

DOMESTIC POLICIES OF GENERAL ZIA UL HAQ TOWARDS ISLAMIZATION DURING 1979-88

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Abstract

General Zia-ul-Haq introduced various Islamic reforms and developments during his presidency. The Islamization Policies of Zia whose were adopted during his period 1979-88, were likewise, Law of Evidence, Hudood Ordinance or Law, Establishment of Federal Shariah Court, Qazi Courts, Establishment of a Shariah Faculty and Islamic University, Educational Reforms, Zakat and Ushr Ordinance, Islamic Economic System, Pronouncement about Qadianis, Better Amenities for Hajj, Importance to Ulema, Prayer in Congregation, Ordinance for Ramzan Ahtram, Appointment of Federal Ombudsman, National Security Council, Reforms in Information Media, Interest Free Banking, and Planning Commission. These policies showed positive impact of Zia during his period. If completely, these policies adopt in the Pakistan's law, the crime ratio will be reduced on large basis. Many policies are overlook with the time being while some policies like Azan on air, Namaz in office hours, Zakat and Ushr Ordinance, Compulsion of Pakistan Studies and Islamic Studies, developments about Qadianis, Ramzan Ahtram, National Security System, Planning Commission, Federal Shariat Court or Council are still implemented in the legal system of Pakistan. These steps promoted the Islamic culture in Pakistan and useful in Islamic injunctions. Some policies were adopted in Zia's regime which based the cause of bad impression of Zia.

Keywords: Zia-ul-Haq. Islamization, Policies, Islam, Politics

Historical Perspective and Islamization

According to Holy Quran, Islamic teachings and Sunnah, the laws would be made and also implemented in this state. Quaid-e-Azam further said: "It is my belief that our salutation lies in following the golden rules of conduct set for us by our great law given by the Prophet (P.B.U.H.) of Islam. Let us lay the foundation of our democracy on the basis of truly Islamic ideals and principles. Almighty Allah taught us that the decisions in the affairs shall be guided by discussion and consultation (Selfanswer, 2010)."

The process of Islamization in a society rapidly move towards Islam like other Islamic countries. In current days, it seems to be an entrance of the person to Muslim esteems, groups, and clothing and furthermore a reinforced group.

"Global Muslim identity does not necessarily or even usually imply organized group action. Even though Muslims recognize a global affiliation, the real heart of Muslim religious life remains outside politics—in local associations for worship, discussion, mutual aid, education, charity, and other communal activities (Islamization, 2018)."

Islamization Under Zia

Zia imposed martial law and proclaimed his Islamization policies with a new boost. He was a true Muslim leader who highlighted the "*slogan of Islam*" due to Islamic sentiments had raised in Pakistan. Many politicians or leaders had used Islam to their own benefits. A few people criticized of this slogan of Zia and justified with doubt that in the behind, the reasons of this slogan, Zia's personal benefits.

Zia had enunciated of the need for an Islamic structure of Politics and also establishment, a Nizam-e-Mustafa, as more fitting to the Pakistani Nation. Zia fortified this view yet Bhutto was not in the support of a structure to change Pakistan into a "*ideal*" Islamic State. Moreover, Zia was convinced that exclusive Islam guaranteed Pakistani to each other and just the profound practice could keep a further unknot of Political and Social texture (Mudirra, 2012). On December 2, 1978, Zia-ul-Haq spoke with nation and he ensured this in order to an Usher in an Islamic system in Pakistan. In his address, Zia

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incriminated legislators of misusing according to Islam, saying that "many a ruler did what they pleased in the name of Islam."

Afterward, assuming responsibility, at first assignment was of his legislature to achieve its guarantee with the implementation of Nizam-e-Mustafa. As an underlying stride to dispatch an Islamic Culture in Pakistan, Zia pronounced to dispatch of Sharia Benches. But he did not comment that '*Sharia Benches*' authority remained restrict by subsequent predominant article:

"(Any) law does not include the constitution, Muslim personal law, any law relating to the procedure of any court or tribunal or, until the expiration of three years, any fiscal law, or any law relating to the collection of taxes and fees or insurance practice and procedure."

