

# 1 The Dynamic Role of "Mawlana Shah Ahmad Noorani" in the 2 Constitution-Making of Pakistan (1972-1975)

3 Dr. Abdul Zahoor Khan<sup>1</sup>, Dr. Abdul Zahoor Khan<sup>2</sup>, Muhammad Altaf<sup>3</sup> and  
4 Muhammad Idrees<sup>4</sup>

5 <sup>1</sup> International Islamic University, Islamabad, Pakistan

6 *Received: 5 February 2015 Accepted: 28 February 2015 Published: 15 March 2015*

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## 7 **Abstract**

8 Mawlana Noorani could be found busy in politics even before the independence of Pakistan in  
9 1947. Mawlana Shah Ahmad Noorani entered into Pakistani Parliament through the general  
10 elections held in 1970. He always struggled for the democratization and Islamization of  
11 Pakistani society through constitutional means. When the Interim Constitution was presented  
12 in the National Assembly on April 14, 1972 by the Bhutto Government, Mawlana Noorani on  
13 that very day urged the President to prepare a constitution based on the teachings of Holy  
14 Quran and Sunnah and on the twenty-two points of the Ulama. A twenty-five member  
15 Committee, which was entrusted with the task of preparing the draft for permanent  
16 constitution, Mawlana was one of them. Mawlana Noorani was one of the signatories of the  
17 Constitutional Accord? signed by the opposition parties and the then Government on  
18 October 20, 1972.

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20 **Index terms**— shah-ahmad-noorani, constitution-making, parliamentary-politics, udf, jup, 1970- elections, abdul-hafeez-pirzada, 1973-original-constitution, definiti

21 The Dynamic Role of "Mawlana Shah Ahmad Noorani" in the Constitution-Making of ??akistan (1972  
22 ??akistan ( -1975 ) even Some of them are directly participating in political system. While a number of these  
23 forces are indirectly involved in influencing the efforts for democratization. In this regard the role of religious  
24 scholars turned politicians is of considerable importance. From the very beginning of the creation of Pakistan  
25 they either directly or indirectly strived for it. A respectable number of religious scholars and politicians not  
26 only contributed in their individual capacities but also even organized political parties to achieve this goal of  
27 democratization ??Rashid, 1996, pp. 5-6).

28 One such group of religious scholars organized themselves in shape of Jam'iyyat 'Ulama-i-Pakistan in 1948.  
29 Leaders and workers of this religious party started contributing to the process of democratization in a number of  
30 ways. It had the services of some such leaders who remained active on the political scene of Pakistan for a number  
31 of years like Mawlana Shah Ahmad Noorani and Mawlana Abdus Sattar ??han Niazi (1915 ??2002). Both these  
32 personalities as leaders of their own factions remained active political figures for a number of years, where the  
33 politics were mainly dominated by the agenda of democratization and Introduction akistan got independence  
34 from British Rule in 1947. Soon after its independence efforts from different sections of Pakistani society started  
35 to make Pakistan a truly democratic and Islamic state. In this struggle a number of religious scholars, politicians  
36 and political parties have contributed and scores of them are still striving to achieve this goal. These forces of  
37 democratization are struggling in a variety of ways.

38 Central Legislature against the seat of district Muzafar Nagar (Meerut Division), Mawlana Noorani took active  
39 part in his election campaign.

40 The second event of importance where we can trace Noorani's participation in political activities is when the  
41 British government enforced the Zakat Bill for the Muslims in 1946 according to which Zakat was deducted from  
42 the Muslims forcefully and used according to British's own choice. This Bill was anti-Muslims and the Ulama all

### 3 ENACTMENT OF THE INTERIM CONSTITUTION 1972 AND MAWLANA NOORANI

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45 over India agitated against the bill. Mawlana Noorani participated in a meeting held at Madrassa-i-Miskeeniyah  
46 Dhorajee Kathiwar on November 13, 1946. He strongly resented the bill and declared it as interference in the  
47 religious affairs of the Muslims. He demanded its withdrawal (Ibid; pp. [48][49].

#### 48 1 IV. Entry of Mawlana Noorani into Parliamentary Politics

49 Mawlana Noorani started his political career from the platform of Jam'iyyat 'Ulama-i-Pakistan (JUP) ??Ahmad,  
50 1993, p.44) in 1953. He remained an active member of the JUP Karachi branch during 1953. When the 6th  
51 annual conference of the JUP was convened on ??ctober 19, 1954 regarding the Day of Hazrat Hussain (R.A),  
52 Mawlana Noorani was the office secretary of the JUP Karachi branch at that time. When the One Unit ??Khan,  
53 2001, p.158) was formed in 1955, Mawlana Noorani was appointed the Senior Vice-President of the JUP (West  
54 Pakistan). When General Muhammad Ayub Khan imposed Martial Law on October 7, 1958, all the political  
55 parties were banned including the JUP. But when the political parties were restored (Ibid; p. 159) in 1964,  
56 Mawlana Noorani again started the activities from the JUP platform ??Hussain, 2009, p. 55).

57 The elections of 1970 were approaching. The parties having the Socialist and Communist tendencies were busy  
58 in their own campaign. Mawlana Noorani also contested the election from the JUP platform. His main slogan  
59 was the imposition of Nizam-i-Mustafa in the country ??Ibid;

60 Meanwhile, General Ayub ??han (1907 ??han ( -1974) handed over the power to General Yahya ??han (19017-  
61 1980) who issued a Legal Framework Order on ??arch 30, 1970. In the same order he dissolved the 'One Unit'  
62 in West Pakistan; and the principle of parity East and West Pakistan was introduced ???. 44). It required  
63 elected representatives to draft a constitution within 120 days after assuming power. The LFO laid down certain  
64 fundamental principles that the National Assembly had to respect in framing a new constitution. These principles  
65 were the preservation of independence, territorial integrity, national solidarity of Pakistan and its Islamic Ideology  
66 (Ibid; pp. 44-45).

67 On May30, 1970, the Majlis-i-'Amal met in Lahore to discuss organizational problems. The meeting approved  
68 a manifesto. Mawlana Shah Ahmad Noorani was nominated as a candidate of the JUP for NW -134 Karachi VII  
69 in the 1970 Elections. Mawlana Noorani, while highlighting the main points of the manifesto, pledged to work  
70 for the establishment of a social welfare state based on the teachings of Quran and Sunnah negating socialism  
71 and capitalism (Scruton, 1984; ???. 52). He also stressed the need for the enforcement of an Islamic constitution,  
72 and condemned the regional, ethnic, and class conflicts (Ibid; pp. [45][46].

73 V. 1970 Elections and Jam'iyyat 'Ulama-i-Pakistan

74 At first, the date of elections was October 5, 1970, but the elections were postponed by two months, due  
75 to heavy floods in East Pakistan in August and now to be held in December 1970. The elections were held  
76 on December 7, 1970, for the National Assembly, and December 17, 1970, for the Provincial assemblies. The  
77 JUP contested the elections for the National Assembly from NWFP, Punjab and Sindh, and for the Provincial  
78 assemblies of Punjab and Sindh. It put up fifty candidates for National Assembly seats. Out of these 01 was put  
79 up from NWFP, 08 from Sindh and 41 from Punjab. According to the election results, only 7 JUP candidates won  
80 National Assembly seats, which included 4 from Punjab and 3 from Sindh. While in the provincial assemblies 4  
81 of its candidates remained successful for the Punjab Assembly and 7 for Sindh Assembly ??p. 70-71).

