WAQF IN PAKISTAN
CHANGE IN TRADITIONAL INSTITUTIONS

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1. Introduction

Islamic endowments (waqf, pl. awqâf; property which can not be transferred and which is therefore inalienable) within the contemporary Islamization represent an interesting topic, which is constantly being covered up by those heading the Islamization campaign.

After giving a brief historical outline of awqâf in British India, the

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1 This is a revised version of a paper read at the "10th European Conference on Modern South Asian Studies", Venice 28th Sept.-1st Oct. 1988. I am thankful for the stimulating points raised by the participants.
present paper shows how State-policy of integration operates vis-à-vis religious endowments challenging traditional social order and cosmology and replacing it with the agents of bureaucracy. Hence, one could argue that the Islamic movement which supports this policy is against Islamic tradition. Furthermore, it is secular and even agnostic to some extent.

Nationalization of awqāf has a long tradition in other Muslim countries, dating back to the last centuries in some cases. Whereas in Pakistan the State only started to take them over from 1960. The nationalization had three aims: firstly, the administration wanted to extend and protect its interest, since these endowments are often in form of religious schools, estates and shrines. The shrines are meeting points for large groups of people, because of popular cults associated with them. Religious schools are the centre for the production of religious as well as political leaders. Secondly, the State was interested in the financial resources accruing from shrines and schools. Thirdly, nationalization meant the bureaucratization of shrine-culture and of endowments which, in association with Folk-Islam, was striving for autonomy.

State intervention was followed by the reaction of those affected by nationalization, bringing about unions and consolidations of Islamic scholars ('ulamāʾ), the hereditary saints (pir, murshid), the enlightened and their descendants, the sajjādah-nashīns, administrators (mujawars³ and mutawallis) and finally the owners of the shrines (wāfiq). These people were alarmed by the growing influence of bureaucracy in their material and spiritual life.

2. Historical outline

The regulation concerning awqāf goes back to the initiative of Muḥammad ʿAlī Jinnah (1867-1948) in British India, although

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³ This is the Urdu version of the Arabic mujāwir. For this institution cf. Werner Ende’s article on mudjāwir in the Encyclopedia of Islam (forthcoming).
Sayyid Ahmad Khân (1817-1898) had planned to argue on this issue in 1877 and Shibli Nu'âmanî (1857-1914) had taken up the matter once again. During his opening address to the Indian National Congress in 1906, Jinnah had pleaded for the restauration of the right of private ownership of Islamic endowments, which had come increasingly under influence of British jurisdiction since 1887. The Privy Council had ordained in 1894 that Islamic foundations were to be considered religious and charitable institutions, and that they should be public and not remain in private hands. Thus, they were regarded neither purely as religious nor purely private, but rather as so-called “mixed endowments”.

In this manner, awqâf were removed from private ownership of Muslims and Jinnah stated:

“If a man can not make a wakf alalawlad (a waqf in the name of his children; J.M.), as it is laid down in our law, then it comes to this, that he cannot make any provision for his family and children at all and the consequences are that it has been breaking up Mussalman families”.


Cf. Francis Robinson: Separatism among Indian Muslims, Cambridge University Press 1975, p. 27 and pp. 197 (Separatism); also S. Kh. Rashid: Muslim Law, Lucknow 1973, pp. 150. In fact, the educational system of the Muslims was very much connected with the religious endowments. There had been resumptions between 1828 and 1846 of awqâf which were made to scholars during the Muslim rule. Thus, W. W. Hunter stated that a large sum “was derived from lands held rent free by Musulmans or Muhammadan foundations ... Hundreds of ancient families were ruined and the educational system of the Musulmans, which was almost entirely maintained by rentfree grants, received a deathblow.” (W. W. Hunter: The Indian Musulmans, are they bound in conscience to rebel against the Queen, London 1871).


A Muslim was authorized to create a waqf for, among other purposes, the maintenance and support wholly or partially for himself, his family, children or descendants, providing it did not violate Islamic injunctions. “A Wakf-alal-aulad can be created for the maintenance and support wholly or partially of the family, children or descendants of the Wakif ...”. Cf. Zia ul Islam Janjua: The Manual of Auqaf Laws, Lahore n.d., Part II, pp. 60, sec. 3 and p. 61: “Validity of Wakf-alal-aulad”. Beyond this private waqf there is “charitable” waqf “which is immediately destined for some public or charitable purpose. In strict Islamic law, however, the private waqf, too, is considered a charity, and the same rules apply to both kinds of waqf.” (Cf. J. Schacht: Introduction, p. 126 note 1).

Jinnah, as member of Parliament not attached to the ruling party, presented a "private member’s bill" to Imperial Legislative Council in 1909 relating to waqf. By 1911 he succeeded in pushing things through, so that two years later the *Mussalman Wakf Validating Act, 1913* was passed. Thus, the Act restored private ownership of waqf.10

It is true that Jinnah managed to win over an important section of ‘ulamâ for pushing through this *Validating Act*. The majority of Islamic scholars were, however, against his plan. Strangely enough, the traditional upholders of Islamic culture did not have much to say in this matter.11 It is therefore somewhat unclear how the Islamic Avantgarde, which was constituted by intellectuals, freelancers and small traders rather than by ‘ulamâ, could assert its interests under Jinnah’s leadership.12 Although the application of this law was very limited, its ratification was nevertheless a (legislative) victory of Muslims over the British. But since the Act was not retroactive, the Council could still consider those endowments created before 1913 to be invalid.13

Jinnah’s achievement won him the hearts of Muslims.14 He thus received support of a sizeable section of ‘ulamâ in the Muslim League during the forties for his position.15

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11 "When it came to the consideration of questions on awqaf, the initiative belonged to those most committed to working within the institutional framework established by the British rule." Cf. G. C. Kozlowski: *Endowments*, p. 177.
12 The divided reaction of British legislators was probably the reason for the passage of the Bill (cf. G. C. Kozlowski: *Endowments*, pp. 182). A further reason could be that the British wished to win the goodwill of Muslims through this move, in consonance with their "divide et impera" strategy. A third possibility for reprivatization of waqf could be that the British crown could in this manner create a new group of loyalists among Muslims. This thesis is elaborated by V. T. Oldenburg: *The Making of Colonial Lucknow, 1856-1877*, Princeton University Press 1984. Compare chapter 6 "The city must be loyal", pp. 191-200.
13 Cf. G. C. Kozlowski: *Endowments*, p. 188.
14 Cf. Afzal Iqbal: *Islamization in Pakistan*, Lahore 1986, pp. 30. The reasons for his commitment were diverse. On the one hand, he probably hoped to save the *waqf* of the Bombay magnate Qasim Ali Jairaybhai Pirbhai, on the other hand he was interested in building up his own career. Cf. G. C. Kozlowski: *Endowments*, pp. 152 and p. 179.
3. The position of shrine-saints

Until the intervention of the State in endowments in 1960, ‘ulamā’ and masha‘ikh (or pirs) were very influential, their control was religiously legitimized.

The political power of pirs was used before and during the Pakistan movement in the thirties and forties by the British and the Muslim League. The saints were drawn into political events and converted into supporters of centralized politics. There, however, existed only a partial political administration of ṣūfis and masha‘ikh, although their followers were organized on patterns of mystical brotherhoods (turuq). In Pakistan, the Jam‘iyat-e ‘Ulamā‘-e Islām (JUI) under the leadership of the Deobandi ālim Mawlānā Shabbir Ahmad ‘Uthmānī could to some extent assert itself among pirs, due to the organizational structure, the pattern of which was taken from Deobandi ‘ulamā’. Another important institution is the Brelwi dominated Jam‘iyat-e ‘Ulamā‘-e Pākistān (JUP) (see below).

Sociologically, ‘ulamā’ and leading representatives of Folk-Islam can be conceptualized as groups with an exclusive life-style, having access to political power. While legal scholars tend to be representatives of urban culture, representatives of mysticism tend to be mainly in rural areas. On an ideological plane there are many differences among them, as they do not have any homogeneous doctrine.