It means, entirely vital rules and regulations which effected directly on a common man remained separate the purview of the Sharia Benches. Federal Sharia Bench (FSB) acknowledged "*Rajm*" to be unislamic. General Zia reconstructed law court which then declared the law of "*Rajm*" (stoning) as an Islamic, accordingly (Islamization, 2020).

Islamization and Ideological Cleansing

General Zia redirected the discourse of Pakistani politics by using Islamic metaphor with new vigor and with the object of Islamizing the polity, society and economy. He was determined and tireless in belligerence that Pakistan is "an ideological state", where Islamic Laws have not been operationalized (Ansari, 1990). Not every religious parties and groups concurred with the administration's strategy and substance of Islamization. Jamaat-e-Islami developed as the most energetic supporter and protector of Zia's Islamization; an accomplice in the quest for changing Pakistan into "an ideological state". This personality of perspectives amongst Zia and Jamaat-e-Islami achieved a "tremendous change in Jamaat's fortunes (Jansen and Islam, 1979)."

Process of Islamization Under President Zia

From the very inception of his military rule, President Zia has put stressed on giving his country a '*real Islamic state and the Islamic system of working*'. In his various addresses between 12th August 1983 to 30th December 1985, when martial law was finally lifted. Zia never missed a single opportunity to stress his positive plan for the Islamization of the political and social system in Pakistan (Choudhury, 1988).

It was only after President Zia came to power on 05 July 1977 that significant steps were taken towards Islamization in Pakistan – Nifaz-e-Nizam-e-Islam. We have mentioned to Zia's reforms to introduce Islamic taxes like Zakat and Ushr and an Islamic system eliminating Riba and replacing it with a basis of participation in profit and loss a bank. We shall now discuss various other measures taken by Zia from 1977 to 1985 towards Islamization in Pakistan culminating in promulgating an ordinance on 15 June 1988 declaring the Shariah as the 'supreme law of the country' with immediate effect. While promulgating the ordinance, While promulgating the ordinance, Zia told his countrymen that from the charge day, he had always been justifying on every form of the creation of Pakistan was 'Nifaz-e-Shariah'. He added, Nifaz-e-Shariah is not only the basis of our existence but also is a guarantee for our survival. He concluded by saying: 'Insha Allah, the time is not far off when Pakistan will become in the true sense a cradle of Islam, the craze of unislamic values will peter out; the atmosphere of suspense and misgivings will wither away, anti-Islamic forces will become weaker and ascendency of Shariat-e-Mohammadi will permeate every nook and corner of the dear motherland' (Hussain, 1994).

Measurement of Zia towards Islamization

When General Zia took over the charge, he showed his keen interest in the workings of the council to accelerate the process of Islamization and assured the full co-operation of



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his government to enhance the Islamization and took many steps of Islamization. Some general phenomena were circulated on those days at every lip of people that every government or establishment used the name of Islam to cash him but in practically no truthful and sincere efforts were made of Islam. General Zia sensed such feelings and gave his full attention on Islamization Policy. The Islamization program of Zia's administration comprised of lawful changes. The beginner of I.P.C; educational and economic reforms appropriated according to Islamic injunctions. There are three types of legal reforms which were made during Zia's Islamization process: (i) Structural Reforms (ii) Procedural Reforms (iii) Criminal Law Reforms instead of these reforms there were made so many other reforms and measurements in the process of Islamization (Shah and Panhwar, 2014). We can be elaborated under the followings:

- a. Law of Evidence
- b. Hudood Ordinance or Law
- c. Establishment of Federal Shariah Court
- d. Qazi Courts
- e. Establishment of a Shariah Faculty/Islamic University
- f. Educational Policy/Reforms
- g. Zakat and Ushr Ordinance
- h. Islamic Economic System
- i. Pronouncement about Qadianis
- j. National Language and National Dress
- k. Better Amenities for Hajj
- I. Favorable Atmosphere Created
- m. Contact with Ulema and Mashaikh
- n. Eradication of Anarchy and Wantonness
- o. Prayer in Congregation
- p. Ordinance for the Sanctity of Ramzan-Ul-Mubarak Month
- q. Appointment of Federal Ombudsman
- r. National Security Council
- s. Reforms in Information Media
- t. Interest Free Banking
- u. Planning Commission

Law of Evidence

According to Mujawar, '*law of evidence*' was vital figure in procedural reforms which should be discussed on wide level and he also argued by the advocates of Islamic reforms in Pakistan. Law of evidence (1872), a heritage of British Raj which was fully unislamic. According to orthodox Ulema's views, Zia stated on 02 January 1981, "*in my opinion what is of fundamental importance is that the law of evidence should be strictly in accordance with the Quran and Sunnah*" (Ahmad, 2020).

