found guilty of blasphemy would be killed. This decision of the Federal Shariah Court is based completely on the Quran and Sunnah. All the other schools of Sunni Islamic jurisprudence are also unanimous that an insulter of the Holy Prophet (Salal laahu alaihi wa sallam) will be killed. There are certain Ulama of the Hanafi and Shafi school of thought opine that a person

who insults the Muslims would become guilty of kufr and become a murtad, however, all of them are agreed on the fact that the punishment given to a person who insults the Holy Prophet (Salal laahu alaihi wa sallam) is according to the Islamic shariah.

Hence, for a person to insult this Islamic law and to consider it as oppressive and tyrannical, to consider it as a “black law” etc. which Salman Taseer has been guilty of, is certainly Kufr and nothing but Kufr. In the Quran, there are many verses which declare a person guilty of this behaviour as a clear Kaafir and Munaafiq and also warns them of a grievous punishment.

In Surah Nisa, verse 140, the Quran declares that:

وَقَدْ نَزَّلَ عَلَيْكُمْ فِي الْكِتَابِ أَنْ إِذَا سَمِعْتُمْ آيَاتِ اللَّهِ يُكْفَرُ بِهَا  
وَيُسْتَهْزَأُ بِهَا فَلَا تَقْعُدُوا مَعَهُمْ حَتَّىٰ يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ ۗ  
إِنَّكُمْ إِذَا مِثْلُهُمْ ۗ إِنَّ اللَّهَ جَامِعُ الْمُنَافِقِينَ وَالْكَافِرِينَ فِي جَهَنَّمَ جَمِيعًا



And undoubtedly Allah has already sent down to you in the Book that, when you hear the signs of Allah being denied and is being ridiculed, then sit not with them until they engage in some other conversation, otherwise you would be like them too. Undoubtedly, Allah will gather the hypocrites and infidels all in Hell.

In surah Mujaadilah, verse 4, the Quran declares that:

ذَلِكَ لِتُؤْمِنُوا بِاللَّهِ وَرَسُولِهِ ۗ وَتِلْكَ حُدُودُ اللَّهِ ۗ وَلِلْكَافِرِينَ عَذَابٌ  
أَلِيمٌ

This is so that you may believe in Allah and His Messenger. These are the limits of Allah, and for the infidels is a painful torment.

All the eminent scholars of Quran have explained that in this context, by “Kafir” is meant, that the person who refuses to accept the limits of Allah (Azza wa jall) and also adopts another set of limits in place of this. It also implies those people who transgress the limits of Allah (Azza wa jall) and also do not practise on these limits or refuse to accept these limits as prescribed and also argue these limits.

Pertaining to the 5<sup>th</sup> verse of Surah Mujaadilah, Allamah Baydawi (Rehmatullah alaihi) explains that, “By refuting Allah (azza wa jall) and His Prophet (Salal laahu alaihi wa sallam) implies that one adopts another set of limits or creates another set of limits in place of this”.

Allamah Alusi (Rehmatullah alaihi) agreeing to this assessment of Tafseer Baydawi, also presents the statement of Shaikhul Islam Sa’adullah Chalapi who maintains that, “This is a dire warning to those Kings and corrupt leaders who create their own laws which are completely against the laws of Shariah and they (have the audacity) of terming this as law. (Ruhul Ma’ani. 28/301).

Allamah Alusi (Rehmatullah alaihi) again explaining this habit of creating personal laws in place of the laws and limits which have been given to man by the Divine Creator (Azza wa jall) explains that, “There is no doubt in the kufr of that person who considers that man-made laws are better than the law of Shariah. And who considers (these man made laws) as more wise and better for people generally. When it is said to them that this is the law and command of Shariah, they become angry. We have seen this type of behaviour displayed by certain people upon whom is the wrath of Allah (Azza wa jall). (Ruhul Ma’ani. 28/302).

