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WAQF IN PAKISTAN¹

CHANGE IN TRADITIONAL INSTITUTIONS

BY

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Heidelberg

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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

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 *awqâf* has a long tradition in other Muslim countries, dating back to the last centuries in some cases.² 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 (*‘ulamâ’*), the hereditary saints (*pir*, *murshid*), the enlightened and their descendants, the *sajjâdah-nashîns*, administrators (*mujâwars*³ and *mutawallîs*) and finally the owners of the shrines (*wâfiq*). These people were alarmed by the growing influence of bureaucracy in their material and spiritual life.

2. *Historical outline*

The regulation concerning *awqâf* goes back to the initiative of Muḥammad ‘Alî Jinnah (1867-1948) in British India, although

² Regarding the nationalization of religious endowments in Afghanistan cf. e.g. Ashraf Ghani: "Islam and State-building in Afghanistan", in: *Modern Asian Studies*, Vol. 12, 1978, pp. 269-284. For Turkey cf. bibliography p. 123 in Kemal A. Faruki: *The Evolution of Islamic Constitutional Theory and Practice*, Lahore 1971. For the nationalization legislature in other Muslim countries see also J. Schacht: *An Introduction to Islamic Law*, Oxford 1979, pp. 94 ff.

³ This is the Urdu version of the Arabic *mujâwir*. For this institution cf. Werner Ende's article on *mudjâwir* in the *Encyclopedia of Islam* (forthcoming).

Sayyid Ahmad Khân (1817-1898) had planned to argue on this issue in 1877 and Shiblî Nu'mânî (1857-1914) had taken up the matter once again.⁴ During his opening address to the Indian National Congress in 1906, Jinnah had pleaded for the restoration of the right of private ownership of Islamic endowments, which had come increasingly under influence of British jurisdiction since 1887.⁵ 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".⁶

In this manner, *awqâf* were removed from private ownership of Muslims⁷ and Jinnah stated:

"If a man can not make a *wakf alalawlad* (a *waqf* in the name of his children; J.M.),⁸ 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".⁹

⁴ Cf. G. C. Kozlowski: *Muslim Endowments and Society in British India*, Cambridge University Press 1985, pp. 158 ff. (*Endowments*).

⁵ 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).

⁶ Cf. G. C. Kozlowski: *Endowments*, p. 60; for the historical development of *waqf* cf. S. Kh. Rashid: *Muslim Law*, pp. 140-162.

⁷ Cf. G. C. Kozlowski: *Endowments*, p. 5 and pp. 131-155; also S. Kh. Rashid and S. A. Husain: *Wakf Laws and Administration in India*, Lucknow 1973, pp. 21.

⁸ 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 *wakf*, too, is considered a charity, and the same rules apply to both kinds of *wakf*." (Cf. J. Schacht: *Introduction*, p. 126 note 1).

⁹ Jinnah, cited in G. C. Kozlowski: *Endowments*, p. 187; see also pp. 181.

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

¹⁰ Cf. the text of the *Act* printed in Zia ul Islam Janjua: *The Manual*, Part II, pp. 59 and in Raja Abdul Ghafoor: *Manual of Waqf Laws*, Lahore 1983, Part I, pp. 142.

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.

¹⁵ Cf. the contribution of David Gilmartin: "Religious Leadership and the Pakistan Movement in the Punjab", in: *Modern Asian Studies*, 13, No. 3 (1979), pp. 485-517 (*Leadership*).

3. *The position of shrine-saints*

Until the intervention of the State in endowments in 1960, 'ulamâ' and *mashâ'ikh* (or *pîrs*) were very influential, their control was religiously legitimized.

The political power of *pîrs* 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.¹⁶ There, however, existed only a partial political administration of *shûfis* and *mashâ'ikh*, although their followers were organized on patterns of mystical brotherhoods (*turuq*).¹⁷ In Pakistan, the *Jam'iyat-e 'Ulamâ'-e Islâm (JUI)* under the leadership of the Deobandi 'âlim *Mawlânâ Shabbîr Aḥmad 'Uṭhmâni* could to some extent assert itself among *pîrs*, due to the organizational structure, the pattern of which was taken from Deobandi 'ulamâ'.¹⁸ Another important institution is the Brelwi dominated *Jam'iyat-e 'Ulamâ'-e Pākistân (JUP)* (see below).

Sociologically, 'ulamâ' 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.¹⁹ On an ideological plane there are many differences among them, as they do not have any homogeneous doctrine.

¹⁶ Cf. David Gilmartin: *Leadership*. For Sindh see Sarah F. D. Ansari: *Sufi Saints, Society and State Power; The Pirs of Sind, 1843-1947*, (Ph.D. Royal Holloway and Bedford College London 1987; unpubl.).

¹⁷ For brotherhoods cf. J. S. Trimingham: *The Sufi Orders in Islam*, Oxford University Press 1971.

¹⁸ For a discussion on Deoband cf. B. D. Metcalf: *Islamic Revival in British India, 1860-1900*, Princeton University Press 1982; Ziya-ul-Hassan Faruqi: *The Deoband School and the Demand for Pakistan*, Lahore 1963; for the political activities of Deobandis see Yohannan Friedmann: "The attitude of the *Jam'iyat al-'Ulamâ'-i Hind* to the Indian national movement and the establishment of Pakistan", in: *African and Asian Studies* 7, 1971, pp. 157-180; Peter Hardy: *Partners in Freedom and true Muslims; political thought of some Muslim scholars in British India 1912-1947*, Lund 1971; Peter Hardy: *The Muslims of British India*, Cambridge 1972, passim. See also Parwîn Rosīnah: *Jam'iyat al-'ulamâ'-e hind, dastawīzât markazī ijlāshâ-e 'ām 1919-1945*, qawmī idārah barâ-e taḥqīq-e târīkh o ṭhaqāfat, Islāmābād 1980, Vol. I and II (Urdu).

