

Evidence for Defence.

H. G. Sarwar

What happened at the tea party?—Did the Anjuman agree to your suggestion?—The tea party was held; the announcement was made in the presence of Mr. M. H. Dawood. He, however, brought a political offender from Egypt and a fanatic from the North Western Frontier who began to abuse me and Khwaja Kamal-ud-Din and others and if I had not been extremely patient and kept people quiet there would have been broken heads that day. Subsequently the Managing Committee refused to break off relations with the Working Mission.

Do you know the Al-Hazar University?—Yes, by repute; it is a well-known Muhammedan University in Cairo.

Will a Fatwah by that University have binding effect on the Muslims?—It is very difficult to say that a Fatwah of the University would have any binding effect. In Turkey, Afghanistan or in India it would have no legal effect. Any Fatwah must not be *exparte*; people should be heard before they are condemned.

Mr. Mundell tendered two letters from Mr. Sarwar dated the 14th June and 25th August respectively which His Lordship excluded from the evidence as being irrelevant.

Cross-examined by Mr. Campbell.

Mr. Campbell:—Mr. Sarwar, would you look at the alleged libel and see the statement that the whole world of Sunnat Jamat has condemned the Ahmadies as Kaffirs?—The statement that the whole world of Sunnat Jamat has condemned the Ahmadies as Kaffirs is unfounded.

When did you first read the alleged libel?—I do not read Tamil. I have read through the English translation of the alleged libel and heard it in Court.

Do you know the 1st Defendant?—I know the 1st Defendant by sight only.

Do you know Khwaja Kamal-ud-Din?—I know him very well.

Were you present at the religious conference at London?—I attended a conference in London on the "Living Religions of the World." I know the organisers, Professor Thomson, Professor Geddes, Professor Maipworth and others. There were many competent students of Mohamadanism there, e.g., Sir Morrison and Professor Arnold of the Aligarh College. The Conference was held under the

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auspices of the School of Oriental Studies. Khwaja Kamal-ud-Din's paper on the basic principles of Islam was read at it. A paper was read on the Ahmadian Movement composed by Mirza's son and read by a Barrister-at-Law.

Mr. Campbell:—What do you think of Khwaja Kamal-ud-Din. Is he not a Sunni Mohamedan?—Khwaja Kamal-ud-Din is a Sunni Mohammedan; he says so and every one believes him to be so.

Are you still the patron of the Anjuman?—I resigned from the Anjuman. I understand my resignation was not accepted. I do not attend the meetings.

Did you know why you were called to give evidence in this case?—I was subpoenaed by the 1st defendant to give evidence in this case while I was sick in the Hospital. The defendant did not ask me what evidence I could give.

Is the Woking Mission an Ahmadian movement?—I understand now that the Woking Mission is independent financially of the Ahmadian movement in Lahore, although it was not so in the beginning.

What do you think of Moulana Mohammed Ali of Lahore?—He is a very pious Mohammedan.

What is your opinion about Daud Shah?—I knew him only in Singapore. He struck me as a man of universal sympathies. I understand he was a good Mohammedan. He agrees with everything in the Quran.

What do you think of the Woking Mission—Is it not supported by the orthodox Mohammedans?—Oh, yes. The Woking Mission is a remarkable missionary effort. In my opinion it is inspired by Mirza to advance Islam. It is supported by Lord Headley, Syed Ameer Ali, The Begum of Bhopal, The Nawab of Hyderabad, The Nawab of Bahawalpore and other wealthy people in India and they are extremely orthodox Muslims.

Is not Syed Ameer Ali an authority on the Mohammedan Law?—Yes. He is almost the leading writer in English on Mohammedan religion and law and is recognised as such. I was present at a festival in London to celebrate the birthday of the Prophet promoted at the Woking Mission; it was attended by every well known Mohammedan in London, Egyptians, Arabs, Indians, English Pathans etc.

Re-examined by Mr. Mundell:—

Do you read the Islamic Review?—I see the Islamic Review occasionally.

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Hadji Abbas bin Hadji M. Tahar

Do the basic principles stated in that Review apply to the Sunnis?—The basic principles of Islam apply to the Shias as well as to the Sunnis.

Will you read a letter reproduced in the September Number of 1924 of the Islamic Review?—What do you think of this letter?—This letter was sent by Khwaja Kamal-ud-Din because he wanted to represent Islam as a whole. He objected to the name Sunni being written after his name. According to him there are no sects in Islam. Shias are not Sunnis but still I call them Muslims.

Would you call a man a Kaffir who believes in the basic principles of Mohammedanism?—No. I would not.

Would you call an Ahmadian a Kaffir who believes in the fundamentals of Mohammedanism and prays and gives alms?—No, I would not. If a man denies prayer and alms giving he is no more within the pale of Islam.

Have you lectured on Islamic subjects?—Yes, I have lectured a great deal on Islamic subjects.

Can you fairly say that you are a recognised authority on matters connected with the Islamic religion?—There are some people who consider me so.

Did you know the alleged libel?—No.

Did you expect to give evidence?—No. I know nothing about the defendant or why he issued the pamphlet.

Mr. Sarwar then produced to the Court Stanley's Arabic Dictionary for reference to the word "Jihad."

Mr. Mundell:—To call a person a Kaffir, is it a serious charge?—If you call a person a fool I don't mind but if you call him a Kaffir I do mind. It is serious.

Do you know that the 1st plaintiff regards the 1st defendant as a Kaffir?—No.

Do you believe the 1st plaintiff to be a true Muhammadan?—Yes.