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19 There has, however, been a change during the last two centuries. Cf. J. S. Trimingham: Sufi Orders, pp. 248-251 and passim.
The legal scholars concentrate on the Holy Book of Islam. The mashāʾikh, on the other hand, belong to those sections which seek the mystic element beyond all written knowledge (maʿrifa).\(^{20}\) 80% of the mashāʾikh are, according to themselves, men of knowledge and wisdom (ahl-e 'ilm wa-'irfān), while only 5-6% of 'ulamā' are educated (jayyid 'ulamā').\(^{21}\) In fact, there is a great discrepancy between representatives of Legal- and Folk-Islam: the 'ulamā' are said to have expressed their dissatisfaction over lack of knowledge among pīrs during Ayūb Khān's time. The polemics of the 'ulamā' against saints exist even today.\(^{22}\) Sometimes the animosity between the two groups lead to violent clashes.\(^{23}\)

A pīr or his successor has an especially great economic and social influence over his followers (murīd) which also is expressed as political power.\(^{24}\)

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\(^{20}\) The splitting of esoteric and exoteric had evolved during the first centuries of Islamic rule but was integrated later by men like al-Ghazzālī (d. 1111). With the advent of colonialism and the reintroduction of rationalist approaches by Islamic Avantgardists like Jamāl al-Dīn al-Afghānī (1838-1897) and Sayyid Ahmad Khān mysticism and legalism were again separated. This approach has been further developed by A. A. Mawdūdī (1903-1979). The main aim was to respond to colonial penetration, instead of relying on mystical speculations. The dilemma was, however, that the Islamic Avantgarde not only used colonial means but also colonial norms.

Only a few 'ulamā' attempted a symbiosis of esoteric and exoteric like those of Farangi Maḥall in Lucknow, cf. F. Robinson: Separatism, e.g. pp. 419 and also his article: "The 'Ulamā' of Farangi Maḥall and their Adāb", in: B. D. Metcalf (ed.): Moral conduct and authority, University of California Press 1984, pp. 152-183.


\(^{23}\) Cf. below "Ulama Academy".


The prerequisites for becoming a *pir* do not include theological studies. On the contrary, a *pir* must have *ma'rifah* (gnosis) and be able to bestow blessings (*baraka*). Nowadays anyone seems to be able to become *sajjādāh-nāshīn* (a holder of a shrine), for it apparently does not take much to be capable of administrating a shrine or another *waqf*: If a person can show that a saint has been buried there or stayed at the very place for a while, or if he himself is a descendant of the Prophet\(^\text{25}\) this constitutes often sufficient grounds to be a *pir*. Due to this and also because believing villagers and illiterates are regarded as servants by the shrineholder (A. Schimmel calls it *pirism*),\(^\text{26}\) there has been a lot of criticism of this development from many quarters apart from the *ulamā*, i.e. from secularized quarters as well.\(^\text{27}\)

The saint- and shrine-cult is predominant in rural areas especially where big landholdings prevail. In many cases the local *pir* is the local landlord or at least is close to him (personal union).\(^\text{28}\) He guarantees the local villagers participation in *baraka*. This is tied to absolute obedience (*i'tā'ā*) and the giving up of oneself in favour of the *pir* (*bai'ā*).\(^\text{29}\) This, understandably, is manifested not only in form of material gifts to the saint:

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\(^{28}\) This is particularly evident in the case of the contemporary *Pir Pagāro* in Sindh. For the development of *pirs* in Sindh and their cooptation by colonial powers see Sarah F. D. Ansari: *op. cit*.

\(^{29}\) Cf. Mubashshir Ḥasan: *Razm-e Zindagi*, Lāhawr 1978 specially pp. 116-118 (Urdu); the relation between *pir* and *murīd* is characterized there as feudal.
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"Reality is to follow the Holy Prophet. For this purpose the discipline of mashâ'ikh and pîrs is needed. The shaikh is the spiritual physician who heals the diseases of soul and body. The pîr is the gateway to absorption in the Holy Prophet. Through him we reach the congregation of the Prophet, and to reach this congregation is to become close to God ...." 30

This order reminds one of the central position of the Guru in old Hindu tradition. There also it was maintained that "only through him is the path to salvation accessible." 31 As the first Muslims in the Subcontinent were mostly mystically inclined and syncretistically took over many local practices into Islam, 32 it is possible that the centrality of saints and teachers rests partially on the old Hindu point of view. 33 It was these people who spread Islam in the Subcontinent. The shrines often played an integrative function here:

"For it was through its rituals that a shrine made Islam accessible to nonlettered masses, providing them with vivid and concrete manifestations of the divine order, and integrating them into its ritualized drama both as participants and as sponsors." 34

30 Ḍabd al-Bârî cited in F. Robinson, "The Ulamā of Farangī Maḥall" in: Metcalf (ed.), op. cit., p. 167. Or: "The Novice should be like one who is totally blind. He should not have an opinion on anything, neither relating to things of everyday life, nor in matters of faith, morality or the mystical path. Whatever the Master says or does is for him infallibly correct, because he has given up his critical faculty towards him. As a result, his inner eye (i.e. faculty) which sees the transcendent, becomes open. The Novice must be like a corpse before being washed by the undertaker. He should not even refer to God's law. If the Master were to tell him to drink wine or to burn the Qur'an, he should do so; his obedience would be praiseworthy even in this case. Even if the Master were to deny the existence of God, the Novice should not doubt his word. For the Novice only one thing is wrong: to think or to act independently, not in accordance with his master. Shaikhs are not without mistakes, but even their mistakes lead the Adept to Salvation. The offense of the Pîr is the faith of the Novice." (Transl. by J.M.) (A Sûfî Shaikh cited in R. Gramlich: Derwischorden, part II, p. 244.)


33 There is no doubt that mystical concepts were developed in Islam elaborating on the perception of qutb and al-insân al-kâmîl, the perfect man, probably without having ever heard anything about the Guru.

It is a well known fact that saints with their charisma were often leaders of millenaristic peasant movements who gave the village or members of the mystical order a sense of social security and solidarity, thereby erasing social differences between them.

The shrine cults were restored and caught on, specially in Punjab, under Moghul rule through the influence of the representatives of the Chishtiyyah. Thus, in West-Punjab the districts were “dotted with the shrines, tombs of the sainted dead ... and to the shrines of the saints, thousands upon thousands of devotees resort, in the hopes of gaining something on the sacred soil ...”

The cult of saints and the associated Folk-Piety is especially evident in the countryside of Punjab and Sindh, which have very big landlords and where land-concentration is a crucial feature. Even to this day nearly every Muslim in Pakistan is tied up in one way or the other to a mystical order and/or follows a pir.

The following table shows the number of nationalized awqaf in Pakistan. It also states the popularity of shrines in Punjab and Sindh.
Table 1: Nationalized waqf Properties in the Provinces, 1984

<table>
<thead>
<tr>
<th>waqf</th>
<th>Punjab</th>
<th>Sindh</th>
<th>NWFP(^1)</th>
<th>Baluch.</th>
<th>ICT(^2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>shrines</td>
<td>276</td>
<td>62</td>
<td>1</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>mosques</td>
<td>406</td>
<td>94</td>
<td>60</td>
<td>6</td>
<td>82</td>
</tr>
<tr>
<td>other properties</td>
<td>483</td>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>agricultural lands</td>
<td>73.884</td>
<td>acres</td>
<td>6.217 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(culturable)</td>
<td>25.847</td>
<td>acres</td>
<td>6.066 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(unculturable)</td>
<td>48.037</td>
<td>acres</td>
<td>151 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>shops</td>
<td>1.596</td>
<td>560</td>
<td>59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>houses</td>
<td>1.741</td>
<td>98</td>
<td>30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>temporary lodging (sară?)</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Source: A. A. Khan: Paper read on the "Seminar on the management and development of Awkaf Properties at Jeddah" 1984 (mimeo)).

Comment: \(^1\) = North West Frontier Province
\(^2\) = Islamabad Capital Territory

The religious authority of the kind pirs enjoy, corresponds to the notions of the widespread Brelwi school of thought\(^42\) which has strong inclinations to the cults of saints. Ever since its foundation by Ahmad Ridd Khan (1855-1919), the members of the Brelwi movement tended to subordinate themselves to contemporary authorities.\(^43\) The Prophet was also of central importance to them. He was present and observant (ḥādir o nāzir), as could be derived from the theory of nūr muḥammadi, the light of Muhammad. Love for the Prophet is also apparent from the fact that their founder called himself "ʻAbd al-Muṣṭafā". According to Islamic notions, only god’s 99 names can follow the name ʻAbd (slave) and certainly not that of the Prophet. In the eyes of Deobandis and other “puritans” the name ʻAbd al-Muṣṭafā was, therefore, blasphemy (shirk) and an anti-Islamic innovation (bidʿa).\(^44\) This has caused

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\(^43\) Thus, they are even regarded as loyal to colonial rule; cf. Francis Robinson: *Separatism*, pp. 266 f.