In surah Taubah, verses 65, 66 the Quran declares that:

وَلَيْنَ سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ <sup>ط</sup> قُلْ أِبَالَهُ وَآيَتِهِ

وَرَسُولِهِ كُنتُمْ تَسْتَهْزِءُونَ ﴿٦٥﴾

And O' beloved Prophet! If you ask to them, they will say 'We were only jesting and playing'. Say you; 'Do you mock at Allah and His signs and His Messengers?'

لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ ۗ إِنَّ نَعْفَ عَنْ طَائِفَةٍ مِّنْكُمْ

نُعَذِّبُ طَائِفَةً بِأَنَّهُمْ كَانُوا مُجْرِمِينَ ﴿١١﴾

Make no excuses, you have already become disbelievers after being Muslims. If We forgive some one of you, then We shall chastise others because they were guilty.

Imam Umar Nasafi (Rehmatullah alaihi) in “Al Aqaa'id Al Nasafi”, page 168, explains that, “To insult Islamic Shariah and to mock Shariah is Kufr”.

Allamah Sa'adudeen Taftazani (Rehmatullah alaihi) explains in the Shariah of this that, “The reason is that these things are similar as to belief and falsify (Islamic shariah). (Sharah Al Aqaa'id Al Nasafi. 168).

There is no doubt that to display stubbornness and ones own personal thoughts or to display the behaviour of pleasing the disbelievers (while refuting and insulting Islamic Shariah), or to consider any law of the Quran as a “black law” or to consider the law of the Quran and Sunnah as oppressive and tyrannical is nothing but mocking at Islamic Shariah. As a matter of fact, it is similar to fighting against the law of the Quran and Sunnah and this is clear and apparent Kufr.

Ibn Nujaim (Rehmatuallah alaihi) quoting “Fatwah Bazzaaziyah” explains that, “In this fatwah, someone was told to trim his fingernails. In reply, this person declared, “I will not trim it even though it is Sunnah” in this context, this person will become a Kaafir.” (Fathul Ghaffaar. 253).

In the Muheet Al Burhani, it is mentioned that, “One person informed another that after eating, the Holy Prophet (Salal laahu alaihi wa sallam) used to lick his three blessed fingers. In reply, (may Allah azza wa jall protect us), this person replied, “This is against proper decorum.” This would indeed be kufr. In like manner, if someone said to another, “Trim your hair or fingernails as this is



Sunnah” and the other person replied, “I will not do this even though it may be Sunnah”. This is also kufr. The reason is that he had mentioned these words in an act of refutation. This is applicable in all acts of sunnah which are well known and whose proof have reached the state of authenticity such as miswaak etc. (Al Muheet Al Burhani. 7/408).

We have already explained above about that person who becomes guilty of kufr and heresy. If he does not make Taubah, then it is Wajib to have him killed.

Answer to the third question about Khatm-e-Nubuawah

In like manner, the belief in the last and final Prophet is something which is clearly proven from the Quran and from various other authentic sources. For someone to refute this, is also Kufr.

The Quran declares in Surah Al Ahzab, verse 40 that:

مَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِّن رِّجَالِكُمْ وَلَكِن رَّسُولَ اللَّهِ وَخَاتَمَ النَّبِيِّينَ ط

وَكَانَ اللَّهُ بِكُلِّ شَيْءٍ عَلِيمًا ؕ

Mohammed is not the father of any of your men; yes He is the Messenger of Allah and the last one among all the prophets. And Allah knows all things.

There are many statements of the Holy Prophet (Salal laahu alaihi wa sallam) which also prove this and this has become an authentic belief of the Muslims.

The Holy Prophet (Salal laahu alaihi wa sallam) has stated that, “I am the Final Prophet” (Muslim shareef).

The famous Hanafi jurist, namely Shaikh ibn Nujaim (Rehmatullah alaihi) explains that, “If a person does not realise that the Holy Prophet (Salal laahu alaihi wa sallam) is the last and final Prophet, then he would not be a Muslim because this belief is an essential part of religion.” (Al Ishba wan Nazaa’ir. 2/91).