Hudood Ordinance

The then President of Pakistan General Zia-ul-Haq declared five ordinances on 10 February 1979 on the suggestion of the Council of Islamic Ideology (CII) changing the current Pakistan Penal Code (PPC) identifying with specific offenses influencing moveable property of individuals and the good and social request of the general public, to get it congruity with the social request of the general public, to carry it resemblance with the Holy Quran and the Sunnah. These ordinances also known as '*Hudood Ordinances*' (Lau, 2007).

By these ordinances, the present laws linking to the crimes of adultery false, theft, decoity and robbery, blame of adultery and wine intake were replaced by the Islamic Provisions of Hudood. Drinking of wine (alcohol drinks) was, for example, not an offence



under the PPC. However, the intake and export of wine by Muslim was prohibited in Pakistan in 1977 and the decree of wine by Muslims was restricted in Pakistan and the sentence of detainment for a half year or a fine of Rs.5000/ -, or both, was given under Hudood Laws (Lau, 2007).

According to Hudood Ordinances, there were suggested so many different punishments for several crimes. The definition of word '*Hadd*' means '*the punishment which has been suggested according to the Holy Quran and Sunnah*'. Four Shariat Laws were also enforced in 1979.

The offence against property deals with theft, Zina Ordinance deals with Zina and relative offences. Islam condemns the crimes of zina and rape in which both male and female both involve directly or forcefully. The offence of Qazf means False Allegation and it related to the cases of false imputation of zina and the last the prohibition order 1979 completely deals with the prohibition the Muslims to taking, eating or drinking any kind of liquor which proved prohibit by the Quran and Sunnah (Iqbal, 1984).

Firstly, according to Hudood Ordinances, use, sale or facilitation in any kind of prohibited wine or any narcotics considered a crime entire Pakistan. Every guilt person who found of the prohibited crime would be responsible to penalty of thirty lashes and five-years custodies. Secondly, in case of theft crime, the penalty was proposed regarding to this ordinance, to cut a right hand of a guilty person on behalf of theft crime. If the guilt person commits second time the same crime, then his left hand will be cut down and in case of habitual thief the penalty was to be awarded life detention. Thirdly, it meant for adultery. According to this ordinance, if any person, male or female, involved in the sin/crime of adultery, he or she would be stoned till death.

The act of stoning the adulterer would be initiated by the first eye witness. The culprit will then be shot dead during stoning. The law has been enacted in the light of Islam which means that if a man or woman, not married with each other according to the Islamic way, indulge in adultery, would be stoned to death at an open place. There are some cases of Zina, verdicts about these and suggested punishment under Hudood Ordinances. As far as, the sentences under Hudood Ordinances were troubled, they implemented in a very prejudiced mode. Females were demonstrated embarrassed or Zina-Bil-Jabar through the medicinal examination following the rape or as they became pregnant and were unmarried. To immediate, a familiar case of Safia Bibi, who had kept as a home servant and gone to pregnant following a manifold zina/rape. She was given sentence of fifteen lashes for zinabil-jabar. Shamefully, there were two men involved. Both were in relation a father and his real son. Both were not penalized due to the absence or lack of evidence and the later on they were cleared on given the 'benefit of doubt'. As well, the issue of woman should suffer twice, it is hurtful that this law distinguished counter to women by accepting illegal birth in a case of 'confession' in demonstrating a woman's guilt while the male went un-sentenced due to blameless (Cheema, 2006).

Establishment of Federal Shariah Court

General Zia wanted to introduce such a political framework, to the point that would suit his actions and political points. The PCO had given him authority to modification in the 1973 Constitution, freely (Sprague, 2020). It was proclaimed in the PCO that vote based system and delegate organizations would be reestablished as quickly as time permits 'in conformity with the principles of Islam' yet a FC would be assigned (Dawn Newspaper, 1981).