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 *mashâ'ikh*, on the other hand, belong to those sections which seek the mystic element beyond all written knowledge (*ma'rifa*).²⁰ 80% of the *mashâ'ikh* are, according to themselves, men of knowledge and wisdom (*ahl-e 'ilm wa-'irfân*), while only 5-6% of 'ulamâ' are educated (*jayyid 'ulamâ'*).²¹ In fact, there is a great discrepancy between representatives of Legal- and Folk-Islam: the 'ulamâ' are said to have expressed their dissatisfaction over lack of knowledge among *pîrs* during Ayûb Khân's time. The polemics of the 'ulamâ' against saints exist even today.²² Sometimes the animosity between the two groups lead to violent clashes.²³

A *pîr* or his successor has an especially great economic and social influence over his followers (*murîd*) which also is expressed as political power.²⁴

²⁰ The splitting of esoteric and exoteric had evolved during the first centuries of Islamic rule but was integrated later by men like al-Ghazzâlî (d. 1111). With the advent of colonialism and the reintroduction of rationalist approaches by Islamic Avantgardists like Jamâl al-Din al-Afghânî (1838-1897) and Sayyid Ahmad Khân mysticism and legalism were again separated. This approach has been further developed by A. A. Mawdûdî (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 'ulamâ' attempted a symbiosis of esoteric and exoteric like those of *Farangî Maḥall* in Lucknow, cf. F. Robinson: *Separatism*, e.g. pp. 419 and also his article: "The 'Ulamâ' of Farangî Maḥall and their Adab", in: B. D. Metcalf (ed.): *Moral conduct and authority*, University of California Press 1984, pp. 152-183.

²¹ Cf. *Jam'iyat al-Mashâ'ikh Pākistân*, Islāmâbâd Vol. II Sept. 1984, pp. 6 (Urdu) (henceforth: *JMP*).

²² The case is similar in Iran, cf. Richard Gramlich: *Die schiitischen Derwischorden Persiens, part II*, in: *Abhandlungen für die Kunde des Morgenlandes*, Wiesbaden 1976, pp. 125, 148, 153, 301 et passim.

²³ Cf. below "Ulama Academy".

²⁴ Cf. David Gilmartin: "Shrines, Succession, and Sources of Moral Authority", in: B. D. Metcalf (ed.): *Moral conduct*, pp. 221-240; Adrian C. Mayer: "Pir and Murshid", in: *Middle Eastern Studies*, 3/1967, pp. 160-169 and Richard M. Eaton: "The Political and Religious Authority of the Shrine of Bâbâ Farîd", in: B. D. Metcalf (ed.): *Moral conduct*, pp. 333-356; also R. M. Eaton: *Sufis of Bijapur 1300-1700*, Princeton University Press 1978.

The saints and shrines played a predominant role during the elections of 1977 in Pakistan (cf. *Viewpoint*, Lahore Vol. II No. 2, pp. 11). The *Pir of Siyâl Sharîf* had an enormous influence in the districts Sargodha and Jhang where shrine-cult is very popular (see Katherine Ewing: "The Politics of Sufism: Redefining the Saints of Pakistan", in: *Journal of Asian Studies*, Vol. XLII, No. 2, Februar 1983, p. 257). The shrines played an important role in the Pakistan elections 1985 as well.

The prerequisites for becoming a *pīr* do not include theological studies. On the contrary, a *pīr* must have *maʿrifa* (gnosis) and be able to bestow blessings (*baraka*). Nowadays anyone seems to be able to become *sajjādah-nashīn* (a holder of a shrine), for it apparently does not take much to be capable of administering 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 Prophet²⁵ this constitutes often sufficient grounds to be a *pīr*. Due to this and also because believing villagers and illiterates are regarded as servants by the shrineholder (A. Schimmel calls it *pirism*),²⁶ there has been a lot of criticism of this development from many quarters apart from the *ʿulamāʾ*, i.e. from secularized quarters as well.²⁷

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

²⁵ Doris Buddenberg: *Islamization and shrines: An anthropological point of view*, Paper read at the "9th European Conference on Modern South Asian Studies", 9-12 July 1986; on the *Folk-Islam* cf. Nikki Keddie (ed.): *Scholars, Saints, and Sufis*, University of California Press 1972; F. De Jong: "Die mystischen Bruderschaften und der Volksislam", in: W. Ende/U. Steinbach (eds.): *Der Islam in der Gegenwart*, München 1984, pp. 487-504. For *Folk-belief* and shrines cf. also the anthropological studies in Intiaz Ahmad (ed.): *Ritual and Religion among Muslims in the Sub-continent*, Lahore 1985.

²⁶ Cf. Annemarie Schimmel: *Mystical Dimensions of Islam*, University of North Carolina Press 1975, p. 22.

²⁷ Cf. e.g. *Istiqlāl*, Lāhawr Vol. 11/40 1982: *Mashāʾikh nambar* (Urdu) and the short story *Bain* (dirge) by Aḥmad Nadīm Qāsimī, Lahore 1985 (Urdu), where the saint-cult is strongly criticized. For a German translation of "dirge" see Jamal Malik, in: *Südasiens* (Dortmund), No. 7, 1990 (forthcoming). For Qāsimī refer S. J. Malik: "Urdu Kurzgeschichten: Ahmed Nadim Qasimi", in: *Pakistan, Destabilisierung durch Kontinuität? Eine Dokumentation des Südasiensbüro*, Wuppertal March 1989, pp. 86-91.