82 Mawlana Shah Ahmad Noorani started his parliamentary career with the Jam'iyyat 'Ulama-i-Pakistan (JUP)  
83 which won 7 seats in the National Assembly of Pakistan during the 1970 elections. He was one of the seven  
84 successful candidates from Sindh. He was elected from Karachi in the constituency NW-134 Karachi VII (Ibid;  
85 p. 218). Names of other successful candidates along with their constituencies were; Allama Abdul Mustafa al  
86 -Azhari ??1916 -1989) ??Ahmad, 1993, p. 75). The General Council of the JUP, which met in Sargodha on  
87 March 27, 1972, threatened that the JUP would launch a movement if the interim constitution were not based  
88 on the teachings of the Quran and Sunnah. Mawlana Noorani, while addressing a public meeting at Karachi,  
89 demanded that the interim constitution should solely be based on the Quran and Sunnah ??Ibid; ???. 93).

90 Mawlana Noorani took the oath and signed the Roll of Members on April 14, 1972 (NAP Debates, I (I), April  
91 14, 1972; ???. 5). When vote of confidence in Mr. Zulfikar Ali Bhutto as President of Pakistan was adopted in the  
92 National Assembly of Pakistan on that very first day Mawlana Noorani pointed out the unsuccessful efforts of  
93 the Constituent Assembly to frame a constitution for the country during the last 25 years. He assured the House  
94 about his cooperation in the formation of a new constitution ??Ibid; ???. 26).

#### 95 2 VI.

#### 96 3 Enactment of The Interim Constitution 1972 and Mawlana 97 Noorani

98 As a first step to constitution-making the Bhutto government, presented a draft Interim Constitution on April  
99 11, 1972. Mawlana Noorani, in a press conference, announced that the opposition parties along with the JUP  
100 had decided to vote against the constitution of Martial Law and the Interim Constitution. They also decided to  
101 work for the introduction of an Islamic constitution and the supremacy of democracy. After taking unanimous  
102 vote of confidence from the National Assembly, Bhutto presented the Interim Constitution on April 14, which  
103 the National Assembly approved on April 17. A twenty-five-member committee was entrusted with the task of

104 preparing the draft of the permanent constitution. Mawlana Noorani represented the JUP on this committee  
105 ??Ahmad, 1993, pp. 93 -94).

106 Mawlana Noorani, on April 14, 1972, addressing the inaugural session of the National Assembly welcomed the  
107 decision to lift Martial Law. He urged the President to prepare a constitution based on the teachings of Holy  
108 Quran and Sunnah and on the twentytwo points of the Ulama (Appendix C, 22 points of Ulama, p. 94). On  
109 April 15, 1972, Mawlana Noorani alleged that all the provisions of the Martial Law Regulations (Chowdhury,  
110 1969, pp. 135-136) had been present in the interim constitution. Referring to its Islamic provisions, he observed  
111 that no time limit had been laid down for the elimination of un-Islamic provisions. He criticized the government  
112 for not banning liquor, music, dancing, nightclubs and gambling. Mawlana Noorani observed that the Interim  
113 Constitution would be acceptable to the JUP only if its un-Islamic provisions are omitted ??Ahmad, 1993, p.  
114 94).

115 Mawlana Noorani actively participated in the discussions of the constituent committee. In cooperation with  
116 other parties, he presented more than 200 amendments (Many of those are given in the text of the entire chapters)  
117 in the draft constitution of 1973 (Ibid; p. 98).

## 118 4 VII.

### 119 5 The Constitutional Accord 1972 and Mawlana Noorani

120 All the opposition parties had representation in the twenty-five-member committee formed by the PPP  
121 government. All of the members presented their own suggestions. Bhutto and opposition parties' leaders held  
122 talks in that regard. Mawlana Noorani of the JUP informed him about his constitutional proposals in detail  
123 and convinced Bhutto about his suggestions ??Hussain, 2009, p. 73). Bhutto also could not find any problem  
124 in accepting constitutional proposals of Mawlana Noorani. An agreement was reached upon and in the light of  
125 the said agreement a "Constitutional Accord" was signed between the PPP and opposition parties on October  
126 20, 1972 (Ibid; pp. [73][74].

127 10 leaders of the seven parliamentary parties signed the accord. The leaders of the parties who signed the  
128 accord on the behalf of their parties were: Zulfikar Ali Bhutto, the President of Pakistan and Chairman of the  
129 PPP, Mawlana Shah Ahmad Noorani, Member of National Assembly (JUP), Sardar Shaukat Hayat ??han (b.  
130 1915), MNA Council Muslim League (CML), Abdul Qayyum ??han (1901 ??han (-1981)) After the constitutional  
131 accord it was expected that the constitution would be undisputed. But when the draft constitution was prepared  
132 by the PPP, the constitutional accord between the government and opposition was violated. The government  
133 hampered the trust. Mawlana Noorani declared this violation as going back by the government on its words. The  
134 government blamed the opposition that they were not taking interest in the constitution making ??Hussain, 2009,  
135 p. 74). Mawlana Noorani was astonished to see that the formula made and agreed upon by the opposition parties  
136 was violated badly. The rulers had ignored the true draft of the constitution in order to protect their desires for  
137 power. Each and every Islamic and democratic clause was vanished. According to him the Constitutional Accord  
138 could not be a complete constitution but the blame of the ruling party was unjust to say that the opposition  
139 parties were not interested in the constitution making process. He responded that his interest was apparent from  
140 the fact that he personally presented more than 200 amendments to the draft constitution during the constitution  
141 committee proceedings. After the accord it was the duty of the government to insert the Islamic clauses in the  
142 constitution. If there would be no Islam in the country then there was no question of the creation of Pakistan.  
143 The constitutional guarantee should be given to all the Islamic clauses (Ibid; pp. 74-75). Mawlana Noorani while  
144 answering a question during an interview said that Islam was ever used for gaining political ends. Islam was used  
145 for instigating the public and to play with their emotions. It was compromised in the constitutional accord that  
146 Islam would be made the state religion of the country and no law would be made repugnant to the teachings of  
147 the Quran and Sunnah. But it was astonishing that no guarantee was given in the constitution to Islamize all  
148 those laws, which were repugnant to the Islamic values ??Siddiqi, 1988, p. 19).

149 Mawlana Noorani regretted over the draft Constitution and said that in spite of the best efforts made during  
150 the deliberations of the Constitution Committee, the proposed draft Constitution was disappointing from the  
151 points of view of Islamic provisions, fundamental rights, independent judiciary, free and impartial elections,  
152 economic and social justice and parliamentary democracy (Daily Dawn, Karachi, January 1, 1973).

## 153 6 X. Mawlana Noorani's Comments on the Draft Constitution

154 Mawlana said, "The constitution which was going to be framed, if framed on the basis of different nationalities  
155 then it would lead us towards destruction" (NAP Debates, II (14), ??arch 6, 1973, p. 722). Propaganda was  
156 being made that the Constitution was an Islamic one. It would be Islamic if the Quraanic injunctions were  
157 incorporated. But surely it was not the case (Ibid; p.727). In his note of dissent Mawlana Noorani declared that  
158 Article-2 of the draft provided that Islam shall be the State religion of Pakistan, demanded that laws in Pakistan  
159 should conform to the Quran and Sunnah. He therefore proposed that a constitutional provision should be made  
160 that any law in contrast to Islam should be ultra-vires (Daily Dawn, Karachi, January 1, 1973).

