

Submitted by Ikram

Article – 260 - (3) of Constitution of Pakistan – an analysis

Article – 260 - (3)

In the Constitution and all enactments and other legal instruments, unless there is anything repugnant in the subject or context

*(a) “Muslim” means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets, and does not believe in, or recognize as a prophet or religious reformer, any person who claimed or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him); **and***

(b) “non-Muslim” means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community, a person of the Qadiani Group or the Lahori Group who call themselves ‘Ahmadis’ or by any other name or a Bahai, and a person belonging to any of the Scheduled Castes.

Lets dissect word by word the human hand in the above document

Article – 260 - (3)

In the Constitution and all enactments and other legal instruments, unless there is anything repugnant in the subject or context

— This will be addressed at the end.

(a) “Muslim” means

— by using the word *means* instead of “is” clearly shows that constitution does not define but interprets the definition of a Muslim. The Constitution does not take responsibility of calling anyone a Muslim. Interpretations vary between different interpreters. Hence the article fails in its opening words. Essentially, constitution defers the definition of a Muslim to other sources. I believe it defers it to Quran, else I am afraid Munir Inquiry Report of 1953 pages 215 & 218 will kick in where it concludes that if left to individuals and sects, then every other school of thought is a non-Muslim.

a person who believes in the unity and oneness of Almighty Allah,

— This applies to whole of Ummah as it *believes in the unity and oneness of Almighty Allah,*

in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets,

— I believe Lahori Ahmadis’ are probably the only people in the entire Ummah who actually believe and stand up for and suffer from their belief in *unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets,* because they

deny the return of Jesus after Muhammad, which on the contrary most of Ummah not only believes but is waiting for. Clearly this article so far considers Lahoris as the only Muslims on the planet earth.

and does not believe in, or recognize as a prophet or religious reformer, any person who claimed or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him); and

— This sentence refers to claimants in the past, present or future. It does not apply to Lahoris because by their belief they steer off all this. It clearly targets the future claim of prophet-hood by Jesus *in any sense of the word or of any description whatsoever*. Thus it tells Ummah that if you believe in possible coming of Jesus, then you cannot be a Muslim. It gives me a Eureka! moment, because by a Divine hand, Mirza Ghulam Ahmad's message has been embedded in the supreme law of the land. Allah-o-Akbar!

Between sub-clauses (*a*) and (*b*) there is tie-in usage of **and**, which can mean linguistically continuation of (*a*) into (*b*) or mathematically where both (*a*) and (*b*) have to be true simultaneously [this is simply discrete mathematics logic]. If the former interpretation is taken, then (*b*) is a simple continuation of the thought from (*a*). But if the **and** is conditional, then mathematically it is not possible and instead it should had been “or” or “not-and” i.e. NAND, because one cannot be a “Muslim” and “non-Muslim” at the same time. Yet even this holds true because a Mullah in (*a*) is a non-Muslim, claiming to be a Muslim and of course he is also a non-Muslim by (*b*), see later.

(b) “non-Muslim” means

— again *means* is used instead of “is” which is subject to interpretation.

a person who is not a Muslim

— So far the article makes the full assumption that it has defined *Muslim* in (*a*) above, which obviously declares most of Ummah, including the writers of the clause as non-Muslim, except Lahoris. Thus all such persons who got their definition of non-Muslim from (*a*) are included in the current sub-clause (*b*).

and includes

— Another fundamental error in overall design of the clause as it uses the word *includes* instead of “excludes” thus they include under *includes* all the implied non-Muslims from (*a*) i.e. most Ummah except Lahoris.

a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community,

— by addressing other religions, this “Islamic” constitution mocks itself. None of *Christian, Hindu, Sikh, Buddhist or Parsi community* wants the honorific title of a “Muslim.”

a person of the Quadiani Group

— let *Quadiani Group* speak for themselves.

or the Lahori Group who call themselves 'Ahmadis' or by any other name

— Lets say the *Lahori Group* change their name to Muhammadi Group. How will the constitution then equate Muhammadi to *Lahori*, because (a) does not mention any claimant by his/her name. It is plain ridiculous and non-implementable.

or a Bahai, and a person belonging to any of the Scheduled Castes.

— I feel sorry for *Bahai* as they never got heard in the National Assembly, no matter how much of a mockery of justice it was to begin with when these clauses were inserted. By including them the Constitution is degrading itself to a level of nothing more than a fatwa, the same fatwas that the conclusion in the Munir Inquiry Report was all about i.e. the eagerness to call others non-Muslims.

Now going to the very beginning of the Article:

Article – 260 - (3)

In the Constitution and all enactments and other legal instruments, unless there is anything repugnant in the subject or context

— Lets hold the hands of the constitution to the fire where it states *unless there is anything repugnant in the subject or context*. So far the very existence and formulation of these clauses is nothing but *repugnant in the subject or context* and under its own authority, the Constitution of Pakistan expunges *Article – 260 - (3)* from itself.

Pakistan, I feel sorry for your soul, which is under foster care of Mullahs. I apologize to Allamah Iqbal, Muhammad Ali Jinnah, Liaquat Ali Khan and numerous others who struggled for a country, and the millions who shed their blood for creation of this country. May Allah have mercy on all of us.