²⁸ This is particularly evident in the case of the contemporary *Pīr Pagāro* in Sindh. For the development of *pīrs* in Sindh and their cooption 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 *pīr* and *murīd* is characterized there as feudal.

“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 ‘Abd al-Bârî cited in F. Robinson, “The ‘Ulamâ of Farangî Mahall” 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 Quran, 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 *Şûfî Şaikh* cited in R. Gramlich: *Derwischorden*, part II, p. 244.)

³¹ Cf. the functions and position of the *Guru* in the old Hindu *Weltanschauung* in Arun Kotenkar: *Grundlagen der hinduistischen Erziehung im alten Indien*, Frankfurt a.M. 1982, pp. 138-151.

³² Cf. Aziz Ahmad: *Studies in Islamic Culture in the Indian Environment*, Oxford 1964, pp. 119-190.

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

³⁴ R. M. Eaton: *Bâbâ Farid*, p. 334.

It is a well known fact that saints with their charisma were often leaders of millenaristic peasant movements³⁵ who gave the village or members of the mystical order a sense of social security and solidarity, thereby erasing social differences between them.³⁶

The shrine cults were restored and caught on, specially in Punjab,³⁷ under Moghul rule through the influence of the representatives of the *Chishtiyah*.³⁸ 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"³⁹

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.⁴⁰ 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*.⁴¹

The following table shows the number of nationalized *awqâf* in Pakistan. It also states the popularity of shrines in Punjab and Sindh.

³⁵ In the sense of E. J. Hobsbawm: *Die Banditen*, Frankfurt a.M. 1972 and his *Sozialrebellionen*, Focus Verlag, Gießen 1979. *Pir Pagârô* of Sindh who was hanged by the colonial British, can be considered as one representative of millenaristic movements. Cf. H. T. Lambrick: *The Terrorist*, Ernest Benn Ltd., London 1972. For the contemporary *Pir Pagârô* cf. Azhar Suhail: *Pir Pagârô ki kahâni*, Ferosons, Karâchî 1987 (Urdu). *Faqîr Epî* can also be regarded as such a representative in the North-West-Frontier Province, cf. 'Abd al-Hamîd Tarîn: *Faqîr Epî*, Tâj Kampanî Ltd., Karâchî 1984 (Urdu).

³⁶ Shrines were very important in this context. They "made a universal culture system available to local groups, enabling such groups to transcend their local microcosms." R. M. Eaton: *Bâbâ Farîd*, p. 355. For the social role of sufi convents cf. S. Babs Mala: "The Sufi Convent and its Social Significance in the Medieval Period of Islam", in: *Islamic Culture*, Vol. LI, No. 1, Hyderabad 1977, pp. 31-52.

³⁷ Cf. D. Gilmartin: *Leadership*, pp. 489 and Aziz Ahmad: *Studies*. The predominant existence of Saints in Punjab is especially evident through the numerous biographies on Punjabi *pirs*. In Sindh *Pirism* was also widely spread.

³⁸ For the history of this order in the Indian environment cf. Sulaiman Siddiqi: "Origin and Development of the Chishti Order in the Deccan, 1300-1538 A.D.", in: *Islamic Culture*, Vol. LI, No. 3, Hyderabad 1977, pp. 209-219.

³⁹ Major Aubrey O'Brien cited in: D. Gilmartin: *Leadership*, p. 487.

⁴⁰ For the patterns of land ownership in Pakistan cf. Mahmood Hasan Khan: *Underdevelopment and agrarian structure in Pakistan*, Lahore 1981.

⁴¹ Cf. *JMP*, according to which all 90 million Pakistani Muslims were *murîdîn*, among them intellectuals and senior officers of police and military. Even Benazir Bhutto's first political move, after many years of exile, in 1986, was to pay her respect to several saints and shrines in Punjab as well as Sindh.

Table 1: Nationalized *waqf* Properties in the Provinces, 1984

<i>waqf</i>	Punjab	Sindh	NWFP ¹	Baluch.	ICT ²
shrines	276	62	1		5
mosques	406	94	60	6	82
other properties	483	24			
agricultural lands	73.884	<i>acres</i>	6.217	<i>acres</i>	
(culturable)	25.847	<i>acres</i>	6.066	<i>acres</i>	
(unculturable)	48.037	<i>acres</i>	151	<i>acres</i>	
shops	1.596		560	59	
houses	1.741		98	30	
temporary lodging (sarâ'î)			2		

(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 *pîrs* enjoy, corresponds to the notions of the widespread Brelwi school of thought⁴² which has strong inclinations to the cults of saints. Ever since its foundation by *Aḥmad Riḍâ Khân* (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 (*ḥâḍir o nâzir*), as could be derived from the theory of *nûr muḥammadî*, the light of Muhammad. Love for the Prophet is also apparent from the fact that their founder called himself "‘Abd al-Muṣṭafâ’". According to Islamic notions, only god’s 99 names can follow the name ‘*Abd* (slave) and certainly not that of the Prophet. In the eyes of Deobandis and other "puritans" the name ‘*Abd al-Muṣṭafâ*’ was, therefore, blasphemy (*shirk*) and an anti-Islamic innovation (*bid‘a*).⁴⁴ This has caused

⁴² There is still no definite work done on this school of thought. See however B. D. Metcalf: *Islamic Revival*, pp. 296ff. For Brelwi religious schools and the economic and social background of their *fuḍalâ*’ in Pakistan cf. S. Jamal Malik: *Islamisierung in Pakistan 1977-84; Untersuchungen zur Auflösung autochthoner Strukturen*, Wiesbaden: Franz Steiner 1989, Ch. V et passim.