In the Fatawah Hindiyah, it is mentioned that, “If someone does not know that the Holy Prophet (Salal laahu alaihi wa sallam) is the last and final Prophet, then he is not a Muslim. The same has been mentioned in ‘Al Yateemiyah’” (Al Fatawah Al Hindiyah. 2/363).

Imam Abdul Wahab She'rani (rehmatullah alaihi) mentioning the Ijmah of the belief in Khatm-e-Nubuawah, explains that, "Understand that there is Ijmah on this (fact) that the Holy Prophet (Salal laahu alaihi wa sallam) is indeed the Final Messenger as he is the Final Prophet." (Al Yawaaqit wal Jawaahir. 2/239).

Allamah ibn Abideen Shami states that, "In like manner, to refute (something) on which is Ijmah or to refute (something) whose prohibition has been proven through Ijmah, is indeed Kufr. The reason is that this is testimony and proof that in reality the person does not believe in the (Quran and Sunnah). (Raddul Muhtaar. 6/343).

From the above testimony and proofs, we can clearly see that the belief in Khatme Nubuawah is something which is considered as an essential belief in Islam. Whosoever disbelieves this, he will remove himself from Islam. To disbelieve in the Holy Prophet (Salal laahu alaihi wa sallam) being the Last and Final Prophet is clear Kufr and to even doubt that a person becomes a kaafir in this regard, is also kufr itself.

The behaviour of Salman Taseer as proven by the words of his daughter, clearly proves to us that he did not believe in the Holy Prophet (Salal laahu alaihi wa sallam) being the Last and Final Prophet and he also supported the Qadiani sect which also does not believe in the Holy Prophet (Salal laahu alaihi wa sallam) being the Last and Final Prophet. His support of this sect and also that they should be unbanned clearly proves this. This behaviour of his, clearly proves his Kufr and we have already explained previously about the laws which govern a murtad in that if he does not make taubah, it is wajib to have him killed.

Answer to the fourth question:

According to the report of his son who has clearly written that his father was someone who drank alcohol the entire night and used to also eat pork. In this regard, Kufr cannot be fully established until and unless we cannot prove that he committed these acts believing them to be Halal. If a person drinks alcohol and consumes pork and yet, at the same time he believes that these items have certainly been classified as Haram in Islamic law, then the law of Kufr cannot be established on such a person. However, if he performs these acts with the intent of refuting the Shariah, or considers them to be Halal, or he refutes any Fard act

such as salah, fasting, then there is no doubt in his Kufr. At the same time though, if he continues to refrain from committing acts of Haraam without any valid reason without thinking of them as Halal, then he is considered as a major sinner.

Hadrat Mullah Ali Qari (Rehmatullah alaihi) explaining the concept of someone who thinks of Haraam as Halal and refuses to refrain from committing these acts of Haram states that, “If a person considers a Haram act as Halal which is part of the essentials of religion, such as, to marry a female which he is not allowed to marry, to consume alcohol, to consume a non halal animal, to consume blood and to consume pork etc. If he is guilty of these acts all the while thinking that they are Halal, then he would become a Kaafir otherwise no. If he has become guilty of committing these acts of Haram without thinking of them as Halal, then he would become a major sinner. In Fatwah Sughra, it is mentioned that, “Whosoever says that alcohol is Halal, he would become a Kaafir.” (Sharah Al Fiqh Al Akbar. 188).

Pertaining to the law which determines the act of Fard, Imam Sarkhasi (Rehmatullah alaihi) explains that, “The Islamic law in this regard is that, ‘the act of fard has become necessary or compulsory due to its knowledge based on belief (or testimony). The reason is that its proof is absolute authentic and hence a person who refutes it, becomes a Kaafir.’”.(Al Usul As Sarkhasi. 1/III).

Therefore, as long as it is not proven that he refrained from performing salah because he refused to accept it as Fard or he was doubtful whether it was Fard, until that time in this regard, a fatwah of kufr cannot be issued to him in this regard. The same is applicable to the drinking of alcohol or the eating of pork.

