

Present Blasphemy Law is against Quran & Sunnah

Two bitter Truths about present Blasphemy Law:

1. Up till now, not a single person has been hanged according to orders of the courts, but 10 people have been killed extra judicially by the mobs ([link](#)).
2. In 110 cases of Christians 80 cases have already been decided by courts that they had been wrongfully accused of blasphemy. But these 80 innocent people became free only after 8 to 10 years of prison. That practically destroyed whole of their life and as well as of their Families who had been treated with extreme hatred in the society. It is a great crime against humanity, but our Ulama are still not ready for any amendments in this law. Please see this video .

There are 2 more interpretations presented by Ulama which are totally against “Shariah” and making things worse in the society.

1. Firstly upon even a small charge, under this law one has to be killed. While the proven “Sunnah” of Prophet (saw) was to show patience instead of killing, he (saw) used to do “Dua” to Allah to show guidance to such people.
2. Secondly, according to interpretations of Ulama, there is no space of “Forgiveness & Repentance”. If some one has done a small mistake (even by chance) then according to present Law neither his repentance be accepted nor he could be forgiven and he will be killed in every way. This interpretation by Ulama is also directly against the proven “Sunnah” of Prophet (saw) and his Companions (Sahaba). Both Prophet (saw) and his Companions gave chances of “Forgiveness and Repentance” and there is not a single proof that they killed for first time small charge. No, instead of this, they prayed to Allah for guidance.

If only Ulama correct themselves upon these 2 Issues, then it will completely stop the misuse of this law.

Those Incidents from Sunnah, which Ulama neglect and don't learn lesson

Problem is this that today in our society our Ulama are narrating only one sided incidents, while those incidents from “Sunnah” which present the other side of picture, they are totally neglected by them. It is very unfortunate that this proven “Sunnah” of Prophet (saw) is neglected by Ulama this way.

1st: The Incident of Old woman

We all know this incident and these are Ulama who have included it into our Curriculum Text Books. Right from childhood we are taught this incident. Prophet (saw) is “Rehmat-ul-LilAlimeen” and he (saw) didn't kill that old lady who used to throw garbage upon him. No, but he (saw) treated her very well and thus she accepted Islam.

Now either Ulama should learn a lesson from it, or please remove this from our Curriculum Text Books while normal people like us read this incident, then we start looking Prophet (saw) as “Mercy” for whole mankind and we are unable to digest the present Ulama made Blasphemy law. And when we criticize this law, then immediately comes the Fatwa that we are agents of West and traitor to Islam etc.

2nd: The Incident of Ta'if

When the incident of old woman is present to them, then they make an excuse that perhaps Islam was not in power at that time and thus old woman was not killed.

But this incident of Ta'if refutes them. In Ta'if Prophet (saw) was not in complete power as Allah sent angel Jibrael (as) to help him. And Jibrael (as) asked for permission to destroy the people of Ta'if, but look at Prophet (saw) who had been brutally injured by people of Ta'if (which is much bigger sin than oral insult), but still he (saw) didn't like that people of Ta'if being killed, and he (saw) kept on praying to Allah to guide those people. Now tell us if oral insult is bigger crime or to brutally injuring by throwing stones? But Prophet of mercy (saw) was still not ready that they be killed.

[Sahih Bukhari, Volume 4, Book 54, Number 454:](#)

Narrated 'Aisha:

That she asked the Prophet , 'Have you encountered a day harder than the day of the battle) of Uhud?' The Prophet replied, "Your tribes have troubled me a lot, and the worse trouble was the trouble on the day of 'Aqaba when I presented myself to Ibn 'Abd-Yalail bin 'Abd-Kulal and he did not respond to my demand. So I departed, overwhelmed with excessive sorrow, and proceeded on, and could not relax till I found myself at Qarnath-Tha-alib

where I lifted my head towards the sky to see a cloud shading me unexpectedly. I looked up and saw Gabriel in it. He called me saying, 'Allah has heard your people's saying to you, and what they have replied back to you, Allah has sent the Angel of the Mountains to you so that you may order him to do whatever you wish to these people.' The Angel of the Mountains called and greeted me, and then said, "O Muhammad! Order what you wish. If you like, I will let Al-Akh-Shabain (i.e. two mountains) fall on them." The Prophet said, "No but I hope that Allah will let them beget children who will worship Allah Alone, and will worship None besides Him."

