

RelBib

Bibliography of the Study of Religion

<https://relbib.de>

Dear reader,

This is a self-archived version of the following article:

Author: Malik, Jamal
Title: "Legitimizing Islamization – The case of the »Council of Islamic Ideology« in Pakistan, 1962-1981"
Published in: Orient: deutsche Zeitschrift für Politik, Wirtschaft und Kultur des Orients.
Berlin: Dt. Orient-Institut
Volume: 30 (2)
Year: 1989
Pages: 251 – 268
ISSN: 0030-5227

The article is used with permission of [Dt. Orient-Institut](#).

Thank you for supporting Green Open Access.

Your RelBib team

Legitimizing Islamization — The case of the „Council of Islamic Ideology“ in Pakistan, 1962-1981

Introduction

The process of ideologization in the Muslim world is rooted especially in the exposition of Muslim intellectuals to colonial rule. The aim of the transition of Islam from a theological concept to an ideological one was not only to make religion compatible with Western perceptions but also to counteract the Western criticism on the Orient, which was regarded to be traditional, barbarous and backward, thereby legitimizing colonial rule.¹ In this regard one may consider the process of ideologization as an Islamic response to imperialism or to the cultural hegemony of the West. It started with scholars and activists like Jamāl al-Dīn al-Afghānī² and Sayyid Aḥmad Khān³, continuing under A. A. Mawdūdī⁴ and getting its ultimate shape in the establishment of the Council of Islamic Ideology or *majlis al-fikr al-islāmī*⁵ as was the case in Pakistan. However, the advocates of Islamic ideology were, by virtue of their social and professional background and embedment, determined to recur to Western concepts and norms of political culture, especially as they desired to be understood by the representatives of colonial power.⁵

The Council of Islamic Ideology (CII) must be regarded as one such vehicle of Islamic ideological discourse or anti-critic and, in the contemporary setting, as one of the most interesting and important institutions in the Islamization process in Pakistan starting even before the Zia-ul-Haq (Ḍiyā' al-Ḥaqq) period. It is strange therefore that no detailed work has been done on it up to the present day. Neither social scientists and historians nor economists and legal scholars deemed it worth to pay attention to it, although there is no scarcity of source material. Especially since 1977, the year of the announcement of *niẓām-e muṣṭafā'* (the order of the Prophet Muhammad), massive attention has been given to the Council in the vernacular press.

After giving a brief historical survey of the Council, the present paper contrasts its activities with those of the Government, thus providing some instructive insights into the policy of the respective regimes as well as the interests of the members of this advisory body.

1 For the process of ideologization refer to C.V. Findley: *The Advent of Ideology in the Islamic Middle East*, in: *Studia Islamica* 1982, Vol. 50, pp. 143-169, and 1982, Vol. 51, pp. 147-180; also Reinhard Schulze: *Die Politisierung des Islam im 19. Jahrhundert*, in: *Die Welt des Islams*, Vol. XXII, No. 1-4, pp. 103-116.

2 Cf. Nikki R. Keddie: *An Islamic Response to Imperialism*, University of California Press 1983².

3 Cf. C.W. Troll: *Sayyid Ahmad Khan; a reinterpretation of Muslim Theology*, Oxford University Press 1978 / 79.

4 Cf. the bibliography given in Khurshid Ahmad / Zafar Ishaq Ansari (eds.): *Islamic Perspectives; studies in honour of Mawlānā Sayyid Abul A'la Mawdūdī*, The Islamic Foundation, London 1979.

5 For a discussion of how this occurred cf. Reinhard Schulze: *Islamische Kultur und soziale Bewegung*, in: *Peripherie*, No. 18 / 19, April 1985, pp. 60-84.

In this way the divergence and the conformance of the official policy with the principles of the *shari'a* — as they are understood by the representatives of the CII — are stated.

1. History and activities

As should be expected, Islamic norms were to be implemented in the young nation-state of Pakistan, especially in face of the requirements of Muslims to spend a life according to their religion. Strange enough therefore, that until 1950 no attempt was made to set up an institution or organisation, which was concerned with the Islamic principles for the future Pakistan, except the Objectives Resolution.⁶ Also it was very strange that the holders of Islamic legal tradition, the '*ulamā*', were hardly considered when constructing the policy on which the State was to be run. The Resolution did not envisage any Islamic institution which could be of any help for the politicians.

Three years had to pass by before an Ulama Board or a Board of *ta'limat-e islamiyyah* was constructed,⁷ comprising five '*ulamā*' and some modernists.⁸ It had been proposed by Mawlānā Shabbīr Aḥmad 'Uthmānī (1887-1949), a famous graduate from the Deoband seminary in India. The aim was to work out a draft on an institution, which could give credit to the Islamic issues in Pakistan. According to its own proposals the Board was to be the one to look after these issues. A report elaborated by the members of the *ta'limat-e islamiyyah* Board, was, however, never published and its proposals were never implemented,⁹ although the Board was affiliated to the Basic Principles Committee (BPC)¹⁰ and, thus, integrated in the constitutional discussions. The members of the BPC were elected by the Constituent Assembly and had to develop the basic principles for cooperation in the Assembly. But, as it is said, the Board's proposals did not show any remarkable Islamic contents: the Muslims were merely supposed to read and learn the Holy Book. Nevertheless, it was in some contrast to the BPC's perceptions, whose

6 Cf. Leonard Binder: Religion and Politics in Pakistan, University of California Press 1961, pp. 116-154.

7 See also Faḍl Karīm Shaikh / Asrār al-Rahmān Bukhārī: Pākistān kē idārē, Lāhawr n.d., about 1983, p. 66 (Urdu); this was meant for the constitution of 1952. Contrary to this the constitution of 1956 did not mention a body like the 'Ulama Board' (ibid.). For a discussion on the Islamic constitution and the Ulama Board cf. Leonard Binder: Religion and Politics, pp. 155-182.

8 The chairman, Mawlānā Shabbīr Aḥmad 'Uthmānī (Deobandī), had been an active member in the Muslim League before partition. During the forties he was opposed to the anti-Pakistan policy of the Deoband seminary (cf. also Ziya-ul-Hasan Faruqi: The Deoband Seminar and the demand for Pakistan, Lahore 1960, pp. 102 f. and p. 119; for the seminary cf. B.D. Metcalf: Islamic Revival in British India, 1860-1900, Princeton University Press 1982) and had been chairman of the pro-Pakistani Jam'iyat-e 'Ulamā-e Islām, a kind of schism of the Jam'iyat-e 'Ulamā-e Hind. In Pakistan he became Shaikh al-Islām (cf. also L. Binder: Religion and Politics, pp. 156 ff.). Mawlānā Zafar Aḥmad Anṣārī (b. 1905, Deobandī sympathizer) — former office secretary of the Muslim League was the Board's secretary. He was not a 'ālim in the strict sense. Other members were Mawlānā Muftī Shafī' (Deobandī), likewise a member of the League and an important religious personality. He was given the title Muftī-e A'zam-e Pākistān. Muftī Ja'far Husain was a prominent representative of the Shī'a, while Dr. Hamidullah is regarded to be an Islamic modernist. The East Pakistani Mawlānā Muḥammad Akram Khān was also committed to the Muslim League. Prof. 'Abd al-Khāliq, a Bengali, had to represent the Bengali interest. As the Board's highest authority Sayyid Sulaimān Nadawī (1884-1953) from Lucknow in India was to be invited (cf. also Manzooruddin Ahmad: Political Role of the „Ulama“ in the Indo-Pakistan Sub-continent, in: Islamic Studies [IS], Vol. 6, No. 4, Islamabad 1967, p. 334, and L. Binder: Religion and Politics, pp. 155-182). As an adabī, Mawlānā Nadawī was active in the Khilāfat movement and, as supporter of the celebrated Shibli Nu'mānī (1857-1914), had been editor of *al-ma'ārif* from A'zamgarh.

9 Cf. Muḥammad Miyān Siddiqī, in: Fikr o Nazr, nifāz-e shari'at nambar, Vol. 20, No. 9-10, March-April 1983, Idārah-e tahqiqāt-e islāmī, Islāmābād 1983, p. 164 (Urdu).