Hadji Abbas bin Hadji Mohamed Tahar sworn states: "I live at Gaylang Road and am a Kathi of Geylang. I am the Registrar of Marriages. I am also an Imam of the Mosque."

Mr. Mundell:—Have you studied the Mohammedan religion?—Yes.

Have you studied the teachings of Mirza Ghulam Ahmed?—Yes.

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Do you know who are the 72 sects?—I cannot remember who the 72 sects are.

Have you any authority for that?—I can refer to an authority. (Witness does not know the name of the authority; a book is then handed to him by Counsel, Onnil Aqua, of which he seems to be entirely ignorant. Counsel withdrew the book from him).

What opinion have you formed as to Mirza Ghulam Ahmad from his teachings?—He was a Kaffir.

On what grounds do you say he was a Kaffir?—He claimed to be Jesus. He said he had revelation from God.

What do you mean by “revelation from God”?—Ch. IV v. 69 of the Holy Quran gives you the required definition. God sent His message by angels to the prophet and no others can get it. He also mistranslated the Quran—altered its meaning by saying that Mohammed is not the last prophet.

Have you read any books written by Mirza himself?—Never.

What is the means of your knowledge other than from Mirza's own writings?—I read that in the paper. I have never read any original writings by Mirza himself. I have read articles in magazines and books about him.

You teach the Mohammedan religion in Singapore?—Yes, in my house.

When was that?—Before I became Kathi.

Have you to pass an examination?—No, I have not to pass an examination. People asked the Government to appoint me and they did so.

Where did you receive your education?—I was educated in Mecca.

To what sect do you belong?—I am a Shafi.

You say that Mirza Ghulam Ahmad was a Kaffir, how do you come to that conclusion?—I brought a book which calls him a Kaffir. If a statement in a book is conclusive it is binding.

What is the name of the author of that book?—The name of the author of the book is not given. But now I find it is edited by Abdullah bin Hussain bin Tahar and Moulvi Mohamed Nawabi. One of them was a Moulvi

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Hadji Abbas bin Hadji M. Tahar of Mecca. I have seen Moulvi Nawabi. He was a Malay. He was the author of that statement. He was a great author. He translated the Holy Quran into Malay. He has written a commentary of the Quran. He is now dead. I met him in Mecca long ago. He was a teacher in Mecca College where I was educated.

Is this book commonly sold?—Yes.

Mr. Mundell:—I refer to Section 60 of the Evidence Ordinance and tender the book as an opinion of an expert. The book is not translated and I cannot put it as evidence yet. This evidence is admitted for what it is worth when translated.

Mr. Campbell:—I object. It has not been proved that Nawabi is an expert.

Mr. Mundell:—Is that all you know of Mirza's teachings?—Yes, although I have heard many rumours.

If Mirza claimed to be the Promised Messiah, would you call him a Kaffir?—I would consider him to be so.

What is your authority for that?—There can be no other prophet after the Prophet Muhammad. It is a saying in the Quran. (The Quran was produced). Witness:—I cannot touch this Quran because I have not performed my ablutions. I say that Mirza claimed to be Jesus, and for that I call him a Kaffir.

What does "Messiah" mean here?—It means the Prophet Jesus.

Is it said in the Quran that there will be a Messiah or Mahdi?—No, it is not said. But some people believe.

Do you believe that there will be a Mahdi?—No.

Do "Mahdi" and "Messiah" mean the same thing?—No, Jesus is a prophet and a Messiah is also a prophet.

His Lordship:—Supposing a real Messiah comes, would you call him a Kaffir?—No.

Mr. Mundell:—Have you any other grounds for thinking that Mirza was a Kaffir?—It is sufficient to make a man a Kaffir who claims to have divine revelations. Only a prophet can get divine revelations; any one who claims to get divine revelation is a Kaffir.

What authority have you to prove that?—A sentence in the Quran.

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Is there any authority in the Quran which says that a person who alters the meaning of the Quran is a Kaffir?—I cannot remember.

Have you any authority which says that the followers of an apostate are Kaffirs?—There is a book by the name of “Kaheby” which says so.

Cross-Examined:—

Mr. Campbell:—Do you know the Muhammadan prayer?—There are two kinds of prayer. Which do you mean?

The prayer in the mosque?—There are two kinds of prayer.

What are the two kinds?—One is Munasalaam and one is Munasalaat.

Is there a prayer which contains the “Quiam”?—Yes.

Is there a passage which says “O, Lord I confess my fault etc. ***”?—I have to see before I say. It is written in Arabic.

The passage reads “I have been unjust to myself and I confess my faults”?—Many people do not recite this. It is not simple to use.

Is there anything wrong with this prayer?—No.

Is it right to ask Allah for guidance? How does one get it?—I cannot answer.

What is divine revelation?—The commands of God got down by the angels or prophet.

Physically?—I do not know: it is my belief.

Is there any difference between revelation and guidance?—Guidance is different from revelation.

If I ask for guidance how do I get it?—By performing good deeds.

His Lordship:—Can you get guidance in a dream?—No.

Mr. Campbell:—Does not the Quran say that the angels descend on the believers?—No.

Mr. Campbell referred witness to Page 926 of Muhammad Ali's translation Chapter 41 verse 30. Witness persisted in his denial.

What does it state?—I will have to see the commentary before giving the meaning.