\(^44\) The subordination to the Prophet by Brelwis has been a matter of strong criticism brought forward by Deobandis and specially by fundamentalist Ahl-e Ḥadīth and Jamā'at-e Islāmī; cf. Majalla: Ṣabīṭat al-ʻālam al-islāmī (Mekka) 23, 1405 A.H., 5/6, p. 1: *Al-Brelwiyyah baʿd al-Qādiyāniyyah* (Arabic).
resentments among "puritans" and Brelwis. In fact, the Auqaf Department was told to issue a circular according to which its employees no longer would be allowed to say durûd (request for mercy upon the Prophet and praise) or salâm, which was regarded shirk by fundamentalists. The matter ended in a case before the Federal Shariat Court in 1985, but could not be solved for good reasons. The circular was withdrawn.45

The implicit hierarchization of religious and political systems of authority signified an acceptance of local feudal or even patrimonial structures.46 The Brelwis still are a symbol of peasant culture which is why they could gain hold in the Punjab countryside easily after Partition.47 They are staunch followers of shrine-cult whereas Deobandis, the largest group in Pakistan, who also came out of Sûfi orders, reject the developed form of shrine-cult.48

45 The Ahl-e Hadîth was particularly against salâm and durûd before the adhân. According to fundamentalists this "unislamic" practice had become popular only since 1966 under Ayûb Khân. They opposed the opinion of Shâh Ahmad Nûrání, the leader of the Brelwi Jam'îyat-e 'Ulâmâ-e Pâkistân, according to whom the Auqaf Department was only executing the perceptions of Râbi'at al-'îlam al-islâmi and its Supreme Council of Masâjîd (cf. Ahl-e Hadîth, Vol. 16/41, Lâhimw Oct. 1985, p. 2 and pp. 8 (Urdu)). Nûrání rejected the Wahhâbite Râbi'â's interference in internal affairs of Pakistan and said, that the Supreme Council of Masâjîd, set up in 1973, was merely an instrument to disseminate Wahhabism via mosques and that the (former) Amir of Jam'îyat-e Islâmi, Miyân Tûfâl, was its member (cf. Sawâd-e A'zâm, Lâhimw, Vol. 9/3-4, Sept./Oct. 1985, p. 17). On Nûrání cf. S. J. Malik: "The luminous Nurani: Charisma and political mobilization among the Barelwis in Pakistan", in: Pnina Werbner (ed.): Person, Myth and Society in South Asian Islam, Social Analysis No. 28, Adelaide 1990 (in print). The institution of durûd had been popular before Ayûb, cf. A. Schimmel: Und Muhammad ist sein Prophet, Düsseldorf/Köln 1981, pp. 70, 75 f., 218 et passim.

46 Even Mughal emperors used similar structures for their own purposes; see now Peter Hardy: "Islamischer Patrimonialismus: Die Moghulherrschaft", in: W. Schluchter (ed.): Max Webers Sicht des Islam, Frankfurt a.M. 1987, pp. 190-216

47 In Sindh, Brelwis are represented mainly in townships, like Hyderabad and Karachi. Compare the distribution of different schools of thought and their respective religious schools in S. J. Malik: Islamisierung in Pakistan, Tables 51 and 52 and the social and geographical background of the graduates in Tables 61 and 62.

48 For the position of Brelwis and Deobandis to shrines and cults cf. B. D. Metcalf: Islamic Revival, passim. An attempt to bring Brelwis and Deobandis closer was undertaken by Muhammad 'Abd Allâh from Bhâkkar: 'Ulâmâ-e Deoband aur Masâhî-İkk-e Panjâb (Urdu) (published by Sîrat Kamîtî 1984). He maintained that Deobandis also visit shrines and like Brelwis speak out against Wahhabiyya—in the sense of fundamentalism or salafî Islam. What Deobandi reject is, however, the exaggerated cult of saints with their shrines.
4. The Auqaf Department

In 1950 it was suggested to introduce a Survey Act on Waqfs in order to get to know the number and quality of endowments in Pakistan and to nationalize them. This did not happen until Javed Iqbal in his book "Ideology of Pakistan" demanded, at the end of the fifties, the abolition of shrines and crippling of the power of pîrs and sajjâdah-nashîns. He followed the thoughts of his father, poet-philosopher Muhammad Iqbal (1873-1938), who had criticized the shrine-cult and the lower ranks of the Islamic scholars. In connection with this, the Auqaf Ordinance 1960 is said to have been worked out and pushed through.

The "West Pakistan Waqf Properties Rules" of 1960 aimed at curbing the power of saints and "regulating" endowments, which were being "exploited" by sajjâdah-nashîns, mujâwars and ulamâ`. According to the Rules, the endowments were to pass into the hand of State, apparently in contradiction to the Mussalman Wakf Validating Act, 1913. To prevent any kind of criticism which could be raised by shrine holders etc., especially with reference to Jinnah’s achievement in 1913, section 3 of the Mussalman Wakf Validating Act was excluded:

"'Waqf property' means property of any kind permanently dedicated by a person professing Islam for any purpose recognized by Islam as religious, pious or charitable, but does not include property of any Waqf such as is described under section 3 of the Mussalman Waqf for the time being claimable for himself by the person by whom the Waqf was created or by any member of his family or descendants."

Hence, endowments were no longer available for the economic wellbeing of a Muslim and the State was able to intervene in foundations legally without being in interference with the Validating Act.

The central and provincial governments were now empowered to look after the "neglected and misused" institutions. This new policy was even propagated in formal schools:

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“They (awqāf; J.M.) caused anti-social wastage of national wealth. It was misused by pirs, mutawallis, sajjadanashins and other parasites.”

As a rule, however, only profitable endowments were nationalized. Through the Waqf Properties Ordinance 1961 the take-over of waqf by an administrator was made possible.

The position of the Administrator Auqaf was strengthened through the years by legislation. This was specially true after 1964 and resulted in increasing fluidity of the Auqaf Department.

The bureaucratic character of the new Administrator Auqaf was evident by the fact that he was not required to have any special theological or religious knowledge, although this was clearly necessary in order to deal adequately with Islamic affairs. He only required such qualifications “as may be prescribed by Government” and had to be Muslim as well.

Any rejection of authority of the Administrator is punishable. The absolute authority of the saint or the holder was thus replaced by the more or less omnipotent but nevertheless anonymous governmental position of Administrator Auqaf, at least partially. The difference, of course, was that his power was not theologically or religiously legitimized but only secularly and ideologically.

To begin with, Government was not primarily interested in enriching itself through the income of foundations. Most of the income which accrued to the Auqaf Department was ploughed back into foundations in form of salaries for those employed there in order to safeguard the official ideological interests. There was otherwise the danger that Culamad would employ their religiously legitimized influence among the masses, in order to work against Government intervention. The khutabā́ (preachers, especially the Friday-preachers) and the a'imma (the Prayer-leaders) were also expected to hold the important Friday-sermons (khutbah) in confor-

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53 Cf. Mazhar ul Haq: Civics of Pakistan for intermediate Classes, Lahore 1983, p. 141. This is not a Government prescribed text book, nevertheless, it is used as such among certain wide-spread groups.

54 Cf. sec. 6 A-B of The Waqf Properties Ordinance 1961 (TWPO 1961); compare also Table 2 below, specially for the period 1965/66 to 1970/71.

55 Cf. TWPO 1961, sec. 3.

56 Cf. also the instructions for “Managers”, printed in Zia ul Islam Janjua: The Manual, pp. 43.
mity with the interests of State, and to procure that the social net of these foundations “function” accordingly.

The transformation of traditional order was made possible through a de-mystification of these holders in office.58

In the context of nationalization of religious endowments, the attempt was made, both under Ayûb and later under Bhutto, to overcome the traditional religious authority of shrine-holders, formally propagating an emancipation of the pilgrims to shrines. In order to do so it was necessary to play down the shrine or at least to represent it as a worldly institution and thus to take away its religious character. Up to this stage, the ordinary murîd had no direct access to God. The saint was the mediator. The holder of the shrine had taken over the position of the saint and now functioned as mediator between pilgrim and pîr. The saint and therefore mujâwar or sajjâdah-nashîn “monopolized” the access to God, and only through him could the path (jâriqah) to salvation be experienced. This meditating role was now supposed to be rendered superfluous through the activities of the Auqaf Department.