At the same time though, the statement of his son regarding Salman Taseer’s comments on the Quran wherein he had admitted that, “I have read it from the beginning to the end many times and have found nothing in it for me” clearly proves that he has refuted the Quran and this is clear Kufr as we have mentioned previously.

Hence, from the above mentioned explanation, it is proven without a shadow of doubt that besides refuting the Holy Prophet (Salal laahu alaihi wa sallam) as being the Last and Final Prophet, he had become a Kaafir by becoming guilty of

many other transgressions in Islam and had clearly left the folds of Islam. Some of them are ridiculing the Shariah, doubting the Quran, arguing against the Shariah laws, believing that the person who negates Khatm-e-Nubuawah is still a Muslim, refusing to accept the law of the Shariah court and also being pleased with the kufr of others. In all of these circumstances, this person's blood has become lawful and it becomes Wajib for him to be killed.

Answer to the fifth question:

As far as the question about Salman Taseer is concerned who became guilty of kufr and since he was someone who had insulted the Holy Prophet (Salal laahu alaihi wa sallam) hence his blood had become lawful. Consequently, Mumtaz Husain Qadri took a step forward and killed him without waiting for any judicial decision. The question is: Will Mumtaz Husain Qadri as per Islamic Shariah become entitled for any punishment or diyat or according to Shariah, is he entitled for any type of punishment? According to Islamic law, how would you term this action of Mumtaz Husain Qadri?

In this regard, there is ample proof and testimony from the Quran and Sunnah that if someone kills a person who had insulted the Holy Prophet (Salal laahu alaihi wa sallam) prior to any judicial decision, then there is no retribution or punishment that can be given to the killer. The reason is that the Holy Prophet (Salal laahu alaihi wa sallam) has termed the blood of such a cursed person as something which is lost. At the same time, there are many instances even during the era of the Holy Prophet (Salal laahu alaihi wa sallam) when such killing took place prior to any official permission been given. Of course, there were certain instances when the family of the person killed did request for blood money or diyat, however, since the Holy Prophet (Salal laahu alaihi wa sallam) had already declared that since the blood of such a heretic is something which has been lost, hence there was no diyat, punishment or any form of retribution that was levelled at the killer of this heretic. As a matter of fact, the person who had killed a heretic was not even reprimanded for his action and was sometimes even praised for the action he had taken.

There are many instances in the Quran where the person insulting the Holy Prophet (Salal laahu alaihi wa sallam) has been ordered to be killed. This has been explained above from verses 57, 61 and 62 of Surah Al Ahzab. In the same

way, verses 13 to 15 in Surah Taubah and in verse 33 of Surah Al Maidah.

In Surah Taubah, verse 12, the Quran declares that:

وَإِنْ نَكَثُوا أَيْمَانَهُمْ مِنْ بَعْدِ عَهْدِهِمْ وَطَعَنُوا فِي دِينِكُمْ فَقَاتِلُوا أِيمَّةً

الْكُفْرِ لَا إِنَّهُمْ لَا أَيْمَانَ لَهُمْ لَعَلَّهُمْ يَنْتَهُونَ ﴿١٢﴾

If they break their oaths after their covenant, and taunt at your religion, then fight with the leaders of infidelity. Undoubtedly, their oaths are nothing. Haply they may desist.

There are many examples in the Ahadith where a person both male and female who had become guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam) prior to any official permission been given were killed. We see that in all of these instances, the Holy Prophet (Salal laahu alaihi wa sallam) did not even warn or scold them leaving aside granting any penalty of diyat or retribution against them. In most of the authentic books of Quranic commentary, the incident of Hadrat Sayyiduna Umar (Radi Allahu anhu) has been mentioned where he had killed a munaafiq who was not satisfied with the decision of the Holy Prophet (Salal laahu alaihi wa sallam). This person in dissatisfaction had brought his case to Hadrat Sayyiduna Umar (Radi Allahu anhu) and after listening to him, Hadrat Sayyiduna Umar (radi Allahu anhu) killed this person.

