

**The Contract Act 1872 and The Recommendation of Council of Islamic Ideology Pakistan:
Legal Experts Prospective**

Yasir Munir

PhD Law Scholar Southwest University of Political Science & Law China

Dr. Naseem Akhter*

Associate Professor, Department of Islamic Studies, Shaheed Benazir Bhutto Women University,
Peshawar, Pakistan at-khtr_nsm@yahoo.com

Abstract

The Contract Act of 1872 is relatively important in the country, Pakistan particularly because it deals with sets of rules and parameters of the contract and agreements. At the start of the year 2013, the Council of Islamic Ideology Pakistan proposed certain amendments to cover up the Act according to Islam's Sharia law. This particular recommendation has brought a lot of debate among legal practitioners and Experts, this has created a platform for developing the aspect of the views and stand of the supporters and the opponents of the proposed amendments. This work shall outline the legal structure, based on the Contract Act of 1872 as well as the changes that has been suggested by the Council of Islamic Ideology. Most of the lawyers and jurists are totally against the so-called reform of the Contract Act 1872 of Pakistan and emphasize that these amendments are not required and hence may cause confusion to the existing laws. Some of them state that in the current Act, there is adequate protection of the Islamic values and to undertake any further measures as will cause legal uneasiness and vagueness. In contrast, several lawyers and activists hold the opinion that new changes are necessary to ensure that the law should be compliant with Sharia law, this is because the Pakistan legal framework contains elements of Sharia law. They suggested the present law does not reflect the Islamic view and what the CII stole out is what can supplement the absence. Collectively, while considering the role of the Council of Islamic Ideology, the discussion elucidates that there is a possibility that the expert's and advocates' viewpoints contribute to the realization of the fact that it is difficult to amend laws at the central level.

Keywords: Legal Experts, the council of Islamic ideology Pakistan, Contract Act 1872, CII, Pakistan.

Introduction

Being one of the most important contract laws of the country, The Contract Act 1872 contains provisions of the law of contracts in Pakistan. It was passed during British colonialism in India and has since been incorporated into Pakistan's legal system upon its successful gaining of independence in 1947. Development of the Contract Act 1872 can be attributed to the mid of the nineteenth century when the British parliament introduced uniform legal policies in the Indian subcontinent. Section 26 was incorporated into the Indian Contract Act of 1872 which was in force for the greater India ranging from modern day Pakistan as well. Following this phase of its legal history, Pakistan received the Contract Act 1872 as a legacy from India after the two countries' partition in 1947. The law, concerning the Act, has also been subject to various

amendments over the years with major and significant reviews done in 1996 wherein the Act was extensively overhauled to make it more relevant to the current society. The Contract Act of 1872 is a very important law in Pakistan as it mainly gives legal structure to contractual relations which is fundamental to the business world and thus the economy. The law also regulates several aspects concerning the creation, formation, and performance of a contract as well as rules governing the enforcement of the contract and, ways of dealing with contractual disputes that may arise. In conclusion, the Contract Act of 1872 was very effective for Pakistan and to this day, this law is the most important in Pakistan.

Contract Law in Pakistan especially the Contract Act 1872 is an important law and concerning its application and efficiency, there are different opinions and perspectives of different legal professions in Pakistan. Several scholars and lawyers do think that according to the laws, particularly the Contract Act 1872, there appear sufficiently good legal provisions for formation of contractual relations between businesses /entities and individuals. They believe that the law provides for all legal issues concerning contracts, and these are the formation, performance, and enforcement of contracts. Some people have argued that the provisions of the Contract Act 1872 as not relevant to current society and are incredibly dated. They posit that there is need to develop new laws the can tackle with new issues and challenges as they occur in contractual relationships in today's world. S. All of them think that to include new technological advancements and modes of communication prevalent in business transactions, the law should be changed. or how contracts are to be formed while other concerns raised frequently by legal experts and advocates include the complication in the Contract Act 1872.

It holds the opinion that the law is simple to comprehend and still prescribes to the doctrine of interpretation; They opine that the law is not clear in many instances and this results in legal arguments in contractual issues. They have recommended that the law must be rationalized and some checklists must be offered with a view of ascertaining that the provisions of the law are comprehensible by everyone who is interested in them. There are the CII's recommendations that have also been supported by some legal scholars and this would entail revising section 10 of the Contract Act 1872 to bring its provisions in par with Islamic law. They argue that, in this way, the situations that need such changes would contribute to the betterment of a fairer justice system within the Pakistani context in light of the Shariah. However, there are criticisms concerning the uniform recommendations from the CII as well as some critics' opinions that claimed to change the Act of 1872 according to the Islamic Shariah laws. They fear this may interfere with the legal system and legitimate Islamic teachings which may cause a lot of confusion to the business persons and other persons or individuals.

Moreover, some legal scholars have said that many provisions of Islamic law are already provided under the Contract Act 1872 including offer and acceptance and prohibition of charges on the commodity. For this reason, they do not think that Egyptian law has to be changed to become compliant with shari'a law. Finally, according to the analysis of Pakistani opinions concerning the Contract Act 1872, it can be implied that it is a significant law that should be preserved and reframed depending on the contemporary requirements of society. In Pakistan, the

Council of Islamic Ideology or CII is an institution that has a constitutional base and plays the role of consulting the government on Islamic issues which includes issues concerning law and legislation. Lately, the changes in the Contract Act 1872 in Pakistan have been under the discussion of legal scholars and the CII has also given recommendations on the said act. To sum up, the opinions of legal scholars concerning the recommendations of the CII related to the Contract Act 1872 are rather divided still, there is the general agreement that any changes made to the law should be made cautiously to not produce either notable contradictions or conflicts with other legal provisions.

Data Analysis

In this chapter, we reveal data of the advocate members of these courts in the Punjab province one district was from south Punjab and one district was from east Punjab, south Punjab advocate data was collected from Dera Ghazi Khan while from east Punjab advocate data was collected from Gujrat district total 300 advocate members were included. Data analysis is a vital component in research in various fields due to its efficacy in offering useful information and thus improving the decision-making system. Having analyzed the vectors of development of the present-day information society, and the essential increase in the amount and density of data, it becomes evident that the significance of correct and efficient methods of data analysis also increases. Data analysis means the investigation of sets of data from the methodological points of view of statistics and modeling with the aim of revealing certain structures and regularities. The pivot is useful to break up the material and pull-out numbers and statistics from the inequality, as well as make conclusions and make the right decision.

Thus, the methods of data analysis in research, in addition to contributing directly to the achievement of the stated goal of the work, serve as a way to increase the level of understanding of the results. It helps the researchers to dissect and find solutions to research questions or hypotheses, the testing or rejection of a theory, and/or creation of new knowledge. In turn, quantitative research enables one to identify extensive variables and their relationship; and determine the impact of certain variables on outcomes. Besides, statistical analysis is useful in identifying any irregularity with the data or outliers, it helps in data tidying, and in some instances may help to lessen bias and confounding. Over the past decades, the enhancement of using technology along with the improvement of computational capability has added a new and better twist to data analysis. Statisticians have at their command a large number of procedures and programs to analyze and model data, computations and mathematical algorithms to solve a lot of problems, and techniques of machine learning and visualization graphical techniques to also exhibit a large number of data sets.