In December 1981, Zia affirmed the foundation of the Majlis-e-Shoora and it was likewise calling a break game plan to advance 'effective contact' between the public and the establishment. At first, the Majlis comprised of 287 individuals. Zia supported the

foundation of the Majlis-e-Shoora that the administration wanted to connect prevalent requests with government approach. The forces of the Majlis-e-Shoora were characterized in the presidential request that made it. At long last, it could accept extra obligations on coordinate task by the President however the Majlis-e-Shoora was not a genuine governing body, nor a perpetual apparatus (Ziring, 1997).

The establishment of FSC was a vital step of the government in the process of Islamisation. The jurisdiction of FSC extends to the entire country. Appeals against the verdicts of lower and high courts can be presented before FSC for hearing. The SC of Pakistan can hear the appeals against FSC. However, Pakistan Family Laws and financial matters were out of the jurisdiction of the FSC. The FSC verdicts various type of issues accordance to the Holy Quran and Sunnah. Any and every citizen can challenge any law of the state before it where he has to prove the unlawfulness against the teachings and spirit of Islam.

Qazi Courts

It is a real fact in the present judicial system, that the judicial system is so complicated and complex that the distressed party has failed to get justice through it. Consequently, a decision was made to establish a simple and speedy Qazi Courts to provide justice. But the practical step could not be taken due to the opposition of the lawyers. In the addition for more effective practically implementation of Islamic laws with Islamic procedures, so many steps are taken to establish this kind of court with jurisdiction over an area comprising one thana/police station or two. Speedy and cheap justice provide to everyone on one doorstep. Likewise, on tehsil level, the tehsil headquarters, izafi zila qazis gave statue to equivalent of additional district and at district level as a Session Judge will be establish (Choudhury, 1988).

Establishment of Islamic Faculty/University

On 08 October 1979, in the Q.A.U, Islamabad, President Zia-ul-Haq introduced the Shariah Faculty where some distinguish steps took to enhance the teaching of Shariat Law at high level of studies. A number of students had admitted in LLM degree who served as a pioneer to initiate of Islamic learning in the field of Fiqah and also help to provide the necessity of Shariah court. In Nov, 1980, an Islamic University was established in which Shariah faculty had transferred to make it. There is one thing is most important to discuss that the King of Saudia enhanced its support and favor in context of Sharia Faculty and University. The familiar university of Al-azhar also supported to the university (Choudhury, 1988).

Education Policy/Reforms

The CMLA Zia-ul-Haq boarded upon planning a new *National Education Policy* and organized a National Conference in October 1977 to suggest ways to take education in line with people's belief and ideology the main stresses of this new policy were on the aim of promotion deep devotion to Islam and Muslim nationhood. For this objective, several steps were suggested which included the revision of syllabus to restructure the contents around Islamic thought, the incorporation of "*Madrasa*" with the contemporary school and college system, the introduction of *National Language* as the medium to mobilize community resources like mosques and Mohalla schools for spreading basic education functional literacy and the establishments of separate educational institutions for women at all levels (Azmat, 2013).

The government and military supported to develop the Islamic model institutions and commission of several branches of knowledge. The government supported the traditional elements in the educational institutions and information infrastructure. The major aims of the education policy announced by the military regime in February 1979 were to enhance the



national true sprits and love in the hearts and minds of the people for their country and particularly in the students a deep and long-lasting loyalty to Islam and Pakistan and to create consciousness in every student that he is not only Pakistani but also a part of universal Muslim Ummah and he is predicted to take a vital role towards the welfare of Muslim fellows and spread the message of Islam throughout the world in the light of the Quran and Sunnah (Shah, Ahmad and Khan, 2019).

Zakat and Ushr Ordinance

Zakat and Ushr Ordinance was an important stride of Zia to introduce the Islamization in Pakistan and it was enforced and enforced on society from 20th June, 1980. It is a significant stride of towards our economic system and a big achievement of the Government. This ordinance will be known as the "*Zakat and Ushr Ordinance of 1979*" and will enforced throughout the country. The ordinance will cover the Muslim population and will be extended to the Muslim Organization/Associations and Institutions only. A Zakat fund will be established to collect all sorts of gifts and bounties. It will be compulsory for every '*Sahib-e-Nisab*' Muslim to pay Zakat by deducting it from his/her accounts lying in the banks.