This incident has been recorded in some of the following treatise namely, Tafseer ibn abi Haatim, Tafseer Tabari, Tafseer Kashaaf, Tafseer Mazhari, Durre Mansur, Tafseer ibn Katheer etc. As matter of fact, the action taken by Hadrat Sayyiduna Umar (radi Allahu anhu) was taken even before he got official Islamic permission. Even the Quran thereafter supported the action taken by Hadrat Sayyiduna Umar (radi Allahu anhu)!

In Tafseer Durre Mansur, Hadrat Sayyiduna Umar (radi Allahu anhu) after killing this munaafiq declared that, "This person (who apparently looks like a Muslim) and who did not accept the decision of the Holy Prophet (Salal laahu alaihi wa sallam) (for him), this is my decision."

Thereafter, it is mentioned that Jibareel Ameen approached the Holy Prophet

(Salal laahu alaihi wa sallam) and informed him that Hadrat Umar (Radi Allahu anhu) had killed this person and that the Almighty (Azza wa jall) had blessed the tongue of Umar with the (power of distinguishing) between truth and falsehood. This is the reason that Hadrat Umar (Radi Allahu anhu) was given the title of “Farouk”. (Tafseer Durre Mansur. 2/586).

It must also be remembered that when Hadrat Umar (Radi Allahu anhu) killed this person, his relatives did bring action against him in the blessed court of the Holy Prophet (Salal laahu alaihi wa sallam), however, since this action was Divinely supported, the Holy Prophet (Salal laahu alaihi wa sallam) clearly informed these people that the blood of this person had been lost, (in other words, no retribution was applicable) even though, it was an action performed prior to any case been heard.

In like manner, in the treatise “Usdul Ghabah, volume 4, page 287”, it is reported that a person had killed his own father because he had mentioned disrespectful words against the Holy Prophet (Salal laahu alaihi wa sallam). At the same time, this action had been performed prior to any case been heard. This action of his blessed companion was such that the Holy Prophet (Salal laahu alaihi wa sallam) did not display the slightest of displeasure. The blessed companion who is also among the Ash’arah Mubashirah, and also known as Ameenul Ummah, namely Hadrat Sayyiduna Abu Ubaidah bin Jarrah (Radi Allahu anhu) had also killed his own father when he had insulted the Holy Prophet (Salal laahu alaihi wa sallam). This incident has also been mentioned by Imam Nawawi (Rehmatullah alaihi) in his treatise, “Al Majmu’a” volume 9, page 295.

When we see that these blessed companions did not even hesitate to kill someone who had insulted the Holy Prophet (Salal laahu alaihi wa sallam) even though the person was their own father, how can someone who has Imaan such as Mumtaz Husain Qadri spare a person like Salman Taseer, even though he was employed as the bodyguard of this person? As a matter of fact, to display a strategy and work with wisdom prior to killing a person who insults the Holy Prophet (Salal laahu alaihi wa sallam) was something which even the blessed companions had adopted in their era and this strategy was even supported by the Holy Prophet (Salal laahu alaihi wa sallam)!

In the Bukhari shareef, it is reported that prior to killing Ka'ab bin Ashraf, Hadrat Sayyiduna Mohammed bin Musallimah (Radi Allahu anhu) had revealed to the Holy Prophet (Salal laahu alaihi wa sallam) his strategy of first befriending Ka'ab bin Ashraf and he sought permission for this from the Holy Prophet (Salal laahu alaihi wa sallam) himself. His intention was to first gain the confidence of this Ka'ab bin Ashraf and then to kill him.

Waaqidi in the "Al Mughaazi" volume 1, page 161, explains the killing of Asmaa'a binte Marwan Khatmi. She was someone who was in the habit of insulting the Holy Prophet (Salal laahu alaihi wa sallam) and used to read poems which ridiculed the Holy Prophet (Salal laahu alaihi wa sallam). Hadrat Sayyiduna Umair bin Adi (Radi Allahu anhu) killed her at night and at the time of Fajr when the Holy Prophet (Salal laahu alaihi wa sallam) met him, he questioned him about this. In reply, he revealed to the Holy Prophet (Salal laahu alaihi wa sallam) that he had indeed killed this person.