These tools enable the researcher to analyze quantitative as well as qualitative data, numerical data, categorical data, letters and documents, maps, and image data which provide ample prospects for the researcher. But, to achieve more efficient results, analysis of data is not only a matter of tools and techniques' application. It requires knowledge about research methodology, a suitable choice of techniques to analyze data, and essential problem-solving skills to analyze results meaningfully and report the findings correctly. Also, and most importantly,

aesthetic and ethical principles regarding the data managerial responsibilities of privacy and confidentiality as well as appropriate use of data have to be followed at any stage of the analysis. The purpose of this paper is to give a general understanding of data analysis in a research study about its importance, approaches, and issues. It looks at different strategies of tackling data as a measurement tool including descriptive and inferential analysis, qualitative analysis, and complex data analysis. In addition, it also covers the topic of data presentation especially data visualization and reportage as significant components of the study. Therefore, data analysis plays a crucial role in strengthening the research method, increasing its credibility and, ultimately, advancing the field's cumulative knowledge to support evidence-based efforts.

Data Analysis in Research

The 1973 Webster New Collegiate Dictionary explains data as

“Factual information (as measurements or statistics) used as a basis for reasoning, calculation, or discussion.” The 1996 Webster's II New Riverside Dictionary Revised Edition explains data as “Information, especially information organized for analysis.” About the Data Analysis According to Lecompton and Schensul, “Research data analysis is a process used by researchers for reducing data to a story and interpreting it to derive insights”. After viewing the above definitions, By Using a practical approach we can define data as, data in the Shape of numbers, characters, or images, or by Using another method of recording, in The Shape which can be assessed to decide or decisions about a specific action. Many People or Scholars believe that data has no meaning, it can be defined only when interpreted does it take on meaning and become information. The data analysis method helps us by reducing a large amount of data into smaller fragments, which makes sense¹.

Need of Data Analysis

When We Discuss Data and Why We Need to Use this Data Analysis System, Data is shorthand for “information,” and whether we want to Collect Data, and we want to review facts, and/ or analyze data this process has always been part of Basic Top program operations. When we want to collect data so it is very difficult to collect the complete data so here we use the process to collect data or sample. All areas of a Head Start program content and management involve the collection and use of substantial amounts of information. Data analysis is becoming increasingly important in today's world due to the growing volume and complexity of data that is being generated by various sources. Here are some of the key reasons why data analysis is essential:

Data analysis can give the much-needed information which can enable people and companies to make good decisions. In other words, through analysis of data it is possible to understand and with the help of derivatives find appropriate planning strategies and patterns as to make forecast about the future. Often, through analysis of the results of work, less efficient areas can be determined, as well as worked on to optimize work. For instance, the analysis can help to find out when there is major congestion in the production line in the case of a manufacturing company or which clients are most valuable to a business organization. It becomes clear that sometimes results derived from the data analysis may give a fresh insight into the flow

¹ Introduction to data analysis handbook, Academy for Education Development, P 5,
<https://files.eric.ed.gov/fulltext/ED536788.pdf>

of innovation. Thus, these patterns and trends may be used to create new goods or services, which will be more suitable to consumers or which may fill new niches. These benefits mean that data analysis will further the competitiveness of businesses and organizations since they'll be empowered to make very sound decisions and run more efficiently. Having much control on data organizations are able to discover new business openings and areas of new development, thus being able to have competitive advantage over the counterparts. Risk Management: Similarly, data analysis can reduce the risk since one can see areas of concern and come up with measures to address the concerns. For example, the application of data analysis can be put to work in definition of areas in a business that are vulnerable to fraud and establishing of ways of reducing the occurrences of fraud in the business. In conclusion, data analysis is a fundamental requirement for any person or firm who wishes to have sound information on the occurrences in the world and perhaps have a cutting edge in contemporary society.

Table 1: Distribution of the respondents according to their gender

Gender	Frequency	Percent
Male	237	79.0
Female	63	21.0
Total	300	100.0

The data in Table 1 displays that 79.0 percent of the respondents were male, and 21.0 percent of the respondents were female. This can be seen in the graph.

Table No. 1 Displays that a total of 300 people put their replies from 300 there are 237 are a male respondent and 63 are Female respondents which means that 79% are male and 21 % are female.

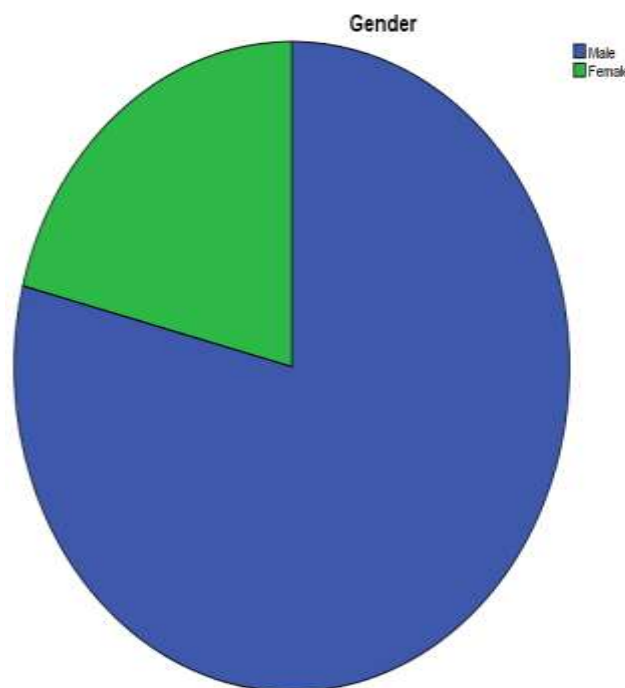


Table 2: Distribution of the respondents according to their Age

Gender	Frequency	Percent
25 yrs. to 40 yrs.	137	45.7
41 yrs. to 60 yrs.	162	54.0
61 yrs. and Above	1	0.3
Total	300	100.0

The data laid down in table 2, depicts that 45.7% respondents have 25-40 years' age, 54.0% respondents have 41-60 years age, 0.3% respondents have above 61 years age. This can be seen in the graph.

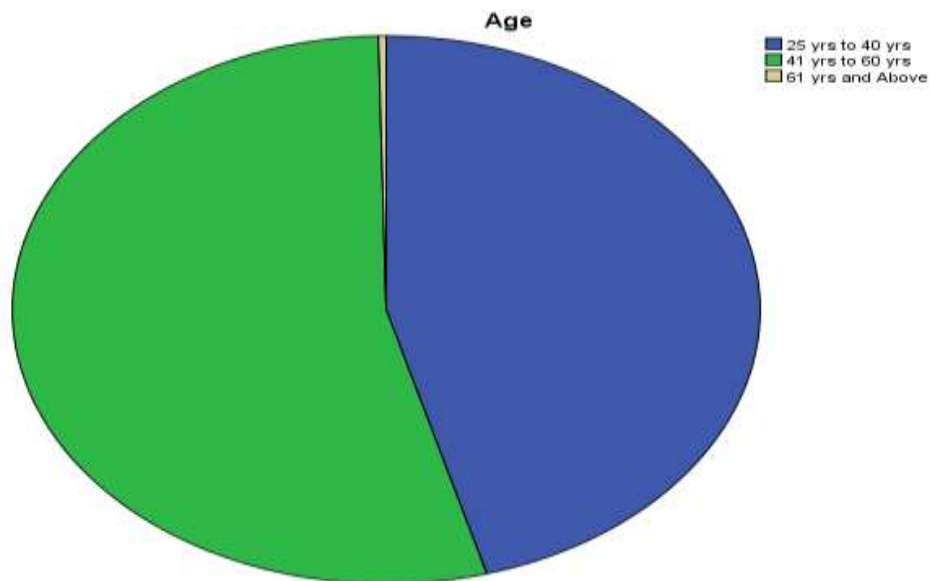


Table 3: Distribution of the respondents according to their Bar license

Bar License	Frequency	Percent
Lower court	46	15.3
High court	243	81.0
Supreme court	11	3.7
Total	300	100.0

The data laid down in table 3, depicts that 15.3% respondents have Lower court license, 81.0% respondents have High court license, 3.7% respondents have Supreme Court License, , and only 0.8% respondents have above 38 years age. This can be seen in graph.

