Date: _____

Assignment

Topic - Ozaf 1979

Submitted To:-

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F23- 1023
Semester
6th A

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Assignment

Topic - Qazaf

To falsely accuse a chaste Muslims of Zina (adultery / fornication) or deny their legitimate lineage without proof.

In legal terms (under Islamic law and Pakistan's Hudood laws):
It is the imputation of Zaen to a person who is chaste. without producing the required four witnesses.

legal Basis

Qazaf is derived from the Quran, particularly:
Sorah An-Nur (24:4):
And those who accuse chaste woman and do not produce four witnesses - lash them with eight lashes and do not accept their testimony ever after.
This verse establishes:
Punishment
Requirement of proof (4 witness)

Disqualification of false accusers testimony.

Defination unda pakistan law

under the office of Qazf Ordinace 1979:

Qazf is committed when a person

Direcly or indirectly imputes Zina to another person, or publish or spreads such an allegation. without lawful justification or Jraf.

Essential ingredients of Qazaf.

To prove Qazaf the following elements must exist:

imputation of Zina.

Explicit (you committed adultery)

implict (This child is illegitimate)

Against a chaste person (Mohsan Musharh)

Adut Sene Muslims knowon of Chastity

False accusation

No. valid proof.

intent.

Accusation must be intentional.

Types of Qazaf

1: Explicit

Clear the direct accusation.

Example:

You committed Zina.

2: implicit

Indirect & Suggestive Statement

Example:-

This child is not your's father son.

Punishment for Qazaf:

Under Islamic law

If strick proof requirments are met:

80 lashes.

Testimony rejected permantly.

Considered Fasiq

under pakistani Law:

Two types of Punishment

1. Hadd Punishment

Applicded when

all strict conditions are fullfilled

Punishment

80 lashes

2. Tazir Punishment

Applied when Hadd is not met.

Punishment.

imprisonment (upto to 2 years)

Fine

or both.

Proof Required

To escape punishment of Qazf

the accuser must provided

four adult, Muslim male withness

withness must:-

Be faithful.

Have seen the act clearly

if the withness are less

than four → accusation becomes

Qazf.

Important Concept.

Muhsan (Chaste Person)
A Person who:
is adult
Sane
Muslim
Has been convicted of Zain

2. Li'an (Mutal oath)
Special Case between husband & wife.
if a husband accuse his wife
But has no witnesses.
Both take oath in Court
Marige is dissolved.
Hadd punishment avoided:

Defence Against Qazf

A person accused of Qazf can defened themsebe. by:
Producing 4 witnesses.
Truth (valid proof of Zina.

Liaan procedure (in mainde case)
lack of intent

Ambigoous Statement (not clearly Zina)

Example Exam-Oriented.

Example 2 (Weak Qazaf)

A Says to B:
You committed Zina
No witnesses.

Qazaf established.
Example 2 (Implicit Qazaf)

A Says
This child is illegitimate.
Counts as Qazaf-

Example 3 (Not Qazaf)
A Say
You are immoral

=> Not Specific to Zina -> Not Qazaf.

Example 4 (valid Defence)
A accusess B but produces.
4 reliable witness.

=> No Qazaf -> Zina case many produce instead

Example 5 (Husband Case)

Husband accuse wife but no witnesses.
==> Liam applied.
=> NO Qazaf Punishment
=> key case law Pakistan

You may refer to:
Cases interpreting offence of Qazf ordinace 1979.
Court's emphasize:
Strict proof.
protection of dignity and honor.