At the same time, Hadrat Umair (Radi Allahu anhu) was also extremely apprehensive that perhaps the Holy Prophet (Salal laahu alaihi wa sallam) would reprimand him for this action of his. He then asked, "O Prophet of Allah! Is there any punishment on me for this killing?" The Holy Prophet (Salal laahu alaihi wa sallam) replied, "In this issue, not even two horns of a goat have clashed. (In other words, there is no accountability in this issue)".

The narrator of this hadith shareef further elaborates that this statement of "two horns of a goat not having clashed" was the very time he had heard these words from the Holy Prophet (Salal laahu alaihi wa sallam). Hadrat Umair (Radi Allahu anhu) further explains that the Holy Prophet (Salal laahu alaihi wa sallam) then turned towards the people that were sitting around him and declared, "If anyone of you wishes to see that person who has assisted Allah (Azza wa jall) and His Prophet (Salal laahu alaihi wa sallam) secretly, then look at Umair bin Adi." After hearing this, Hadrat Umar (Radi Allahu anhu Allahu) replied, "Look at this blind man, how steadfast he is in obeying the Almighty (Azza wa jall)". The Holy Prophet (Salal laahu alaihi wa sallam) declared, "Do not call him blind, in fact he is someone who (truly has) vision!" (Al Mughaazi Al Waaqidi. 1/161).

There are a few important points which become apparent from this incident:



1. The Holy Prophet (Salal laahu alaihi wa sallam) clearly mentioned that there was no retribution or punishment which was applicable on Hadrat Umair (Radi Allahu anhu) even though he had killed this person prior to any court hearing.
2. The Holy Prophet (Salal laahu alaihi wa sallam) had actually termed this as a “secret” form of help which this person had rendered to Allah (Azza wa jall) and His beloved Prophet (Salal laahu alaihi wa sallam).
3. In spite of the fact that this blessed companion was physically blind, yet, the Holy Prophet (Salal laahu alaihi wa sallam) clearly mentioned that this person should not even be called blind.

This proves that if killing someone of this nature prior to any court hearing was a crime, then the Holy Prophet (Salal laahu alaihi wa sallam) should not have praised Hadrat Umair (adi Allahu anhu) in this manner and he would not have mentioned that this was a “secret” help which had been rendered.

In the same way, in Sunnan Abi Daud, (2/234), there are also two other incidents of a similar nature to be found. In one incident, another blind companion had his female slave killed for this crime and in the other incident, another companion had a Jewish female killed for this type of crime. The Holy Prophet (Salal laahu alaihi wa sallam) had clearly mentioned after these incidents that the blood of both of them had been “lost”. In other words, no retribution or blood money, (diyat) was applicable on the companions.

In the same manner also, Hadrat Umair bin Ummayah (Radi Allahu anhu) had killed his very own sister who had insulted the Holy Prophet (Salal laahu alaihi wa sallam) and again, no diyat, was applicable on him. This incident is mentioned in “Al Mo’jamul Kabeer. 17/64). All of these incidents which were performed prior to any court hearing were such that no diyat was applicable on the people who had performed these killings.

All of the Islamic jurists have clearly explained also that if the blood of the person becomes lawful and it is Wajib to have him killed, and if someone kills him prior to anyone else then there will be no diyat or qisas on the person because these things only pertain to a life which is precious or valuable or because it was Haram to take the life of that person. As for that person who is a Murtad, there is no doubt that the spilling of his blood has been termed as lawful in Shariah, hence

it is obvious that there would be no diyat of qisas on this person. This is something which has been unanimously agreed upon by the four Imams.