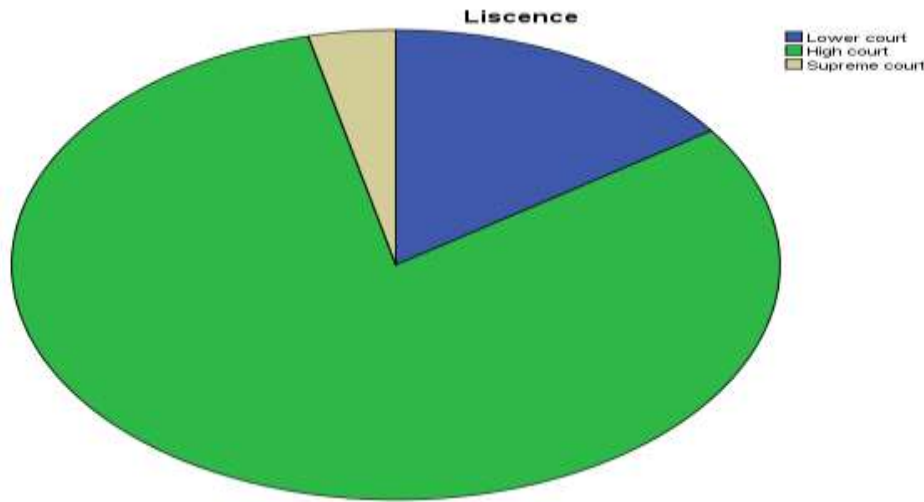


Table 4: Distribution of the respondents according to their experience

Experience (in years)	Frequency	Percent
5 years to 10 years	113	37.7
11 years to 15 years	100	33.3
16 years and above	87	29.0
Total	300	100.0

The data laid down in table 4, depicts that 37.7% respondents have 5-10 years practice experience, 33.3% respondents have 11-15 years Practice experience, 29.0% respondents have 16 and above years year experience. This can be seen in graph.

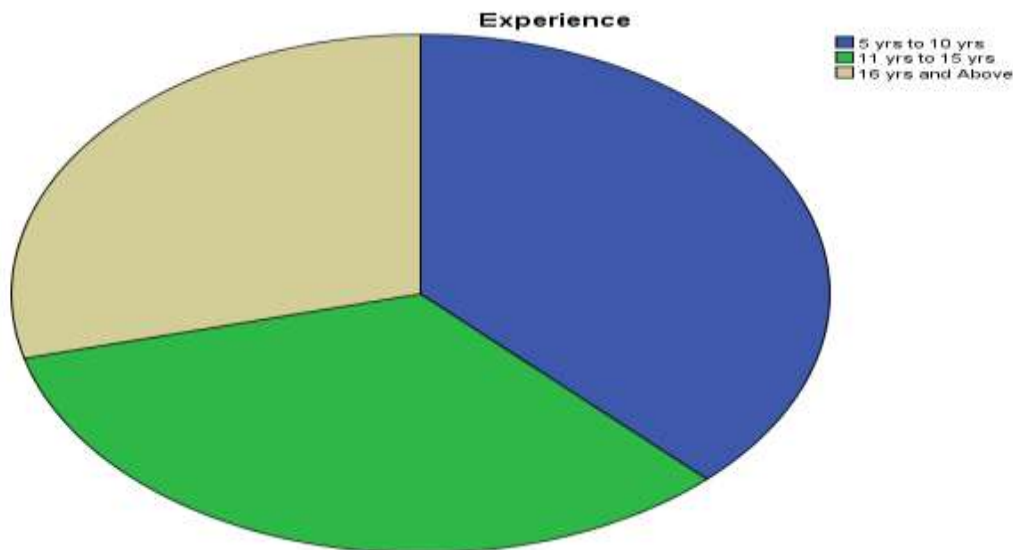


Table 5: Distribution of the respondents according to their bar district

Bar district	Frequency	Percent
D G K	150	50.0
GUJRAT	150	50.0
Total	300	100.0

The data laid down in table 5, depicts that 50.0% respondents have Dera Ghazi Khan Bar District, 50.0% respondents have Gujrat Bar District. This can be seen in graph.

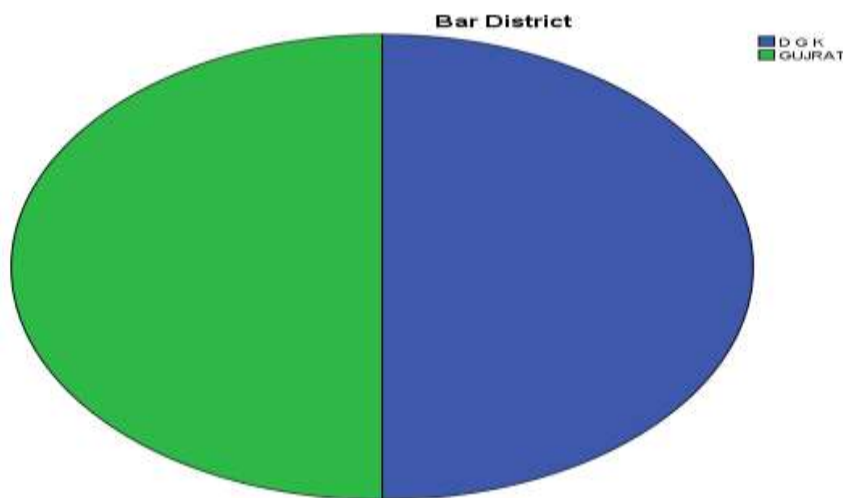


Table 6: Distribution of the respondents according to their opinion about the compatibility of Contract Act, 1872 with Pakistan Society

	Frequency	Percent
Strongly agree (SA)	43	14.3
Agree (A)	99	33.0
Undecided (Und)	20	6.7
Disagree (DA)	72	24.0
Strongly disagree (SDA)	66	22.0
Total	300	100.0

Table No. 6 shows that among the respondents 14.3% were Strongly agreed, 33.0% were agree, 6.7% were Undecided, 24.0% were disagree and only 22.0% were strongly disagreed in regard to

this statement that The Contract Act, 1872 is compatible with Pakistani society?