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Hadji Abbas bin Hadji M. Tahar

You cannot even translate it into Malay without the commentary, "Those who say our Lord is Allah, then continue in the right way, the angels descend upon them, saying, 'Fear not, nor be grieved, and receive good news of the garden which you were promised' "?—I cannot say that the angels said those words. I want to see the commentary. If that is the translation the grammar is wrong.

We have been told that if a person says the Muhammadan creed, answers the call to prayer and gives alms if he can afford to, no one can say he is not a Muhammadan. Is that correct?—If he claims to have got a revelation then everything else is expunged.

What is Mahdi?—Some people said that there was a Mahdi to come.

What is a Mahdi?—Mahdi means a good man who will come out and do good.

Is he coming to save the people of the world from hell everlasting or any other hell?—That is left to God. No human being can do all that.

What does the word "Messiah" mean?—Prophet Jesus.

"Messiah" means something else. What is it?—Son of Mary.

The Christians say that Jesus, the son of Mary, was the Messiah. What does Messiah mean?—I don't know anything about the Christian religion.

Is it a word belonging to a definite language?—It is not in Malay.

In Arabic?—In Arabic it is "Almaseh."

What does it mean?—The son of Mary is the Messiah.

So you cannot explain what it means?—The Quran says so and I will have to follow it.

Is it in the Traditions?—It is in the Traditions but I cannot remember it at present.

Do you teach the Quran?—No.

Have you ever been a school-master?—I taught for two or three months when another school was opened.

What did you teach?—Religious rules.

Are you learned in Muhammadan theology?—Yes.

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And you cannot explain a single verse of the Quran without referring to commentaries?—I will have to see the commentaries.

Can you teach Arabic?—A little.

Re-examined by Mr. Mundell:—

If a man obeys the commands of God, does he get His guidance?—Yes.

If he obeys all the commands of God, he will get guidance. But how does Allah give the guidance?—You will have a feeling to do good acts.

You are prompted to do good acts?—Yes.

Is it necessary in order for Allah to prompt people to do good to give a divine revelation?—No. Revelation ends with the Prophet.

With regard to the verse in the Quran you were referred to, you say that without a commentary you cannot explain it?—I am not prepared to explain that passage without a commentary.

Will you find a commentary and later tell the Court what your explanation is?—Yes.

Do you agree that if a man says his creed, answers the call to prayer and gives alms if he can, he is a Muslim?—Yes.

Suppose in addition he claims to be the Messiah, does he then cease to be a Muslim?—He becomes a Kaffir and all his deeds are destroyed.

Apart from the meaning you gave of "Messiah," is there any other meaning that you can give?—I will have to look at a dictionary.

Do you mean that you can give no other meaning except the meaning given in the Quran?—I cannot remember any other meaning except that given in the Quran.

Does the word "Almaseh" on page 154 of Muhammad Ali's translation mean any other than Jesus?—It refers to Jesus and nothing more.

Do you know of any Tradition of Islam which refers to the coming of the Messiah?—It is stated in the Traditions but I cannot remember where it is. It is a well-known fact.

Is it stated in the Traditions that Mahdi will come?—Yes. Everybody will accept the Messiah when he comes.

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Haji Abdul Halim Bin Hurta.

Were you present at the meeting held in Singapore with regard to the teachings of Ahmadies?—Yes.

You were chairman at that meeting?—Yes.

Hadji Abdul Halim Bin Hurta, sworn states:—
“I am Kathi of Telok Blangah. There are about 13 Kathis in Singapore. They are appointed by the Government under the Muhammadan Marriages’ Ordinance.”

Mr. Mundell:—Do you decide questions of Muhammadan Law in so far as they relate to marriage?—Yes.

How long have you been a Kathi?—For about 12 years.

Where were you educated?—In Java, and in Mecca and then in Java again.

How long have you been studying in Mecca?—For 5 years.

Are you learned in Muhammadan religion?—I have made a study of it for the purpose of the office I am holding but I am not learned.

Do you know that questions have arisen as to whether Ahmadies are Kaffirs or not?—Yes.

How do you know that?—I know from a paper that came from Egypt that Mirza was a Kaffir.

If a person claims himself to be the Messiah, would he be in your opinion a Kaffir?—Yes, because the Quran says Mohamed is the last of the prophets and there will be no other prophet after him.

Have you seen a Tradition to the effect that a Messiah will come or that a Mahdi will come?—I have never seen one to that effect.

Is there any Tradition that the Jesus will return to this earth?—My teacher told me so but I myself have not seen any Tradition.

Is it a teaching of the Muslims or not?—I don’t teach so.

Do you know if other Muslims do?—I have not seen; I don’t know. I don’t teach that Mahdi will come. I don’t know whether others teach so.

Have you read any of Mirza Ghulam Ahmad’s writings?—No.

How do you know that Mirza claimed himself to be a Mahdi?—I know it from a book.

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Cross-Examined:—

Mr. Campbell:—Do you teach anything?—No.

How were you appointed Kathi?—I am a Kathi appointed under Ordinance No. 26.

What are your duties?—My duties are those of a Deputy Registrar of Muhammadan Marriages. I have authority to decide questions of Muhammadan law relating to marriages and divorces. If a question of law arises I have to refer it to the Mufti under Section 24 and he decides.

Do people accept your decision?—No.

Do you get any pay?—No.

Would you call yourself an expert on Muhammadan religion?—No, I would not. I understand some and do not understand some.

Re-Examined:—

Mr. Mundell:—Is there a Mufti in Singapore?—No.

Hussain Abdeen:—sworn states: "I am an Egyptian by birth and am a merchant in Singapore and an Arabic Translator."