10 BPC, the members of which represented a Western oriented secular elite of the Constituent Assembly (mostly from the Muslim League), wanted to set up a State-formation in line with Western democratic systems.

report was undermining the Bengali majority in Pakistan.¹¹ The majority of the Islamic scholars denied the authority of the BPC.¹²

According to the draft of the Ulama Board it had all powers and competences to reject those laws not being in accordance with *Qur'an* and *Sunna* and thus was able to prevent their implementation.¹³ Hence, the Board had much more power than the CII which was recommended in the constitution of 1956. It is probably because of this authority that the Board was resolved.¹⁴ L. Binder is of the view, that the Board's proposals were rather romantic than realistic approaches towards contemporary problems:

„They [the members; J.M.] became romantics in the sense of reading back institutions which are a product of their own imagination into the obscure period of the 'Rightly-Guided Caliphs'“

and the considerations of the Board „were not thought through as a rational whole“.¹⁵

Besides this Board the Islamic scholars tried to establish an independent platform in order to realize what they thought was Islamic. In 1951 they proclaimed the famous 22 basic points or the basic principles of Islamic State. In principle, these suggestions aimed at establishing Islamic sovereignty, bringing the national politics in line with Islamic laws, fostering Islamic internationalism and maintaining Islamic education etc.,¹⁶ however not mentioning an Islamic economic system.

1.1 Under *Ayûb Khân*

The demand for an Islamic institution as part of the constitution, however, took twelve years after the establishment of Pakistan, in 1959. It was to participate in building up a policy oriented on Islamic principles and should have constitutional character. But it took four years until an Islamic Advisory Council (or Advisory Council of Islamic Ideology: ACII) was set up in 1962.¹⁷ As an authority established under *Ayûb Khân* the ACII was meant to serve the reinterpretation of Islam according to „modernist“ parameters and, thus, had to legitimize the national policy Islamically. With this step it was also pursued to institutionalize and integrate fractions of the Islamic elite in an ideological State.

- 11 Cf. M. Ahmed: Political Role, in: IS, p. 335; Afzal Iqbal: Islamization in Pakistan, Vanguard Books Ltd., Lahore 1986, pp. 58 ff., and Y.V. Gankovski / V.N. Moshalenku: The three Constitutions of Pakistan, People's Publishing House, Lahore 1978, pp. 20-26.
- 12 For the criticism of the 'ulamâ' on the BPC-report cf. also A. A. Maudoodi: Islamic Law and Constitution, Islamic Publications Ltd., Lahore 1969⁹, pp. 319-351. The majority of them were those Islamic scholars, who had elaborated the famous 22 points. For the role of 'ulamâ' in Pakistani politics refer also to Aziz Ahmad: Activism of the Ulama in Pakistan, in: N. R. Keddie (ed.): Scholars, Saints, and Sufis, University of California Press 1978, pp. 258-272.
- 13 Cf. G.W. Choudhury: Constitutional Development in Pakistan, The Ideal Book House, Lahore 1969, pp. 185 f.
- 14 The Board, it is told, was resolved because of the death of its chairman Mawlânâ Sayyid Sulaimân Nadawî and because of Dr. Hamidullah's stay in Paris (cf. Muḥammad Miyân Şiddîqî, in: fikr o nazr, op. cit., p. 164).
- 15 L. Binder: Religion and Politics, p. 160. Thus, the solutions of conflicts were mere individual attempts, based on subjectivity, rather than built on a common consciousness.
- 16 Cf. Riaz Ahmad Syed: Pakistan on Road to Islamic Democracy, Referendum 1984, Islamabad 1986, pp. 21-27, and A. Iqbal: Islamization, pp. 51 f.; see also A.A. Maudoodi: Islamic Law, pp. 321-325, and L. Binder: Religion and Politics, pp. 219-232.
- 17 Cf. Tanzil al-Rahmân, in: Hurmat, Nifâz-e nizâm-e Islâm nambar, Vol. 20, No. 25 / 26, Râwalpindî, August 1983, pp. 193 ff. (Urdu); Tanzil ur Rahman: Islamization in Pakistan, Council of Islamic Ideology, GoP, Islamabad 1984, p. 2; Tanzil al-Rahmân, in: fikr o nazr: nifâz-e sharf'at nambar, Vol. 20, No. 9-10, March-April 1983, Idârah-e tahqiqât-e islâmî, Islâmâbâd 1983, pp. 153-162 (Urdu), as well as Sh. Shaukat Mahmood: The Constitution of Pakistan (as amended up to date), Pakistan Law Times Publications, Lahore 1965, pp. 557 ff. In article 199 it is called „Advisory Council of Islamic Ideology“ ACII; cf. also Pakistan Times, 23.7.1962: „CII: eight persons selected“.

The President of Pakistan, however, watched over the limited rights of the Council. To give a right of veto to the *'ulamâ'* was „fatal“ to Ayûb Khân, because of potentially high pressure of Islamic scholars on the secular oriented forces.¹⁸

In the beginning the Council came under heavy criticism from the ranks of the *'ulamâ'*, who were provoked by their not being adequately represented in it. They did not see their interests being realized, neither by the Council nor by the newly established Institute for Islamic Research (IIR), especially because of their being quantitatively inferior to the advocates of administration, secular jurisdiction and economy in these newly established institutions.¹⁹

Because of the traditionalists' pressure some secular minded members had to resign.²⁰ However, a strengthening of the *'ulamâ'* in the Council did not occur for the time being.

The activities of the Council during the first two periods of working up to 1969 were mainly concerned with the clarification of interest (*ribâ*) and with general proposals of how to reform the social order. Clear directions of how to realize these kinds of consideration were, however, not developed.

As a reaction of the Government's desire, in 1963 the advisory body published a questionnaire „on certain religious and social problems“. On the basis of its answers some Islamization measures were to be worked out. The weak quota of answers, however, made further elaborations impossible.²¹

The question of *ribâ* was certainly crucial for an Islamic Republic. Thus, the Council was asked to elaborate on it and in January 1964 stated that „Riba' is forbidden“ and there is „unanimity on the point that for the fulfilment of the Islamic concept of social justice and human brotherhood, a system of interestless economy should be built up“. ²² However: „When this opinion was submitted to the Government it was not thought to be comprehensive and was again referred back to the Council for reconsideration.“²³

In December 1966 the Council was still of the view that most of the transactions prevalent in Pakistan involved *ribâ*: „As a matter of fact ... the present banking system is fundamentally based on Riba and requires a complete scrutiny and thorough overhauling.“ It was agreed that a questionnaire be composed by the Council²⁴ and be circulated nation-wide as well as in other Muslim countries to 123 religious scholars. The questionnaire, however, was never dispatched. On the contrary, the Council made a „historical decision on Riba“ (23 December 1969) on its own, stating that all transactions bearing more money than its actual debt be regarded as *ribâ*. ²⁵ This was an answer to the Government's question of whether there was interest in the country.²⁶ No action was

18 Cf. G.W. Choudhury: Constitutional, p. 184.

19 Cf. M. Ahmed: Political Role, in: IS, p. 339; the Urdu daily Anjâm (26.7.1962) gives an account of Abû al-A'lâ Mawdûdî's opposition to the Council: with this institution the Government was planning to finally resolve the Islamic dream. For the Jamâ'at-e Islâmi's opinion on the CII cf. also Dawn, 4.8.1962. Some members of the Jam'iyyat-e 'Ulamâ-e Islâm (JUI) also criticized the composition of the Council and demanded an adequate „representation of ulama“. The JUI even planned to set up an unofficial Council in August 1962, in order to scrutinize the ACII's proposals and recommendations; cf. Dawn, 6.8.1962, and Nawâ'e Waqt, 6.8.1962 (Urdu).

20 This was for example the case with Dr. Faḍl al-Rahmân in 1969.

21 The population did not react to the 15 questions, which were published in the daily newspapers; cf. for example Dawn, 7.9.1963.

22 Cf. GoP, Annual Report of the Proceedings of the Advisory Council of Islamic Ideology for the year 1966, n.p., n.d., p. 28 (henceforth: ARPACII 19XX).

23 Cf. ARPACII 1967, n.p., n.d., p. 16.

24 Op. cit., p. 17. The drafted questionnaire is published in: ARPACII 1966, n.p., n.d., pp. 65 f.

25 Cf. GoP, CII: Consolidated Recommendations on the Islamic Economic system, Islamabad 1983, pp. 4-10 (Urdu / English) (henceforth: CRIECS).

26 Cf. also Morning News, 3.3.1963, and ARPACII 1966, pp. 27-30 and pp. 65-67.

undertaken, until, in 1979, some steps were made to resolve the problem, but as has been shown elsewhere, no basic change has evolved.²⁷

According to the constitution the Council was to represent the various Muslim schools of thought, two judges of the Supreme Court or High Court and not less than four members engaged in Islamic research and education for at least fifteen years. One female member was/is allowed.²⁸ While the members were engaged part-time, the chairman as judge of the Supreme Court had to be full-time member. The President of Pakistan was the final authority.²⁹ The membership was limited to three years, although this was hardly followed.