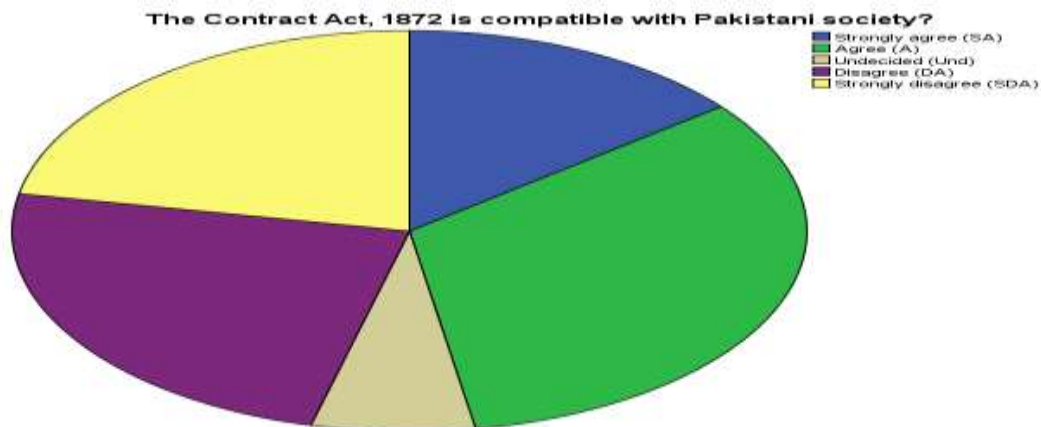


Table 7: Distribution of the respondents according to the opinion about their red recommendations of the Council of Islamic Ideology regarding Contract Act, 1872

	Frequency	Percent
Strongly agree (SA)	6	2.0
Agree (A)	6	2.0
Undecided (Und)	31	10.3
Disagree (DA)	135	45.0
Strongly disagree (SDA)	122	40.7
Total	300	100.0

Table No. 7 shows that among the respondents 2.0% Strongly agreed, 2.0% agreed, 10.3% were Undecided, 45.0% disagreed and 40.7.0% strongly disagreed regarding this statement that

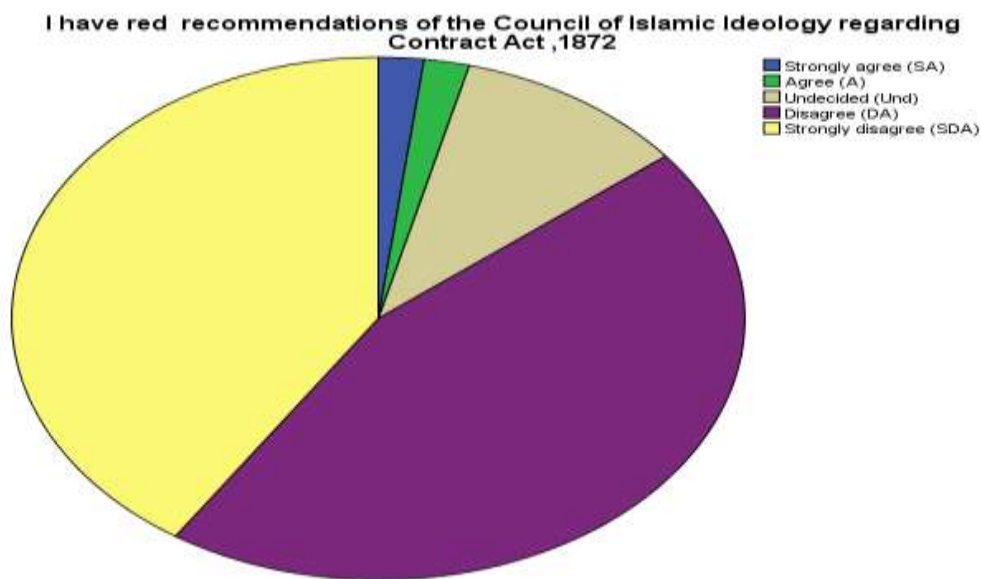


Table 8: Distribution of the respondents according to the opinion that Contract Act, 1872 needs amendments

	Frequency	Percent
Strongly agree (SA)	106	35.3
Agree (A)	154	51.3
Undecided (Und)	24	8.0
Disagree (DA)	12	4.0
Strongly disagree (SDA)	4	1.3
Total	300	100.0

Table No. 8 shows that among the respondents 35.3% were Strongly agreed, 51.3% were agree, 8.0% were Undecided, 4.0% were disagree and only 1.3% were strongly disagreed in regard to this statement that The Contract Act, 1872 needs amendments.

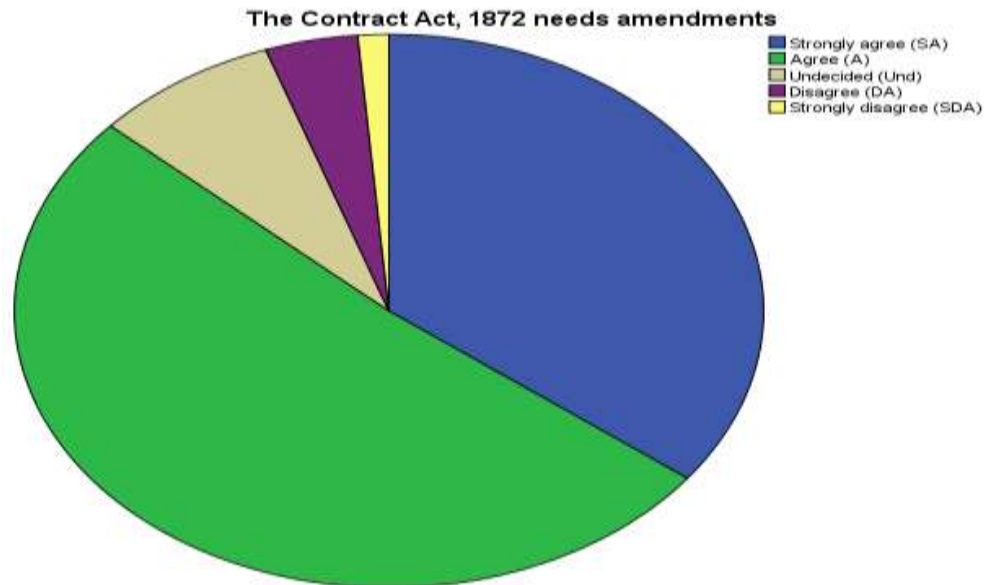


Table 9: Distribution of the respondents according to the opinion that Contract Act, 1872 is in line with the principles of Islam

	Frequency	Percent
Strongly agree (SA)	6	2.0
Agree (A)	19	6.3
Undecided (Und)	28	9.3
Disagree (DA)	139	46.3
Strongly disagree (SDA)	108	36.0
Total	300	100.0

Table No.9 shows that among the respondents 2.0% Strongly agreed, 6.3% agreed, 9.3% were Undecided, 46.3% disagreed and only 36.0% strongly disagreed regarding this statement that The Contract Act, 1872 is in line with the principles of Islam.