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 Ḥadîth* and *Jamâ‘at-e Islâmi*; cf. Majalla: *Râbi‘at al-‘âlam al-islâmi* (Mekka) 23, 1405 A.H., 5/6, p. 1: *Al-Brelwiyyah ba‘d al-Qâdiyâniyyah* (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 *durūd* (request for mercy upon the Prophet and praise) or *salām*, 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 *Ṣūfi* orders, reject the developed form of shrine-cult.⁴⁸

⁴⁵ The *Ahl-e Ḥadīth* was particularly against *salām* and *durūd* before the *adhān*. According to fundamentalists this “unislamic” practice had become popular only since 1966 under Ayūb *Khān*. They opposed the opinion of *Shāh Aḥmad Nūrānī*, the leader of the Brelwi *Jam‘iyyat-e ‘Ulamā’-e Pākistān*, according to whom the Auqaf Department was only executing the perceptions of *Rābiṭat al-‘ālam al-islāmī* and its *Supreme Council of Masājid* (cf. *Ahl-e Ḥadīth*, Vol. 16/41, Lāhawr Oct. 1985, p. 2 and pp. 8 (Urdu)). *Nūrānī* rejected the Wahhābite *Rābiṭa*’s interference in internal affairs of Pakistan and said, that the *Supreme Council of Masājid*, set up in 1973, was merely an instrument to disseminate Wahhābism via mosques and that the (former) *Amīr of Jam‘at-e Islāmī*, *Miyān Ṭufail*, was its member (cf. *Sawād-e A‘zam*, Lāhawr, Vol. 9/3-4, Sept./Oct. 1985, p. 17). On *Nūrānī* cf. S. J. Malik: “The luminous Nurani: Charisma and political mobilization among the Barelwis in Pakistan”, in: Prina Werbner (ed.): *Person, Myth and Society in South Asian Islam*, Social Analysis No. 28, Adelaide 1990 (in print). The institution of *durūd* had been popular before Ayūb, 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 and Stephen P. Blake: “The Patrimonial-Bureaucratic Empire of the Mughals”, in: *Journal of Asian Studies*, Vol. 39, No. 1, 1979, pp. 77-94.

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 Muḥammad ‘Abd Allāh from Bhakkar: *‘Ulamā’-e Deoband awr Mashā’ikh-e Panjāb* (Urdu) (published by *Strat Kamīlī* 1984). He maintained that Deobandis also visit shrines and like Brelwis speak out against *Wahhābiyya*—in the sense of fundamentalism or *salafī* 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.⁴⁹ 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 *pīrs* and *sajjādah-nashīns*.⁵⁰ 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.⁵¹

The "West Pakistan Waqf Properties Rules" of 1960 aimed at curbing the power of saints and "regulating" endowments, which were being "exploited" by *sajjādah-nashīns*, *mujāwars* and 'ulamā'. 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."⁵²

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:

⁴⁹ *Civil and Military Gazette* (Lahore): 14.1.1960.

⁵⁰ First published 1959 in Karachi, cf. pp. 57.

⁵¹ Cf. Katherine Ewing: *The Politics of Sufism*, p. 259.

⁵² Zia ul Islam Janjua: *The Manual*, Part II, p. 6.

“They (*awqâf*; J.M.) caused anti-social wastage of national wealth. It was misused by pirs, mutawallis, sajjadanashins and other parasites.”⁵³

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*.⁵⁴

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.⁵⁵

Any rejection of authority of the *Administrator* is punishable.⁵⁶ 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 ‘*ulamâ*’ would employ their religiously legitimized influence among the masses, in order to work against Government intervention. The *khutabâ*⁷ (preachers, especially the Friday-preachers) and the *a’imma* (the Prayer-leaders) were also expected to hold the important Friday-sermons (*khutbah*) in confor-

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”⁵⁷ 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 *murid* 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 (*ṭariqah*) 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. *ʿurs*, 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 *ʿulamâʿ* 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

⁵⁷ Cf. *The West Pakistan Auqaf Department (Khateebis and Imams) Services Rules 1968*, printed in: Raja Abdul Ghafoor: *Manual*, pp. 108-113.

⁵⁸ There is a clear parallel here between Ayûb *Khân*'s politics and that of Amîr ʿAbd al-Raḥmân (1880-1901) in Afghanistan: cf. Ashraf Ghani: *Islam and State-building*, pp. 269-284.

⁵⁹ For *ʿurs* cf. e.g. Syed Shah Khusro Hussain: “Die Bedeutung des *ʿurs* Festes im Sufitum und eine Beschreibung des *ʿurs* des Gisudaraz”, in: *Asien* (Hamburg) No. 17 Oct. 1985, pp. 43-54.

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 *khutabá*³ and *a'imma*.⁶³

Bhutto's administration continued on the foundation built by Ayûb'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

⁶¹ For a discussion on the Green Revolution see Keith Griffin: *The Political Economy of Agrarian Change*, London 1979.

⁶² Cf. *The Auqaf (Federal Control) Act 1976*, sec. 6 (*TAFCA 1976*).

⁶³ Cf. *TWPO 1961*, sec. 20 and *TAFCA 1976*, sec. 24.

⁶⁴ Cf. Katherine Ewing: *The Politics of Sufism*.

⁶⁵ Cf. *The Auqaf (Federal Control) (Repeal) Ordinance 1979 (TAFPRO 1979)*.

⁶⁶ Cf. *TWPO 1961*, sec. 3; *TAFCA 1976*, sec. 2, *TAFPRO 1979*, sec. 3.