Mr. Mundell:—Where were you educated?—In Egypt, Turkey and Syria.

When did you come to Singapore and what did you do?—I came to Singapore in October 1914 to teach Arabic in the Alsagoff Arab School in Singapore.

Do you know Arabic?—I understand classical as well as modern commercial Arabic.

Do you know the Quran well?—I learnt the Quran by heart when a child. It is a custom of every Egyptian child to do so.

Are you an authority on Muhammedanism?—No, but I have studied it.

Have you seen Muhammad Ali's translation of the Quran?—Yes.

Is it proper to translate the Quran?—From what I learned in Egypt it is improper to translate the Quran.

What authority have you for saying that?—This is found in a verse in the Quran-Sunnat Wahad Ch: 56 v. 79 page 1040. The word "purify" means "Muslims." From the Muslims' point of view it is improper to translate the Quran.

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You have prepared a list of neologies of the Quran as found in Muhammad Ali's translation of the Quran?—Yes.

The list was put in and marked 37.

You have sent a copy to Egypt, have you not?—Yes, to be authorised and reprinted. My list refers to essentials.

You said you are a qualified teacher, what are your qualifications?—I hold diplomas as a teacher in Egypt and these diplomas were given by the Government. I was qualified to teach the primary and secondary English and Arabic schools.

Do schools in Egypt teach religion?—Yes, all of them. In the primary schools all must learn the religion of the State which is Islam.

When you came here what did you teach?—I taught Geography, English and other subjects but I did not teach religion.

Have you made a study of the Muhammadan religion?—Yes, I studied the Quran by heart and studied the Muhammadan religion generally.

Have you studied any of Muhammad Ali's books?—Yes. "Muhammad and Christ," "Teachings of Islam" by Mirza Ghulam Ahmad.

In which of these books did you find that Mirza claimed himself to be the promised Messiah and the Mahdi?—In the preface of the "Teachings of Islam." I have studied in Arabic books in which quotations are made with reference to this.

Can you point to any passages in that book "Teachings of Islam" to which you can take objection?—No, not a single passage.

Did you not write to the Al-Azar University with reference to this matter?—Yes.

Is it a well-known university?—Yes.

What does it teach?—It teaches a variety of subjects besides languages, logic and modern science. In this university we have the theologians of Egypt.

Is this university a long established one?—It is a very old university and established in the 3rd century.

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Do they teach the religion of Islam?—Yes, they have a great reputation for the teaching of the Islamic religion.

Has it power to pass fatwaha?—Yes.

Is it recognised by the Government?—Yes. It is there that Muftis and Kathis pass their examinations. It forms a Government department. It is a department under the Ministry of Wakfs.

Will you explain to His Lordship the practice in giving fatwaha?—A number of learned men meet together and the Chancellor, the most learned of them, divides these people into two parties—one in favour and one against. Then they have arguments about the matter. They produce their principles. If the plaintiff wins he will become defendant for the second meeting. If the plaintiff in both cases wins, then he gets the decree.

Two letters were produced.

Translation No. 2-2-26.

Singapore, 7th March, 1924.

The Honourable, highest Teacher, Shaikh (Chancellor), the honoured Al-Azhar Mosque (University).

After kissing your precious hands, I pray (you) to advise me as to the noble (Mohammedan) law in connection with:—

(1) Are Mirza Ghulam Ahmad of Qadian “founder of the Qadian creed” and his followers Moslems or not? And what is the Judgment of (in favour or against) those who help in spreading abroad this creed even financially?

(2) Publication of the Holy Quran in Arabic together with its translation and commentaries in English in which the word “ma” is omitted in the verse “Abiding therein as long as the heavens and the earth ***** etc.” The verse of the Sura (chapter) Hud in the Arabic text, after noting that many copies of it are sold and it is impossible to collect the same for correction.

Pray accept the greatest respect.

Your obedient student,

Sd. Hussain Abdeen.

X Seal of the General Secretariate of the Presidency
of the High Council of Al'Azhar.

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Hussain Abdeen

1st. April, 1924.

Petition No. 236.

No. 5/26/1.

To be informed about his creed and beliefs so this may be answered.

26th. Shaaban, 1342 1-4-1924.

President of the High Council of Al-Azhar.

X Seal (Mohammed Abu-I-Fadle).

This Letter is translated from Arabic into English at 730, North Bridge Road, Singapore, by me. (ABDEEN)

Singapore, 22nd. Ramadan, 1342 27th. April, 1924.

The Honourable, my highest Teacher, Shaikh (Chancellor), Al Azhar the honoured Mosque (University).

Peace be on you and the mercy of Allah and His blessings. In reply to your enclosed letter No. 236 dated 26th Shaban, the last month, I beg to state that Mirza Ghulam Ahmad of Qadian claims to be the Mahdi and the Promised Messiah and that our master Jesus, sal'am (peace be on him), died and was not raised and shall not return; and that our mistress Mary was not virgin when she carried with Jesus, sal'am, but this "our master Jesus, sal'am" was born from a father and a mother just as others (are born), and has brothers; and has commented on the saying of the Exalted One "Guide us on the path to whom Thou hast been gracious" as a prayer with which a Moslim prays Allah, the Exalted One, to bestow upon him just as He has bestowed upon those whom He has been gracious to; and that hell is not everlasting; and that it is not permitted to pray behind them who do not believe him; and many other (things). Is a man like this a Moslim or an infidel? And is the person who believe him a Moslim or an infidel? And is the person who helps, financially, in spreading abroad his teachings a sinner or not? And what is the judgment in connection with the publication of the Quran mentioned under para 2 in my enclosed letter dated 7th. March, 1924, after noting that all the above beliefs and other (things) are mentioned in this publication, which also contains falsification in the translation in many places? A prompt answer is very much hoped for as the community here have differed in a fearful difference (fearfully) Pray accept the greatest respect.