The government was permitted of deduction from the saving accounts in the bank at 2.5% rate. The amount which recovered in contest of Zakat was spent on the needy and poor people through the Zakat Committees. The Shia groups were exempted from the Zakat deduction by this statement that '*The purpose of Zakat is not the elimination but alleviation of poverty*' (Iqbal, 1984).

'Ushr' is a tax which is levied on the yield of agricultural land it cash or kind. According to this ordinance every owner, plougher and cultivator of a cultivated land will have to deposit with the Government 10 percent of the agricultural crop/production of the land under his use in cash or kind as 'Ushr'. However, the agricultural crop of wheat less than 948 Kg was exempted from the payment of 'Ushr'. It was also decided that if the land-owner, plougher and cultivator was a poor man and came under the category of those persons who are eligible to receive Zakat, he will be exempted from the payment of 'Ushr' (Nasr, 1996).

Pronouncement about Qadianis

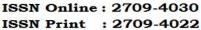
In 1984, the Zia government decided to put to an end to their deception. The president issued an ordinance according to which they were prohibited from using the names of Islamic practices and rites. They can neither use the name of mosque for their place of worship nor model it like a mosque; they cannot term their call for worship as "Azan", they cannot use the titles of "Sahaba", "Ashra-i-Mubashara" and "Um-ul-Muminin" for the companions and wives of Mirza Ghulam Ahmed. This ordinance made it quite clear that if Qadianis wanted to live in Pakistan, they would have to accept their status of non-Muslims (Malik, 2002).

Better Amenities for Hajj

Zia government adopted a policy to provide opportunities for the maximum people to perform Hajj. The Hajis were allowed a reasonable amount of foreign exchange. All those persons whose relatives in foreign countries were ready to bear their expenses were allowed to perform Hajj. For the guidance of the Hajis, "Khaddam-ul-Hujjaj" were appointed. The government also paid attention to improve their residential arrangements in Saudi Arabia. Better medical facilities were also provided to the Hajis (History, 2021).

Contact with Ulema and Mashaikh

For the enforcement of Islam, the support of the Ulema was necessary. President Zia concerned about conventions of Ulema and Mashaikh to provide them an opportunity not





only to utter his government. In this way, the government became conscious of their true feelings and reviewed its policies in the light of their criticism (Malik, 1989).

Prayer in Congregation

The instruction for making arrangements for Zohar prayers in Government Offices, Schools and Colleges were a impressive act. Since of that time, this practice is still followed in some offices and education institutions. *Nazimin-i-Salat* is appointed in every department/institution to exhort the people to offer the prayers. In the beginning, the high government officials, the principals and the headmasters attended prayer congregations' punctuality, but soon a kind of laxity crept in and even *Nazimin-i-Salat* abandoned their duty (Ahmed, 2020).

Ordinance for Ramzan Ahtram

Another radical step towards Islamization of Pakistani Society has been taken by the Zia's Government which concerns to keep up the sanctity of the Holy Month of Ramzan. In June 1981, Zia had issued an ordinance in which every drinking and eating things which are prohibited in Ramzan had been stopped. Anybody who found at any open placed to eat or drink in violation to this ordinance is chargeable to three months' imprisonment and a fine of five hundred rupees. Yet, hospitals, railway stations, sea ports, bus stands, trains and airports are exempt from this ordinance. During this Holy month, the electronic media started offering special programs. For a few years, the respect for Ramzan was maintained in bazars and streets and even private hotels were closed down (Azmat, Bilal and Azam, 2021).

Appointment of Federal Ombudsman

In June 1981, the President Zia forwarded the offer for the appointment of an ombudsman to look after the people's grievances from the injustice of bureaucracy and government officials and to compensate their legitimate complaints. On January 24 1983, through a special ordinance, the post of ombudsman was created. He has provided relief to thousands of grieved people (Hussain, Rasool and Rasool, 2020).