⁶⁷ *TAFPRO 1979*, sec. 4 ff.

⁶⁸ *Op. cit.*, sec. 13.

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.⁷⁰ 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-*khatib* and district-*mawlânâ* right to village-*khatib*, from province to village. Ayûb had already introduced different *khatib/imâm* 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 *Awqâf ‘Ulamâ’ Board* was set up, which had the power to examine new *khutabâ’* 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.⁷¹

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

⁷⁰ Cf. *TAFIRO* 1979, sec. 25.

⁷¹ As was to be expected, very few *‘ulamâ’* and *mashâ’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 *salafî* 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*.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 *awqâf* were simply not profitable.⁷³

The criticism of ‘*ulamâ*’ and *sajjâdah-nashîns* can be noted in the press. It had reached a climax in 1960 and 1969,⁷⁴ and received a new spurt under Zia’s regime. The Government reacted by mobilising sections of ‘*ulamâ*’ which conformed to its interests. More than 200 ‘*ulamâ*’ from Hazara District (from where Ayûb *Khân* originated) under the leadership of *Mawlânâ ‘Abd al-Salâm Hazârwi*,⁷⁵ praised the activities of the *Auqaf Department*.⁷⁶

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.

⁷³ Cf. the position of the Chairman of the *Tanzîm al-Jihâd* 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 *Dâtâ Dar-bâr*, Lahore). Cf. also *Riḍwân*, publ. by Hizb al-Ahnâf, Lâhawr 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 *Tanzîm al-madâris* (Brelwi umbrella-organization of religious schools), in which *Tanzîm*-representatives point out to illegal sales by the *Auqaf Department*, whereupon the then Zakat Administrator, I. H. Imtiazî, warned *Administrator General Auqaf* to refrain from such sales (*sâlânâh ripôrt*, Lâhawr 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. *Tarjumân-e Sawâd-e A‘zam*, Lâhawr Vol. 7/9, March 1985, pp. 17 and 32 (Urdu)).

⁷⁴ As a point of criticism, the interest drawn by the *Auqaf Department* was cited (cf. *Zindagî* (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. *Nawâ‘e-waqt* (Rawalpindi), 24.10.1970 (Urdu) and *National News* (Lahore) 21.10.1970 and 26.11.1970: “*Auqaf Department* withdraws Bank Deposits”).

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.

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 “Mashâ’ikh-Convention” in 1980 in the Capital. This enabled the State to convince a large section of *pîrs* 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 *Şûfi*.

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 *çurs*. Visit during *çurs* 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, *muridîn* tend to look upon tourists as a sign of significance of their local shrine.

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, taqârîr o tajâwîz*, Islâmâbâd n.d. (Urdu).

⁷⁸ Cited from: Pakistan Tourism Development Corporation: *Journey into light*, Islamabad 1985, p. 3.

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

⁸⁰ The *çurs* is considered by many *muridîn* 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 forms⁸³ 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 *Jam'iyat al-Mashâ'ikh Pākistân* (*JMP*) (Society of the *Mashâ'ikh* Pakistan).⁸⁴

The latter was founded in 1963 under the chairmanship of *Pîr Dewal Sharîf* in the context of a growing nationalization. Apparently, Ayûb Khân had regularly paid homage to this *pîr* who had also a great number of *murîdîn* 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

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 referred to the *Mussalman Wakf Validating Act, 1913* when raising criticism.

⁸³ For the reactions cf. e.g. *Civil and Military Gazette* 6.5.1960, *Pakistan Observer* (Dacca) 12.5.1959 and 13.3.1968, *Times of India* (Bombay) 13.4.1961, *Jang* (Karachi) 29.9.1967 (Urdu), *Nawâ'-e waqt* (Rawalpindi) 12.11.1967 (Urdu), *Pakistan Times* (Lahore) 24.2.1968 and 26.2.1970, *Chitân* (Lahore) 16.2.1970 (Urdu), *Morning News* (Karachi) 29.4.1971.

⁸⁴ Very little is known about this organization.

⁸⁵ Cf. the photography with *Pîr Dewal Sharîf* and i.a. the foreign minister of Saudi Arabia in 1963, in: *JMP*, Vol. 2, Islamabad Sept. 1984, p. 49 (Urdu).

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 *ṭuruq*,⁸⁷ similar to the *Tarīqah Muḥammadiyyah* of the 18th/19th century. However, the members of the *JMP* are affiliated mostly to the *Naqshbandiyyah* and *Qādiriyyah*. And it is specially the latter which strongly represents the Brelwis. The apparently close connection of *Pīr Dewal Sharīf* 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 *waqf*-holders had sufficient following to prevent official intervention, specially when the *Auqaf Department* took over endowments yielding high incomes⁸⁹ and those which did not have a *mujāwar*.⁹⁰

According to the information of the legal advisor of *Auqaf Department Punjab*,⁹¹ there were a dozen appeals against interventions of the *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 *Auqaf Department* and the tendentious Court-jurisdiction found its temporary climax in the condemnation

⁸⁶ Cf. e.g. the photo of *Pīr Dewal Sharīf* with Zia ul Haq in: *JMP*, Vol. 4, Islamabad Nov. 1984, p. 33.

⁸⁷ For *silsilah* cf. Trimmingham: *Orders*, passim.

⁸⁸ Cf. Aziz Ahmad: *Studies*, pp. 182, where he points to this strategy of the *Naqshbandīs*. Cf. also Hamid Algar: "The *Naqshbandī* order: a preliminary survey of its history and significance", in: *Studia Islamica* Vol. XLIV, Paris 1977, pp. 123-152.