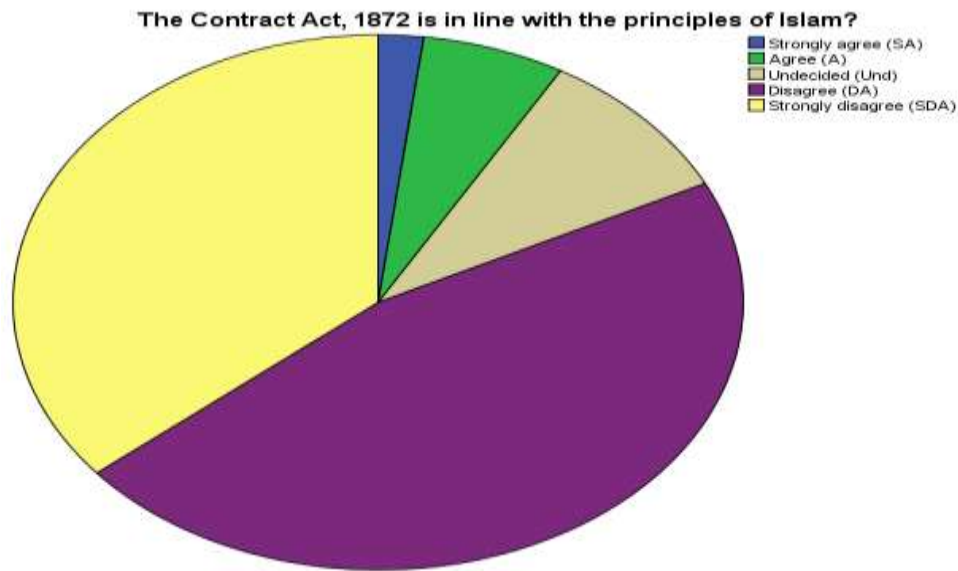


Table 10: Distribution of the respondents according to the opinion that Contract Act, 1872 meet the requirements of the modern era

	Frequency	Percent
Strongly agree (SA)	5	1.7
Agree (A)	41	13.7
Undecided (Und)	40	13.3
Disagree (DA)	129	43.0
Strongly disagree (SDA)	85	28.3
Total	300	100.0

Table No.10 shows that among the respondents 1.7% were Strongly agreed, 13.7% were agree, 13.3% were Undecided, 43.0% were disagree and only 28.3% were strongly disagreed in regard to this statement that The Contract Act, 1872 meet the requirements of the modern era?

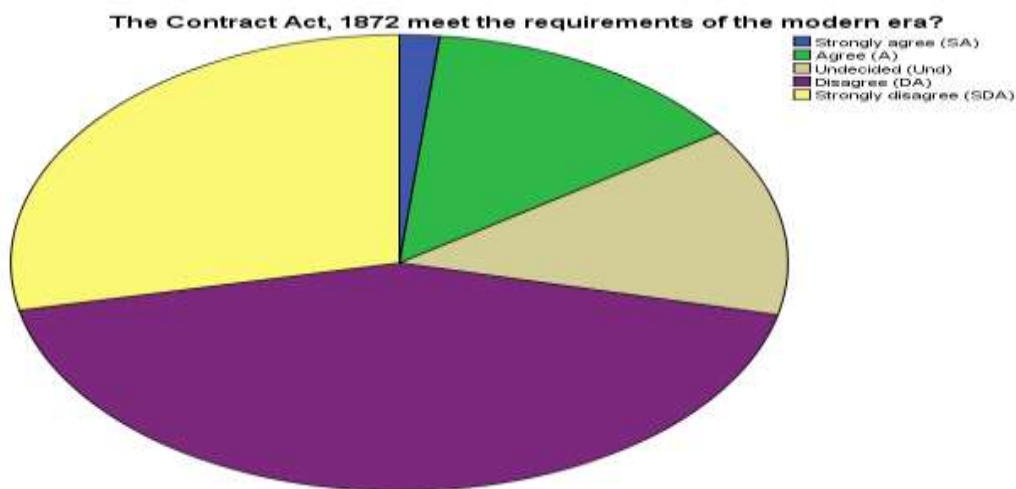


Table II: Distribution of the respondents according to the opinion that Contract Act, 1872 should be changed in the light of Islamic guidelines

	Frequency	Percent
Strongly agree (SA)	132	44.0
Agree (A)	143	47.7
Undecided (Und)	16	5.3
Disagree (DA)	7	2.3
Strongly disagree (SDA)	2	.7
Total	300	100.0

Table No.II shows that among the respondents 44.0% were Strongly agreed, 47.7% were agree, 5.3% were Undecided, 2.3% were disagree and only .7% were strongly disagreed in regard to this statement that The Contract Act, 1872 should be changed in the light of Islamic guidelines?

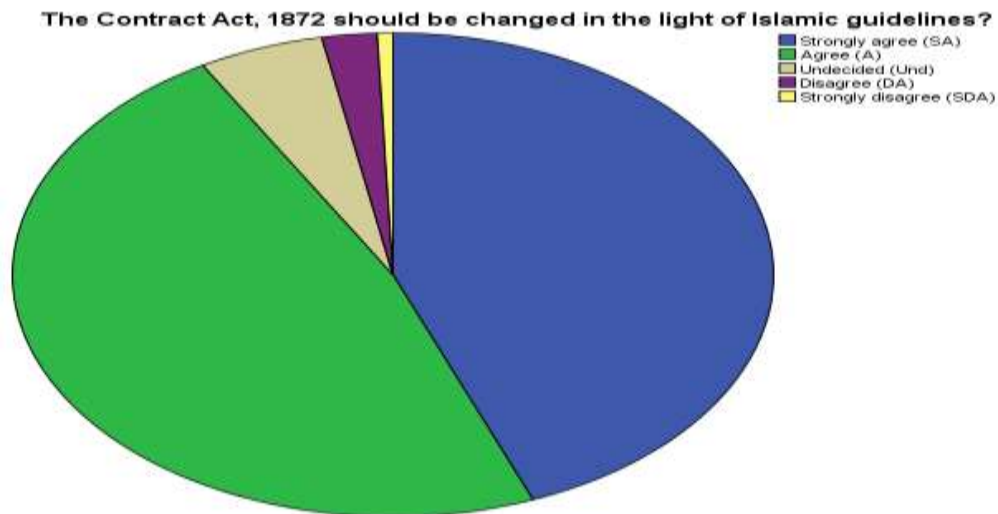


Table 12: Distribution of the respondents according to the opinion that Contract Act, 1872 meet the requirements of the Pakistani Constitution

	Frequency	Percent
Strongly agree (SA)	81	27.0
Agree (A)	98	32.7
Undecided (Und)	24	8.0
Disagree (DA)	75	25.0
Strongly disagree (SDA)	22	7.3
Total	300	100.0

Table No.12 shows that among the respondents 27.0% were Strongly agreed, 32.7% were agree, 8.0% were Undecided, 25.0% were disagree and only 7.3% were strongly disagreed in regard to this statement that The Contract Act, 1872 meet the requirements of the Pakistani Constitution?

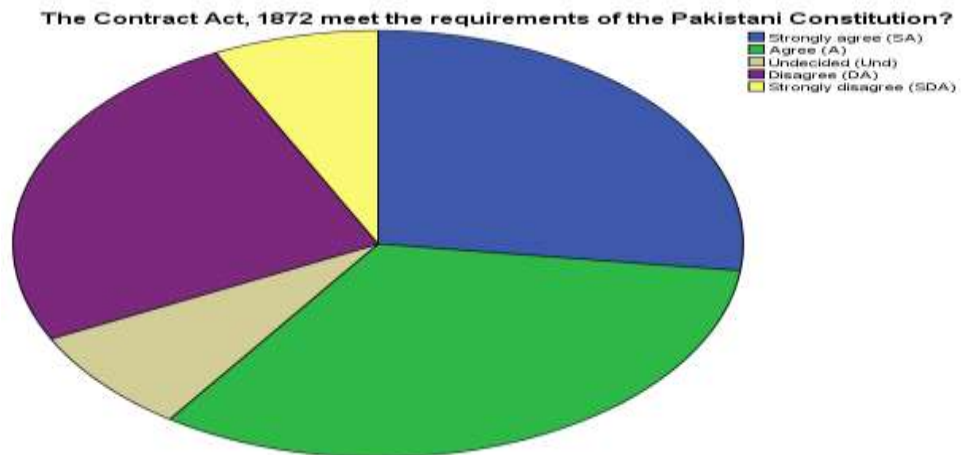


Table 13: Distribution of the respondents according to the agreement with the recommendations of the Council of Islamic Ideology regarding the Contract Act, 1872