1. The famous Hanafi jurist, Imam Sarkhasi (Rehmatullah alaihi) explains that, “If someone kills a person whose blood is lawful, then there is no punishment upon the person such as if one kills a murtad.” (Al Mabsut. 6/121).
2. The viewpoint of the Shafi maslak is, “If a Muslim kills a murtad, then there is no blame on the killer.” (Al Umm. 6/66).
3. (The condition for Qisas and Diyat becoming applicable) is when the person killed is innocent and his blood is not lawful. Hence, there is no expiation, (kaffaarah), on someone who has killed a guilty Harbi person, a murtad or a married person guilty of adultery (because the blood of these people have become lawful). (Manaarus Sabeel. 2/218).

Imam Abdul Qahir Baghdadi (Rehmatullah alaihi) has even mentioned that there is Ijmah on the fact that there would be absolutely no qisas or diyat upon a person who kills a murtad. And there is also Ijmah on the fact that the sacrificial animal of a murtad is not Halal, his marriage is not lawful and there is no diyat on qisas on someone who kills him.” (Kitab Al Usulud Deen. 328).

From the above mentioned testimony, it becomes clear that the action of Mumtaz Husain Qadri is such an act in Islam which does not require him whatsoever to pay any diyat or qisas and that absolutely no retribution or punishment can be levelled against him. As a matter of fact, Islamic law demands that he be freed respectfully and with all due status because the blood of Salman Taseer had indeed become lawful due to the fact that he had openly insulted the Almighty (azza wa jall) and His beloved Prophet (Salal laahu alaihi wa sallam). Hence, the opinion of the court levelled against Mumtaz Husain Qadri that this was an act of terror and that therefore he should be sentenced to death is clearly a sentencing which is completely and totally contrary to Quran and Sunnah!

It must be also remembered that whenever a case of this nature appears in court, it is the duty of the court to find out whether this person accused has been guilty or not guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam). If it is proven that the person is guilty, then his blood becomes lawful. And if someone kills this guilty person prior to any sentencing, then there would not be any diyat

or qisas or any retribution whatsoever upon the killer. At the same time, if it is proven that the accused is innocent, then the person who has killed this innocent person would be sentenced to death himself and this is the appropriate sentence on a person who kills someone that is innocent.

Another important point which should be borne in mind is that since Salman Taseer was the governor, hence according to the constitution of Pakistan no court action could be taken against him according to law 95. According to article 248, under points 2 and 3 of the constitution, the President or the Governor (of any province) has immunity during his term against any court action and neither can any court have him arrested or imprisoned.

It must also be borne in mind that an official FIR was lodged against Salman Taseer, but because of his immunity against any prosecution, this could not continue. (Rooz Nama Nawaa-e-Waqt Express. 8<sup>th</sup> October 2009).

This clearly proves that it was the constitution of Pakistan which had closed all legal avenues of bringing any action against Salman Taseer. It should have been the responsibility of the government that after realizing the sensitivity of this action, they themselves should have brought action against this person. They were clearly aware that Salman Taseer was guilty of the following:

1. He was guilty of terming the law of blasphemy as a “black law” which had been promulgated by the Federal court. Hence, he had also become guilty of actually going against the very constitution of Pakistan even though he was an employee of the government. This proves that he was guilty of not only going against the Federal Shariah court but was also guilty of abusing his position in government.
2. He was guilty of publicly sympathizing with a person who had actually been found guilty of violating the law of blasphemy. In this way, he was guilty of mocking the very justice system of Pakistan and actually terming their sentencing of this guilty female as oppressive and severe.
3. By these actions of his, he had actually violated the very oath which he had taken when he was made the governor.

He had violated the laws of Pakistan and had trampled underfoot, the very dignity of Islam. All of this proves that he had no other intent but to please his

Western backers. This was also clearly seen in his interview on Sama TV. 11.1.2001) An interview which was conducted with Meher Bukhari and is also found on Youtube.

By calling the law of blasphemy as a “black law” he had actually violated the law of Islam which he had promised to uphold at the time of his taking the oath. This proves that merely to satisfy his own wishes, he had violated his official position and had completely failed to uphold his governmental responsibility.