161 **7 XI. Mawlana on the proposed Executive and Judiciary of the**  
162 **Draft Constitution**

163 Mawlana Noorani condemned the strange features of the draft constitution concerning the Prime Minister and  
164 demanded its correction. The Prime Minister was made a dictator by vesting all powers in his hands. All  
165 the powers started and ended in the Prime Minister. The parliamentary system was based on the principle of  
166 separation of powers where the executive and judiciary executed separately. These institutions worked just for the  
167 integrity of the country and were independent of one another. The separation of powers agreed upon at accord  
168 was not completely incorporated. The Prime Minister was made dictator through extraordinary powers in his  
169 hands and it would seem that an owl was sitting on every branch. So it was necessary to separate the judiciary  
170 completely from the executive. Proper amendments should be made in the constitution in that connection (NAP  
171 Debates, II (14), ??arch 6, 1973, pp. 728-729).

172 **8 XII.**

173 **9 Mawlana About the Martial Law Regulations in Draft Con-**  
174 **stitution**

175 Mawlana Noorani drew the attention of the other parliamentarians to the "Martial Law Regulations". He made it  
176 clear that the constitution would be showed to the world in its democratic shape hiding the black laws of Martial  
177 Law. The preventive detention (Ahmad, M. B., 1996, PP. 261-262) was safeguarded in the draft constitution.  
178 Mawlana Noorani was against the bureaucracy indulgence in the politics. He strongly opposed the black laws  
179 of the constitution and demanded to consider the amendments made by him and his Party. He aspired that we  
180 were supposed to make such a constitution, which would not be defended by the National Assembly but by the  
181 residents of the country (NAP Debates, II (14), ??arch 6, 1973, pp. 730-731).

182 So from the above study one can easily conclude that the government was not true to its words as shown in  
183 the accord. There was no proper way for the Islamization of the society in its true sense. The clauses of the draft  
184 constitution nominally declare to Islamize the society. No practical steps were there to be followed in that regard.  
185 There seemed to be loopholes in the true parliamentary democracy. Fundamental rights were not safeguarded as  
186 was promised in the accord.

187 Instead the black laws of preventive detention were incorporated into the draft.

188 **10 XIII. Government's bill for approval of the Draft Constitu-**  
189 **tion**

190 On February 2, 1973, Abdul Hafeez Pirzada moved for leave to introduce a Bill to provide a Constitution for  
191 the Islamic Republic of Pakistan. He hoped for constructive amendments from the Members of the House and  
192 assured that weighting would be given to the Members' viewpoints (NAP "Constitution-Making Debates", II  
193 (14), ??February 2, 1973, pp. 23-24). The National Assembly of Pakistan (Constitution-making) again met in  
194 the Assembly Chamber, Islamabad on for the approval of the draft constitution (NAP "Constitution-Making  
195 Debates", II (14), ??arch 6, 1973, pp. 23-24).

196 Mawlana Noorani through his speech went into the past and said that Pakistan had come into existence  
197 after many sacrifices. One million Muslims were martyred and thousands of Muslim women were raped. These  
198 sacrifices were rendered for the sake of a land where the law of Allah and His Prophet Muhammad (PBUH)  
199 would be prospered. This country had not come into being by the sacrifices of its people as Punjabis, Baluchis,  
200 Sindhis or Pathans rather they were a single nation of the greatest spiritual bond, which was Islam. Some people  
201 related the Muslim nation with twenty five hundred or five thousand ancient cultures and civilization. There  
202 was no space for Mohenjodaro Civilization in Islam. Our culture and civilization is based only on the footings of  
203 Islam (Ibid; pp. 717-718).

204 Mawlana Noorani said that the people were mistaken to consider that Quaid-e-Azam fought for freedom on  
205 the base of Two-Nation theory and that Allama Iqbal founded the Muslim nation. Both of them fought on the  
206 basis of Islam, as they knew that nations were built up only on the basis of religion and not upon the culture  
207 or civilization. Nobody, within and outside the parliament should be proud to be Sindhi, Baluchi, Punjabi or  
208 Pathan. All of us should be proud to be the Muslims. According to the Quran all of us are Muslims (Ibid; pp.  
209 719-721).

210 **11 XIV. The United Democratic Front for Constitution and**  
211 **Noorani**

212 The government's anti-opposition policy had created discontentment within the opposition circles. Nobody could  
213 oppose the government. Many opposition leaders went into refuge while many were compelled to stand by the  
214 government. For example, Mumtaz Daulatana was made the ambassador and went to England. The government  
215 allied Khan Abdul Qayyum Khan. Even the three members namely Mehar Ghulam Haider Bharwana, Sahibzada  
216 Nazir Sultan and Mian Muhammad Ibrahim Barq also left the JUP. Initially the opposition leader, Shaukat Hayat

217 Khan was the head of the Muslim League. He was leading the eleven members of his party but soon this number  
218 decreased to only one. The opposition bench decreased rapidly and a new opposition was to be made. The toss  
219 favored Khan Abdul Wali Khan as he was leading more members in the opposition benches. So ten members of  
220 the Muslim League and three from the JUP had left their parties and had joined hands with the government for  
221 power ??Hussain, 2009, pp. 79-80).

222 All the opposition parties were united against the undemocratic measures of Bhutto. However the leaders  
223 of the opposition parties held a meeting at Rawalpindi on March 13, 1973, under the chairmanship of Pir  
224 Mardan Shah of Pagara. They decided to set up the United Democratic Front (UDF) (Pakistan Times, Lahore,  
225 . Mawlana Noorani was nominated as the Chairman of the Coordinating Committee of the UDF (Daily Nawa-i-  
226 Waqt, Karachi, . The UDF was composed of the NAP, PML, JUI, JUP, JI, Khaksar Tahrik (KT) and Pakistan  
227 Jamhoori Party (PJP). Apart from these parties some independent members were also there (Daily Pakistan  
228 Times, Lahore, . Ten members committee was formed in its meeting so that important amendments to the  
229 constitution should be suggested.

230 The United Democratic Front issued a twelve point's press note. A summary of the points was: the protection  
231 of Pakistan solidarity; approval of an Islamic, democratic, federal and parliamentary constitution; restoration of  
232 fundamental rights; eradication of exploitation and aggression; guarantee for the provincial autonomy; support  
233 of the peasants, workers and students; following the positive politics; united struggle for the termination of the  
234 ideological conspiracies; stunt against the dictatorship and efforts for the quick return of the POWs of the East  
235 Pakistan crisis ??Hussain, 2009, p. 80).

## 236 **12 XV. Mass-contact Campaign of Mawlana Noorani and Gov- 237 ernment's Reaction**

238 Mawlana Noorani, as an in charge of the coordinating committee, started tour of the whole country in order to  
239 impose Islamic system and eradicate the 'dictatorship' in the country for bringing Islamic democratic style (Daily  
240 Nawa-i-Waqt, Karachi, . He made the programs for public meetings and the first show of public power appeared  
241 in the shape of public gathering in Peshawar, which was successful. Apart from the Peshawar gatherings, the  
242 meetings at Quetta and Hyderabad were also remarkable ??Hussain, 2009, p. 81).