⁸⁹ Cf. Maḥkmah Awqāf Punjāb, Lāhawr: *Gā'id Buk*, Lāhawr n.d., p. 1 (Instructions) (Urdu).

⁹⁰ Cf. D. Buddenberg: *Islamization of Shrines*.

⁹¹ In Lahore on 15.2.1986.

⁹² These petitions can be consulted in: 1.) 1964 SC (Supreme Court) 126, PLD (Pakistan Law Decisions) Vol. XVI, pp. 126; 2.) 1969 SC 223, PLD Vol. XXI, pp. 223; 3.) 1971 SC 401, PLD Vol. XXIII, pp. 401; 4.) 1971 SCMR (Supreme Court Monthly Review) Vol. IV, pp. 713; 5.) 1972 SCMR Vol. V, pp. 297; 6.) 1975 SCMR Vol. VIII, pp. 104; 7.) 1976 SCMR Vol. IX, pp. 450; 8.) 1976 SCMR Vol. IX, pp. 500; 9.) 1976 SC 501, PLD Vol. XXVIII, pp. 501; 10.) 1977 SC 639, PLD Vol. XXIX, pp. 639; 11.) 1981 SCMR Vol. XIV, p. 620; 12.) 1982 SCMR Vol. XV, pp. 160.

through the *Council of Islamic Ideology (CII)*.⁹³ According to them, the confiscation of *waqf* by one or more persons or by the State was in contradiction to *Shari'ah* 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.⁹⁴ 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.⁹⁵ There were 'ulamâ' 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 1981,⁹⁶ 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 *Shari'ah* 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

⁹³ For this advisory body cf. S. Jamal Malik: “Legitimizing Islamization — The Case of the ‘Council of Islamic Ideology’ in Pakistan, 1962-1981”, in: *Orient*, vol. 30/2 (1989), pp. 251-68.

⁹⁴ Cf. GoP, *Nazariyyati kawnsil ki sâlânah ripört 1981/82*, Islâmâbâd 1982, pp. 136 f. and p. 287 (Urdu).

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.”⁹⁷ The authorities cited by the *FSC* often called for a redistribution of land in favour of peasants and delivered *fatwās* 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.⁹⁸ 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”.⁹⁹

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 (Jāmi‘ah Islāmiyyah)* was founded

⁹⁷ Judgement of 21.6.1984; the argumentation followed the premises put forward by A. A. Mawdūdī, in the manifesto of the *Jam‘iyyat-e ‘Ulamā’-e Islām*, by Mawlānā Hifẓ al-Rahmān Seohārawī (*Islām kā iqtisādī nizām*, Lāhawr 1981) and Rafī‘ullāh Shāhāb (*Islāmī riyāsāt kā iqtisādī nizām*, Islamabad 1973). *FSC* Judgements, made available to me on 18.2.1986 in Lahore, *Auqaf Department*.

⁹⁸ The Inquiry was carried out by: Justice Aftab Hussain, B. G. N. Qazi, Ch. Muhammad Siddique, Mawlānā Malik Ghulām ‘Alī, Mawlānā ‘Abd al-Qaddūs Qāsīm and Muftī Sayyid Shujjā‘at ‘Alī Qādirī. 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!*

⁹⁹ *Morning News*, 27.2.1982.

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

The previously existing *Jâmi'ah 'Abbâsiyyah* (founding year 1925) enjoyed a good reputation within a section of the 'ulamâ'. Their final examination was considered to be equivalent to a B.A. degree. In the wake of Ayûb'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.¹⁰⁰ In 1963 it was brought under the *Auqaf Department* and it was resolved to fuse the *Jâmi'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*¹⁰¹ strengthened the position of the *Auqaf Department* further. Nevertheless, in 1969 only 35 religious schools had found entry into the Bahawalpur scheme.¹⁰² In order to enhance the official sphere, a decree was passed,¹⁰³ through which the *Auqaf Department* acquired access to other religious schools which had fused with the *Jâmi'ah*.¹⁰⁴ This was done via the nationalized Islamic University which reveals the hierarchical relation between the *Department*, the *Jâmi'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

¹⁰⁰ Cf. Hâfîz Nadhr Aḥmad: *Jâ'izah-e Madâris-e 'arabiyyah Islâmiyyah maghribî Pâkistân*, Liyâlpûr 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.

¹⁰¹ Cf. *Manual of Rules and Regulations of the Auqaf Department West Pakistan*, Lahore 1969, pp. 87-91 and the official circular of 17.5.1968, pp. 92-97.

¹⁰² Cf. Hâfîz Nadhr Aḥmad: *Jâ'izah-e madâris-e 'arabiyyah maghribî Pâkistân*, Lâhaur 1972, pp. 66 and pp. 603 (Urdu).

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

¹⁰⁴ Cf. *Manual of Rules and Regulations of the Auqaf Department West Pakistan*, pp. 68-83.

today for most of the 'ulamâ' it represents a sign of warning as to what bureaucratization of traditional institutions can lead to.¹⁰⁵

Out of the 24 religious schools in Punjab which were run by the *Department* in 1982, only one offered *dars-e nizâmî*—the classical theological curriculum in the Subcontinent, while in 13 the Qur'ân was read and learnt by heart. The syllabus was supposed to have been reformed.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 'Ulamâ' *Akademi* in 1985. With the exception of the *Academy*, all other institutions were small *hifz*- (memorising Qur'ân) and *nâzirah*- (reading Qur'ân) 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*.¹⁰⁷

The *khatiblimâm Scheme* was another means of ensuring that education in traditional institutions followed the patterns and requirements of modern, western norms.¹⁰⁸ The *Auqaf Department* here was concerned with enforcing the official ideology in nationalized foundations by appointing conformist *khatibâ'* and *a'imma*.