	Frequency	Percent
Strongly agree (SA)	23	7.7
Agree (A)	68	22.7
Undecided (Und)	188	62.7
Disagree (DA)	17	5.7
Strongly disagree (SDA)	4	1.3
Total	300	100.0

Table No.13 shows that among the respondents 7.7% were Strongly agreed, 22.7% were agree, 62.7% were Undecided, 5.7% were disagree and only 1.3% were strongly disagreed in regard to this statement that I agree with the recommendations of the Council of Islamic Ideology

regarding the Contract Act, 1872

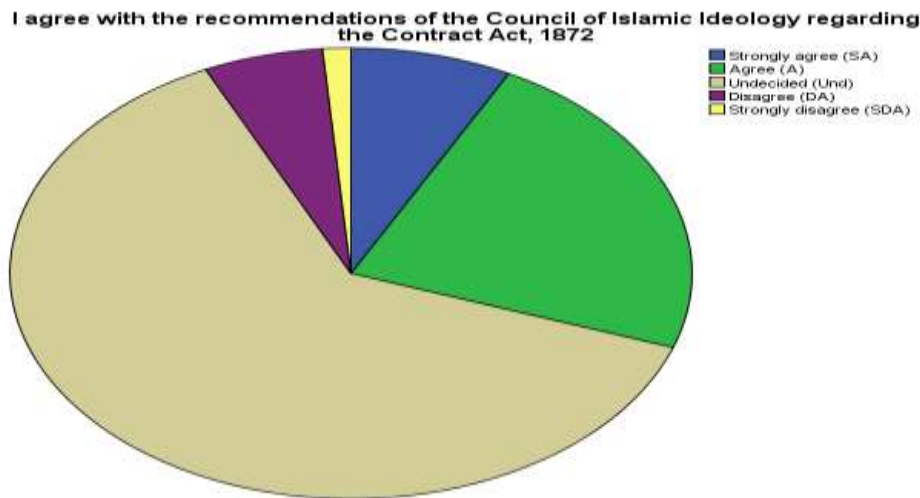


Table 14: Distribution of the respondents according to the recommendations given by the CII regarding the Contract Act, 1872 are implemented

	Frequency	Percent
Strongly agree (SA)	6	2.0
Agree (A)	26	8.7
Undecided (Und)	68	22.7
Disagree (DA)	132	44.0
Strongly disagree (SDA)	68	22.7
Total	300	100.0

Table No.14 shows that among the respondents 2.0% were Strongly agreed, 8.7% were agree, 22.7% were Undecided, 44.0% were disagree and only 22.7% were strongly disagreed in regard to this statement that Recommendations given by the CII regarding the Contract Act, 1872 are implemented.

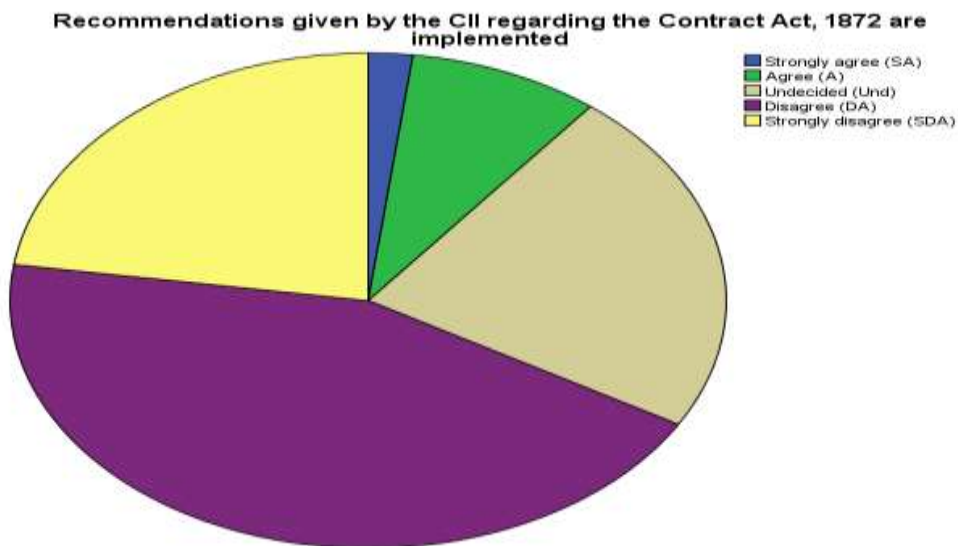
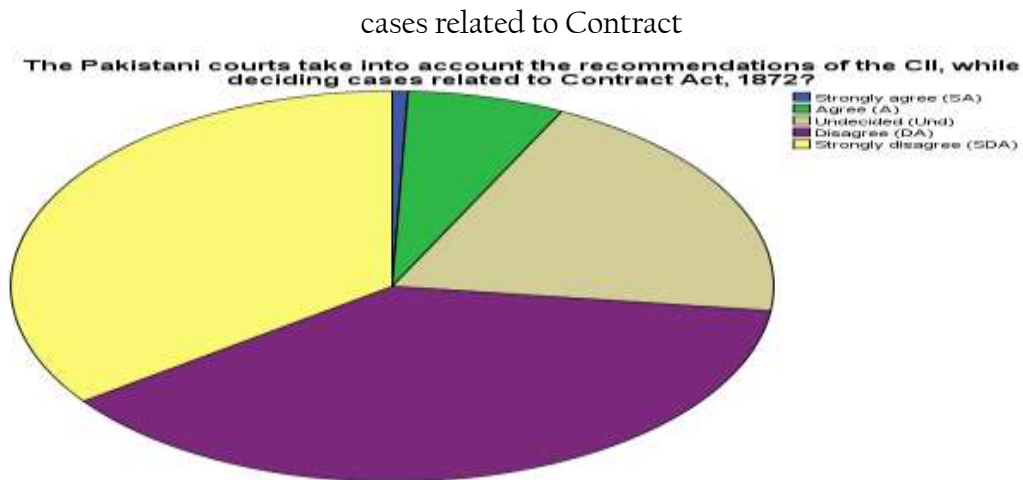


Table 15: Distribution of the respondents according to the opinion that Pakistani courts take into account the recommendations of the CII, while deciding cases related to Contract Act, 1872

	Frequency	Percent
Strongly agree (SA)	2	.7
Agree (A)	20	6.7
Undecided (Und)	59	19.7
Disagree (DA)	114	38.0
Strongly disagree (SDA)	105	35.0
Total	300	100.0

Table No.15 shows that among the respondents .7% were Strongly agreed, 6.7% were agree, 19.7% were Undecided, 38.0% were disagree and only 35.7% were strongly disagreed in regard to this statement that The Pakistani courts consider the recommendations of the CII, while deciding



Hypothesis H₀: Bar License is independent regarding reading recommendations

Hypothesis H₁: Bar License is dependent regarding reading recommendations.