243 The government tried to fail the contact campaign of the opposition but that effort was also unsuccessful. It  
244 used the traditional tactics to sabotage Volume XV Issue IV Version I the next programs of the opposition. The  
245 loud speakers were destroyed and the security forces used 'lathy charge' over the public. Bullets were also fired at  
246 the processions. While on the other hand the police arrested the administrators and workers of the processions  
247 in the name of peace. The arrested workers were tortured in jails. Even the permits of their public gatherings  
248 were cancelled (Ibid; pp. 80-81).

249 Mawlana Noorani was stopped on his way at Rohri from Karachi to Multan and was delayed so much so that  
250 the time of the meeting was over. The people gathered at the station to receive Mawlana Noorani. As soon  
251 as he reached Multan, he started his speech just at the railway station. The local police stopped him from his  
252 speech and showed the orders that he could not address the gatherings any where at Multan. So in this way  
253 the meetings of the UDF were finished by force. But Mawlana Noorani kept up the public contact in the name  
254 of religious gatherings at Urs of the saints and informed the mass about the dictatorial mind of the government  
255 (Ibid; p. 82).

256 Addressing the people at Sadiqabad, Mawlana Noorani said, "The present government is making fun of the  
257 democracy and freedom of writing and expression. The hooliganism and luxury has increased. The opposition  
258 is stoned and 'lathy charged'. The hooligans are encouraged and they have been kept above the law. "No such  
259 example of barbarity over the workers in the twenty-five years history can be found as during this government.  
260 How such a head of the government can be regarded as the Quid-e-Awam? The contact and relation between the  
261 government and public is broken."(Ibid; p. 82).

## 262 **13 XVI. Charter of Demand of the United Democratic Front 263 and Bhutto Government**

264 The constitutional committee of the UDF presented the charter of demand before the Bhutto Government  
265 on ??arch 16, 1973 (Daily Nawa-i-Waqt, Lahore, ??arch 17, 1973). It consisted of the points regarding the  
266 independence of judiciary, establishing the Election Commission, fundamental rights and the powers of the Prime  
267 Minister. Bhutto did not consider the said points to be suitable for the constitution. So the leadership of the  
268 UDF decided to hold a procession in Rawalpindi on March 23, 1973 March 25, 1973). The government dispersed  
269 the gathering with cruelty. As a result of this more than a dozen people were killed and many wounded. The  
270 leadership of the UDF decided to boycott the next session of the National Assembly. However Bhutto invited  
271 the opposition on April 2, 1973 for the sake of national consensus. Bhutto agreed with some of the demands of  
272 the opposition and also invited them to participate the Assembly session on April 7. But the UDF decided to  
273 boycott that session (Ibid; April 3 & 5, 1973). When Bhutto accepted some more amendments at the final round  
274 of the talks, the UDF decided to attend the session (Ahmad, P. G., 1991, pp. 39-42).

**18 ANOTHER AMENDMENT MOVED BY MAWLANA NOORANI IN THAT REGARD WAS: -THAT AFTER CLAUSE (2) OF ARTICLE 4 OF THE CONSTITUTION BILL THE FOLLOWING CLAUSES BE ADDED NAMELY: -**

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**275 14 XVII. Voting over the Draft Constitution in the Parliament**

276 On ??pril 10, 1973, voting within the National Assembly was held in order to know how many opposition leaders  
277 were against the draft constitution (Daily Nawa-i-Waqt, Lahore, April 11, 1973). Before holding the voting on  
278 the constitution, the UDF leaders met at Islamabad in which most of the party leaders suggested to vote in favor  
279 of the constitution (Tarjumane-Ahl-e-Sunnat, Karachi, May 1973, pp. [46][47]. But Mawlana Noorani was of the  
280 opinion that PPP had gone against the Constitutional Accord and the Islamic clauses included in the constitution  
281 were not satisfactory, therefore the JUP members would not vote in favor of the constitution. When the voting  
282 over the constitution took place, Mawlana Noorani, Allama Abdul Mustafa Al-azhari , Sayyid Muhammad Ali  
283 Rizvi (b. 1916) and Mawlana Muhammad Zakir did not take part. Other opposition leaders of the Parliament  
284 like Mir Bakhsh Bezanjo, Abdul Wali ??han (1917 ??han ( -2006) ) and Professor Ghafoor Ahmad tried their  
285 best to convince Mawlana Noorani but he did not vote. Mahmood Ali Qasoori and Ahmad Raza Qasoori of  
286 Tahrik-i-Istiqlal (TI) and one member of the PPP, Mir ??li Ahmad Talpur (1915 ??1987), also voted against the  
287 constitution (Ibid; pp. [48][49].

288 When a journalist asked Mawlana Noorani that being the joint secretary of the UDF, why did not vote in favor  
289 of the constitution although the opposition voted in its favor? He answered, "I do not consider the Articles of the  
290 constitution completely Islamic and my party is also of the same opinion. He had decided in the meeting of the  
291 UDF that every person having any opinion individually about the constitution should express it. Therefore there  
292 was no question of differences with the coordinating committee or the opposition. The coordinating committee  
293 had permitted the whole members of the opposition to vote according to their own conscience ??Siddiqi, 1988,  
294 p. 71). Mawlana Noorani in a press meeting at Karachi informed the journalists that during the preparation of  
295 the constitution the leaders of the JUP were offered the ministries at Center and Sindh but we rejected the offer  
296 for the sake of democracy and Islam (Ibid; p. 72).

297 Mawlana Noorani said that how could he call such a constitution an Islamic one for which nine years period  
298 was specified to Islamize it completely? The government itself had 'confessed' that after the said period the  
299 constitution would be made according to the Quran and Sunnah (Tarjuman-e-Ahl-e-Sunnat, Karachi, June 1973,  
300 p. 48).

**301 15 ( F )**

302 Global Journal of Human Social Science Consequently the permanent constitution of Pakistan was approved  
303 on April 10, 1973, which was implemented on August 14, 1973 (Daily Nawa-i-Waqt, Lahore, April 11, 1973).  
304 Although the 1973 Constitution cannot be regarded as an Islamic one completely but due to the efforts of Mawlana  
305 Noorani and other Ulama some Islamic clauses were included in this Constitution. The Islamic clauses, which  
306 were made part of, the 1973 Constitution due to the amendments of Mawlana Noorani, are as under: 1. Islam  
307 will be the State religion. 2. No law will be made repugnant to the Quran and Sunnah. Already existing laws  
308 will be brought in accordance to Quran and Sunnah. 3. Forming the Islamic Ideology Council within 90 days  
309 of the implementation of the Constitution will be compulsory. The Chairman of the Council will be appointed  
310 from the two judges of the Supreme Court or the High Court, who will be the members of the Council.

**311 16 2/5th of the minority of the Provincial or Central**

312 Assembly will be able to send any law under consideration to the Islamic Ideology Council. (At first this right  
313 was given to the majority) 5. If a bill was passed in a hurry on necessary basis and later on the Council gives  
314 the opinion that it was against the Quran and Sunnah, then the revision will be compulsory ??Hussain, 2009, p.  
315 126).

**316 17 XIX. Mawlana's Amendment for Individuals' Fundamental  
317 Rights**

318 Mawlana Noorani moved this amendment before the House on in the Article-4. The amendment was: If a person  
319 or a part of the country is harmed he should have the right to knock at the door of the Supreme Court. This is  
320 his fundamental right (NAP Debates, II (18), ??arch 12, , p. 1065)).