Yours obediently,

Sd. Hussain Abdeen.

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No. 104—33-1.

To be shewn,

To be shown to the Honourable the High Teacher
(Chancellor). Sd. Illegible.

A Seal of the General Secretariate of the Presidency
of the High Council of Al-Azhar.

19th. May, 1924.

No. 137/33-1.

Whereas it is mentioned in the question that he claims to be the Mahdi the Promised Messiah; and that Jesus was not raised and has a father and a mother like other persons have; and that the mistress Mary was not virgin when she carried with Jesus; and alters the Quran by omitting some words from it; and translates the Quran into English and adds this translation to the Quran and comments on "Guide us on the straight path" as he has commented thereon; and that it is not permitted to pray behind them who do not believe him to be the Promised Messiah; therefore he is an infidel and not a Moslim; for what (the reasons) mentioned (hereinbefore), and it is neither permitted to pray behind him nor to help him in spreading abroad his claims; and who helps him is a sinner. Allah is the best Knower.

16th. Shawwal, 1342 20th. May, 1924.

Shaikh (Chancellor) of Al-Azhar Mosque (University) and President X Seal (Mohammed Abu-I-Fadle).

This Letter is translated from Arabic into English at 730, North Bridge Road, Singapore, by me. (ABDEEN).

February, 1926.

Singapore,

February, 1926.

Do you know the seal of the Chancellor of the University?—Yes.

Is this document sealed with his seal?—Yes.

Mr. Campbell:—My Lord, I object to this document going in on the ground that it is the decision of some authority about which only the witness knows, on a case stated by himself which is inaccurate.

His Lordship in admitting the documents remarked that the documents were taken for what they were worth and as the opinion of the University on a case stated.

The Court Adjourned.

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Hussain Abdeen

Eighth day—Thursday, 25th February, 1926.

Mr. Abdeen continued his evidence on former oath.

Mr. Mundell:—Are you the Secretary to the Religious Advice Committee of the United Islamic Association?—Yes.

Can you name the 73 sects of Islam?—Yes, the 73 sects of Islam can be named. The point is that the general opinion should be that of the 73 sects.

Have you not written three manuals on the Muhammadan religion?—Yes, they are printed by the Government Educational Department. These are used in schools.

How do these sects differ?—By opinion and by practice.

Do “Messiah” and “Mahdi” mean the same thing?—The Muhammadan community believe that a “Messiah” is not a “Mahdi.” Very few believe that “Mahdi” is the same as the Prophet Isa.

Is the coming of Jesus mentioned in the Quran?—No, it is mentioned only in the Traditions.

What are the Traditions?—They are some sayings of the Prophet.

What are the authorities?—Arbean-al-Arbean and Mishgam-tum-Mishgam.

What is the difference between the “Messiah” and the “Mahdi”?—Almessih is Prophet Isa known as Jesus. Mahdi is the descendant of the Prophet only. Very few people believe that “Mahdi” is “Messiah.”

What is “Messiah”?—Prophet Isa.

Can you refer to any authority in the Quran as to differences between the prophets?—There are no differences between the prophets.

Is there any proof of Prophethood in “Baroz”?—There is no proof at all of prophethood in “Baroz.”

What is the meaning of “Baroz”?—“In the shape of” if you want to take it. In “Muhammad and Christ” it is said that Mirza was the son of Mary. Mirza said “I have therefore been named the son of Mary.”

His Lordship:—It explains that he was the spirit of Jesus himself.

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Mr. Mundell:—My Lord, the previous pages show this claim of Messiahship. Mr. Sarwar says that Muhammad Ali believes that: but Mirza did not claim to be the Promised Messiah. Page 156 of "Muhammad and Christ."

His Lordship:—According to this Mirza did not claim to be Prophet Jesus. You said that all believe that Mirza was to be the prophet Jesus. If (Jesus) comes back again Muhammad is not the last prophet. Mirza said, "I represent the spirit of Jesus and Muhammad was the last prophet"?—There can be no prophethood in "Baroz."

Mr. Mundell:—As to the test of the person who is a Muslim what text of the Quran do you refer to?—Chapter 9 verse 21. A Muslim is one who believes in five principles. You must fight against those who act on more than five principles.

His Lordship:—You are coming to Jihad now?—A believer is another thing than a Mussalman.

Mr. Mundell:—What is the difference between a believer and a Muslim?—A believer is one who believes by heart; a Muslim is by saying only.

What is your authority for that?—Chapter 9 verse 29.

Are these all the duties of a Muslim?—Yes, some of them.

What are the verses as laying down the duties of a Muslim?—There is no verse. There are some religious principles. They mention that the believer must believe.

What must a believer believe in?—A believer must believe in God, Angels, books, apostles, last day, fate—"books" means "holy books"—and resurrection.

What is the practice?—Zakat is practice. The practice is that a person must believe that God is One and Muhammad is the apostle; a person must practise prayer, give Zakat, practise fasting, and perform Haj if he is able.

Can a man who does these things become an unbeliever?—Yes. If he believes and practises, then he is a Muslim. He can be called an unbeliever if he does not believe.