The clause in the *Auqaf Legislation* since 1976 which suggested a reform in syllabus in formal and religious schools¹⁰⁹ found its climax in the setting up of the 'Ulamâ' *Akademi*.

4.2.1. 'Ulamâ' *Akademi*

The 'Ulamâ' *Akademi* was founded in 1970 in accordance with the demands of the Islamic Avantgarde during the sixties. In this

¹⁰⁵ Thus e.g. the criticism of the Brelwis, cf. *Tanzim al-madâris, sâlânah ripôri*, Lâhawr April 1984, p. 20 (Urdu).

¹⁰⁶ Cf. Maḥkamah-e Awqâf Punjâb: *Ta'âruf 'Ulamâ' Akademi*, Lâhawr 1982, pp. 35 (Urdu) (henceforth: *Ta'âruf*).

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 'Ulamâ' *Akademi* in spring 1986).

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

¹⁰⁹ Cf. *TAFIRO* 1979, sec. 25.

institution the *a'imma* and *khutabâ*² 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 '*Ulamâ*' *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 nizâmî* or a *fâdil 'arabî*,¹¹¹ *Matriculation* or *M.A. Arabic/Islâmiyyât* or *B.A. Arabic/Islâmiyyât* or the *darjah-e fawqâniyyah*¹¹² of the *Tanzîm al-madâris al-'arabiyyah* and/or the *Wafâq al-madâris al-'arabiyya*.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 '*Ulamâ*' *Akademi* had conducted 10 courses of 6 months each (one course a year) and 233 *khutabâ*²/*a'imma* qualified (i.e. a maximum of 30 participants per course).¹¹⁵

Along with these courses, the '*Ulamâ*' *Akademi* organized three-month courses for *mu'adhdhins* (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. *Ta'âruf*; *Maḥkamah-e Awqâf Punjâb: Tarbiyyat*, Lâhawr 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 Salîm: *Hind o Pâkistân mên musalmânôn kâ nizâm-e ta'lim o tarbiyyat*, Lâhawr 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 '*ulamâ*' 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. *Ta'âruf*, pp. 11.

¹¹⁶ These participants had to be under 40 years; *op. cit.*, p. 25. Out of every 10 *mu'adhdhins* 5 came from Punjab, 2 from Sindh, 2 from the NWFP, 1 from Baluchistan; out of 30 *a'imma/khutabâ*²: 18 from Punjab, 7 from Sindh, 4 from the NWFP and 1 from Baluchistan; cf. *Tarbiyyat*, p. 12.

were given scholarships.¹¹⁷ 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.¹¹⁸ 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 Shari'a-Islam*

The activities of the 'Ulamâ' *Akademi* were abruptly interrupted in 1982. The Chairman of the *Academy*, Dr. *Yûsuf Gûrâiyyah*, in 1976 had published a book which served as a catalyst. "The History of Mysticism"¹¹⁹ was presented to the 'ulamâ' and to various traditional and secular educational institutions by the *Islamic Research Institute*, an advisory body set up under Ayûb *Khân*. 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 taḥqîq-e awliyyah*, which was to conduct studies on *Ṣûfis* 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 *pîrs* and shrine-holders with Central Government. Dr. *Gûrâiyyah* 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 *Gûrâiyyah'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'âruf*, pp. 19.

¹¹⁹ *Târikh-e Taṣawwuf*, Lâhawr 1976 (Urdu).

been criticized. No such “un-Islamic” passages were evident to the author while reading the book. *Gûrâiyyah* 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).¹²⁰ 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 *ijtihād* and *taqlīd*), 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.”¹²¹

Gûrâiyyah held the view that “*taṣawwuf* is one pillar of corruption”, guaranteed the *status quo* and lulled the masses. *Dâtâ Şâhib*,¹²² 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

¹²⁰ This Syrian Hanbalite theologian had criticized all deviations from what he considered to be the original (Muḥammadan) 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 (*ijmā‘*), conclusion by analogy (*qiyās*) and against philosophy, and supported *ijtihād*. His ideas were first realized by Muḥammad Ibn ‘Abd 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.

¹²¹ Cited from R. Peters: “Erneuerungsbewegungen im Islam vom 18. bis zum 19. Jahrhundert und die Rolle des Islams in der neueren Geschichte: Antikolonialismus und Nationalismus”, in: W. Ende/U. Steinbach (eds.): *Der Islam in der Gegenwart*, p. 95 (trans. by J.M.); see now also R. Peters: “Islamischer Fundamentalismus: Glaube, Handeln, Führung”, in: Wolfgang Schluchter (ed.): *Max Webers Sicht des Islams*, pp. 217-241, specially pp. 221.

¹²² Shaikh ‘Alī Bin ‘Uthmân al-Hijwerī, died 1072, author of *Kashf al-Majhûb*.

the cult around *Dâtâ Şâhib*, 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' *Akadémî* 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' *Akadémî*.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 *nadhhrânah* (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.)

¹²³ Interview with Dr. Yûsuf Gûrâiyyah on 24.11.1985 in Lahore, 'Ulamâ' Academy. For the problems between Deobandis and Brelwis see also Ashraf Zafar: *Madhhabî awr siyâsî firqah bandî*, Lâhawr: al Nûr Printers 1987, pp. 169ff. (Urdu).