321 If that fundamental right was suspended any time then there was no law for the person or institution to knock  
322 at the door of the Supreme Court. So Mawlana Noorani was the first person to safeguard the fundamental right  
323 of the citizens in this respect (Ibid; p. 1069).

**324 18 Another amendment moved by Mawlana Noorani in that  
325 regard was: -That after clause (2) of Article 4 of the  
326 Constitution Bill the following clauses be added namely: -**

327 (3) The law shall not prejudice any vested rights, any judicial act accomplished or any adjudicatory matter.  
328 (4) The law shall not exclude any injury to individual rights from consideration by the judicial power (NAP  
329 "Constitution-Making Debates", II (18), ??arch 12, , p. 1065)).

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330        Although these amendments of Mawlana Noorani were rejected by the majority Members sitting in the House  
331        but he fulfilled his duty by raising a voice in the Parliament for the constitutional rights of the nation (Ibid; p.  
332        1072).

333        **19 XX.**

334        **20 Amendment to the Constitution for Employment of Citizens**

335        Mawlana Noorani moved an amendment to the constitution for the employment of every able citizen of Pakistan.  
336        The amendment was: -That Article 8 of the Constitution Bill be re-numbered as clause (1) of that Article and  
337        the following be added thereafter, namely: -(2) Every able bodied citizen of eighteen years and above shall be  
338        entitled to demand from the State work within a reasonable distance of his place of residence and it shall be the  
339        duty of the State to provide work to such a person commensurate with his education and skill and if the State  
340        for any reason is unable to do so, he shall be paid a maintenance allowance till such time as the remunerative  
341        work is provided for him (NAP Debates, II (19), March 13, 1973, p. 1125).

342        The amendment moved by Mawlana Noorani was regarding Article 8 of the Constitution and at last stood  
343        part of the Act (Ibid; pp. 1131).

344        **21 XXI. Amendment for the Removal of Preventive Detention**

345        Mawlana Noorani made it clear that there was no liberty of individuals as long as Preventive Detention had been  
346        protected in the Constitution Bill. According to the law every person could be sent to jail for eight months within  
347        two years whether he was arrested on the basis of law and order situation or without any reason. The Islamic  
348        principle of equity and justice had been crushed under the feet. If we had a glance over the constitutions in the  
349        world it would be clear that there was nothing more important than the freedom of individuals. The examples  
350        of the powers of the British Prime Minister were being presented on the floor. But if those powers were vested  
351        in his Pakistani counterpart he would become a dictator. Their constitution was the result of hundreds years  
352        of democratic experience. The press in England was free. If somebody wished to publish a newspaper he did  
353        not need the permission of the government there. Here everything was in the hands of the government. The  
354        journalists were not free to write independently. Mawlana Noorani presented a very vivid position on restrictions  
355        of press in Pakistan, which is true even today. He declared: banned. The press is free but it is sealed. Everything  
356        is free but in chains. This is the atmosphere where slavery is flourished and black laws of the press rules and the  
357        people are growing under such circumstances?this is the constitution which is termed as an Islamic one (NAP  
358        Debates, II (14), ??arch 6, 1973, p. 726).

359        Mawlana Noorani strongly criticized the clauses in Article 9, which were in favor of the Preventive Detention.  
360        He made it clear that there were no such clauses in the constitution of any civilized country. If a person were  
361        arrested on the basis of involvement in any crime, there was already a space for his penalty within Pakistan Penal  
362        Code, Criminal Law. The government could arrest such a person under the said code and investigations could be  
363        made within 24 hours and could be trialed in the open court. Through Preventive Detention any person could be  
364        arrested and sent to jail. So it would become very easy to exploit the Law and used by the government against  
365        their political opponents. The amendment moved by Mawlana Noorani in that connection was: That the clauses  
366        (3) to (9) of Article 9 of the Constitution Bill be deleted (NAP Debates, II (19), ??arch 13, , pp. 1132 ??arch  
367        13, -1141)).

368        Another such amendment for the substitution in the Constitution Bill was moved by Mawlana Noorani that  
369        was: That for clause (2) of Article 13 of the Constitution Bill, the following be substituted, namely: -( ??) No  
370        person shall be subject to torture in any form, whether as a mode of extracting proof or as a mode of punishment  
371        (NAP Debates, II (20), ??arch 14, , p. 1205)).

372        The majority of the House rejected the above amendment of Mawlana Noorani. (Ibid; p. 1219).

373        **22 XXII. Amendment for Providing Free Education**

374        Mawlana Noorani forwarded an amendment to the Constitution Bill to make the government responsible for  
375        providing free education to its people. No timeframe was given in the Constitution Bill for providing free  
376        education. So his amendment moved in this regard was: That for paragraph (h) of Article 39 of the Constitution  
377        Bill the following be substituted, namely: -(b) Provide free and compulsory secondary education within a period  
378        of five years from the commencing day and remove illiteracy within the minimum possible time (NAP Debates,  
379        II (21), ??arch 15, , p. 1360)).

380        The House also rejected the aforesaid amendment of Mawlana Noorani (Ibid; p. 1391). National Education  
381        Council was set up for making the education system better. Five Members, within the National Assembly, were  
382        elected to the National Education Council (NAP Debates, II (7), ??anuary 6, 1973, p. 427). Mawlana Noorani  
383        was one among them (Ibid; p. 427).

384 **23 XXIII.**

385 **24 Amendments for A Smooth Democratic System**

386 Mawlana Noorani was not in favor of five years term of the National Assembly. He demanded to decrease it  
387 to four years. Because the sooner the elections were conducted the more political consciousness was developed.  
388 Where the term of the Assembly was prolonged, the flaws become obvious. So he suggested fixing the Assembly  
389 term at four years instead of five. The representatives of the people would be more active and the people would  
390 also be politically mature. The amendment moved by Mawlana Noorani in that connection was: That in Article  
391 55 of the Constitution Bill, for the word "five", occurring in the second line the word "four" be substituted (NAP  
392 Debates, II (23), March 19, 1973 ??arch 19, , pp. 1528 ??arch 19, -1533)). The House negated the amendment  
393 (Ibid; p. 1536).

394 A true parliamentary democracy is that which safeguards the parliamentarians within the sphere of law.  
395 Mawlana Noorani also presented some amendments to the Constitution Bill in order to get some relief for them  
396 for a better efficiency on their part. He declared that all the previous constitutions had the provisions for sixty  
397 days regular leave for a member of the parliament while that was decreased to forty days in the new Constitution.  
398 Most of the parliamentarians remained abroad when there was no session of the house. Then there would be no  
399 source of communication where they stayed. That was the reason that he considered the forty days sanctioned  
400 leaves to be less for the members of the Assembly. Therefore he demanded to increase the leaves from forty to  
401 sixty days (NAP Debates, II (24), March 20, 1973, p. 1617).