The working procedure was laid down by the „Council of Islamic Ideology (Procedure) Rules 1974“.³⁰ The proceedings and the reports were to be conducted and printed in Urdu and were to be kept confidential. By turns of three months a meeting with at least five members was to be held; five in order to have a quorum.

The IIR, set up in 1962, was to support the ACII in producing source material on certain issues and elaborate comments on them. In case of problems regarding personnel, the chairman of the Council was entitled to consult experts.³¹

Besides the IIR and the experts three advisors could be consulted by the Council. They did not hail from religious institutions: a Civil Servant of Pakistan (CSP), a specialist in banking and a member of the Planning Commission.³²

The subjugation of a semi-religious advisory council by political and secular institutions was just in line with Ayûb's considerations. This became apparent in the following quotation:

„There was obviously no place for a supra-body of religious experts exercising a power of veto of the Legislature and the Judiciary. ... A constitution could be regarded as Islamic only [for the '*ulamâ*'; J.M.] if it were drafted by the Ulama and conceded them the authority to judge and govern the people. This was a position which neither the people nor I [Ayûb Khân; J.M.] was prepared to accept.“³³

Thus, Ayûb had confined the '*ulamâ*' to their limits. But in spite of the limitations the Council had some impact on the politicians, both, positively and negatively: on the one hand the composition of its personnel reflects the policy of the Government which was keen in nominating its own members, on the other hand the social pressure enacted by some '*ulamâ*' on Government via Council becomes evident.

1.2 Under Bhutto

From 1965 to 1975 the Council received little attention in public. But from 1975 onwards it became prominent once again.³⁴

27 Cf. Christine Gieraths / Jamal Malik: Die Islamisierung der Wirtschaft in Pakistan unter Ziaul Haq, Horlemann Verlag, Bad Honnef 1988, pp. 9-29 and pp. 65-125.

28 Cf. The Constitution of the Islamic Republic of Pakistan 1973, article 228 (3).

29 Cf. Sh. Sh. Mahmood: The Constitution, p. 558, article 202 (3).

30 Cf. The Gazette of Pakistan (TGoP), Islamabad, 18.5.1974, pp. 771 ff.

31 Cf. ibid.; also Sh. Sh. Mahmood: The Constitution, p. 560, and Muhammad Khalid Masud: Islamic Research Institute — an historical analysis, in: IS, Islamabad, Supplement 1976, pp. 38 ff., as well as Hand book and Masterplan of Islamic Research Institute, Islamabad n.d.

32 Cf. ARPACII 1971, n.p., n.d., p. 2.

33 Cf. Ayub Khan: Friends not Masters, Oxford University Press 1967, pp. 194-204.

34 Impressions on account of newspaper clippings looked at in the Press Information Department, Islamabad, in 1985 on the subject CII. Until 1972 the Council had „Islamized“ some volumes of the Pakistan Legal Code and suggested them to the Government. Besides this, 24 proposals were made concerning interest, zakât, reform of the curricula in schools and observance of Ramađan etc. Cf. Tanzil al-Rahmân, in: Ĥurmat, op. cit., p. 194.

The constitution of 1972 not only had enhanced the influence of the holders of Islamic tradition but also of the impact of *shari'a* norms on society, economy and culture. Until then it was up to the National Assembly to reconsider the proposals of the Council or reject them. The constitution under Bhutto now meant a compromise between the Pakistan People's Party (PPP), which was, nevertheless, looking to curb the influence of the traditionalists, and the '*ulamâ*', who were demanding more rights for the Council with regard to its status in Parliament.³⁵ The constitution was prepared to give new functions to the Council, resulting in a total Islamization of Pakistan's society by the eighties. Hence, the Government had nine years to develop *shari'a* norms on the basis of which Pakistan was to be governed. In order to realize this target the Council was to produce annual interim reports as well as a final report within seven years of its appointment. The reports were to „be laid for discussion before both Houses and each Provincial Assembly within six months of its receipt, and Parliament and the Assembly, after considering the report, shall enact laws in respect thereof within a period of two years of the final report“.³⁶ Thus, by the middle of 1980, Pakistan should have witnessed a total Islamization.³⁷

Even the name of the institution was changed: The ACII was renamed into the Council of Islamic Ideology. Moreover, the number of members was enhanced from a minimum of eight to a maximum of fifteen,³⁸ in order to ensure a more efficient way of working, but rendered a uniform Islamic norm more difficult because of the representatives of different school of thought (*makâtib-e fikr*) pursuing their particular interpretations of Islamic law.³⁹

From 1974 to 1977 the chairman was Justice Hamoodur Rahman (Ḥamûd al-Raḥmân) (d. 1981), member of the *mu'tamar al-âlam al-islâmî* (Islamic World Congress) and later „Advisor on Constitutional Affairs to the Central Martial Law Administrator (CMLA)“. During his time 31 proposals were made aiming at what can be called an integration of the modern sector of production (including work and political power) with the traditional sector of reproduction (including cultus and privacy) and vice versa, without, however, deliberating a change of the given economic structures, laid down by the British Raj. The suggestions can be considered as a ritualization of certain sectors of life, rather than revolutionary changes.⁴⁰

The official support to a particular section of the '*ulamâ*' reflected the internal political struggle with which the Bhutto regime was increasingly confronted. Therefore, from 1975 onwards Islam was once again propagated by the Government itself through the Council as well as through the then Minister of Religious Affairs, Mawlânâ Kawthar Niyâzî,⁴¹ resulting in the enhancement of the Council's suggestions of how to islamize Pakistan. The Government on its part demanded that the Council shall be swifter in finalizing its work because time was running short.⁴²

35 Cf. article 228 and 230 of the constitution of 1973; see also Anwar Syed: Pakistan; Islam, Politics and National Security, Vanguard Books Ltd., Lahore 1984, p. 146, and Tanzilur Rahman: Islamization, pp. 2 f.

36 Cf. The Constitution of the Islamic Republic of Pakistan 1973, article 230 (4) (henceforth: TCIRP 1973).

37 Cf. also Tanzil al-Raḥmân, in: Ḥurmat, op. cit., pp. 193 f. Bearing this in mind, the Islamization under Zia was only the consequent policy laid down by the constitution of 1973.

38 Cf. TCIRP 1973, article 228 (2).

39 This opinion is shared also by Anwar Syed: Pakistan, p. 146.

40 As for example the introduction of the national dress, rules of prayers for the civil servants, annual secret reports on the Islamic conduct of civil servants, examinations in Islamic subjects for the public service, hadd penalty in case of adultery (*zinâ*), prohibition, Friday to be holiday, zakât and 'ushr, interest-free banking as well as the elimination of prostitution etc.; cf. Tanzil al-Raḥmân, in: Ḥurmat, op. cit., p. 194.

41 He himself stands for a more fundamentalist Islam with modernist tendencies. During the sixties he had been a leading member of the Jamâ'at-e Islâmî; see also his polemics: „Jamâ'at-e Islâmî 'awâmi 'adâlat me“, Lâhawr 1973 (Urdu).

42 Cf. also the Urdu dailies Jang, Mashriq and Nawâ'e Waqt, 6. and 8.4.1975, and The Sun and New Times, 6.4.1975.

2. The CII since 1977

When Zia-ul-Haq entered the political arena in 1977, the CII was restructured and under the chairmanship of Justice Muhammad Afzal Cheemah (Muḥammad Afḍal Chīmah) began, as expected, to launch a heavy Islamization campaign. Apparently, this meant an increase in the Council's prestige.⁴³ The newspapers undertook a massive presentation of the members giving their respective vita and their picture.⁴⁴ The propagation of the Council was primarily done by the conformist Pakistan Times while the critical issues were raised by the Shiite daily The Muslim. Disregarding the official support, the „Constitution (Fourth Amendment) Order 1980“ still contained article 230, which had been existing ever since the inception of the Council in 1962.⁴⁵ The article shows in how far the Government was not concerned about the Council's proposals. This was especially the case of a law, which was „in the public interest“; the Government could implement it without considering the Council's opinion.⁴⁶

Now, the proposals of former members were partly revised and additional suggestions made on daily prayers, *zakāt*, *shari'a*-courts,⁴⁷ *hudūd*-regulations and Islamic programs in the media etc. Besides these activities stress was laid on „legal and education reforms“ as well as on the Islamic banking system and *zakāt*.⁴⁸ For a theoretical elaboration of the „Islamic economic system“ a Panel was set up by the Council, comprising of secular scholars, economists and bankers.⁴⁹ The Panel produced a questionnaire on an „Islamic economic system“, which, on account of the very little resonance it received in public, finally was answered by the CII itself, namely by three *jayyid 'ulamā'*.⁵⁰ For