Are there any passages in the Quran which refer to unbelievers?—Chapter 49 verse 14 page 993 in the Arabic words "We are Muslims." It is one of the mis-translations. Muhammad Ali translated the "Aslam" without the "Alif." This proves the difference between a believer and a Muslim. Page 499 of Sale's translation.

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What is a Muslim?—If a man says that he is a Muslim and practises, then he is a Muslim. There is another verse, Chapter 2, verse 3, page 13.

Supposing a person believes in these things and practises them, can he be a believer?—We have no power to judge whether he is a Muslim or not.

How can you say that?—If a man practises the five principles and does not do anything against the Quran and Traditions then he is a Muslim. If a person alters the Quran, does anything against the Traditions or if he follows him who claims prophethood or allows that there is prophethood after Muhammad, he becomes a “Murtad” or “Kaffir.” (“Murtad” means apostate).

What is your authority for that?—Quran, Chapter 9 verse 74

His Lordship:—You always put a verse of the Quran which has nothing to do with your contention. You have not produced a single verse to show that Mirza was a Kaffir?—I am also proving that a Murtad is also a Kaffir. Chapter 2, verse 217, page 78. This refers to Murtad as well as to Kaffir.

Mr. Mundell:—How does this word “Kaffir” then referred to in the alleged libel apply to infidels? What does it mean?—“Kaffir” means apostate.

What is the essential difference between divine revelation and guidance?—Guidance is inspiration. Divine revelation is sending a certain person to be a prophet, known as “Rasul” in Arabic. Guidance always by inspiration without the intervention of angels or actual voice. Divine revelation by angels or by hearing actual voice as in the case of Moses.

Have you got any Quranic authority for that?—Chapter 42, verses 51 and 52 pages 940 and 941.

When did you leave Egypt?—In 1911. I went back in 1914.

Was there any opposition against the Ahmadies in Egypt?—Yes, prior to my leaving Egypt and not in writing.

Were the Ahmadies accepted as Muslims or not?—No, they were not.

Have you kept yourself in touch with the movement in Egypt since?—No.

Muslim Libel Case.

Hussain Abdeen

Do you read any books or reviews?—Yes. I have kept myself informed by religious reviews.

Do you know from those reviews any action was taken against Ahmadies?—The Holy Quran by Muhammad Ali was banned in Egypt by the Egyptian Government.

You were in Java, were you not?—I was there three years ago.

When you were in Java, was there any opposition against the Ahmadies?—Yes, there was and there is now also.

Was it the result of your own observation?—Yes.

Cross-examined by Mr. Campbell:—Are you an orthodox Muslim?—Yes.

If any person call you a Kaffir, will you take offence?—Certainly, without giving proof.

If any person hold you up rightly or wrongly as Kaffir, does that hold you up to the contempt of the Muslims?—If rightly, yes; if wrongly, no.

What were you before you came here?—I was in the Government service.

What position did you hold in the Government service?—I was an auditor and a teacher.

Do you agree that the real objects of Islam are to propagate the Unity of God and abolish idolatry?—Yes; one of the objects.

Will you refer to Chapter 3 verse 63 of the Quran? Will you also refer to Chapter 40 verse 66 and, bearing in mind these two verses, is it correct to say that he who believes in God and does not associate anyone with Him and worship God only, is a Muslim and according to the Quran, that he is called Muslim by God and the prophet and he cannot be excluded from the pale of Islam?—If he believes in God and does not practise other principles, he is not a Muslim, Chapter 8 verse 2. A believer, I have said, is entirely different from a Muslim—from a true Muslim.

His Lordship:—Unfortunately you are undertaking to make a difference between Muslims and believers.

Mr. Campbell:—Have you studied Urdu?—No.

Or Persian?—No.

Have you ever read a single work from the writings of Mirza in the original?—No.

Evidence for Defence.

Hussain Abdeen

How long ago did you see the pamphlet containing the alleged libel?—Only last month.

Have you assisted the defendant in the matter of giving instructions in the defence with regard to the doctrines of Mirza?—Yes.

May we fairly say that you are an expert, to the very best of your knowledge?—I cannot say I am an expert but I have studied the Muhammadan religion.

When the case started were you aware of the division of the Ahmadies?—Yes.

When did this split take place?—More or less in the year 1914.

What was the cause of this split?—Money, money; this is my belief.

How did you come to that conclusion?—I judge it from their own movements, collecting money and fighting against each other.

Do you believe that Muhammad Ali correctly states the case in Volume IV of the Ahmediyya Movement?—No.

Can you say whether any of the books published by Muhammad Ali was published during the life-time of Mirza Ghulam Ahmad or after his death?—No, I do not know for certain.

Have you read the works of Khwaja Kamal-ud-Din?—Yes, some of them.

Does he believe in the fundamentals of the Muhammadan religion?—He professes the five principles, may be.

Have you met Khwaja Kamal-ud-Din before?—Yes, I have met him in Singapore.

When you met him had you reason to believe that he was not a Muhammadan?—When I met him, I resigned from the Committee.

How did you come to this remarkable decision?—This man Khwaja Kamal-ud-din was not the Khwaja Kamal-ud-Din whom I expected. I did not know that this Khwaja was from Woking.

Did you not attend the dinner given in his honour?—No, I did not attend that dinner.

Were you a member of the Moslem Association?—Yes.

Muslim Libel Case.

Hussain Abdeen

Were you not in the Committee of the Moslem Association?—No, but I was asked by Alli Khan Surattee and Ahmad Alhindi to join the Reception Committee for entertaining Khwaja Kamal-ud-Din.