402 Mawlana Noorani was of the opinion that when the members of the National Assembly were satisfied  
403 they would be able to represent their electorates vigorously and independently. Mawlana Noorani considered  
404 their contentment as a price of true parliamentary democracy. He demanded, through an amendment to the  
405 Constitution Bill, the protection of the parliamentarians from the instigation of the government benches. He  
406 feared that the opposition Members of the National Assembly would be trapped in different false cases by the  
407 government. He moved amendment to protect these members from the government blackmailing:

408 That at the end of clause (2) of Article 69 of the Constitution Bill, the following proviso be added, namely:  
409 -Provided that no member of the Parliament shall be arrested or detained on any ground whatsoever unless a  
410 Committee known as the "Members Immunity Committee" to be elected in accordance with a law made by the  
411 Parliament has given prior authority for affecting such arrest. Until such a Committee is formed, its powers and  
412 functions shall vest in the existing Privileges Committee of the National Assembly (Ibid; p. 1640).

413 The main purpose of the amendment was to stop any person from indulging a Member of the National Assembly  
414 in false cases or stop him from joining the session of the National Assembly. So the National Assembly should  
415 have the right to take action against such person. He did not mean that the Members of the National Assembly  
416 were innocent. He meant that if a parliamentarian committed a crime, the Parliament should have a committee  
417 of its own to deal with such a member. After the decision of that Committee the honorable member of the  
418 Parliament should be trialed. In such a way the democratic norms would be safeguarded (Ibid; pp. 1649-1650).

419 Each and every track of the parliamentary and democratic government should be controlled properly through  
420 the Constitution. Three organs of the government (legislature, executive and judiciary) should be separate from  
421 each other. Mawlana Noorani found some gaps in the Constitution Bill in this connection and pointed out  
422 those one by one. He objected to the issuance of ordinances. One hundred and thirty days were specified for  
423 the Parliament in the new Constitution Bill. So there was no need for the issuance of the ordinances by the  
424 government as enough time was given for the working of the Parliament. The ordinance could be issued when  
425 the country was in war. When there would be peace then the session of the National Assembly could be called at  
426 once and a Parliament Act could be passed and promulgated. Even if an ordinance was passed and a person or  
427 party could be harmed by that ordinance, the person or the aggrieved parties could have the democratic right to  
428 challenge it in the Supreme Court (NAP Debates, II (26), March 22, 1973 ??arch 22, , p. 1820). The amendment  
429 moved by Mawlana Noorani in this regard was:

430 **25 That at the end of clause (1) of Article 92 of the Constitution  
431 Bill, the following proviso be added, namely**

432 Provided that it shall be open to the aggrieved parties to challenge the validity of Ordinance so made and  
433 promulgated on the ground that it was passed mala fide in the total absence of existence of emergency which is  
434 claimed to be the occasion for the exercise of that power (Ibid; p. 1811).

435 **26 The House rejected the above amendments of Mawlana  
436 Noorani. (Ibid; p. 1832).**

437 **27 XXIV. Amendments for Islamization**

438 On August 24, 1972, addressing the National Assembly of Pakistan, Mawlana Noorani declared that the Muslims  
439 of the Indo-Pak Subcontinent gave sacrifices in order to lead their lives in accordance with the Islamic culture,  
440 traditions and civilization. The resolution that had been moved to observe Friday as weekly holiday had really

441 been the demand of the Muslims in Pakistan. Friday has a great importance in our life. The Prophet Muhammad  
442 (PBUH) has termed the Friday, as 'Sayyad-ul-Ayyam' i.e. "Friday is the king of days". The Prophet also named  
443 it as Eid Day. All over the world the Christians and the Jews celebrate Sunday and Saturday respectively as  
444 their sacred days (NAP Debates, I (9), ??ugust 24, 1972, p. 385).

445 Pakistan had come into being on the basis of the Islamic Ideology. Mawlana said that the Muslims were bound  
446 to declare Friday as a sacred day and there should be a holiday on Friday instead of Sunday. "The Islamic world  
447 is a brotherhood and all of them stood by us both in peace and war". Friday was observed as a holiday in the  
448 entire Muslim world and if we did the same we would be stronger than ever. If there was deficit in the banks  
449 and companies, it should be noted that those firms and insurance companies were busy all over the world. Even  
450 Friday was observed as weekly holiday in the Muslim world. They did not suffer economically. Therefore he  
451 appealed the House to favor and pass the resolution moved by Sahibzada Safiullah in order to celebrate Friday as  
452 holiday instead of Sunday. The resolution was then sent to the Standing Committee and after long deliberations  
453 the resolution took the shape of the Bill and was finally passed by the majority Members of the House. ??Ibid;

## 454 **28 XXV. Mawlana Noorani for the Law of Apostasy**

455 While forwarding his suggestions for the future constitution of Pakistan, he said tha Our constitution should  
456 be Islamic one. The Islamic democratic society should be the part of our constitution. This constitution has a  
457 space for the Muslim to adopt any religion but when protection is not granted to the religion of a Muslim in  
458 a constitution that could not be considered as a complete Islamic one? It was heard that if the apostasy was  
459 stopped the world will make fun of us and will say that the Muslim has stopped the Muslim in his country to  
460 divert from his religion. So I will say that this objection of the people is wrong (NAP Debates, II (14), ??arch  
461 6, 1973, p. 722).

462 If someone left the circle of Islam he was an apostate and the punishment for apostasy in Islam was death. The  
463 example of the different world constitutions was present and those who rebelled against the constitution were  
464 awarded the penalty of death. So we should also give a provision in the future constitution for a law regarding  
465 Apostasy (Encyclopedia of Religion and Ethics, "Apostasy-Muhammadan, 2nd ed., s.v.). He declared that as  
466 Quran has presented the best democratic system to the world. Each and every work of the Muslim was successful  
467 through mutual consultation.

468 The Quran has a complete Surah with the title 'Shoorah' in this regard. Mawlana Noorani said that the  
469 Europeans had adopted the same democratic system of Islam (NAP Debates, II (14), ??arch 6, 1973, pp. 723-  
470 724).

## 471 **29 XXVI.**

472 Mawlana Noorani for the Teachings of Quran and Sunnah Mawlana Noorani was a staunch Muslim and wanted  
473 to Islamize the whole society in the light of the Quran and Sunnah. He moved an amendment to make the  
474 Quraanic teachings compulsory. His amendment in this regard was:

475 That for paragraph (a) of clause 2 of Article 31 of the Constitution Bill, following be substituted, namely: -(a)  
476 To make teaching of Holy Quran and Islamiat compulsory and reform the system of education in such manner  
477 that it may enable the Muslims to mould their lives in accordance with teaching of Holy Quran and Sunnah  
478 (NAP Debates, II (21), ??arch 15, , p. 1308)).

479 The House rejected the above amendment to the Constitution Bill of Mawlana Noorani ???. 1326). He also  
480 forwarded an amendment for the eradication of the alcoholic liquor from our society. The amendment moved  
481 in this regard was: That to the effect for paragraph (h) Article 39 of the Constitution Bill, the following be  
482 substituted, namely: -(h) Prohibit the production, import, sale, possession and consumption of alcoholic liquor  
483 except for medical purpose, and in the case of non-Muslims for religious purposes (Ibid; p. 1393).

484 The above amendment of Mawlana Noorani was rejected by majority of the members of the House (Ibid; pp.  
485 1393-1394).