43 Administratively, the Council is connected to the Ministry of Religious Affairs. In March 1978 it was constituted as an autonomous institution and only with regard to „conduct of Government business“ was attached to the Ministry of Religious Affairs (cf. Pakistan Times and Dawn, 16.5.1978). The autonomy was based on the Chairman's authority to appoint members at his own desire, while nominations of officials were usually made by the Public Service Commission (interview with Mr. 'Abd al-Mālik 'Irfānī in October /November 1984 in Islamabad). De facto and de jure it is the President who appoints both, members and chairman qua article 228 (2) of the constitution. The mere formally autonomous character of the Council was once again pointed out by Zia-ul-Haq in 1981, when he declared „that the Islamic Council was an advisory institution and the work of such an institution lies in advising us“. (Cf. Diyā' al-Haqq: Naw tashkīl-e islāmī nazariyāt kawnsil, iftīhālī ijās, Islāmābād, 22.6.1981, GoP, Islāmābād n.d., p. 7 [Urdu]). The central position of the President regarding the Council became apparent once more in 1982, when Zia-ul-Haq changed article 228 (4) of the constitution. Originally it was put down here, that the chairman had to be Justice of the Supreme Court or High Court. Zia now decided, that „the President shall appoint one of the members of the Islamic Council to be the Chairman thereof“ (cf. TGoP, Extraordinary Part I, 22.9.1982; Constitution Fourth Amendment Order 1982). This most probably aimed at installing Mawlānā Anṣārī as the new chairman, who, however, refused due to several reasons (information by a former leading member of the International Islamic University Islamabad in October 1985).

44 For example Mashriq, 1.6.1981 (Urdu), and Pakistan Times, 23.6.1985, for Tanzil ur Rahman; Pakistan Times, 24.6.1981, for Syed Shams al-Haqq Afghani; Imrōz, 21.6.1981 (Urdu), for Mawlānā Zafar Aḥmad Anṣārī and Dr. Ashraf 'Alī Hā shimī; Imrōz, 27.6.1981 (Urdu), and Pakistan Times, 1.7.1981, for Sayyid Muntakhīb al-Haqq and Qādī Sa'īd Allāh (for the latter cf. also Pakistan Times, 1.6.1981); Pakistan Times, 24.6.1981, for Mawlāna Hanīf; Pakistan Times, 25.6.1981, for Dr. Ziauddin Ahmed; Pakistan Times, 29.6.1981, for Dr. A.W.J. Halepota; Pakistan Times, 2.7.1982, for Seyed Najmul Hasan Kararvi; this listing is by no means complete.

45 Cf. Sh. Sh. Mahmood: The Constitution, p. 559, article 204 (3).

46 Cf. Provisional Constitution Order 1981, article 230 (3), as well as TCIRP 1973, ibid.

47 Cf. Tanzil al-Raḥmān, in: Ḥurmat, op. cit., pp. 1945 f.

48 Cf. Pakistan Times, 8.10.1977, and GoP, Islāmī nazariyāt kawnsil kī sālānah repōrt, 1977-78, Islāmābād n.d., passim (Urdu) (henceforth: INKSR, 19XX).

49 Cf. Imrōz, 15.10.1977 (Urdu); Jasārat, 16.10.1977 (Urdu), and CRIECS, pp. 19-21 (Urdu / English). The members of this Panel were usually trained abroad having degrees in economics etc. Only a few of them had access to Islamic sources since they hardly knew Arabic. For a discussion on the results of the Panel cf. Christine Gieraths / Jamal Malik: Die Islamisierung der Wirtschaft, pp. 65-70.

50 Cf. CRIECS, pp. 26-41 (Urdu); the three 'ulamā' were all fundamentalistically or/and reformistically inclined: Mawlānā Muftī Sayyid Siyāh al-Dīn Kākākhēl (Deobandi / Jamā'at), Mawlānā Muḥammad Ḥusain Na'fmī (Brelwī) and Mawlānā Taqī 'Uthmānī (Deobandi). The little reaction to the questionnaire was, however, not mentioned in the media. One has to bear in mind that even among the traditionalists of the Deobandi school of thought there is a salafi or fundamentalist branch. One major institution following on these principles is the Dār al-'Ulūm Haqqānyah in Akora Khattak, Peshawar; cf. S. Jamal Malik: Islamisierung in Pakistan, 1977-1984; Untersuchungen zur Auflösung autochthoner Strukturen, Franz Steiner: Wiesbaden 1989, chapter VI 1 and 8.

the scrutiny and reform of the law a panel of experts was set up as well.⁵¹ Now, for the first time, the CII proposals were implemented to a certain extent, although in a modified way. This modification resulted in heavy criticism among the members, especially the religious scholars.⁵²

With the help of the „Constitution (Fourth Amendment) Order 1980“⁵³ the number of the members was enhanced from 15 to 20.⁵⁴ In order to make the work more efficient the selection of five full-time members was deemed necessary. Also the amount of working days and hours changed drastically.

Table 1: Frequency of work of the CII

Period	1962-63	64-66	67-69	70-72	74-77	77-80	81-82	62-77
Years	1	2	2	2	3	3	1	10
Meetings	4	13	13	5	13	31	9	48
Working days	11	41	50	17	17	219	66	136

Sources: Tanzil al-Rahmân: Islâmî nazariyât ke repôrt, in: 'Ulamâ, Kanwenshan 1980, taqârîr o tajâwîz; publ. my Ministry for Religious and Minorities Affairs, Islamabad 1980, p. 20 (Urdu); GoP, Islâmî nazariyât ke kawnsil ki sâlânâh repôrt, 1981-82, Islâmâbd n.a., p. 13 and p. 292 (Urdu).

As can be deduced from Table 1, the official support to the Council resulted in the enhancement of its work. Similarly the frequency of visitors from abroad coming from important international Islamic organizations, especially from Saudi Arabia, increased, underlining the CII's *salafî* character. There were representatives from other quarters as well. Accordingly, some Westerners paid a visit to the CII,⁵⁵ which points to a more integrationist⁵⁶ activity of the body, just in line with neo-*salafî* Islam.⁵⁷

The CII's aims and conceptions can be deduced from its respective composition and its members' functions as well as their professional affiliations.⁵⁸ Thus, an estimation of the activities of the Council and the policy of the Government can be made.

51 Cf. Pakistan Times, 7.2.1979. Saudi aid played a prominent part in this, financially as well as „academically“. Cf. INKSR, 1978-79, Islâmâbd n.d., pp. 371-374 (Urdu). Besides these conceptual activities the CII warned the people to ask for forgiveness: „Time to beg for forgiveness for 30 years' sins“ (Pakistan Times, 14.11.1977).

52 Cf. 'Ulamâ Kanwenshan 1980 and 1984, taqârîr o tajâwîz; published by the Ministry for Religious and Minorities Affairs, Islamabad 1980 and 1984, p. 11-21 and 127/38 respectively et passim (Urdu) (henceforth: UC 1980 and 1984 respectively); the conference proceedings are not available to the public, while for example „Hurmat“, „Fikr o Nazr“ and „Islamization in Pakistan“ — all by Tanzil al-Rahmân — are open for everybody. The criticism of the chairman CII Dr. Tanzil — who is not a religious scholar in the traditional sense — is, however, not apparent in the latter three sources, while at the 'Ulamâ Kanwenshan he severely criticized the Government.

53 President's Order No. 16 from 1980 of 30.11.1980.

54 Cf. The All Pakistan Legal Decisions D.L.D. 1981, Vol. XXXIII, Lahore, p. 332; TGoP, Extraordinary Part I, 30.11.1980, Tanzil ur Rahman: Islamization, p. 3 A, and Provisional Constitution Order 1981, article 228 (2).

55 For example a certain John Harsh, Counselor to the American Embassy in Islamabad, on 24.11.1981. Cf. INKSR, 1981-82, Islâmâbd n.d., p. 285 (Urdu).

56 For the discussion of integrationism and isolationism in the context of Islamization in Pakistan refer to S.J. Malik: Islamisierung, chapter I.

57 For a discussion on salafism and neo-salafism see Reinhard Schulze: Die Islamische Weltliga (Mekka) 1962-1987, in: Orient, 29 (1988) 1, pp. 58-67.