From now on, every citizen, provided only that he was a “good Muslim”, was supposed to be able to enter directly into a dialogue with God. Thus the saints or shrine holders acquired more mundane features and their annual feasts (arab. ‘urs, literally “marriage”, i.e. the union with God)59 became public holidays and consequently secularized. The miraculous healing power of the saints was replaced by the building of hospitals in the endowments. In this manner, shrines became catalysers of modernization and limits were placed on the unbridled power of ulamâ and holders of shrines. There was to be no mediator between State and Individual and also none between God and Individual.60 A new cosmology was

58 There is a clear parallel here between Ayûb Khan’s politics and that of Amîr ‘Abd al-Rahmân (1880-1901) in Afghanistan: cf. Ashraf Ghani: Islam and Statebuilding, pp. 269-284.
60 Cf. also the contribution of Kathrine Ewing: “Malangs of the Punjab: Intoxication or Adab as the Path to God?”, in: B. D. Metcalf (ed.): Moral conduct, pp. 357-371.
created which corresponded to the social and economic aims of Government. The integration of land and of autochthonous institutions in the new expanding capital sphere was necessary for the creation of markets. It reflected the politics of the ‘‘Green Revolution’’ of the sixties.61

Up to Bhutto’s time, nationalized endowments were organized on a provincial level. The nationalization after 1971 brought foundations directly under a Central Government. The Administrator Auqaf was henceforth called Administrator General of Auqaf for Pakistan and had a greater sphere of influence. The newly introduced obligation of registering endowments62 and the power of Administrator General or of anyone delegated by him ‘‘to issue directions as the management etc. of Waqf properties’’, served to bind the endowments closer with Central Government. This was also meant to prevent sectarian activities of the khutabā3 and a?imma.63

Bhutto’s administration continued on the foundation built by Ayūb’s politics.64

Under Zia ul Haq, the endowments, once again, were put under Provincial Governments.65 As against the earlier regulation, Administrator Auqaf of a province now had complete control on endowments.66 Despite the Islamization policy under Zia, the Administrator still did not require to have any special knowledge in Islamic law.67

Yet, his legal authority extends to the highest Provincial Court. Accordingly, he can take over any endowment as defined by section 7 of the Auqaf (Federal Control) (Repeal) Ordinance 1979 through a declaration to that effect,68 without being in any way legally answerable, thus encouraging arbitrariness. Section 20 (2),69 moreover, makes it possible to intervene in waqf, in order to preserve the

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61 For a discussion on the Green Revolution see Keith Griffin: The Political Economy of Agrarian Change, London 21979.
64 Cf. Katherine Ewing: The Politics of Sufism.
66 Cf. TWPO 1961, sec. 3; TAFCA 1976, sec. 2, TAFCRO 1979, sec. 3.
67 TAFCRO 1979, sec. 4 ff.
69 For the 1961 regulation cf. sec. 16; for 1976 and 1979 regulations cf. sec. 20.
"sovereignty and integrity of Pakistan" in case of any party-political agitations, whether in form of sermons or otherwise.

Since 1976, the Auqaf Administration reserves for itself the right to change curricula of those religious schools which represent endowments. This is an extension of the Jamiah Islamia Regulation of 1963 (see below). As it is known, religious endowments sometimes take the form of religious schools and mosques. A nationwide control over these institutions was to be achieved through an extensive "clerical" net spreading from district-khaṭīb and district-mawlānā right to village-khaṭīb, from province to village. Ayūb had already introduced different khaṭīb/īmām schemes which, however, collapsed. Ever since the nationalization in 1960, there was a tendency for religious schools to join in umbrella-organizations according to different schools of thought. This restricted the influence of State for the time being. Nevertheless the Auqaf Department succeeded by 1962 in bringing 247 such schools in Punjab under its surveillance. Thereafter, it was only partially possible to halt State intervention through the formation of umbrella-organizations. The net-work of state-control was strengthened, taking over further autonomous institutions. Thus, for example, an Āwqāf Īlamā? Board was set up, which had the power to examine new khutabā? by any criterion whatsoever and to appoint or dismiss them. In this manner, a conformist Friday-sermon was guaranteed in those mosques, which were tied up to the Department.

The Islamization of the seventies led, among other things, to a "Seminar on the management and development of Auqaf properties" in August 1984 in Jeddah. It aimed at enhancing the number of nationalized endowments and to improve their quality and resources.

During the last eight years, one may observe an increase in receipts from the endowments in absolute terms. The reason for

70 Cf. TAFCro 1979, sec. 25.

71 As was to be expected, very few īlamā? and mashā?ikh, the traditional upholders of Islamic tradition, participated in this seminar. The initiative came from the representatives of the colonial sector of the society and from the Avant-garde as well as from the religious elite, who tended to support salafī reformist Islam strongly. For an elaboration of the sociological basis of contemporary Islamic movement see Reinhard Schulze, "Islamische Kultur und soziale Bewegung", in: Peripherie, Nr. 18/19 April 1985, pp. 60-84.
this probably lies in the authoritarian handling of shrines and other foundations by Government. It could, however, also result from the fact that the Auqaf Department sold some nationalized endowments to the State Development Authority (f.e. Lahore Development Authority) or even returned some to former mutawallis.\textsuperscript{72}

The return of waqf could be regarded as a policy of reconciliation with respect to politically restive former shrine-holders, but it is also possible that these awqaf were simply not profitable.\textsuperscript{73}

The criticism of 'ulamā\textsuperscript{2} and sajjādah-nashīns can be noted in the press. It had reached a climax in 1960 and 1969,\textsuperscript{74} and received a new spurt under Zia's regime. The Government reacted by mobilising sections of 'ulamā\textsuperscript{2} which conformed to its interests. More than 200 'ulamā\textsuperscript{2} from Hazara District (from where Ayūb Ḳhān originated) under the leadership of Mawlānā 'Abd al-Salām Hazārwi,\textsuperscript{75} praised the activities of the Auqaf Department.\textsuperscript{76}

\textsuperscript{72} The Auqaf Department acted in this instance in accordance with sec. 12 of the Regulation of 1961 and sec. 16 of 1976 and 1979.

\textsuperscript{73} Cf. the position of the Chairman of the Tanzim al-Jihād in Lahore; he names 15 waqf which were returned to former shrine holders and several endowments sold to Development Authorities in 1985 (Urdu pamphlet, Feb. 1986 at Dātā Darbār, Lahore). Cf. also Rīḍwān, publ. by Hizb al-Ahnāf, Lāhawr Vol. 33, No. 4/5, May 1984 and Vol. 38, No. 6, June 1984, p. 2 (Urdu): the Brelwis demand a separate Brelwi Auqaf Board. The Shias, similarly, demand their own Shia Auqaf Board since 1985. Cf. also the annual report of the Tanzim al-madāris (Brelwi umbrella-organization of religious schools), in which Tanzim-representatives point out to illegal sales by the Auqaf Department, whereupon the then Zakat Administrator, I. H. Imtiazi, warned Administrator General Auqaf to refrain from such sales (sālānah ripōrt, Lāhawr 1984, p. 14 and p. 31 (Urdu)). Similarly, the Brelwis criticize the way money is spent by the Department, not aiming at real reconstruction of waqf. The reason for this negligence was, that Auqaf employees were "secular and modern" (cf. Tarjumān-e Sawād-e ʿAẓam, Lāhawr Vol. 7/9, March 1985, pp. 17 and 32 (Urdu)).

\textsuperscript{74} As a point of criticism, the interest drawn by the Auqaf Department was cited (cf. Zindagi (Lahore), 22.9.1969, pp. 35 (Urdu); Hurriyat (Karachi), 21.10.1969 (Urdu)). This prompted the Auqaf Department, "to withdraw all Bank Deposits-Earning of Interest". Instead all shares of NIT were to be sold on PLS basis. The banks (UBL, HBL and NBL) however did not want to part with the 40 million Rs (cf. Nawāt-e-waqf (Rawalpindi), 24.10.1970 (Urdu) and National News (Lahore) 21.10.1970 and 26.11.1970: "Auqaf Department withdraws Bank Deposits").

\textsuperscript{75} He was the President of the Islamic World Congress in Pakistan at that time; the representatives of this institution pursue a predominantly integrationist policy.

\textsuperscript{76} Cf. Dawn (Karachi), 24.11.1969: "Allegations about accounts are false, says Auqaf Chief."
The *integrationist* policy of the different regimes finally led to a "Masha'ikh-Convention" in 1980 in the Capital. This enabled the State to convince a large section of *pirs* of its strategies.77

In terms of basic content, Ayûb's secularization policy was carried on by Zia ul Haq. Thus, a booklet on shrines published by the Pakistan Tourism Development Corporation writes:

"Human being is made of two entities, namely body and soul. Of these, the soul is more important. Islam has underlined the need to develop the soul by prayers and meditation. Those who train their souls in this manner are called 'Sufi'." 78

Hence every citizen was able to become a Sûfî.

The Zia-regime, in confirmance with its extension of the modernization of earlier regimes, attempted to open Holy Shrines to international tourism. The booklet cited enlists 137 shrines,79 out of which 100 are elaborately described. The condition for listing the shrines in the booklet is, of course, that they would be in a reasonable condition and accessible to foreign tourists. This presupposes an effective administration, which in turn means that those shrines must be well integrated.