## 486 **30 XXVII. Mawlana Noorani Against the Usury**

487 Mawlana Noorani made it clear before the House that the people were wrong to consider that Islam encouraged  
488 capitalism. As far as the Islamic teachings were concerned it prohibited the Riba (usury). If the Muslims would  
489 indulge in that system they would be destroyed in this world and the world hereafter. Without usury everybody  
490 could lead an honorable life in this country. But if there would be the system of usury then wealth would  
491 concentrate in a few hands and the poor would gain nothing out of it. So he demanded that the government  
492 should give a proper timeframe for the elimination of riba instead of saying 'eliminate riba as early as possible.' So  
493 the Islamic economic system would prevail and the country would flourish. He presented the following amendment  
494 in this regard: That for clause (f) of Article 40 of the Constitution Bill the following be substituted, namely: -(f)  
495 Prohibit riba as early possible as but not later than five years from the commencing day ??p. 1403 ??1404).

496 The Assembly rejected the amendment of Mawlana Noorani regarding riba ???. 1406).

### 497 31 XXVIII. Mawlana N D oorani's efinition of 498 32 Muslim

499 He brought the most important aspect of the Interim Constitution to the light. It had been provided in the  
500 Constitution that the President of Pakistan would be a 'Musalman' but nobody knew the definition of 'Musalman'  
501 as to what precisely it was and the result was that everybody tried to pose himself as 'Musalman'. He said that  
502 there were the worst enemies of Islam in the country who might by posing themselves as 'Musalman' to enter  
503 politics from the back door to govern and become the head of the State. He then forwarded a definition of the  
504 'Musalman' (NAP Debates, I (2), ??pril 15, 1972, pp. 125-126).

505 He was the first political leader in the constitutional history of Pakistan, who demanded incorporation of  
506 definition of a 'Muslim' in the constitution. His definition of a Muslim was: "one who believes in the unity of  
507 God and in Holy Prophet Muhammad as the last Prophet, is a Musalman, otherwise he is a Mirzai" ??Ahmad,  
508 1993, pp. 94-95).

### 509 33 XXIX. Mawlana Noorani's Resolution

510 for Declaring Qadianis as non-Muslims

511 On June 30, 1974, Mawlana Shah Ahmad Noorani, presented a resolution signed by thirty seven MNAs,  
512 belonging to the opposition and government benches, which stipulated declaration of Qadianis as non-Muslims,  
513 and demanded amendment in the constitution for this purpose (Ibid; p. 107). The resolution presented by  
514 Mawlana Noorani was: "Whereas it is a fully established fact that Mirza Ghulam Ahmed of Qadian claimed to  
515 be a prophet after the last Prophet Muhammad (PBUH);

516 And whereas his false declaration to be a prophet, his attempts to falsify numerous Quraanic texts and to  
517 abolish Jihad were treacherous to the main issues of Islam;

518 And whereas he was a creation of imperialism for the sole purpose of destroying Muslim solidarity and falsifying  
519 Islam;

520 And whereas there is a consensus of the entire Muslim Ummah that Mirza Ghulam Ahmed's followers, whether  
521 they believe in the Prophethood of the said Mirza Ghulam Ahmed or consider him as their reformer or religious  
522 leader in any form whatever, are outside the pale of Islam;

523 And whereas his followers, by whatever name they are called, are indulging in subversive activities internally  
524 and externally by mixing with Muslims and pretending to be a sect of Islam;

525 And whereas in a conference of the World Muslim Organization held in the holy city of Mecca-Al-Mukarram  
526 between the 6th and 10th April, 1974, under the auspices of Al-Rabita Al-Alam-e-Al-Islami, wherein delegations  
527 from one hundred and forty Muslim organizations and institutions from all parts of the world participated, it  
528 has been unanimously held that Qadianism is a subversive movement against Islam and Muslim World, which  
529 falsely and deceitfully claims to be an Islamic sect."

530 Now this Assembly do proceed to declare that the followers of Mirza Ghulam Ahmed, by whatever name they  
531 were called, were not Muslims and that an official Bill be moved in the National Assembly to make adequate  
532 and necessary amendments in the constitution to give effect to such declaration and to provide for the safeguard  
533 of their legitimate rights and interests as a non-Muslim minority of the Islamic Republic of Pakistan (Ibid; pp.  
534 125-126).

535 After moving the resolution, the Speaker National Assembly, Sahbzida Farooq Ali told Mawlana Noorani that  
536 he had moved a terrible resolution. He said that it was not the task of the Parliament to prove who was pagan  
537 and who was a Muslim. That was to be a discussion of a Madrassah or Darul Ulum. He asked why Mawlana  
538 Noorani wanted to bring the issue to the Parliament ??Hussain, 2009, p. 97). But at last Mawlana Noorani  
539 convinced all of them. He also met the Prime Minister, Zulfikar Ali Bhutto and made him realized the sensitivity  
540 of the matter. He told the Prime Minister that he was the head of the government. If somebody, in his presence,  
541 claimed to be the Prime Minister, what would be his expression? Surely he would consider him a rebel. In the  
542 same way, according to the Khatm-e-Nabuwat, there was no prophet after Muhammad (PBUH). So it was very  
543 simple to declare any person as non-Muslim who did not trust in the Finality of the Prophethood (Ibid; pp.  
544 97-98). In this way Bhutto was convinced and approved the resolution for discussion in the Parliament. But  
545 the problem was how to introduce the matter in the assembly under rules and regulations. Mawlana Noorani  
546 suggested "in camera session of Parliament" under the rules of the legislature (Nurani, S.F.R.R. Afkar-i-Nurani,  
547 pp. [41] ??42] ??43] ??44].

548 Bhutto agreed to discuss the issue in camera in the House. The National Assembly thus converted itself into a  
549 special committee to discuss and deliberate upon the matter. The special committee set up a steering committee  
550 for its assistance. Mawlana Noorani was on that committee. From June 30 to September 7, 1974, the special  
551 committee considered this issue in camera in a number of sittings ??Ahmad, 1993, P. 107).

552 According to Mawlana Noorani, "all the points of the discussion were prepared by Yahya Bakhtiar, Attorney  
553 General of Pakistan. He struggled hard for it.

554 He prepared the questions, asked from the Qadianis, sitting up to midnights and even caters. We used to tell  
555 him that such and such were the beliefs of the Qadianis and then he would prepare questions in the light of those  
556 questions. "He used to ask questions on our behalf and Mirza Nasir would answer. Zafar Ansari and Abdul  
557 Hafeez Pirzada also accompanied me? We had to prove that Rabwah, in fact, was another state within the State.

558 The Pakistani Passport bears the stamp that 'the Passport is valid for all countries of the world except Israel',  
559 then how the Qadianis go to Israel?" They had a Head Quarter in Israel and the Jews had permitted them. When  
560 Yahya Bakhtiar asked Mirza Nasir what was the relation of Israel with him having an office there? He rejected  
561 all these things. Then Yahya Bakhtiar presented all the magazines and addresses as a proof, which was provided  
562 by Mawlana and associates. After that he recognized that some people were working there in their own capacity.  
563 The purpose was to prove that the Qadianis had special relations with the Jews and that the Jews had given  
564 them shelter. But on the other hand they were pulling out its own inhabitants i.e., the Arabs from there. But the  
565 Qadianis were being colonized there. Hundreds of Qadianis had settled there in Israel who had got offices there.  
566 The Jews use them against the Muslims. We also cited another aspect of the time when Pakistan came into  
567 being; they had purchased a separate place at Rabwah and Sir Prince Moody, the first Governor of the Punjab,  
568 gave it to them very cheaply. Sir Zafarullah Khan was the foreign minister at that time. He also misused his  
569 position. Even Bhutto accepted all those proofs and the PPP helped us in this connection. All the secular forces  
570 were united at that time. "Therefore, we made a front before going into the Parliament. All the religious parties  
571 (JUP, JUI and JI) were united. Independent parliamentarians like Sardar Sher Baz Mazari, Mawla Bakhsh  
572 (father of Elahi Bakhsh Somro) also stood by us." (Nurani, S.F.R.R. Afkar-i-Nurani, pp. 43-44). In June 1974,  
573 when Mawlana Noorani presented his resolution demanding declaration of Qadianis as non-Muslims, the leaders  
574 of Lahori Group met Mawlana Noorani in Lahore and reportedly offered him fifty lakh rupees, if he omitted the  
575 words 'Lahori Group' from the resolution. However, Mawlana Noorani categorically rejected this offer ??Ahmad,  
576 1993, p. 110).