3rd: The Incident of mother of Abu Hurayrah

Do you remember the incident of mother of Hadhrat Abu Hurayrah when she uttered some insulting words for Prophet (saw), and upon that neither Abu Hurayrah killed her nor Prophet (saw) ordered for her killing. No, but Prophet of mercy (saw) did "Dua" to Allah to show her the right path.

[Sahih Muslim, Book 031, Number 6082:](#)

Abu Huraira reported: I invited my mother, who was a polytheist, to Islam. I invited her one day and she said to me something about Allah's Messenger (may peace be upon him) which I hated. I came to Allah's Messenger (may peace be upon him) weeping and said: Allah's Messenger, I invited my mother to Islam but she did not accept (my invitation). I invited her today but she said to me something which I did not like. (Kindly) supplicate Allah that He may set the mother of Abu Huraira right. Thereupon Allah's Messenger (may peace be upon him) said: O Allah, set the mother of Abu Huraira on the right path. I came out quite pleased with the supplication of Allah's Apostle (may peace be upon him) and when I came near the door it was closed from within. My mother heard the noise of my footsteps and she said: Abu Huraira, just wait, and I heard the noise of falling of water. She took a bath and put on the shirt and quickly covered her head with a headress and opened the door and then said: Abu Huraira, I bear witness to the fact that there is no god but Allah and Muhammad is His bondsman and His Messenger. He (Abu Huraira) said: I went back to Allah's Messenger (may peace be upon him) and (this time) I was shedding the tears of joy. I said: Allah's Messenger, be happy, for Allah has responded to your supplication and He has set on the right path the mother of Abu Huraira.

Is this proven "Sunnah" of Prophet of mercy (saw) is not enough for our emotional brothers to stop spilling the blood upon small things and they should show patience and do "Dua" to Allah to show guidance to the people?

These people have become so mad in their emotions that recently a Doctor threw a visiting card in dustbin, and he was sent to

prison on charge of Blasphemy while the name of that visitor was Muhammad and it was written upon that visiting card.

4th: Prophet (saw) forgave even Hakam bin Abi al-'Aas on his deathbed

What to talk about small issues, the Prophet of Mercy (saw) even forgave a wicked person like Hakm bin Abi al-'Aas.

He accepted Islam after the victory of Mecca. When Prophet (saw) used to say some thing to his companions secretly, he used to hear them and then spread them to others and thus Munafiqeen were able to know all these secrets.

He used to imitate and ridicule the Prophet in the way he walked. The Prophet one time looked at him while he was being imitated and said: "This way you will be." Hakam immediately started shaking and continued that way until he died.

But Hakam still didn't give up his bad habit of teasing Prophet (saw). One day Prophet (saw) was lying in house of one of his wife. This cursed Hakam came and tried to look through the hole of door. Prophet (saw) recognized him. He (saw) came out and said: "Who is going to save me from this dirty person"? Then Prophet (saw) further said: "This person and his progeny could not live in the city in which I am present". After that he (saw) exiled him from Madina towards the city of Taif.

Important thing is this that even after so much insulting actions by Hakam, still Prophet (saw) didn't kill him in name of blasphemy.

Not only this, but he (saw) also forgave Hakam on the request of 'Uthman Ibn Affan before he (saw) died.

Hakam VS Asia Bibi

Now let us compare Hakam with Asia Bibi. That Hakam was a bad bad person and if there was some one worthy to be killed, then that was that Hakam. This accursed person (Hakam) did so many insulting act against the Prophet (saw), that he should be killed 1000 times and after that there may come the turn of people like Asia Bibi.

And we even could not compare late Salman Taseer Shaheed with this accursed person Hakam, while Salam Shaheed was absolutely not guilty of any blasphemy. The 'Ulama and their supporters are wrongfully accusing Shaheed Salman Taseer for any blasphemy. But these people killed him upon this false accusation, and then even denied to say his funeral prayer.

5th: 'Abdullah Ibn Ubbayy insulting Prophet (saw), but still not being killed

Where are these people going to fit the incident of 'Abdullah Ibn Ubbayy, when he did extreme insult against Prophet (saw), but still none of the Muslims (Sahaba) killed him who were present at the spot. And a verse of Quran of revealed at that incident, but it was not about killing in name of blasphemy, but about making peace between two Muslim Groups who are fighting.