Yet, sadly, the Government of Pakistan, did not take any action against him and he continued to enjoy his status all the while creating religious strife among the Muslims. If the government had taken immediate action against him, then the present environment would have been avoided. Since the government does have the option of instituting action against someone of this nature, it should have adopted this action of making Salman Taseer an exception to political immunity because it clearly had the legal right according to the constitution to do so.

1. The Ulama had continued to issue various Fatawah against Salman Taseer after which, there was no doubt in the crime committed by him. After these legal verdicts of the Ulama, rules and regulations pertaining to someone who insults the Holy Prophet (Salal laahu alaihi wa sallam) had become apparent and clear.
2. It was impossible to institute any legal action against Salman Taseer due to his political immunity. If this was any ordinary person, then legal action would have continued and the final verdict would have been issued by a court of law.
3. At the same time, the insults against Islam made by Salman Taseer had spread far and wide around the world and he had also used the media to propagate his kufr. Hence there were numerous testimony in this regard. If there is any person who finds another guilty of blasphemy, and there are no witnesses present, then obviously, it becomes his duty to present his witnesses so that this case can be presented in a court of law. This is the most appropriate action open to him.

#### Summary of our discussion

All of the questions presented by the person has been answered, however as a brief summary, we will present our answers again.

1. A person who insults the Holy Prophet (Salal laahu alaihi wa sallam) removes

himself from the folds of Islam and becomes entitled to be killed.

2. This should be instituted through court action because Pakistan has laws which govern this type of action and this type of crime.

3. If a person kills another person because he has publicly insulted the Holy Prophet (Salal laahu alaihi wa sallam), there would be no retribution against the offender. If the court thereafter proves, that this person was correct in his action and that the person killed had indeed being guilty of violating the law of blasphemy, then the person who committed this killing would be freed.

4. If however, people take advantage of this law and someone institutes a court action against someone for violating the blasphemy law and there is no basis for this, then the guilty party would be severely dealt with.

5. If someone kills another person thinking that this person had insulted the Holy Prophet (Salal laahu alaihi wa sallam) and later in the court proceeding, it is found that this person had been innocent of this crime, then the murderer himself would be sentenced to death.

6. Islam certainly considers a human life as precious and does not given anyone the right to kill another person. However, the issue of insulting the Holy Prophet (Salal laahu alaihi wa sallam) is an exception to the rule. This is clearly proven from Islamic Shariah.

7. All of the incidents in this case, prove beyond a shadow of doubt that Salman Taseer was indeed guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam) and that his blood had become lawful. In other words, if his case had been presented in court, he himself would have been sentenced to death! One can clearly see that he refused to accept that the Holy Prophet (Salal laahu alaihi wa sallam) was the Last and Final Prophet, hence his effort to unban the Qadiani sect. This clearly proves that he was guilty of openly insulting the Holy Prophet (Salal laahu alaihi wa sallam). He was also guilty of sympathising with a person who had violated the law of blasphemy, this again proves that he had openly insulted Islam. This had clearly made his blood lawful because he had proven on numerous occasions to have become a Murtaad.

At the same time, since the laws of Pakistan had become an obstacle to him been punished, Ghazi Mumtaz Husain Qadri in his love for the Holy Prophet (Salal

laahu alaihi wa sallam) had killed this murtad. According to the laws of Islam, Ghazi Mumtaz Husain Qadri is certainly not entitled for any punishment and certainly not entitled for any reprimand!

8. Even the courts of Pakistan had agreed after the incident that whatever Ghazi Mumtaz Husain Qadri had done, it was correct according to Islam. In other words, Salman Taseer had indeed become guilty of insulting the Holy Prophet (Salal laahu alaihi wa sallam) and Ghazi Mumtaz Husain Qadri was certainly correct in killing him according to the dictates of Islam. Hence, after this, it was not permissible to sentence Ghazi Mumtaz Husain Qadri as per the laws of another country to either been hanged or jailed. Any other form of retribution was also not applicable upon him.

This is from us and all knowledge belongs to Allah (Azza wa jall). (Mufti) Mohammed Khan Qadri.

Founder and patron:

Jamia Islamiyah Lahore.