58 A detailed analysis of the personnel has been made in S.J. Malik: Islamisierung, Annex A.

2.1 Integrationist Islam policy

With reference to a personnel analysis of the members Table 2 shows their educational background.⁵⁹ As can be seen, the number of those having enjoyed formal education, i.e. the English medium school, decreased gradually through the years while the number of the traditionally educated increased correspondingly. The heavy majority of the „seculars“ till the mid-seventies changed drastically with the advent of Zia in 1977 (refer also to Diagram 1). A personnel change should have reflected a different kind of policy pursued by the CII. Thus, it was to be expected that the increase in number of Islamic scholars would project those norms and values represented by them.⁶⁰

Table 2: Members of the CII according to their educational background (formal ed. system of madrasah ed. system)

Year of beginning of working-period	Formal ed.s.		Madrasah ed.s.		Total	
	CII member	Consultant + Panel	CII member	Consultant + Panel	CII member	Consultant + Panel
1962	5 (5)	3	3 (3)	—	8 (8)	3
1964/65	9 (6)	3	6 (4)	—	15 (10)	3
1969/70	10 (10)	3	3 (3)	—	13 (13)	3
1974	8 (8)	—	5 (5)	—	13 (13)	—
1977	8 (6)	15	10 (10)	—	18 (14)	15
1981	8 (8)	—	11 (11)	—	19 (19)	—

Sources: Extract from "A Brief Account of the Activities of the Advisory Council of Islamic Ideology", January 1964, December 1970, pp. 2, 3, 4, 5 (mimeo); The Gazette of Pakistan, Extraordinary Part II, Islamabad February 1974, p. 1965 f.; The Gazette of Pakistan, Extraordinary Part III, Islamabad 31 May 1971, pp. 247f., and GoP, Islāmī nazaryāt kawnsil kī sālānah repōrt, 1977-78, Islāmābād n.d., pp. 6f. (Urdu).

Comments: Numbers in parantheses differing from those without parantheses point to changes of members during this period (f.e. 1964/65 five members, i.e. 15 - (10)). There were some more consultants during the Zia period, the number of which could not be stated.

Considering the fact, that the respective composition of the CII is decisive for its respective interpretation of Islam, one can presume that the status of the *'ulamā'* during the first fifteen years of the Council's existence had hardly any impact on its proposals, since the high number of secular jurists, scholars and economists had ruled out the classics of Islamic culture. But, even later, when their number increased, it was mainly because of their disagreement on several issues, that the Council could not develop into a reasonable political platform of the traditionalists.

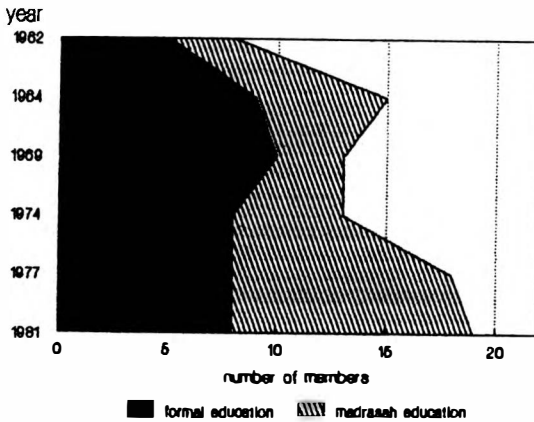
However, one has to bear in mind that these *'ulamā'* and *pīrs* coopted into the Council were representatives of a religious elite, who had already been integrated into the State apparatus, for example either via the Auqaf Department or through the lately installed *zakāt 'ulamā'* committees.⁶¹ One can assume that they tend towards the colonial sector and thus pursue an integrationist kind of Islamization.

59 If English was the main language of communication, then it is presumed that he / she has gone through a formal education system, thus reflecting the norms of the (post) colonial sector or at least those social groups tending towards colonial norms in the incremental complex society (complex in the sense of Jürgen Habermas: Zur Rekonstruktion des Historischen Materialismus, Frankfurt a.M. 1982³, especially pp. 144-199). If his / her predominant language is an „Islamic“ one, the member is considered to tend towards traditional norms.

60 It is not necessary to elaborate on the fact that all *'ulamā'* and *pīrs* were committed anti-Aḥmadīs and had been engaged in riots of 1953 and 1972.

61 For the activities of the Auqaf Department set up in 1960 cf. S.J. Malik: „Change in traditional institutions: waqf in Pakistan“, in: Die Welt des Islams, Vol. 30, 1990 (forthcoming). On the *zakāt* system in general and *'ulamā'* in particular cf. S.J. Malik: Islamisierung, chapters IV and V 8.

Diagram 1: CII members according to type of education 1962-1981



When categorizing the members according to their titles, a picture as in Table 3 appears. This table also reflects a steady increase of Islamic scholars in the CII. The religious elite was, however, using forms and methods of political public as it was/is used by the colonial society, like political parties, parliaments, constitutions etc., even if these norms and institutions were given Islamic nomenclatures. Not only the manner of solving social and economic problems was thus oriented towards patterns of „modern“ society. These ‘*ulamā*’ were also very much concerned to create a strong centralist Government, in which they could legitimize the status quo. In this way they could once more execute their traditional function of legitimizing power and rule⁶² in terms of economic, political and social perceptions. Conspicuous documents for this are the reports of several committees set up from 1979 in order to produce a blue-print on what was to be considered an Islamic Government.

Table 3: CII members according to their titles and their offices

Title and office	1962	1964/65	1969/70	1974	1977	1981
Jurists	2 (2)	1 (1)	2 (2)	5 (5)	4 (4)	4
‘ <i>ulamā</i> ’	4 (4)	6 (4)	3 (3)	5 (5)	10 (8)	11
Scientists	2 (2)	7 (5)	7 (7)	3 (3)	2 (1)	4
Bureaucrats		1	1		2 (1)	
Total	8 (8)	15 (10)	13 (13)	13 (13)	18(14)	19
Economic experts	3	3	3		15	

Sources: Refer to Table 2.

Comments: Diverging numbers in parentheses show a change of members during the period. ‘*ulamā*’ include *qāḍī*, *mawlānā*, *muftī*, ‘*allāma*, *pir*.

62 For the role of ‘*ulamā*’ cf. also W.C. Smith: The ‘*ulamā*’ in Indian Politics, in: C.H. Philips (ed.): Politics and Society in India, London 1963, pp. 39-51.

By the end of July 1979 Zia-ul-Haq had ordered that the CII should elaborate on this issue, especially whether „the prevailing system of elections is un-Islamic“.⁶³ Accordingly, a committee was set up under the chairmanship of Zafar Aḥmad Anṣārī, who had been member of the *ta'limât-e islâmiyyah* Board. The committee, however, was not able to elaborate on the matter. In June 1981 another committee was established, the convenor of which was to be the chairman of the latter. Once again no report came out. Thus, the Council, under the chairmanship of Tanzîl al-Raḥmân started working on the subject and handed over its report on 1 April 1982.⁶⁴ Zia, on the other hand, had ordained to engage internationally reputed scholars on this issue. Thus, 285 specialists were asked in writing, but only 47 responded.⁶⁵

The CII also elaborated on the procedures of voting. According to its standards, the voters' qualifications point to qualities which are prevalent in the colonial and urban society rather than to qualities held by members of the traditional sector or rural groups. One major outcome of the report was, however, that the President was subjected to the discussions of the *shūrâ*.⁶⁶ Zia refused this report and another committee comprising of the members of the Federal Council was set up in February 1983. This time the members were of the opinion, that the constitution of 1973 was by and large the basis for any further elections. Some of the members held, however, the view that the presidential system of Government was nearer to Islam although the parliamentary system was not against it. „The committee came to the conclusion that Parliamentary system of Government, which was in accordance with Islam, would be more appropriate for Pakistan.“⁶⁷ The committee further stated, that the constitution of 1973 gave too much power to the Prime Minister and, thus, should be amended. Some members even were of the view, that the „post of the Prime Minister be done away with“.⁶⁸ Concerning political parties, the committee came to the conclusion, that

„Islam believes in democracy and the development of democratic institutions and traditions through which it seeks to secure the welfare and well-being of the people. Without a political forum and political parties, no Government, believing in democracy, can properly function. Accordingly the committee felt that, in an Islamic State, Political Parties could be allowed to function in order to protect and safeguard the rights of the people and to ensure checks and balances against the excesses and high-handedness of the Government in power.“⁶⁹

Following this, the CII once more started working on this subject and submitted its „Report on Islamic System of Government and Elections“ in May 1983. „The presidential form of Government is nearer to Islamic concept“ but the President was not allowed to resolve Parliament and to amend the constitution. He should either follow the resolutions of the Parliament or should resign. Furthermore, the Parliament was able to remove him. A Supreme Council of Islamic Affairs was to be set up and followed by the

63 Cf. INKSR, 1981-82, Islāmābād n.d., p. 311 (Urdu).

64 Op. cit., p. 57 and pp. 312-317. The members of the committees under Anṣārī were mainly recruited from the colonial sector and from professional groups tending towards it. There seems to be a direct link between the chairman Anṣārī and Saudi Arabian interests as they are propagated by the Rābiṭat al-'ālam al-Islāmī: he had been visiting this institution in Mecca frequently (cf. op. cit., p. 317).