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 *Maḥkamah Awqâf Punjâb: Bajet Maḥkamah Awqâf Punjâb barâ-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)

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

Sources: Maḥkamah Awqâf Punjâb: *Bajet Maḥkamah Awqâf Punjâb barâ-e 1985-86*, Lâhawr 1986, p. 13 (Urdu); A. A. Khan: *Paper presented at the Seminar on the Management and Development of Awkaf properties at Jeddah*, Saudi Arabia, 4.8.-18.8.1984 (mimeo), pp. 13.

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.

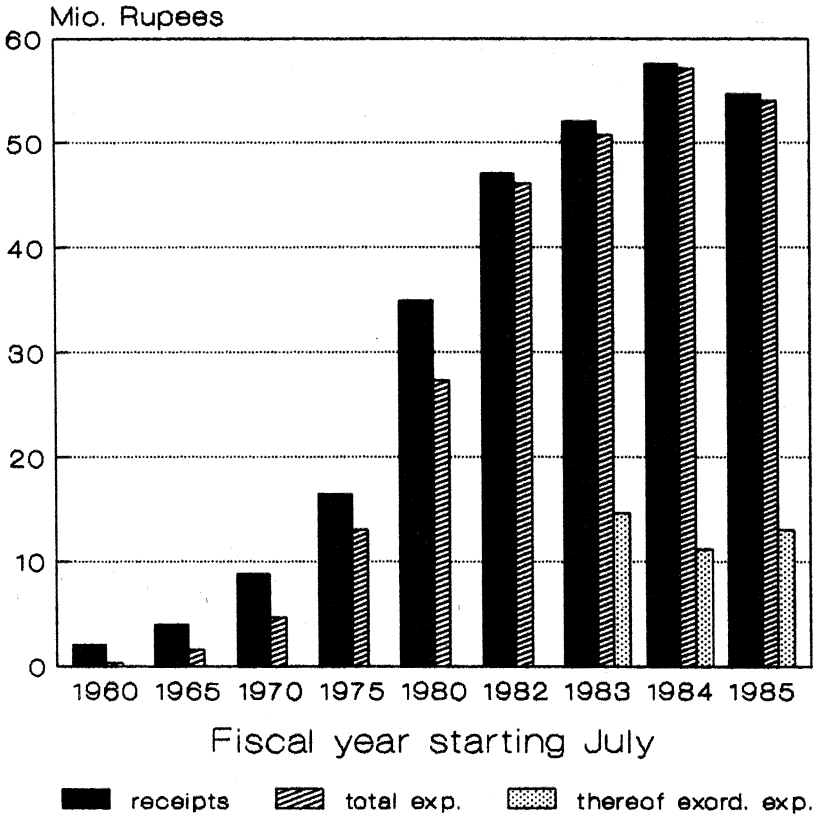
Rates for the year 1981-82 were not available.

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

Receipts and expenditure Auqaf Dept. Punjab, 1960 - 1985 (in mio. Rs)



Sources: *Bujet Mahkmah Awqâf Panjâb barâ-e 1985-86*, Lâhawr 1986, p. 13 (Urdu); A.A. Khan: *Awqaf Seminar Jeddah, op. cit.*

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 *murîdîn* 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*

Referring to Table 2 and taking into account the more detailed data of the *Auqaf Department's* budgets,¹²⁶ the following summarizing remarks about the structure of income can be made:

In some regions, such as the Bahawalpur Zone¹²⁷ 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 shrine¹²⁸ (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, Sheikhpura, 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.

¹²⁶ Cf. *Bajet*, passim.

¹²⁷ The *Auqaf Department* has divided 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 *sajjâdah-nashîn* 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 Mazhar al-Islâm: *Lôk Panjâb*, 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,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 *Dâtâ Darbâr* in Lahore makes up half of the total *awqâf* 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.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-*khutabâ*² Rs 586,700, and of the direct

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.): *The Quality of Life in Pakistan*, Lahore 1986; Wolfgang-Peter Zingel: *Die Problematik regionaler Entwicklungsunterschiede in Entwicklungsländern*, Wiesbaden 1979 and M. H. Khan: *Agrarian Structure and Underdevelopment in Pakistan*, Lahore 1985.

¹³⁰ All following figures are based on *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, *Dâtâ Darbâr* 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/conservé 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 tablîgh-e dîn* (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 "Sîrat-

¹³¹ For the Zakat system cf. now Christine Gieraths: "Social Welfare through Islamization in Pakistan, Assessment and Evaluation (1979-1984)", in: *Asien*, No. 31, April 1989, pp. 1-31 and S. J. Malik: *Islamisierung in Pakistan*, Ch. IV. The financial allocations for religious schools through the Zakat system are discussed in *op. cit.*: Ch. V 8.

Conferences”, “‘ulamâ’-Conventions” and other ceremonies, born by the *Department*.¹³²

In the area of social welfare, the *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 *Dâtâ Darbâr* (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.¹³³ Added to this was the money spent on widows (Rs 162,400), handicapped (Rs 50,000) and “*jahez*”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.¹³⁵ This means that the *Auqaf Department* itself only spent Rs 6,410,600 (= 11.7%) for social- and health-welfare in 1985/86. Accordingly, in this area the *Department* has done very little. Rather it tends to dissolve the traditional social formation, but replaces them with nothing.

5. Conclusion

In gross contradiction to the text of the *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 *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 (*pîr*, *mujâwar* 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.

¹³² Calculated on the basis of *Bajet*, p. 17.

¹³³ *Bajet*, p. 11.

¹³⁴ These are gifts of Rs 2,000 for very poor families in order to render possible the marriages of their daughters.

¹³⁵ Calculated on the basis of *Bajet*, p. 18.

These changes did alter the attitudes of the *murīdīn* to a certain extent, requiring 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 *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 *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 legitimized" 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.