Are you quite sure that this Khwaja Kamal-ud-Din was not the one whom you expected?—I have sworn that this Khwaja was not the Khwaja of India.

Did you say that the plaintiffs are Kaffirs?—They are Kaffirs.

Do you admit that they were once before Muham-madaus?—No, I have not met them.

Have they denied the Unity of God?—No.

Have they denied that Muhammad was the last prophet?—No.

Upon what do you base your opinion that they are Kaffirs?—From what I have seen in the notice that they are practising against Islam.

How does one become a Kaffir?—A Kaffir is a follower of a man who claimed to be a prophet—according to the writings of Muhammad Ali. Mirza, according to the writings of his followers, claimed to be a prophet and therefore was a Kaffir. The followers of a man who alters the Quran, Muhammad Ali, are also Kaffirs. One who denies the traditions is also a Kaffir.

What are traditions?—Traditions are sayings of Muhammad the Prophet, as interpreted by the four Caliphs.

Do the Shias accept the traditions as passed down or interpreted by the four schools of the Sunni?—No.

Is it possible for any Sunni to follow and believe absolutely all the four Imams?—I know nothing about it.

Do you suggest that Muhammad Ali deliberately altered the Quran?—If a man alters one word in the Quran, he becomes an infidel. This is stated in Chapter 11 verse 107 page 472. The word "Mah" is omitted in the first edition.

Is it altered in the second edition?—No.

What does the word mean?—The word means "as long as". The English translation means nothing to me.

Do the traditions say that in every century there shall be a revivifier or regenerator of the Muhammadan religion?—It exists, it is a very poor tradition. Traditions written by trustworthy persons are good but those written by untrustworthy persons are poor.

Evidence for Defence.

Hussain Abdeen

Have you kept yourself in touch with Muhammadan life in Egypt?—Yes.

Do you know of the visit of Lord Headley in Egypt?—Yes, on his way to Mecca.

Was he not accompanied by Khwaja Kamal-ud-Din?—Yes, he was accompanied by Khwaja Kamal-ud-Din.

Was not Lord Headley well received there?—Yes, because Lord Headley belongs to the Royal Family.

Were they allowed to go to Mecca and Haj?—Yes.

Were they allowed to pray in the House of God?—Yes.

When did this take place?—In 1923, and the newspapers attacked Khwaja Kamal-ud-Din.

Have you read Lord Headley's Cairo speech?—No.

How do you remember that it was in 1923 that they went to Mecca?—In 1923 there was war between the Sheriff and the Wahabis.

Do you hear people objecting to their (Wahabis') praying in the mosque?—No. They are very fanatical Sunnat Jama'at. They are real orthodox Muslims. I would not call them Kaffirs.

Mr. Campbell:—But Wahabis are not a sect; they are a tribe.

Witness:—What authority have you to say that?

Mr. Campbell:—In a Privy Council Case.

Witness:—Which Privy Council?

Mr. Campbell:—The Privy Council of England.

Mr. Campbell:—Can you produce the names of the 73 sects of Islam from any authorised books?—No, I cannot.

RE-EXAMINED:—

What is the difference between a believer and a Muslim?—A believer, (Mumin) is different from a Muslim, (Muslimien), a submitter.

Do you know any reference in the Quran which says that "Whoever believes is a Muslim."?—I do not remember the verse.

Have you read Muhammed Ali's book "The Ahmediyya Movement" Volume IV?—No. I have not seen it.

Muslim Libel Case.

Hussain Abdeen

Can you say, of your own knowledge, that the plaintiffs are Kaffirs?—I cannot say that. I do not know of their actions, but I know by reading something in the notice.

If the alleged libel is true, would you confirm the opinion that the plaintiffs are Kaffirs?—Yes. I never intended to say that they are Kaffirs.

If a man adds to the Quran one letter, accepted by all believing that it is from God or omits one word, can you call him a Kaffir?—Yes, he is a Kaffir.

What authority have you for saying that?—Here is the authority. (Witness produced an authority, Khorat-ou-nil). This is a great authority, called "The Chapter of Apostates" accepted by the whole of Sunnat Jama'at as an authority.

His Lordship:—Does it say whether it makes any difference whether this is accidental or not?—No, that would not make any difference.

Mr. Mundell:—Does Muhammad Ali's translation omit anything essential?—No. This applies only to a written copy of the Quran.

His Lordship:—Do you mean to say that any statement in the Book, however extravagant, should be accepted taking the principle of evidence?

Mr. Mundell:—This book is recognised by everyone. It is a fundamental principle of the Muhammadan religion not to omit or mistranslate the Quran.

His Lordship:—You must understand that the Quran is printed by human beings.

Witness:—Yes, My Lord, but he must not alter a word of it even accidentally.

Have you read the commentaries of Muhammad Ali?—Yes, most of them. I have prepared a list of neologies.

Mr. Mundell:—What is your opinion about the translation of Muhammad Ali and his commentaries?—From my own view the translation and the commentary are worth nothing.

Do the commentaries throw any light on the doctrines of the Ahmadies?—Yes, the commentaries do throw some light on the doctrines of the Ahmadies.

If you are called a Kaffir rightly or wrongly, are you held up to contempt and hatred?—Yes.

Evidence for Defence.

Moulvi Mohamed Suleiman

Moulvi Mohamed Suleiman sworn states:—I live in Tapah, Kuala Lumpur. I was educated in the Islamia Madrasah, Allahabad, India. I was educated for the career of preaching religion. I passed the Maulvis' examination. I am entitled to be called Maulvi.