65 Op. cit., p. 318.

66 Op. cit., pp. 332 ff.

67 GoP, Report of the Special Committee of the Federal Council on The Form and System of Government in Pakistan from Islamic point of view, Islamabad n.d., pp. 8 f. (English / Urdu).

68 Op. cit., pp. 11 and 30.

69 Op. cit., pp. 17 f.

Courts. And, „in the light of the Qur'an and Sunnah elections on political parties' basis are not valid“.⁷⁰

However, like in the CII's first report in 1982, there were some members of the advisory body who did not share the latter point. They were either members of the *Shr'a* group or sympathizers of the *Jamâ'at-e Islâmi*. The chairman, Dr. Tanzîl, reserved his opinion, because he was not clear in his mind whether, according to *Qur'an* and *Sunna*, elections may or may not be held on the basis of political parties.⁷¹ Thus, the CII as a body supported elections on a non-party basis, which, in fact, served Zia and gave a handsome piece of the cake to the CII members.

The last committee set up to ponder on this issue produced the famous Ansari Report under the chairmanship of Zafar Aḥmad Anṣârî. This commission was set up in July 1983 and submitted its report in August next.⁷² Following the proposals of the *ta'limat-e islamiyyah* Board 1951, this commission proposed to discard both, the parliamentary as well as the presidential system „and introduce the full-fledged Islamic system of Amarat corresponding with Islamic traditions which, though it may have some points in resemblance with the presidential form, has a distinct character of its own“.⁷³ The Head of State should also be Head of Government. An „Islamic Consultative System of Government“ was recommended, in which the *majlis-e shûrâ* had crucial functions. This institution was to elect the *amîr al-mumlakat*, who shall be, ex officio, the Commander-in-Chief of the Armed Forces of Pakistan. He „shall be empowered to appoint, in his discretion, Ministers as needed in order to carry on the administration ... and shall have the power to promulgate with the view to safeguarding vital national interests, an ordinance in cases of emergency“. But he shall neither have „power to suspend the constitution, either wholly or partially“ nor „to dissolve the Majlis-e Shura in any circumstance whatsoever“.⁷⁴ Hence, the country should change over to elections on a non-party basis⁷⁵ since „political parties are highly harmful for Pakistan“.⁷⁶

These reports were first of all to prolong the date of election, which was detrimental to Zia, especially with regard to the rise of the PPP. Secondly, the chairman of the committee, Anṣârî, proved to be a very helpful supporter in holding Zia in office. Thirdly, the proposal of the committees, the members of which were '*ulamâ*' as well as seculars, seemed to profit from Zia's policy and produced suggestions more or less in consonance with his political ambitions.

During the Islamization policy under Zia the CII for the first time witnessed the problem of different schools of thought. Before, in no period a hegemony of one or the other school of thought was visible. Rather, there had been a system of parity. It was in 1977 when the Government nominated members according to their theological affiliations. Accordingly, there were now three or four *Brelwîs* and *Deobandîs* respectively while there were only one or two *Shr'a* and *Ahl-e Ḥadîth*, which shows to some degree the quantitative proportions of the *makâtib-e fikr* in Pakistan. In fact, now some representa-

70 Cf. GoP, CII, Constitutional Recommendations for the Islamic System of Government, Islamabad 1983, pp. 7, 11, 12, 21 (English / Urdu).

71 Op. cit., pp. 23 and 28 ff.

72 Its members were either nominees of the CII or had been part of the Committee of Federal Council in spring 1983. Cf. GoP, Ansari Commission's Report on Form of Government, Islamabad 1983.

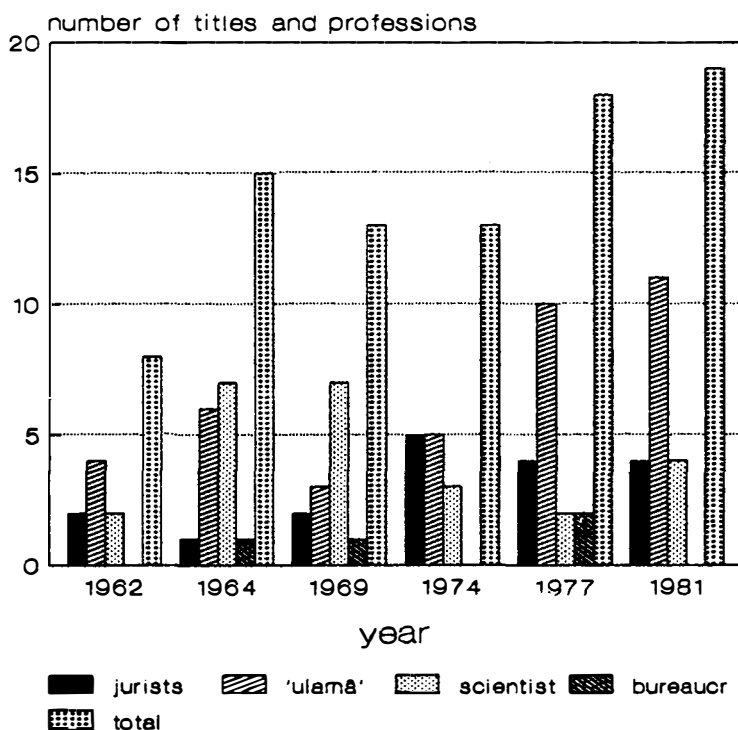
73 Op. cit., p. 12.

74 Op. cit., p. 66.

75 Op. cit., pp. 14 ff. and 24 ff.

76 Op. cit., p. 36.

Diagram 2: CII members according to their titles and professions 1962-1981



Sources: like in Table 2

tives of the *Brelwîs* felt neglected.⁷⁷ The „seculars“, on the other hand, still represented a considerable number.

Since 1977 the impact of Council 'ulamâ' being in majority was, however, reduced through setting up of Panels, the proposals of which were affiliated with the formal (education) system, being a colonial legacy. An ideological Islamization was demanded, which proclaimed to change the society, hic et nunc. Because a considerable number of CII 'ulamâ' shared this approach, one may find corresponding suggestions even with regard to their own, religious, education system. In this respect, the above given categorization of secular and religious or colonial and traditional has to be considered as a clue. It is, however, most informative in revealing the degree of integration, modernization and secularization of the Pakistani „clergy“ (refer also to Diagram 2). These scholars have for example *shu'bah jadidah* in their religious schools and curricula or syllabi of-

⁷⁷ Cf. paradigmatically the criticism of Mawlânâ Mahmûd Aĥmad Riġwî (Brelwî), who was very much concerned about the Deobandîs, especially with regard to the Waqfs (cf. Riġwân, *Ĥizb al-Aĥnâf*, Vol. 38, No. 4/5, Lâhawr, March 1984, pp. 22 f. [Urdu]). In fact, there have been great controversies between the „puritans“ (Deobandîs, Jamâ'at-e Islâmi and Ahl-e Ĥadîth) and the representatives of popular Islam (Brelwîs and Shî'î) in India and Pakistan.

fering modern subjects⁷⁸ while their respective seminaries (*dâr al-‘ulûm*) are attached to umbrella organisations.⁷⁹ One might presume that the majority of these ‘*ulamâ*’ are secularized to a certain degree.

As can be seen in the „Consolidated Recommendations of the Council of Islamic Ideology Relating to Education System in Pakistan 1962-82“,⁸⁰ the ‘*ulamâ*’ were not only very much interested to stress on Arabic and the study of *Qur’ân*⁸¹ as well as to integrate *fuḍalâ’* from *dîmî madâris* (graduates from religious schools) into the formal education system⁸² but also to reform their own traditional *madrasah* system.