In the course of time the traditional, sacred and autochthonous character of shrines is bound to suffer through the influence of tourism, although many local people still undergo a lot of difficulties in order to visit them, as they do especially at the time of *`urs*. Visit during *`urs* can be compared to a pilgrimage to Makka (*hajj*), a mini-*hajj*,80 so to speak. The loss of the exclusively sacred character will ultimately lead to a further dimension of State control and to anonymization of traditional social and economic order. In the short run, however, *muridin* tend to look upon tourists as a sign of significance of their local shrine.

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77 Naturally, only those mystic divines were invited who appeared to be conformist from the start. Critically minded persons, especially those from Sindh, were not called. The contributions of the saints were correspondingly favourable to Zia and his policy; cf. GoP, Ministry of Religious and Minorities Affairs: *Mashâ`ikh Kanwenshan 1980*, taqârîb o tajâwîz, Islâmâbâd n.d. (Urdu).


79 65 in Sindh, 50 in Punjab, 10 in NWFP and 12 in Baluchistan.

80 The *`urs* is considered by many *muridin* as such a mini-*hajj*. 
In spite of all integration-policy and all attempts to curb the autonomy of shrines and other endowments, some of them still reflect a politically restive character. In the broadest sense of the word "unislamic" activities are taking place around these microcosms of local Islam — they represent merely the last refuge of marginalized social groups.\(^81\)

4.1. Reactions

It is only too understandable, that many 'ulamâ' and those linked to and profiting from endowments protested against these developments.\(^82\) The popular reactions took many forms\(^83\) and, among others, resulted in the formation of institutions like umbrella-organizations of religious schools, the so-called Anjuman-e sajjâdah-nashîn (Society for the heirs of shrine-saints) and the Qâdirî inclined Jamî'iyat al-Mashâ'îkh Pâkistán (JMP) (Society of the Mashâ'îkh Pakistan).\(^84\)

The latter was founded in 1963 under the chairmanship of Pir Dewal Sharîf in the context of a growing nationalization. Apparently, Ayûb Khân had regularly paid homage to this pir who had also a great number of murîdin in the army. Alongside this intertwining of government and saints, there was also some relation between the JMP and the Saudi Arabian Government,\(^85\) which actually represented a more puritan, sober Islam and rejected all forms of saint-cult and popular religion. Today, one could consider

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\(^81\) According to working paper of the Ministry of Religious Affairs on shrines in Punjab and Sindh (Islamabad Oct. 1985; mimeo), in nearly all of the 24 shrines investigated, illegal activities were prevalent. Thus, shrines are still a refuge for subcultures. As expected, these institutions were not listed in the Tourism Department's booklet.

\(^82\) Interestingly, nobody refered to the Mussalman Wakf Validating Act, 1913 when raising criticism.


\(^84\) Very little is known about this organization.

the JMP as a largely conservative and conformist grouping.\(^{86}\) It derives its strength from the fact that it accepts members of all other silsilahs or \(\textit{turuq}\),\(^{87}\) similar to the \(\textit{Tariqah Muhammadiyyah}\) of the 18th/19th century. However, the members of the JMP are affiliated mostly to the \(\textit{Naqshbandiyyah}\) and \(\textit{Qadiriyah}\). And it is specially the latter which strongly represents the Brelwis. The apparently close connection of \(\textit{Pir Dewal Sharif}\) to Government could be seen as a political strategy, namely to work as closely as possible with the politically ruling classes in order to influence them.\(^{88}\)

These organizations were, however, not strong enough to hinder the nationalization. One would have imagined that \(\textit{wagr}\)-holders had sufficient following to prevent official intervention, specially when the \(\textit{Auqaf Department}\) took over endowments yielding high incomes\(^{89}\) and those which did not have a \(\textit{mujdawar}\).\(^{90}\)

According to the information of the legal advisor of \(\textit{Auqaf Department Punjub}\),\(^{91}\) there were a dozen appeals against interventions of the \(\textit{Department}\), pursued up to the Supreme Court until the end of 1985. This indicates clearly the hostility of the foundation-holders to Government-policy. Of the 12 petitions, 9 were rejected and three taken up.\(^{92}\)

The conflict with the \(\textit{Auqaf Department}\) and the tendentious Court-jurisdiction found its temporary climax in the condemnation

\(^{86}\) Cf. e.g. the photo of \(\textit{Pir Dewal Sharif}\) with \(\textit{Zia ul Haq}\) in: \(\textit{JMP}\), Vol. 4, Islamabad Nov. 1984, p. 33.

\(^{87}\) For \(\textit{silsilah}\) cf. Trimingham: \(\textit{Orders}\), passim.

\(^{88}\) Cf. \(\textit{Aziz Ahmad: Studies}\), pp. 182, where he points to this strategy of the \(\textit{Naqshbandis}\). Cf. also Hamid Algar: "The \(\textit{Naqshbandi}\) order: a preliminary survey of its history and significance", in: \(\textit{Studia Islamica}\) Vol. XLIV, Paris 1977, pp. 123-152.

\(^{89}\) Cf. \(\textit{Maq\(\tilde{\text{s}}\)mak\(\tilde{\text{m}}\)h Awq\(\tilde{\text{a}}\)f Punj\(\tilde{\text{a}}\)b, L\(\tilde{\text{a}}\)hawr: G\(\tilde{\text{a}}\)\(\tilde{\text{n}}\)\(\tilde{\text{d}}\) Buk, L\(\tilde{\text{a}}\)hawr n.d.}\), p. 1 (Instructions) (Urdu).

\(^{90}\) Cf. D. Buddenberg: \(\textit{Islamization of Shrines}\).

\(^{91}\) In Lahore on 15.2.1986.

WAQF IN PAKISTAN

through the Council of Islamic Ideology (CII). According to them, the confiscation of waqf by one or more persons or by the State was in contradiction to Shari'a and ought to be revoked. This was an answer to the enquiry of Cabinet Division and Ministry of Religious Affairs in May 1980 and in August 1981, on the occasion of land-reforms (Martial Law Regulation No. 115) of 1972. Waqf estates were to be exempted from the landreform, according to the CII resolution. This position corresponded to the Mussalman Wakf Validating Act, 1913.

In 1983, the CII put forward the same verdict once again: waqf can not be transferred or sold. This forbade the handing over of the waqf or its sale to a third person or institution.

Apparently, the position of the Council reflected public criticism, which was strong at that stage. There were 'ulamā and mystic devines in the CII as well, whose material wellbeing depended very much on the endowments. Thus, some representatives of the Islamic tradition who were CII-members could defend their material position and legitimize it according to Islam. Their argument, however, did not find any resonance in the Government policies, which tended to be more integrationist and fundamentalist. Government wanted to limit the influence of waqf-holders, or, even better, rule it out wherever possible, exactly in line with salafi Islam.

Apart from that, the Federal Shariat Court (FSC) set up in 1981, examined the Waqf Ordinance of 1979 along with all other existing Acts and legitimized the nationalization: according to it, nationalization was not in contradiction with Sharī'a and, consequently, the Court did not suggest any basic changes in the Ordinance. Section 16—the sale of waqf-land—was considered justified as long as "the main purpose of the waqf is served and

95 According to Urdu media.
96 Cf. Provisional Constitution Order § 203 A-J; the FSC can be considered basically as a legitimising instance of the Zia regime. Its competence does not extend beyond the province of Islamic criminal and personal law.
satisfied." The authorities cited by the FSC often called for a redistribution of land in favour of peasants and delivered fatwas to this effect. The fact that the passing of the judgement was carried through in a pragmatic manner, with many otherwise unpopular authors and sources quoted, is not something to be amazed about. Thus, once more, the law of necessity prevailed.

The most visible reaction to the policy of integration can, however, be seen in the relative decrease of receipts coming from the donations of visitors of shrines. It will be apparent that the percentage of growth of receipts decreased specially from 1982, two years after the introduction of the official Zakat and Ushr System (see below). After all, why should the Pakistani Muslim contribute to the shrines etc. when the Government was already taking money from him via the new Zakat system? A similar development occurred in reference to the religious schools which deplored that "Since the introduction of the Zakat system ... their source of private donations had dried".

Apart from that new shrines are being created as a kind of "anti-shrines", mostly looked after by women.

4.2. Auqaf Department and Education

Concerning the educational system, the first aspect to be mentioned is the reform of the syllabus by the Auqaf Department, according to which the "antique" and outdated curricula of religious schools had to be modernized and its administration had to be brought under jurisdiction of the Islamic University Bahawalpur. Consequently, the Jamiah Islamia (Jâmi‘ah Islâmiyyah) was founded

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98 The Inquiry was carried out by: Justice Aftab Hussain, B. G. N. Qazi, Ch. Muhammad Siddique, Mawlânâ Malik Ghulâm ‘Alî, Mawlânâ ‘Abd al-Qâddûs Qâsim and Mufti Sayyid Shujjâ‘at ‘Alî Qâdirî. Only the latter spoke out against the right of Government to acquire waqf. None of the judges referred to the Mussalman Wakf Validating Act, 1913!

in 1963 in Bahawalpur, with the intention to harmonize modern and traditional education.