Sahih Bukhari, Volume 3, Book 49, Number 856:

Narrated Anas:

It was said to the Prophet "Would that you see Abdullah bin Ubai." So, the Prophet went to him, riding a donkey, and the Muslims accompanied him, walking on salty barren land. When the Prophet reached 'Abdullah bin Ubai, the latter said, "Keep away from me! By Allah, the bad smell of your donkey has harmed me." On that an Ansari man said (to 'Abdullah), "By Allah! The smell of the donkey of Allah's Apostle is better than your smell." On that a man from 'Abdullah's tribe got angry for 'Abdullah's sake, and the two men abused each other which caused the friends of the two men to get angry, and the two groups started fighting with sticks, shoes and hands. We were informed that the following Divine Verse was revealed (in this concern):-- "And if two groups of Believers fall to fighting then, make peace between them." (49.9)

'Abdullah Ibn Ubbayy used direct insulting words for Prophet (saw), but still he (saw) didn't order to kill him due to blasphemy. Also Quran was revealed at that moment, but not about killing him on charge of blasphemy, but for making peace between 2 fighting Muslim groups.

6th: Quran's witness that Jews used to insult the holy Prophet (saw)

In verse 46 of Suran Nisa, Allah (swt) mentioned that Jews used to insult the holy Prophet (saw) by misusing the Arabic word “رَاعِيًا” while addressing him. The changed it to رَعِيًا which meant “Foolish Person” etc.

Similarly, they misused the word السَّامُ عَلَيْكُمْ and instead of this they used the word السَّامُ عَلَيْكُمْ which meant “Death for you”.

Similary was the case with word 'إِسْمَعْ غَيْرَ مُسْمِعٍ' etc.

Quran didn't declare that upon this Jews should be charged with blasphemy and should be killed.

7th: Quranic Instructions to Muslims to show patience upon usage of bad words by Ahle Kitab

Jews and Christians used to use bad words about Islam and holy Prophet (saw) which caused a lot of pain for the Muslims. But instead of killing them, Quran instructed them to show the patience.

[Quran 3:186] Translation by Shakir:

... and you shall certainly hear from those who have been given the Book before you and from those who are polytheists much annoying talk; and if you are patient and guard (against evil), surely this is one of the affairs (which should be) determined upon.

Wahidi (in his Tafsir Asbab-ul-Nazool) recorded the following tradition under the commentary of this verse of Quran:

Abu Muhammad al-Hasan ibn Muhammad al-Farisi informed us> Muhammad ibn 'Abd Allah ibn Hamdun> Abu Hamid Ahmad ibn al-Hasan> Muhammad ibn Yahya> Abu'l-Yaman> Shu'ayb> al-Zuhri> 'Abd al-Rahman ibn 'Abd Allah ibn Ka'b ibn Malik> his father (one of three men whose repentance was accepted) who reported that Ka'b al-Ashraf, the Jew, was a poet who used his poetry to satirize the Prophet, Allah bless him and give him peace, and incite the disbelievers of Quraysh against him. When the Prophet, Allah bless him and give him peace, went to Medina, he wanted to be in good terms with all its people who were a mixture of Muslims, idolaters and Jews. The Jews and idolaters, however, used to harm him, and his Companions, a great deal. Allah, exalted is He, commanded his Prophet, Allah bless him and give him peace, to endure their harm, and it is about them that He, exalted is He, revealed (and ye will hear much wrong from those who were given the Scripture before you, and from the idolaters...).

8th: Sahih Tradition that killing in Islam is allowed only in 3 cases

Sahih Bukhari, Book of Blood Money ([Online Link](#)):

Masruq related from 'Abdullah that the Messenger of Allah, may Allah bless him and grant him peace, said, "The blood of a Muslim man who testifies that there is no god but Allah and I am the Messenger of Allah is not lawful except in three cases: a life for a life, someone who has been married who then commits fornication, and the one who leaves his deen and leaves the Community."

This same tradition is reported in Sahih Muslim, Abu Dawud, Musnad Ahmad etc. by different Sahaba like Hadhrat 'Aisha, 'Abdullah Ibn Masood, 'Uthman Ibn Affan.