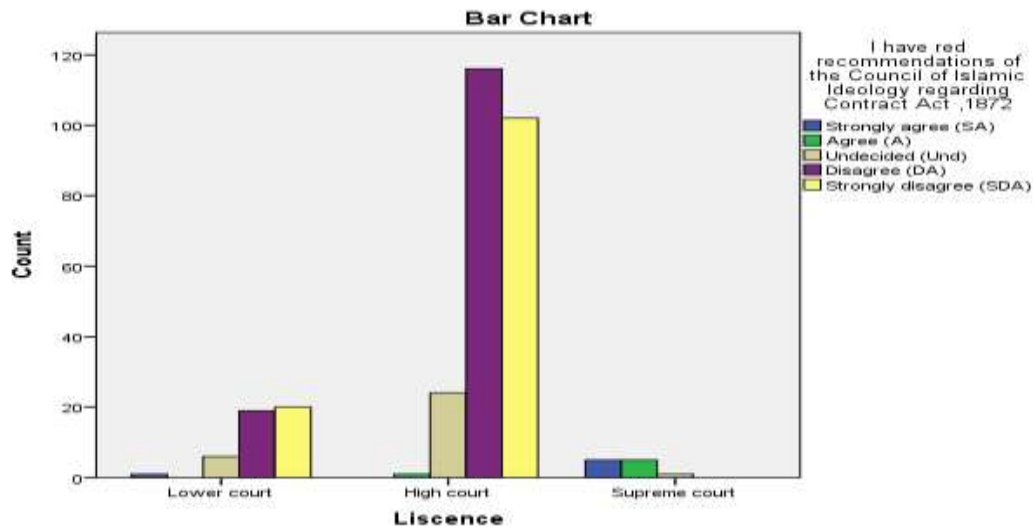
Table 16: Association between bar license and reading recommendations.

Bar License	They have red recommendations of the Council of Islamic Ideology regarding Contract Act, 1872.					Total
	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	
Lower court	1	0	6	19	20	46
High court	0	1	24	116	102	243
Supreme court	5	5	1	0	0	11
Total	6	6	31	135	122	300

$\chi^2 = 227.12, DF = 8, (p = 0.000), \gamma = 0.296, (p = 0.028)$

Data in this table regarding the relation between bar license and they have red recommendations of the Council of Islamic Ideology regarding Contract Act, 1872, in which Chi-Square (227.12) value shows a statistically highly significant (probability=0.000) association between the

variables. The gamma value of 0.296 shows weak and direct relationship among the variables.



Hypothesis H₀: Bar License is independent of changing in contract act, 1872 to Islamic guidelines

Hypothesis H₁: Bar License is dependent of changing in contract act, 1872 to Islamic guidelines.

Table 17: Association between bar license and the opinion about changing in contract

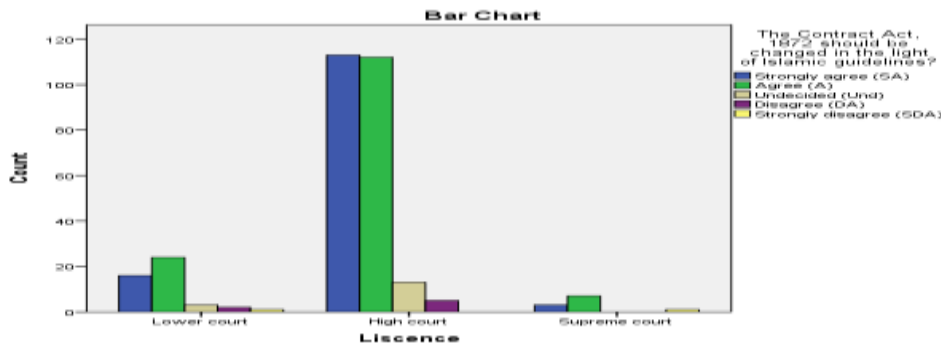
Bar License	The Contract Act, 1872 should be changed in the light of Islamic guidelines.					Total
	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	
Lower court	16	24	3	2	1	46
High court	113	112	13	5	0	243
Supreme court	3	7	0	0	1	11
Total	132	143	16	7	2	300

act, 1872 to Islamic guidelines.

$$X^2 = 19.59, DF = 8, (p = 0.012), \gamma = 0.122, (p = 0.339)$$

Data in this table regarding the relation between bar license and The Contract Act, 1872 should be changed in the light of Islamic guidelines, in which Chi-Square (19.59) value shows a statistically highly significant (probability=0.012) association between the variables. The gamma

value of 0.122 shows weak and direct relationship among the variables.



Hypothesis H₀: Bar License is independent to agree with the recommendations of the Council of Islamic Ideology regarding the Contract Act, 1872

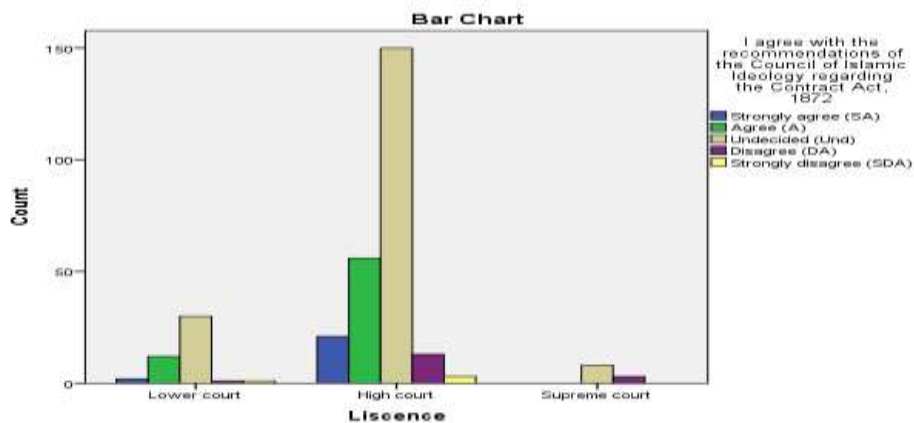
Hypothesis H₁: Bar License is dependent to agree with the recommendations of the Council of Islamic Ideology regarding the Contract Act, 1872.

Table 18: Association between bar license and the opinion about recommendations about Islamic ideology council.

Bar License	They agree with the recommendations of the Council of Islamic Ideology regarding the Contract Act, 1872.					Total
	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	
Lower court	2	12	30	1	1	46
High court	21	56	150	13	3	243
Supreme court	0	0	8	3	0	11
Total	23	68	188	17	4	300

$X^2 = 15.32$, $DF = 8$, ($p = 0.053$), $\gamma = 0.167$, ($p = 0.191$)

Data in this table regarding the relation between bar license and They agree with the recommendations of the Council of Islamic Ideology regarding the Contract Act, 1872., in which Chi-Square (15.32) value shows a statistically highly significant (probability=0.053) association between the variables. The gamma value of (0.167) shows weak and direct relationship among the variables.



Hypothesis H₀: Experience is independent regarding reading recommendations

Hypothesis H₁: Experience is dependent regarding reading recommendations.