The previously existing Jāmi‘ah ‘Abbāsiyyah (founding year 1925) enjoyed a good reputation within a section of the ‘ulamā‘. Their final examination was considered to be equivalent to a B.A. degree. In the wake of Ayūb’s ‘One Unit’ politics and the dissolution of the princely state of Bahawalpur in the mid-fifties, this school was linked to the Ministry of Education. In 1963 it was brought under the Auqaf Department and it was resolved to fuse the Jāmi‘ah with other, hitherto private, theological schools.

By 1962, 247 of such schools had already been nationalized and brought under the supervision of the Department. A nationalization of more schools was hardly possible, mainly because of the creation of umbrella-organizations of different schools of thought. That is why many of these schools were later denationalized. This was similar to the case of the shrines, centres of Folk-Islam.

The West Pakistan Jamia Islamia (Delegation of Powers) Regulation, 1968 strengthened the position of the Auqaf Department further. Nevertheless, in 1969 only 35 religious schools had found entry into the Bahawalpur scheme. In order to enhance the official sphere, a decree was passed, through which the Auqaf Department acquired access to other religious schools which had fused with the Jāmi‘ah. This was done via the nationalized Islamic University which reveals the hierarchical relation between the Department, the Jāmi‘ah and other religious schools. For the State, however, this meant a further success in their intervention into traditional social spheres.

In the course of time, this integrated university was forgotten and

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100 Cf. Ḥāfīz Nadhr Ahmad: Jā‘izah-e Madāris-e ʿarabiyyah Islāmiyyah maghribi Pākistān, Liyālpūr 1960, pp. 639-650 (Urdu). The extent of its integration can clearly be estimated from the fact, that its former pupils formed an Abbasia Old Boys Federation in 1953.


103 The West Pakistan Jamia Islamia (Bahawalpur) Ordinance, 1964, West Pakistan Ordinance No. XVII of 1964.

today for most of the ‘ulamā’ it represents a sign of warning as to what bureaucratization of traditional institutions can lead to.\textsuperscript{105}

Out of the 24 religious schools in Punjab which were run by the Department in 1982, only one offered dars-e niẓāmī—the classical theological curriculum in the Subcontinent, while in 13 the Qurʾān was read and learnt by heart. The syllabus was supposed to have been reformed.\textsuperscript{106} This can, however, not be confirmed, since simple recitation of the Holy Book does not point to any reform.

In the Punjab, there were 55 such institutions along with the ‘Ulamā’ Akadēmī in 1985. With the exception of the Academy, all other institutions were small hisf- (memorising Qurʾān) and nāzirah- (reading Qurʾān) schools, which were or still are attached to shrines. The salaries in these religious schools—one or two teachers per school—are mainly paid by the Auqaf Department.\textsuperscript{107}

The khaṭīb/imām Scheme was another means of ensuring that education in traditional institutions followed the patterns and requirements of modern, western norms.\textsuperscript{108} The Auqaf Department here was concerned with enforcing the official ideology in nationalized foundations by appointing conformist khutabā and aʿimma.

The clause in the Auqaf Legislation since 1976 which suggested a reform in syllabus in formal and religious schools\textsuperscript{109} found its climax in the setting up of the ‘Ulamā’ Akadēmī.

4.2.1. ‘Ulamā’ Akadēmī

The ‘Ulamā’ Akadēmī was founded in 1970 in accordance with the demands of the Islamic Avantgarde during the sixties. In this

\textsuperscript{105} Thus e.g. the criticism of the Brelwis, cf. Tanzīm al-madāris, sālānah ripāri, Lāhawr April 1984, p. 20 (Urду).


\textsuperscript{107} There are 10 such schools in Lahore. Along with these, the Auqaf Department supported some other primary schools, which are also supposed to be endowments. Thus, the Department in Punjab has 75 employees in religious schools, 19 schoolteachers, 11 employees of Grade 4, and one employee for each High-, Primary-, and Middle-School (information collected in the ‘Ulamā’ Akadēmī in spring 1986).

\textsuperscript{108} Cf. also Abdur Rauf: Renaissance of Islamic Culture and Civilisation in Pakistan, Lahore 1965, pp. 172-180 and pp. 243.

\textsuperscript{109} Cf. TAFCRO 1979, sec. 25.
institution the aʿimma and khutabāʾ were to be educated and trained practically with modern ideas under directions of the Auqaf Department.110 The actual work of the Academy did, however, not start until Zia entered into office.

A two-year study programme of the ‘Ulamāʾ Akademi was meant to unite new and old disciplines, i.e. to “enrich” the classical theological syllabus with modern subjects; the precondition for admission was a good grade in dars-e nizāmi or a fādil ʿarabi,111 Matriculation or M.A. Arabic/Islāmiyyāt or B.A. Arabic/Islāmiyyāt or the darjah-e fawqānīyyah112 of the Tanzīm al-madāris al-ʿarabiyyah and/or the Wafāq al-madāris al-ʿarabiyya.113 The applicant ought not to be over 28 years and was to reside in the Academy. This was considered to be an essential aspect of the education.114

Up to 1982, the ‘Ulamāʾ Akademi had conducted 10 courses of 6 months each (one course a year) and 233 khutabāʾ/aʿimma qualified (i.e. a maximum of 30 participants per course).115

Along with these courses, the ‘Ulamāʾ Akademi organized three-month courses for muʿadhdhins (three courses per year). Up to 1982, in altogether 10 courses 79 participants were thus “educated”.116

All participants were functionaries of the Auqaf Department and

110 Cf. Taʿāruf; Mahkamah-e Awqaf Punjab: Tarbiyyat, Lāhawr n.d. (Urdu), (henceforth Tarbiyyat); also Dawn (Karachi), 9.4.1968; Pakistan Times, 12.5.1968 and 3.11.1968.
111 This was a secular language course with a final examination, introduced by the British administration; cf. Sayyid Muḥammad Salīm: Hind o Pākistām mēh musalmanōn kā nizām-e taʿlim o tarbiyyat, Lāhawr 1980, pp. 243 (Urdu) and G. M. D. Sufi: Al-Minhaj; evolution of curricula in the Muslim educational institutions, Lahore 1981 (first publ. in 1941), pp. 115. The ‘ulamāʾ in the CII called for the abolition of this secular language-course, cf. GoP, CII: Consolidated Recommendations of the CII Relating to Education system in Pakistan, 1962 to 1982, Islamabad 1982, p. 35 (Urdu/English).
112 Then the highest degree of theological qualification.
113 Both umbrella-organizations of religious schools of the Brelwis and Deobandis respectively.
114 Cf. Tarbiyyat, p. 17.
115 These were inservice courses. Annual courses before joining service were offered only after 1978 (twice) and had a capacity of 20 participants a year; cf. Taʿāruf, pp. 11.
116 These participants had to be under 40 years; op. cit., p. 25. Out of every 10 muʿadhdhins 5 came from Punjab, 2 from Sindh, 2 from the NWFP, 1 from Baluchistan; out of 30 aʿimma/khutabāʾ: 18 from Punjab, 7 from Sindh, 4 from the NWFP and 1 from Baluchistan; cf. Tarbiyyat, p. 12.
were given scholarships. With such integration-courses the interests of State were meant to reach right down to the local levels.

A committee of the University Grants Commission maintained that the level of education in the subjects of “Politics”, “Economics”, “Biography of the Prophet”, “History of Islam”, “Comparative Religion” and also “English”, “Natural Sciences” and “Islamiyat” corresponded to that of formal colleges. The main reason for this was, it was thought, the lecturers’ recruitment from Government College Lahore and Punjab University. Through its lecturers, who either belonged to the colonial urban sector or at least to the sector oriented towards it in terms of norms and values (integrationist), the attempt was undertaken to educate representatives of the traditional society in a modernized, Western fashion.

4.2.1.1. Folk-Islam versus Shar'i'a-Islam

The activities of the ‘Ulamā’ Akademi were abruptly interrupted in 1982. The Chairman of the Academy, Dr. Yusuf Guraiyyah, in 1976 had published a book which served as a catalyst. “The History of Mysticism” was presented to the Culamda and to various traditional and secular educational institutions by the Islamic Research Institute, an advisory body set up under Ayūb Khān. Until 1982, there were no negative reactions to the book.