The integration of the traditional education system was to be made possible through an „independent and autonomous institution“, in which „also specialists on modern education (*jadîd ta’lîm kê mâhîrîn*) shall participate“. Moreover, degrees of religious schools were to be recognized and made equivalent to the ones of the formal education sector. The precondition, however, was an administrative tying up of religious schools under a central institution⁸³ and the offer of new, formally recognized subject matters like „mathematics“, „social sciences“ and „modern philology“ as well as primary education as prerequisite for the offering of religious education. The central institution was also authorized to elaborate the curricula and to issue degrees, which, hitherto, was exclusively done by the respective umbrella organisations of the schools of thought.

Here one can recognize the tendency of the ‘*ulamâ*’ to modernize their *madrasah* system and their implicit acceptance of their system of education demanding reforms. A reform, however, they considered to be successful only through a higher degree of centralization. These proposals were made in 1978 by the CII, some months before the setting up of the National Committee on Dini Madaris 1979.⁸⁴

Since 1980 there had been a discussion in the CII on the formal recognition of degrees of religious schools. The concerned University Grants Commission (UGC) and Establishment Division, however, maintained that M.A. or B.A. degrees for ‘*ulamâ*’ were only possible if some certain injunctions were made in the theological curricula, especially the incorporation of „modern“ and the elimination of certain „old“ subject matters, while the ‘*ulamâ*’ of the CII were maintaining an equivalence without the latter injunctions. Here the critical and negative stand of the bureaucracy vis-à-vis ‘*ulamâ*’ is apparent on the one hand. On the other hand a withdrawal of Islamic scholars can be stated when they are confronted with a reform by State functionaries.

Finally, it was the personal intervention of President Zia-ul-Haq, which made possible the recognition of theological degrees by the UGC and the Establishment Division. „This decision recognizes the value and enhances the honor and prestige of religious knowledge for which the President is thanked.“⁸⁵

78 This had been elaborated on the basis of religious schools as well as curricula of the CII ‘*ulamâ*’ indicated, as given in Hâfîz Nadhr Aḥmad: *Jâ’izah-e Madâris-e ‘arabiyah Islâmiyah maghribî Pâkistân*, Liyâlpûr 1960 (Urdu), and Hâfîz Nadhr Aḥmad: *Jâ’izah-e madâris-e ‘arabiyah maghribî Pâkistân*, Lâhawr 1972 (Urdu), as well as GoP, Ministry of Religious Affairs: *Repôrt qawmî kamîti barâ-e dînî madâris Pâkistân*, Islâmâbâd 1979 (Urdu).

79 This has been discussed at some length in S.J. Malik: „Islamization of the Ulama and their places of learning in Pakistan 1977-1984“, in: *Asien*, No. 25, Hamburg, October 1987, pp. 41-63.

80 GoP, CII, Islamabad 1982 (English/ Urdu) (henceforth: Consolidated).

81 Cf. Consolidated, pp. 29, 31 et passim.

82 Consolidated, pp. 52 ff. et passim.

83 Consolidated, pp. 34 f.

84 The report is popularly known as the Halepota Report. Cf. also S.J. Malik: *Islamisierung*, chapter V 5 ff.

85 Consolidated, pp. 44 ff., here p. 46. „The fact is, that the personal interest of the President eased the decision [i.e. to recognize degrees of dînî madâris as equivalent to B.A. and M.A.; J.M.] of the UGC“ (op. cit., p. 45 [Urdu]).

The leading perception of the proposals of the Council was to integrate the *madrasah* students into the formal education sector,⁸⁶ rather than to change the formal education. Thus, we may see a latent readiness among the religious elite to integrate Islam into the colonial system and to enrich it with Islamic norms and nomenclatures without aiming at revolutionizing inherited structures.

2.2 Resignations and opposition

The degree of disintegration of the CII in general and that of the '*ulamâ*' in particular can be measured by resignations of its members. Resignations during the period 1964 to 1969 were mostly done by Bengalis.⁸⁷ I.H. Qureshi resigned because of his chairmanship of the Institute for Islamic Research (IIR) in 1965. By the end of the Ayûb era (1969/70) the modernist Dr. Faḍl al-Raḥmân had to resign because of the pressure of some '*ulamâ*' due to his „heretic thinkings“ and left the country.⁸⁸ As chairman of the IIR he was not tolerated by the traditional forces as well.

Especially conspicuous is the number of resignations between 1977 and 1980, during which six members left the CII. Only three of them were '*ulamâ*' — two *Shr'a* and one representing the *Brelwîs*. They left out of discontent with the Council's work which they either considered to be waste paper or an outcome of fundamentalist *Sunnî* Islam. The remaining three „seculars“ were nominated to higher posts of the Government.

During the next period (1981-1984) five members resigned, two of them being *Brelwîs* and the others *Shr'a*. All of them were disappointed by the policy of the Government and the Council.

Although the '*ulamâ*' of the Council were themselves secularized in the broadest sense, pursuing an integrationist Islamization, the high ratio of resigning Islamic scholars reflects a steady growing opposition in this body. But the opposition hardly transcended the own individual position — here with regard to the own school of thought and the respective interpretation of Islam. This became especially apparent for the *Shr'a* on occasion of the Zakat and Ushr Ordinance 1980. The *shr'i* members Mujtahid Ja'far Ḥusain and Sayyid Muḥammad Raḍî turned their back to Government because it was not realizing the rights of the *ja'fari fiqh* and because they did not agree to the Sunnite policy of Islamization.⁸⁹

In the same month Mufti Muḥammad Ḥusain Na'imî (*Brelwî*) left the CII. He opined, that the work done in the Council was mere waste paper and its proposals were not implemented accordingly.⁹⁰ He wanted to create a precedent and demonstrate to Zia-ul-Haq, that he could not „do anything he likes“ with the *mawlânâs*, even if he was offering them the facilities of luxury of international hotels.⁹¹ During the '*ulamâ*' Convention 1980 Mufti Na'imî had criticized that the Council's proposals had not been implemented authentically and that the Zakat and Ushr Ordinance 1980 differed considerably from

86 Consolidated, p. 32 et passim.

87 The reasons of which could unfortunately not be registered.

88 Cf. Al-Baiyanât: „Binorîf nambar“; Jâmi'ah al-'Ulûm al-Islâmiyyah, Karâcht 1978, pp. 10 f., 49, 51, 83 and pp. 318-323 (Urdu).

89 Cf. Morning News, 5.5.1980. 'Allâmah Karrârwi, another *Shr'i* member of the CII, is said to have resigned due to some sight disturbances in 1981. Cf. INKSR, 1981-82, Islâmâbâd n.d., p. 16 (Urdu).

90 Cf. Nawâ'e Waqt, 13.5.1980 (Urdu).

91 Interview with Mufti Na'imî in Lahore in December 1985.

the one the CII had suggested.⁹² 'Allâmah Aḥmad Sa'îd Kâzimî (*Brelwî*) also resigned due to similar problems in 1981.⁹³

Mostly *Brelwî* and *Shî'a* members of the Council resigned while those of *Deobandîs*, *Ahl-e Ḥadîth* and *Jamâ'at-e Islami* stayed on.⁹⁴ Only a few „seculars“ resigned. While the 'ulamâ' showed their disappointment with official policy through their resignation, the „seculars“ manifested their ascent to higher Government posts.⁹⁵

Obviously, the chairmanship of Tanzil al-Raḥmân beginning in May 1980 showed a new era of the CII, since the members were now more articulated and more critical about official policy as had been the case under the chairmanship of Justice Muḥammad Afḍal Chîmah, who was suggested as chairman of the Council by Mawlâna Anṣârî, the close friend and advisor of the President. Accordingly, Justice Chîmah did not make any attempt to denounce or criticize publicly the policy of Islamization. This was different under Tanzil al-Raḥmân, who, as it is said, was introduced to the Council by the then Minister of Justice A.K. Brohi.⁹⁶

While the interests of the Council did not collide with those of the Government during the sixties and seventies, this was the case now and became apparent in the divergence of the Council reports and the implementation of Islamic measures by the Government. Only those recommendations concerning ritualization of religion, such as prayers, parts of the penal law (although in a different way the Council had suggested), holiday, *zakât* (however not implemented in the way the Council had proposed) and some more nomenclatural changes, were taken up. All did not aim at changing the given structures.

Thus, including the Chîmah period 1977-1980 the Council had worked in line with the Government and had answered her questions more or less in a conformist way, be it in form of a respective *ijtihâd*, or with the help of *ḥyâl*.

Chîmah's detachment from the body had at least two reasons: On the one hand his tenure of three years had ended, on the other hand, he had the lucrative prospect of a delegate of the *mu'tamar al-âlam al-islâmî*.⁹⁷ Thus, it was not until Tanzil that the Council became a kind of opposition to the Government. His position towards official policy is reflected in many speeches.