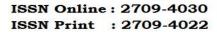
National Security Council (NSC)

To protect from unavoidable circumstances, a commission consider it expedient that the constitution should provide the formation of a national security council which shall have the power to declare a state emergency and also have all powers to take a necessary and suitable actions, accordingly. The NSC shall be included of the followings (Yaseen, Ahmad and Butt, 2016):-

- a. The Ameer-e-Mumalkat
- b. Chairman of the both houses of Majlis-e-Shoora
- c. Chief Justices of the S.C and FSC
- d. Minister In-charge of defense, foreign affairs, law, interior and information
- e. Wafaqi Mohtasib
- f. Chairman of the CII
- g. The heads of the three armed forces

Reforms in Information Media

Media plays an important role in creating favorable public opinion for a particular system. Therefore, Zia Government introduced reforms in electronic media. Instead of promoting music and dancing, reformatory programs were presented. Azan was aired at prayer-time. Hajj rites were broadcast live on television and sermon of Hajj could also be heard on radio. Radio programs were also directed towards character-building. For some time T.V programs stopped altogether from Iftar to Isha to provide an opportunity for the Muslims to pray without any disturbance. An important aspect of reforms in the media was the banning of obscene advertisements on television and newspapers (International Media Support, 2009).



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Banking system in Pakistan was organized on 'interest' basis and the account-holders were paid a fixed amount on their deposits on yearly basis as interest. The Government, in order, to streamline the banking system in accordance with the Islamic Principles, took steps to eliminate the evil interest from the banking system of the state. For this purpose, on 1st January, 1981, Interest Free Banking System was introduced in the state and in its place the 'profit and loss' sharing system was introduced. According to this system the account-holder becomes the partner with the bank in its profit or loss and shares it according to his investment in the bank. The bank then invests the money, deposited by the clients, in different industrial and commercial projects and the account-holder is informed of the profit or loss the bank has accrued on its various industrial and commercial concerns. Accordingly, the account-holder shares the profit or loss with the bank at the end of the year. In the beginning some difficulties and problems were faced in running this Interest Free Banking System which have now been overcome. The Interest Free Banking is an important step towards Islamization process of our society (Hassan and Azfar, 2001).

Interest was eliminated from domestic transactions and commercial banks make advances on PLS basis. Prohibition or elimination of interest as a remuneration means that capital as a separate and independent factor production would not exist in an Islamic Economic System. Capital will have to work in partnership with entrepreneurship. In an Islamic system 'interest' is substituted by the institution of 'profit' and 'loss'. This partnership technically called 'Mudaraba' forms the conceptual basis of interest-free banking. While announcing measures relating to Zakat and Ushr, General Zia declared that they had been taken 'to narrow the gap between the rich and the poor and to look after the indigent and the destitute'. There is also a Quranic commandment: "Whose is rich let him abstain generously, and whose is poor let him take thereof in reason" (Iqbal, 1984).

Planning Commission

The planning commission was reestablished; it was stopped in the regime of Zulfiqar Ali Bhutto. Though, the Planning Commission was reestablished by Zia-ul-Haq. Central Civil Service System and Provincial Service System were also reestablished by Zia in his regime. The Service Commission and other essential services were provided full protection and merit system introduced in all fields (Azmat, 2013). The government, in order to make Pakistan a real Islamic State, is sincerely striving hard to introduce Islamic system in the country. The Government, for this purpose, needs staunch support and cooperation from the masses. Pakistan at present, is passing through the transitory stage towards its ultimate goal of Islamic society. A very long span is required to mould Pakistan into a real Islamic State. However, in view of the efforts, made by the Government, it can be safely assumed that the time is not very far away when a society based on Islamic Principal would come into existence which was the prime objective of demand for Pakistan. Zia's Policies through Islamisation made a great change in the society for Islamic injunctions.

Conclusion

During his presidency, General Zia-ul-Haq introduced various Islamic reforms and developments. The Islamization Policies of Zia whose were adopted during his period 1979-88, were likewise, Law of Evidence, Hudood Ordinance or Law, Establishment of Federal Shariah Court, Qazi Courts, Establishment of a Shariah Faculty and Islamic University, Educational Reforms, Zakat and Ushr Ordinance, Islamic Economic System, Pronouncement about Qadianis, Better Amenities for Hajj, Importance to Ulema, Prayer in Congregation, Ordinance for Ramzan Ahtram, Appointment of Federal Ombudsman, National Security Council, Reforms in Information Media, Interest Free Banking, and Planning Commission. These policies showed positive impact of Zia during his period. If



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