Now these Sahaba ('Aisha, 'Abdullah Ibn Masood, 'Uthman) spent whole of their lives with holy Prophet (saw) in Madina. And these 3 were also one of the most knowledgeable people among Sahaba. Had there been any incident of killing in name of insulting Prophet (saw), then they would have known about it.

9th: Even the Apostate is given chance for 3 days to repent

In present Blasphemy law, there is absolutely no space of repentance. Even if some one did any act by mistake, still he is going to be hanged according to present Blasphemy law.

While these same religious elements agree that even an apostate has got the chance to repent (while when one woman becomes apostate, then she should not be killed in any case, but put to the prison).

But in case of present Blasphemy law, what to talk about men, but also women have absolutely no chance of repentance and they should be killed in every case.

10th: Mahdhab of Imam Abu Hanifa, Imam Thowri and People of Kufa that there is no punishment of killing in case of insulting the holy Prophet (saw)

Imam Quratabi recorded the following under the commentary of verse 12 of Surah Tauba (Also see 'Aunul Mabood', chapter of Abusing Prophet (سب النبي الحكم فيمن سب النبي):

أبا حنيفة والثوري وأتباعهما من أهل الكوفة فإنهم قالوا: لا يقتل، ما هو عليه من الشرك أعظم، ولكن يؤدب ويعزر. والحجة عليه قوله تعالى: "وإن نكثوا" الآية.

Imam Abu Hanifa and Imam Thowri and same was followed by Ahle Kufa that insulting holy Prophet (saw) does not constitute the punishment of killing. Their argument was this that a Mushrik could not be killed due to his Shirk, while every one accepts it that Shirk is the biggest crime. Therefore, such person should not be killed, but he should

be taught the 'Adab (manners) and T'azeer could be given. And they brought the following verse as their evidence: [Quran 9:12] And if they break their oaths after their agreement and (openly) revile your religion, then fight the leaders of unbelief--

In Tafsir Salahuddin (Saudi Tafsir in Urdu), it is explained:

The Ahnaf (i.e. Imam Abu Haniaf and their followers) put this argument if these non-Muslims don't break their promises, and only revile the religion, then they could not be killed. While Quran put 2 conditions for their killing (i.e. breaking their promises and reviling your religion). Therefore, a non Muslim could not be killed till the time he does these 2 sins.

We will discuss upon this verse later in more detail.

11th: Hanafi Scholars fatwa that only that person could be killed who make it a habit to insult the Prophet (saw)

According to Fiqh Hanafi, such person who committed this crime, he should not be killed, but some Tazeer (light punishment) could be given to him by the government. Nevertheless, if any non Muslim makes it a constant “habit” to indulge in it, then he could be killed.

Reference: Rasail of Ibn 'Abideen, volume 1, page 354.

Majority in Pakistan are the followers of fiqh-e-Hanafi. But today it has become a fashion among religious elements to start killing people in name of blasphemy law. Therefore, they have discarded the fatwa of their own Hanafi Salaf Ulama and now following only this fashion.

Not only they discarded this fatwa of early Hanafi Fuqaha, but they also try their best to hide it and don't let it to reach the public. They deceive the innocent Muslims by telling them that there is a Consensus among Fuqaha that such person should be killed. No, this is a pure lie from them.

You cannot stop the Misuse of this Blasphemy Law

The fatwa of Hanafi Fuqaha is very close to Haq and the only path to stop the misuse of this Blasphemy law and to stop the bad name that it is bringing to Islam.

The supporters of present Blasphemy law claim that this law is perfectly alright and all the fault is of Government and Courts, who if implement this law correctly, then there will be no misuse of this law.

These people are wrong when they are putting whole fault upon the government and courts. Reality is this that this law itself is full of faults and nobody could stop the bad people to misuse it. You could bring any one to the government, but he could not stop misuse of this law.

But we this law is made in light of Fatwa of Hanafi Fuqaha, where the doors of “Repentance” is open, then it is guaranteed that there will be absolutely no misuse of this law and no bad person would be able to misuse it for his personal enmity towards other people.

Therefore, it is very necessary to make changes in this present law, and introduce the door of “repentance” in it as had been mentioned by the Hanafi Fuqaha. This is the only way to stop the bad name that it is bringing to Islam.