Mr. Mundell:—Have you made a study of the Quran?—Yes.

Are you a Hafiz?—No.

Do you know anything about the Ahmadies?—Yes, I have some knowledge of the sect known as Ahmadies. They are commonly referred to as Ahmadies and Qadianis and as Mirzaies in India.

What does "Qadiani" mean?—Ordinarily "Qadiani" refers to a man of Qadian. It would also mean that he is a follower of Mirza Ghulam Ahmad of Qadian.

What is your native language?—My native language is Punjabi. I undertsand Urdu also. I can read and write it.

Have you made a study of Mirza's teachings?—Yes, I have made a study of some of Mirza's teachings.

Which books of Mirza have you studied?—The names of the books of Mirza that I have studied are Izallauhan, Haqiqatul Wahi, Tazukulmuram, Nazulimasih, Sermachashmanya, Burhanahmadiyya and some others which I cannot remember. These publications as far as I know he wrote in his earlier days. Burhanahmadiyya was taken to be a famous book at the time of its publication. Later he published Izalihuan and therein he claimed to be a Prophet and claimed to have seen some revelations.

Have you got that book here?—No, I have not got that book here, but I have another book here—Luzzadaum-mur. In that he claimed to be the Promised Messiah in page 60.

Mr. Campbell:—My Lord, I object to this evidence going in.

His Lordship upheld the objection.

Mr. Mundell:—In which languages did Mirza publish his books?—In Arabic, Persian and Urdu.

Do you understand Arabic?—Yes, to a certain extent. It is written in the Arabic used in the literature of the Muslim religion.

Muslim Libel Case.

Moulvi Mohamed Suleiman

What does it say?—It reads:—“Verily He (God) has made him the Promised Messiah and Mahdi.” And on page 66 he says “I do not say this word from my own desire but it is nothing but a revelation from the Sustainer and the High Heavens; it has been revealed by my God.” The word similar to this appears in the Quran in chapter 20 verse 4, when Muhammad claimed to have had a revelation. “A revelation from Him Who created the earth and the high heavens.”

His Lordship:—Mirza is only making a quotation?—The quotation appears to be in the words of Mirza. The Luzzadaumaur from which I am quoting was published in 1910.

Have you listened to any part of the evidence in this case?—Yes, I have listened to a portion of the evidence in this case.

Referring to the Indian Law Reports, Madras Series Volume XLV. page 986 where the differences between Ahmediyyas and the non-Ahmediyyas are set forth, Mr. Mundell asked witness whether No. 1 difference was a fair statement.

Witness:—I think No. 1 difference is a fair statement. Revelation is referred to in the Quran as “Wahi” and as for the other word “guidance” it is stated in the traditions with the name of “Ihal.” “Hadith” means “guidance in the right path.” See Chapter on “Rakaat.” The prayer contains the same words like this. The word is “adimin”—“and guide me.” It is quite different from the word “Wahi.”

What would “asking for guidance” then mean?—It would mean “asking for the right path.”

What would “with whom God spoke and since then He has not spoken to and will not speak to any one till the end of time,” mean?—It would mean that he was the last prophet who received revelation from God through angels. The non-Ahmadies believe that God communicated with the Prophet Muhammad through angels.

Since the time of the Prophet how has God communicated with any person?—It is hard for me to answer that question because I see from the teachings of the Quran that communications have ceased at the time of the Prophet. “I have completed your religion and bestowed it upon you.” It is admitted that Muhammad was the last prophet to receive the divine law.

Evidence for Defence.

Moulvi Mohamed Suleiman

Do you know of any particular sect of the Muhamadan religion who say that God has had communion with His Holy servants since the death of Muhammad?—No, but I know many say that there is still communion with God. It is not admitted by the Ahl-i-Sunnat-wal-Jama'at.

His Lordship:—If the Ahmadies believe there is communication with God, are they Kaffirs?—Yes, they are Kaffirs. The Ahl-i-Sunnat-wal-Jama'at hold that God has given final law for guidance. We have to follow the teachings of the Quran.

Mr. Mundell recounted the opinion of Hafiz Ghulam Sarwar concerning divine revelation and guidance.

What are the essentials of divine revelation?—An angel appeared upon the prophet and taught some passages of the Holy Quran and instructed him to have them read to his people and nation.

Where is this mentioned?—It is in the tradition of Bukhari.

Is there a passage in the Quran which says anything to this effect?—Chapter 42, verses 51 and 52. According to my view, if the Ahmadies believe that there can be a communication between Allah and His holy followers, then they are believing something contrary to the teachings of the Quran. I should say so.

Mr. Mundell:—You say it is sufficient to make them Kaffirs?—Yes, it is as if they do not believe in the Holy Quran and the word “Kufr” is applicable to them.

Is the 2nd point of difference correct?—Yes, this is a correct statement.

What is the objection from the non-Ahmadies' point of view to the Ahmadiyya doctrine in paragraph 2?—We say that prophethood is perfected in Muhammad, referred to in Chapter 33 verse 40. “Khatum” in Arabic means finished.

Is it a fact that Muhammad Ali's party admit that true prophethood ended with Muhammad?—Yes. The difference lies with the Qadiani party and the other party of the Ahmadies.

Muhammad Ali holds that Mirza was a Nabi in “Barroz”?—No such Nabi is referred to in the Quran or traditions to my knowledge. As to the beliefs of the Sunnat-wal-Jama'at there is no prophet of any kind after the Prophet Muhammad. This is supported by the two famous traditions of the Bukhari, one of the well-founded traditions.