In 1982, on the occasion of the third Pakistan-French Colloquium in Islamabad, Tanzil al-Raḥmân put forward his fears, that the Islamization was not implementable due to different Islamic interpretations prevalent in Pakistan.⁹⁸

Moreover, his speech during the 'ulamâ' Convention 1984 is worth mentioning, when he criticized the Government on account of her weak performances in the field of Islamic economics and the education system. He maintained that the administration kept on neglecting the Council's proposals, especially with reference to the un-Islamic economic reforms and the un-Islamic education system.⁹⁹

92 Cf. UC 1980, p. 165 (Urdu).

93 Cf. Nawâ'e Waqt, 13.5.1981 (Urdu), and INKSR, 1981-82, Islâmâbâd n.d., p. 293 (Urdu).

94 This, however, does not imply, that the Deobandîs are totally conform with Government's policy. We may observe different sections among the schools of thought. For instance, some Deobandîs adhere to the non-conformist Faḍl al-Raḥmân group, while others follow the Darkhwâsî wing. The majority of the Brelwîs, on the other hand, do cooperate with Islamabad.

95 This is especially true in the case of Mr. A.K. Brohi, who in 1978 became Federal Minister for Religious Affairs, and Mr. I.H. Imtiazî, who became Administrator General of Zakat in 1980.

96 Tanzil was to chair the Islamic Law Cell established under the Law Ministry in October 1979 in order to scrutinize the somewhat unclear suggestion of the Council concerning Islamization. It is said, that Tanzil was interested to do this job in the capacity of a judge, for which he then was nominated judge of the Sindh High Court and thus was authorized to chair the CII.

97 He was appointed to the post of President of the Mu'tamar's Asiatic Islamic Coordination Council, which was founded in January 1980 in Karachi. I am thankful to Prof. Reinhard Schulze for confirming this information.

98 Cf. Jang, January 1985: „Compilation of Islamic law“ (Urdu).

99 Cf. UC 1984, pp. 131 ff. (Urdu).

The criticism of some '*ulamâ*' during the '*ulamâ*' Convention 1980 had prompted Zia-ul-Haq to suggest in his final address the publication of Council reports so that everybody could consult them and discuss the issues raised. He stressed, however, the advisory character of the Council and said that its proposals were to be considered with reference to administrative, economic and political aspects. „If a proposal of the Council is not implemented immediately, it does not mean, for God's sake, that Government is not interested in its implementation. The reason for that lies rather in administrative or financial problems“¹⁰⁰ (he did, however, not mention political problems). The Council itself also raised voices to publish its reports, often through the press.¹⁰¹

In spite of the heavy impact of secular forces on the Council neither its reports nor the religious scholars seem to be really accepted in the secular political arena. Not only Government and administration, but also the members of the then National Assembly, which was elected in 1985, did not agree with the Council activities: When it finally came to discuss the annual interim reports in the National Assembly, its members seemed not only to be rather uninterested in them but were apparently boycotting their discussion by leaving the house. Thus, the quorum could not be maintained.¹⁰²

2.3 *The budgets of the CII*

The support of the Council during the Bhutto regime since 1975 and especially during the Zia era since 1977 meant, of course, also a financial increase.¹⁰³ In 1975/76 the financial allocations for the Council increased 68 % in comparison to the preceding year (from Rs 258,100 to Rs 433,500). The rate of increase from 1975/76 to 1976/77 was only 12.2 %. Indeed, the Council was busier in 1975/76 than in the preceding year and directly after that.

With the entrance of Zia-u-Haq, the budgets increased 21 fold, from Rs 486,600 in 1976/77 to Rs 10,591,000 in 1977/78. A considerable amount was put under the category „lump provision for additional expenditure“ (Rs 8,549,000). This was most probably for the setting up of the Panel of Bankers and Economists which produced the report on the Islamic economic system.

After this boom the allocations decreased gradually, so that in 1979/80 Rs 5,965,000, 1980/81 Rs 4,229,000 and 1981/82 only Rs 2,283,000 were shown as revised receipts.

It is remarkable, that the main part of the Council's allocation went into „Commodities and Services“ (1979/80: 83 %; 1980/81: 75,3 %; 1981/82: 44,8 %). Formerly (until 1979) this part was claimed as „Miscellaneous Expenditure“. Thus, the real Council receipts increased, but there seems to be enough money to finance different projects, experts and foreign visits, the money for which was spent out of „Commodities and Services“.

100 Cf. UC 1980, p. 236 (Urdu).

101 Cf. *The Muslim*, 15.1.1981; *The Muslim*, 11.7.1982: „CII report on Islamization of banking ignored“; *The Muslim*, 20.7.1982: „Not a very complex PLS system“; in which it is said, that the CII report on the economic system was not implemented. Also *The Muslim*, 13.8.1982: „Officialdom's obsession with secrecy“. Here the secrecy and refusal of publishing the reports are heavily criticized.

102 Cf. National press in January and February 1986.

103 The sources for the following elaboration are different „Federal Budgets“ from 1964 to 1982; the respective figures are given under „Ministry of Law and Parliamentary Affairs“ and from 1976 on under „Ministry of Religious Affairs“.

Conclusion

The permanent presence of '*ulamâ*' in the Council and their increasing ratio, the fact that the CII spent more time on its work than in the preceding years as well as the Government's strategy to coopt Islamic scholars according to their political power and influence, cannot, however, deny the fact, that the '*ulamâ*' are merely tolerated by the representatives of the State. This becomes evident in different speeches Zia and members of Cabinet held on several occasions like '*ulamâ*' and *mashâ'ikh* Conventions as well as other officially organized performances. It is said, that even the President, not to speak of the bureaucracy, was becoming uneasy about '*ulamâ*' and was not prepared any more to appoint any divines and theologians for the Council, because they were not concerned with contemporary issues but only interested in being respected by their students.¹⁰⁴ Moreover, the President is said to have shown his utter disappointment regarding '*ulamâ*' during the activities of the National Committee on Dini Madaris 1979.¹⁰⁵

An isolation of the '*ulamâ*' from the Council, however, is not possible and not proper since they are the ones having some mass support. Thus, these kinds of utterances can be regarded as wishful thinkings. But the Government depends on the collaboration of '*ulamâ*' and does not shy at any attempt to give some sort of participation to the main leaders among them.

Since one may observe an integrationist version of Islamization in Pakistan, '*ulamâ*' and divines coopted by Government in order to legitimize its policy are affiliated to the modern sector or at least are oriented towards it. The impact of few exceptions is confined to an individual level. Only in case of the *Shr'a*, as a reasonably organized minority, opposition could mobilize mass support and develop into a kind of isolationist or counter-integrationist movement. A unified reaction in the Council, however, has not been developed yet.

A non-conformist CII could mean a strong Islamically (traditionalist) legitimized moral pressure to the de-Islamizing policy of Government. Apparently, members of the Council are alienated from each other to a high degree and are not able to transcend their different problems of interpretation of Islamic law. They cannot agree on a common platform and build up a common opposition in order to safeguard the interests of the traditional sector of society. The heterogeneity of Islam in Pakistan is apparent. Therefore, and because the members being already integrated to a certain degree, administration has little problem to instrumentalize them for her purposes. How the Bhutto administration will tackle the question of the religious scholars' participation remains to be seen.

104 Interview on 29.11.1984 in Islamabad with a member of the CII. This was also mentioned by the representatives of the Islamic Avantgarde (in December 1984 in the Islamic University, Islamabad).

105 According to a high official, Zia did this with the words „*mêrê bâp awr mêrê bâp dâdê kî tawbah*“, crossing his arms and holding his ears with the thumb and the index. *Tawbah* means repentance; here, apparently, a repentance is hinted at, which Zia felt after having committed a big sin, a sin which neither his grandfather nor his father had committed. Because of the badness of the sin, even they were to show repentance. Thus, he promised to never do such a great fault again, namely to rely on religious scholars; cf. also Qur'ân 24/31 and 66/8; Imam Ghazzali: *Ihya ulum id Din*, The Book House, Lahore 1983, Vol. IV, pp. 1-67, translated into English by al-Haj Maulana Fazal al-Karim, gives the mystical dimension of repentance while Mawdûdî's interpretation of sura al-Tawba is a more mundane one. Cf. A. A. Maududi: *The Meaning of the Quran*, Islamic Publications Ltd., Lahore 1982⁵, Vol. IV, pp. 157-248. Refer also to Abdur Rehman Shad: *Muslim Etiquettes*, Kazi Publications, Lahore 1980, pp. 61-66.