LAHORE LEADS UNIVERSITY

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REGISTRATION NO:

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SUBJECT:

Constitutional Development

ASSIGNMENT TOPIC:

2nd Constitutional Amendment of Pakistan

DATE:

15-11-2025

2nd Constitutional Amendment of Pakistan

Background & Context

- Enacted during the government of Prime Minister Zulfikar Ali Bhutto.
- Passed by the Parliament of Pakistan in September 1974.
- Came as a response to growing religio-political debates regarding the status of the Ahmadiyya community in Pakistan.
- Triggered by clashes between student groups and the Ahmadi community in Rabwah (1974), which intensified national-level debates.
- Pressure from various religious parties and political groups pushed the government to legislate on the issue.

Main Purpose of the Amendment

- To legally define who is and is not considered a Muslim in Pakistan.
- To declare Ahmadis/Qadianis as non-Muslims under the Constitution.

Key Provisions Added to the Constitution

1. Amendment in Article 260

- Inserted Clause (3)(a):
  - Provided a definition of a "Muslim", requiring belief in the absolute and unqualified finality of Prophethood of Prophet Muhammad (PBUH).
- Inserted Clause (3)(b):
  - Declared groups that do not believe in the finality of Prophethood, including Qadianis and Lahori groups (Ahmadis), as non-Muslims for legal and constitutional purposes.

2. Legal Status Changes

- Ahmadis were placed in the category of religious minorities.
- This affected:
  - Personal law (marriage, inheritance, etc.),
  - Electoral rolls (shifted to minority voter list),
  - Legal identification of religious status.

Parliamentary Process

- A special parliamentary committee was formed to examine the issue.
- Proceedings included:
  - Testimonies from religious scholars,
  - Statements from leaders of the Ahmadi community,
  - Closed-door hearings not made public for many years.
- Amendment passed with near-unanimous support in both the National Assembly and the Senate.

Implications & Consequences

Political Impact

- Strengthened the influence of religio-political parties in state matters.
- Set a precedent for state involvement in defining religious identity.

Social Impact

- Led to increased religious polarization in society.
- Affected the social, political, and economic life of Ahmadis.

Legal Impact

- Provided a constitutional basis for later legal restrictions, including:
  - Ordinance XX (1984) under General Zia-ul-Haq, criminalizing various Ahmadi practices.
- Solidified the state's role in regulating religious expression.

Criticism & Debates

- Critics argue it:
  - Violated principles of religious freedom and human rights.
  - Politicized religious identity.
  - Introduced the practice of the state determining belief.
- Supporters argue it:
  - Protected the religious identity of the Muslim majority.
  - Prevented doctrinal confusion.

Summary

- The Second Amendment (1974) is a landmark constitutional change in Pakistan.
- Its central feature: declaring Ahmadis as non-Muslims.
- It remains one of the most significant and debated constitutional developments in Pakistan’s history.