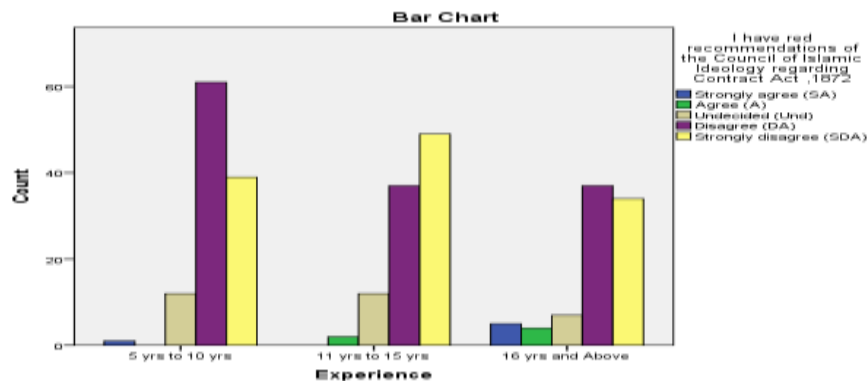
Table 19: Association between experience and reading recommendations.

Experience (in years)	They have red recommendations of the Council of Islamic Ideology regarding Contract Act, 1872.					Total
	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	
5 years to 10 years	1	0	12	61	39	113
11 years to 15 years	0	2	12	37	49	100
16 years and Above	5	4	7	37	34	87
Total	6	6	31	135	122	300

$X^2 = 21.10$, $DF = 8$, ($p = 0.007$), $\gamma = 0.004$, ($p = 0.063$)

Data in this table regarding the relation between bar license and they have red recommendations of the Council of Islamic Ideology regarding Contract Act, 1872, in which Chi-Square (21.10) value shows a statistically highly significant (probability=0.007) association between the variables. The gamma value of

(0.004) shows weak and direct relationship among the variables.



Recommendations

Considering the significance of the Contract Act 1872 in Pakistan's legal system and the recommendations from the Council of Islamic Ideology (CII), the following recommendations aim to integrate Islamic provisions into the Act. This approach ensures that the law reflects Islamic principles while maintaining its robustness and relevance in modern contractual dealings. Banning the use of interest-related terms in contracts is a clear directive according to Islamic principles, which consider usury as a sin, conforming the law to Islam's prohibition of interest assures that contracts are only a just transfer of goods and services without any exploitation or unjust enrichment.

Insert special clauses into Islamic contracts like Murabaha (which is the cost-plus financing mode of), Ijarah (an arrangement for the leasing of) and Musharakah (a partnership in which each partner shares the profit and loss). Acknowledging the Islamic contract forms in the national legal framework helps Islamic banking to function smoothly and, furthermore, will align its operations with Islamic finance emphasizing principles of fairness and transparency in all the transactions. The number one revision is to put forward the need for fairness, transparency, and mutual consent as the central values of equity in all contract negotiations as it is done so in Islamic law. To have a contract that is just and equitable is the way to ensure a fair distribution of benefits and the development of a legal system that adheres to business conduct moral standards.

Make it a contract full of certainty and clarity and it will be very happy, all the essential terms are clear and have been agreed by both parties. Exclusion of uncertainty and ambiguity in contracts contributes to the prevention of disputes and assures the parties of agreements that they have agreed upon and thus go into them with full knowledge of their obligations and rights. Implement that would urge the parties to work with the truth and non-mislaying of the principle of Sharia, the Prophet (SAWS) emphasized honesty and fairness in all business transactions. Upholding fairness in contracts helps to ensure honesty and justice and enables persons to solidify their relationships as well as develop trust and reliability. Integrate ADR options that angel fund education that is in line with Islamic principles - for example Sulh and Tahkim. Using Shariah-compliant dispute resolution options as a means of conflict resolution creates Islamic values, offering parties culturally relevant and respected mechanisms.

Implement educational programs and public awareness campaigns to enlighten citizens and companies on the contract law principles of Islam and how these are applied under the Contract Act 1872. Enhanced legal awareness and comprehension of contractual principles that are Islamic will ease their practical use and this will be the catalyst to a sustainable and compliant legal environment of the Contract Act. Develop a consistent review mechanism through involvement of the Islamic scholars and legal experts to make sure that there is consistency between the Contract Act and the Islamic principles. Therefore, regular reviews and discussions will become the main contributors to how the national law is more updated and fits the modern obscured issues. Act, in turn, will be maintained in compatibility with the Islamic way of life.

Conclusion

In conclusion, The Proposal for amendment by the Council of Islamic Ideology Pakistan in The Contract Act, 1872 Pakistan has generated significant debate and controversy among legal experts

and advocates. While some of them argue that the amendments are necessary to align the law with Islamic principles, some of them believe that the current law already provides sufficient protection for these principles and that any additional changes may lead to confusion and legal uncertainty in their views that there is no need for amendment in that laws. This debate surrounding the proposed amendments highlights the complexities involved in amending laws in Pakistan, particularly when it comes to balancing the diverse perspectives and interests of stakeholders in the legal system. This situation underscores the importance of a thoughtful, iterative process concerning legal reform that accounts for multiple perspectives and values while factoring in potential collateral consequences on how law functions. In the end, The Contract Act 1872 is a significant legislation regulating contracts and agreements in Pakistan hence any alteration made should comply with the values and principles of the legal system on one side to an element promote lawful certainty as well. The continued debate and discussion concerning the proposed adjustments to the Act is a timely reminder of why we must continue this dialogue with legal experts, as well as others in our criminal justice system, so that laws may be maintained up-to-date & meet the needs of society.

Reference

- Kennedy, C. H. (1990). Islamization and legal reform in Pakistan, 1979-1989. *Pacific affairs*, 62-77.
- Ahmed, M. (2018). *Governmentality in Pakistan: A Study of Council of Islamic Ideology (1956-1988)* (Doctoral dissertation, Paris Sciences et Lettres (ComUE)).
- McKendrick, E. (2014). *Contract law: text, cases, and materials*. Oxford University Press (UK).
- Lau, M. (2005). *The role of Islam in the legal system of Pakistan*. Brill.
- Masud, M. K. (2015). Role of the Council of Islamic Ideology in the Islamisation of laws in Pakistan.
- Hussain, S., Gillani, A. H., & Abbas, M. W. (2020). Role of Council of Islamic Ideology in Islamization During Zulfikar Ali.
- MUKHTAR, M. ROLE OF CII IN ISLAMISATION OF FAMILY LAWS IN PAKISTAN.
- Mushtaq Ahmad, M. (2017). Discovering the Law without a Coherent Legal Theory: The Case of the Council of Islamic Ideology. *LUMS LJ*, 4, 29.
- Holz, S. (2022). *Governance of Islam in Pakistan: An Institutional Study of the Council of Islamic Ideology*. Liverpool University Press.
- Akhtar, N. (2019). A Critical Study of 14th Report of Council of Islamic Ideology on Transfer of Property Act, 1882 in the light of Sharī'ah & Law. *Islamabad Law Review*, 3(1&2), 91-112.
- Faqir, K. (2020). The Council of Islamic Ideology (CII) in the 1973 Constitution: Background, Structure and Performance. *Constitution*.
- Ahmed, M. (2018). *Governmentality in Pakistan: A Study of Council of Islamic Ideology (1956-1988)* (Doctoral dissertation, Paris Sciences et Lettres (ComUE)).
- Ali, S. S. (2000). Recommendations of the Symposium of Experts on the Role of Women in the Development of Islamic Society to the Twenty-Third Islamic Conference of Foreign Ministers. In *Gender and Human Rights in Islam and International Law* (pp. 307-313). Brill.

Mustafa, M. H. U., & Saleem, H. M. (2020). A review of the report of the Islamic Ideological Council of Pakistan given in 1980 on Usury. *Ilkogretim Online*, 19(3), 3505-3513.