In the beginning of 1980, a new institution was set up under the aegis of the Auqaf Department, called markaz-e tahqīq-e awliyyah, which was to conduct studies on Ṣufs and mysticism. In the context of Islamization, this must be seen not merely as a concession of State-Islam to Folk-Islam, but also as a further attempt to win over and thus integrate pir's and shrine-holders with Central Government. Dr. Guraiyyah was to administrate the new institute and its chairman. As it is said, this, however, was refused by the chairman of the markaz. In order to weaken Guraiyyah’s authority, a campaign against him was launched and justified by referring to “un-Islamic” passages in the book, which had, however, so far never

117 Cf. op. cit., p. 10.
118 Cf. Ta’āruf, pp. 19.
119 Tārikh-e Taṣawwuf, Lāhawr 1976 (Urdu).
been criticized. No such "un-Islamic" passages were evident to the author while reading the book. Gürâîyyah merely pointed out the so-called "un-Islamic" customs in Pakistan, which he connected with the wide-spread shrine-cult; and this was the bone of contention. According to him, the shrine-cult represented the feudal character of the country and the concomitant exploitation of the people and their alienation from true Islam. He himself had enjoyed both madrasah education as well as formal/ secular education. As an academician previously employed by the Islamic Research Institute and being now an administrator, he referred to the position of Ibn Taymiyya (1263-1328). Today both "fundamentalists and even modern authors" refer to Ibn Taymiyya "especially to support their opinions in matters of legal methodology (e.g. the problem of ijtihâd and taqlid), in their criticism of the practices of some of the mystical orders and the practice of saint-cults and generally in questions relating to mediators."  

Gürâîyyah held the view that "tasawwuf is one pillar of corruption", guaranteed the status quo and lulled the masses. Dâtâ Şâhîb, the Saint of the biggest shrine in Lahore, was supposed to bestow baraka by which the solving of any problem would be transferred to the Hereafter. This did not, however, correspond to the administrator's notion of true Islam. The polemic against him had a massive impact, as he rejected the shrine-cult and consequently

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120 This Syrian Hanbalite theologian had criticized all deviations from what he considered to be the original (Muhammadan) Islam, especially mysticism and folk-piety (cult of saints). Mysticism and syncretism were considered by him to be bid'a (unjustified innovation and a deviation from the Sunnah). He was against the legal methods of consensus (ijmâ'), conclusion by analogy (qiyaş) and against philosophy, and supported ijtihâd. His ideas were first realized by Muhammad Ibn ʿAbd al-Wahhâb (1703-1792). For Ibn Taymiyyah's political notions cf. Qamaruddin Khan: The political Thought of Ibn Taymiyah, Islamabad 1985 and Tilman Nagel: Staat und Glaubensgemeinschaft im Islam; Geschichte der politischen Ordnungsvorstellungen der Muslime, Vol. II, Zürich und München 1981, pp. 109 et passim.


122 Shaikh ʿAlî Bin ʿUthmân al-Hijwerî, died 1072, author of Kashîf al-Majhûb.
the cult around Dátá Sâhib, although he did not discredit the Saint himself. Thus, Gûrâiyyah’s opponents were able to mobilize the masses and bring about a bloody conflict in the neighbourhood of the ‘Ulamâ? Akademî between Brelwis (supporters of the cult), and Deobandis (opponents of the cult) and other groups. This at first led to the withdrawal of the book (which only in 1985 once again was available on the market) and then to the removal of the Chairman of the ‘Ulamâ? Akademî.123

The manipulation of people’s emotions through religious slogans, once again, was evident. The affair with a background of personal conflict (non-acceptance of the chairman), turned political due to the latent conflict between two main streams of thought, the shrine-followers and the ‘‘puritans’’.

4.3. Accounts

The receipts of the Auqaf Department come from several sources and can be categorized thus:

1. Cash-boxes in shrines (about 50% of the annual income)124
2. Income from nadhrânah (about 15%)125
3. Income from attached businesses (about 5%)
4. Income from rented shops/houses (about 15%)
5. Income from rented agricultural land (about 10%)

(These are general tendencies, they vary from year to year.)

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124 These are closed, green, metal urns placed at shrines and emptied weekly or monthly by functionaries of the Auqaf Department and “provided double locker system similar to those of bank lockers” (Dawn, 10.8.1967). In the shrine of Shaikh ‘Alî ibn Uthmân al-Hijwerî alone 1 million Rupees were collected in 1965/77; Rs 15,834,573 in 1983/84, Rs 17,100,000 in 1984/85 and Rs 18,494,000 in 1985/86, which is a high percentage of the total cash collected; see below; calculated according to Dawn, 10.8.1967 and Mahkamah Awqaf Punjab: Bajet Mahkamah Awqaf Punjab bârâ-e 1985-86, Lâhawr 1986, p. 15 and 33 (Urdu) (henceforth: Bajet).
125 These are mostly gifts given in connection with vows taken etc.
### Table 2: Receipts and Expenditure of the Auqaf Department Punjab, 1960-1985 (in Rs)

<table>
<thead>
<tr>
<th>Year</th>
<th>income</th>
<th>prev. year</th>
<th>infl. rate</th>
<th>real increase</th>
<th>expendit. thereof exord. expendit.</th>
</tr>
</thead>
<tbody>
<tr>
<td>60-61</td>
<td>2,085,793</td>
<td></td>
<td></td>
<td></td>
<td>349,050</td>
</tr>
<tr>
<td>65-66</td>
<td>3,969,925</td>
<td>90.3%</td>
<td>7.3%</td>
<td>83.0%</td>
<td>1,550,045</td>
</tr>
<tr>
<td>70-71</td>
<td>8,814,284</td>
<td>122.0%</td>
<td>25.3%</td>
<td>96.7%</td>
<td>4,697,594</td>
</tr>
<tr>
<td>75-76</td>
<td>16,378,334</td>
<td>85.8%</td>
<td>178.5%</td>
<td>-92.7%</td>
<td>12,993,226</td>
</tr>
<tr>
<td>80-81</td>
<td>34,911,507</td>
<td>113.2%</td>
<td>63.7%</td>
<td>49.5%</td>
<td>27,311,422</td>
</tr>
<tr>
<td>82-83</td>
<td>47,111,200</td>
<td>34.9%</td>
<td>18.6%</td>
<td>16.3%</td>
<td>46,066,800</td>
</tr>
<tr>
<td>83-84</td>
<td>52,093,599</td>
<td>7.1%</td>
<td>19.1%</td>
<td>-12.0%</td>
<td>36,087,382 14,631,762</td>
</tr>
<tr>
<td>84-85</td>
<td>57,612,700</td>
<td>14.2%</td>
<td>9.1%</td>
<td>5.1%</td>
<td>45,977,500 11,140,900</td>
</tr>
<tr>
<td>85-86</td>
<td>54,649,400</td>
<td>-0.5%</td>
<td>n.a.</td>
<td>n.a.</td>
<td>40,990,700 13,031,100</td>
</tr>
</tbody>
</table>


Comments: The rate of inflation for “General Wholesale Prices” is calculated on the basis of Pakistan Economic Survey 1975/76 Part II p. 65 and Pakistan Economic Survey 1984/85 Part II p. 173; these are official rates.

The percentages refer to income only, not to expenditure.

Rates for the year 1981-82 were not available.

The apparently rapid increase of the income of the Auqaf Department is due to the huge increase of cash-box income. This means, that compared to preceding years, donations increased. At the beginning, growth doubled more or less every five years. The enormous real growth of waqf incomes between 1960/61 and 1970/71 is, however, conspicuous and must be seen in connection with the increasing nationalization of endowments. During the Bhutto period real growth fell, however, by nearly 100%.

Since 1980, data for each year are available. Now absolute growth rate fluctuated between a minimum of 7.1% and a maximum of 35%. If one takes into account inflation, this growth is very modest. In the following years—1983/84 and 1985/86—even a stagnation of income can be noted.

Although nationalization advanced under Zia ul Haq—more so than under Bhutto—and although people were against these nationalizations, the shrine-cult and donations connected with it remained popular. The contributions in cash were specially high (1983/84: 42%, 1984/85: 46%). Part of the cash donations
nowadays is probably remitted by the over-seas workers who mostly went abroad from the Punjab. The overall receipts, however, declined significantly.

Since the vast majority of Pakistanis is still tied up with the traditional order and a very small sector can be considered as secularized, shrines and cults around them will remain. The pilgrimage of the muridin to their chosen darbârs will also continue
and, since a shifting of shrine-loyalty is socially condemned, profitable shrines will most probably remain a good investment for the Auqaf Department. But the decrease in receipts of the Auqaf Department points to a different behaviour of the donors, which can be regarded as an indicator of public acceptance of the official policy. Therefore one may assume, that there is a latent disapproval by those visiting the shrines and other endowments.