577 On September 7, 1974, Abdul Hafeez Pirzada presented the unanimous recommendations of the special  
578 committee to the National Assembly. That the Constitution of Pakistan be amended as follows: i) That in  
579 Article-106 (3) a reference be inserted to persons of the Qadiani Group and the Lahori Group (who call themselves  
580 'Ahmadis'); ii) That a non-Muslim may be defined in a new clause in article-260 (Ibid; p. 109).

581 After adoption of these recommendations, Pirzada introduced the Bill to amend the constitution which the  
582 House unanimously adopted as 'The Constitution (Second Amendment) Bill, 1974. This Bill stood passed by  
583 the House (Ibid; pp. 109-110).

584 In July 1975, Mawlana Noorani resigned from his seat in the National Assembly ??Ibid; ??, 111). According  
585 to Sayyid Aqeel Anjum Qadri, Secretary Information JUP Sindh, Mawlana Noorani was a very competent  
586 parliamentarian. As half of the Senators retire after every three years and the seats from Sindh at the Senate  
587 were vacated at the very first completion of three years so the party leadership considered it better to place  
588 Mawlana Noorani as a Senator and give an opportunity to another JUP candidate to be Member of the National  
589 Assembly. Mawlana Noorani had played a vital role in framing the 1973 Constitution as he was expected and  
590 then in the Senate the services of a seasoned parliamentarian were needed by the party, so Mawlana Noorani  
591 resigned the seat of MNA and was elected as a Senator from Sindh, although the seat vacated by Mawlana  
592 Noorani at the National Assembly was not won by the JUP candidate Haji Muhammad Hanif Tayyab in the  
593 by-election (Qadri, 2010).

## 594 **34 XXX.**

## 595 **35 Conclusion**

596 Nonetheless, the present research paper explores that Mawlana Noorani played a vital role in the National  
597 Assembly of Pakistan especially in the formation of the 1973 Constitution of the Islamic Republic of Pakistan.  
598 He himself forwarded more than 200 amendments to the constitution in order to Islamize it. He, at the floor  
599 of the National Assembly, legally and openly fought against the Martial Law Regulations inserted by the then  
600 Government in the constitution. He had a voice against the mismanagement of the government and forwarded  
601 amendments, modifications and improvements to the constitution to get safeguarded the fundamental and deep  
602 seated rights of all the citizens. He also played an important role for the social welfare of the people. To  
603 cut the long story short it can be said that Mawlana Noorani tried his level best to solve the social, political,  
604 constitutional, religious and cultural issues of the nation on the floor of the National Assembly of Pakistan  
605 through constitutional means and modes. <sup>1</sup> <sup>2</sup>

<sup>1</sup>© 2015 Global Journals Inc. (US) The Dynamic Role of "Mawlana Shah Ahmad Noorani" in the Constitution-Making of Pakistan (1972-1975) ( F )

<sup>2</sup>© 2015 Global Journals Inc. (US) The Dynamic Role of "Mawlana Shah Ahmad Noorani" in the Constitution-Making of Pakistan (1972-1975) ( -1975 )



Figure 1:

(NW -128 Karachi I), Mawlana Sayyid Muhammad Ali Rizvi (NW-118 Hyderabad I), Mawlana Muhammad Zakir (1903-1976) (NW -47 Jhang II), Mehar Ghulam Haider Bharwana (NW-46 Jhang I), Sahibzada Nazir Sultan (NW-48 Jhang III) and Mian Muhammad Ibrahim Barq (NW-92 Muzaffargarh III) (Noorani, M. n.d. p. 75). On January 25, 1971, the JUP central working committee held its first meeting in Lahore after the 1970 elections with Khwaja Muhammad Qamaruddin Sialvi (

Figure 2:

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606 [Ibid] , Ibid . p. .

607 [Ibid] , Ibid . p..

608 [Noorani] , Q A M Noorani .

609 [Ibid] , Ibid . p. .

610 [Nurani et al. (ed.)] , S F R R Nurani , Afkar-I-Nurani , Lahore . Maktabah-i-Ahl-i-Sunnat Jamia Nizamiya-i-Rizwiya, n.d. (ed.) p. .

611 [Nurani et al. (ed.)] , S F R R Nurani , Afkar-I-Nurani , Lahore . Maktabah-i-Ahl-i-Sunnat Jamia Nizamiya-i-Rizwiya, n.d. (ed.) p. .

612 [Daily Nawa-I-Waqt (1973)] , Daily Nawa-I-Waqt . April 11. 1973. Lahore: Pakistan.

613 [Daily Nawa-I-Waqt (1973)] , Daily Nawa-I-Waqt . April 11. 1973. Lahore: Pakistan.

614 [ Debates. I (1972)] , *Debates. I* April 15. 1972. (2) p. . National Assembly of Pakistan

615 [Ibid ()] , Ibid . April 3 & 5, 1973. Lahore: Pakistan.

616 [Daily Pakistan (2003)] , Daily Pakistan . December 24. 2003. Islamabad: Pakistan.

617 [Scruton ()] *A Dictionary of Political Thought*, R Scruton . 1984. London: The Macmillan Press Ltd. 13 p. .

618 [Ahmad ()] *Constitution of the Islamic Republic of Pakistan: Being a Commentary on the Constitution of Pakistan*, M B Ahmad . 1996. 1973. Lahore: P.L.D. Publishers. p. .

619 [Constitution-Making Debates (1973)] *Constitution-Making Debates*, February 2. 1973. p. . National Assembly of Pakistan (II(14))

620 [Constitution-Making Debates (1973)] *Constitution-Making Debates*, March 12. 1973. II. 69 p. 1072. National Assembly of Pakistan

621 [Constitution-Making Debates (1973)] *Constitution-Making Debates*, March 6. 1973. p. . National Assembly of Pakistan (II(14))

622 [Khan ()] *Constitutional and Political History of Pakistan*, H Khan . 2001. Karachi: Oxford University Press. p. 60.

623 [Khan ()] *Constitutional and Political History of Pakistan*, H Khan . 2001. Karachi: Oxford University Press. p. 159. (Ibid; p.)

624 [Constitutional Development in Pakistan ()] *Constitutional Development in Pakistan*, 1969. London: Longman Group Ltd. 23 p. . (Appendix C for the 22 points of Ulama)

625 [Daily Nawa-i-Waqt (March14, 1973)] *Daily Nawa-i-Waqt (March14, 1973)*, Karachi: Pakistan.

626 [Daily Nawa-i-Waqt (March15, 1973)] *Daily Nawa-i-Waqt (March15, 1973)*, Karachi: Pakistan.

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