4.3.1. The structure of income

Refering to Table 2 and taking into account the more detailed data of the Auqaf Department's budgets, the following summarizing remarks about the structure of income can be made:

In some regions, such as the Bahawalpur Zone with the districts Rahim Yar Khan and Bahawalpur, the percentage of income from cash-boxes is low (18.9%) compared to leasing land (42%). The income from rents amounts to 27.5%. In the Sargodha zone (with the districts Sargodha, Faisalabad, Jhang and the Tehsil Chiniot) cash-box income is only 23.9%, while 26.9% comes from leasing and as much as 43.3% from rents.

In the Multan Zone (with the districts Multan, Muzaffargarh and Dera Ghazi Khan) cash-box income increases to 39.2%. The highest income from cash-boxes of this zone comes, however, from the Pakpattan shrine (18.4% = Rs 1,563,000), where the income from land-leasing is even higher (18.8% = Rs 1,600,000).

Similarly, cash-box income in the Central Zone of Punjab (with the districts Lahore, Qasur, Sheikhupura, Gujranwala, Sialkot and Okara) is very high (in fact, the highest, 47.6% = Rs 5,090,750), whereas only 12.6% comes from leasing of land and 31.8% from rents.

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126 Cf. Bajet, passim.
127 The Auqaf Department has devided its operation areas into different zones.
128 Pakpattan is a tehsil, in the Eastern part of the Sahiwal district, without industrial Hinterland. The shrine is, however, very well known and its sajjádah-nashín very influential, so that pilgrims come from far to pay their homage and oblations. For a discussion on this shrine cf. David Gilmartin: Shrines, Succession, and Sources of Moral Authority, pp. 228-236 and Mażhar al-Islám: Lök Panjáb, Islâmâbâd 1978, pp. 118 ff. (Urdu).
In the Rawalpindi Zone (with the districts Rawalpindi, Jhelum and Gujrat) incomes from cash-boxes go up to 45%, while land-lease contributes only 6.9% and rents 24%.

The income structure of the endowments reflects the social structure of its environment: wherever monetarization through industry and urban trade prevails,\textsuperscript{129} cash-box incomes tend to be high, whereas the income from land-leasing and rents tend to dominate in agrarian regions.

The fact, that income from the Lahore Zone and from the Dātā Darbār in Lahore makes up half of the total awqāf receipts (Rs 27,606,900) of which Rs 20,127,200 originates from cash-boxes, is very informative. Thus the Auqaf Department receives most of its income from the Lahore region, in which cash-box incomes are preponderant. The analysis of the income distribution reveals that most of the receipts are generated from the region itself because pilgrims mostly hail from the area around the same shrine which means that there is little transprovincial trade and migration connected to it.

4.3.2. Expenditure

In the analysis of the expenditure, we refer to the expenses of the Auqaf Department (the salaries of senior employees in the main). This shows a clear enriching of bureaucracy through nationalization of traditional institutions.\textsuperscript{130}

According to the data, administration expenditure was Rs 8,201,458 in 1983/84, Rs 9,372,240 in 1984/85 and Rs 10,254,100 in 1985/86 (they do not include costs of those directly employed in the endowments).

In 1985/86 the rent of the managers’ office-rooms amounted to Rs 2,025,500, of the district-\textit{khutabā}? Rs 586,700, and of the direct

\textsuperscript{129} These include traditional military recruitment areas, like the zones Lahore and Rawalpindi. I have drawn on the following works in social sciences in order to work out the extent of development of different districts: Ijaz Nabi (ed.): \textit{The Quality of Life in Pakistan}, Lahore 1986; Wolfgang-Peter Zingel: \textit{Die Problematik regionaler Entwicklungsschiede in Entwicklungsländern}, Wiesbaden 1979 and M. H. Khan: \textit{Agrarian Structure and Underdevelopment in Pakistan}, Lahore 1985.

\textsuperscript{130} All following figures are based on \textit{Bajet, op. cit.}
employees of the endowments themselves a sum of Rs 10,731,740 was spent. The expenditure of administration of both categories of employees thus totalled Rs 23,598,040, i.e. 57.6% of the total expenditure, which was equal to 43.2% of the total receipts.

The extraordinary expenditures, which on average amount to 49%, 24% and 32% for the last three years respectively, are spent on development projects, repairs on endowments, Dātā Darbār construction and conservation of historically important endowments. One could question the extraordinary character of these expenditures, since it could be expected that the Auqaf Department is supposed to repair/conserve the endowments under its control. One might, therefore, assume that very little was done, as the maintenance of nationalized endowments was not profitable. It is clear that expenditure for administration is on the increase while the total expenditure is far behind the receipts as the Diagram shows. Thus, the official policy is justifiably criticized by those affected by it.

4.3.2.1. Expenditure for education and social welfare

According to the Auqaf Department itself, its financial resources are very limited, the allocations for education and Islamic mission are meagre. The expenses for ta'lim o tablīgh-e din (education and mission) were only Rs 2.4 million in 1983/84; i.e. only 6.7% of the Department's expenditure (since mission is here included, the actual amount spent for education is even less than the above mentioned sum of Rs 2.4 million). This amount includes Rs 382,500 for religious schools affiliated to the Auqaf Department and Rs 250,000 for those religious schools not connected to the Department, which, however, are contributed to by the Provincial Zakat Council.131 The sum of Rs 20,000 for the New-Muslims (mission) paid by the Provincial Zakat Council are also to be included here. This means that the Auqaf Department had spent only Rs 1.7 million for education which is a very small amount compared to the costs for "Sirat-

Conferences’, ‘ulamā’-Conventions’ and other ceremonies, born by the Department.\textsuperscript{132}

In the area of social welfare, the \textit{Auqaf Department} financially helped the poor and needy. The percentage of expenditure for Health and Social Welfare was 20\%, i.e. Rs 7,236,007 in 1983/84. A year later it was Rs 7,322,900 (now only 15\%). One of the most important institutions of Public Health is the hospital in \textit{Dātā Darbār} (Lahore). In 1985/86 Rs 7,288,400 were invested in it. In the same year only Rs 369,800 were spent on other hospitals attached to endowments outside Lahore.\textsuperscript{133} Added to this was the money spent on widows (Rs 162,400), handicapped (Rs 50,000) and ‘\textit{jahez}’\textsuperscript{134} (Rs 280,000). Apart from this there are other minor expenditures, for which Rs 1,780,000 were spent out of the Zakat Funds.\textsuperscript{135} This means that the \textit{Auqaf Department} itself only spent Rs 6,410,600 (= 11.7\%) for social- and health-welfare in 1985/86. Accordingly, in this area the \textit{Department} has done very little. Rather it tends to dissolve the traditional social formation, but replaces them with nothing.

5. \textit{Conclusion}

In gross contradiction to the text of the \textit{Mussalman Wakf Validating Act, 1913}, which the ‘‘father of the nation’’ had pushed through, the State nationalized (profitable) endowments in order to further its interests. Section 3 of this very \textit{Act} was now excluded. It was therefore possible not merely to employ officials, but also to localize and tie down ‘‘subversive’’ tendencies. The administrative tying down of autochthonous institutions was accompanied by a transformation of the foundations in substance. Thus, the central and sacred position of shrine-holders (\textit{pîr}, \textit{mujāwar} etc.) was at least formally replaced by the anonymous State and its agents. Similarly, the bureaucracy and the military attempted to transform religious education in the endowments through changes in the curricula.

\textsuperscript{132} Calculated on the basis of \textit{Bajet}, p. 17.
\textsuperscript{133} \textit{Bajet}, p. 11.
\textsuperscript{134} These are gifts of Rs 2,000 for very poor families in order to render possible the marriages of their daughters.
\textsuperscript{135} Calculated on the basis of \textit{Bajet}, p. 18.
These changes did alter the attitudes of the \textit{muridin} to a certain extent, requiting the official policy by the decrease of their contributions and by the setting up of new private shrines. However, the rejection of State-power rarely takes any other form than individual protests. In the face of this, Government can afford to restrict its investments to those endowments which earn large incomes. For example, a modern hospital (with possibilities of eye-operations using laser-techniques!) was built in the \textit{Dâtâ Darbâr}, its mosque and shrine rebuilt, while other foundations, especially those in rural areas, decay.

The installation of cash-boxes in shrines proved to be very profitable for the \textit{Auqaf Department}. Their contributions to its annual receipts are almost 50\%. The structure of income differs from region to region and reflects its social composition.

Sectarian conflicts have increased under the Zia regime. This gives the excuse to nationalize more foundations and to strengthen control; all this with an "Islamically legitimimized" goal of preserving Pakistan’s integrity.

One can say that the colonial sector successfully absorbs autonomous institutions. It enriches itself, pushes through its ideology and legitimizes it religiously. At the same time, traditional organizational structures are dissolved without being adequately replaced. Therefore, one may conclude that the policy concerning traditional Islamic institutions reflects a high degree of secularism.