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# Islamisation of Land Reforms in Pakistan

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In an agrarian society, possession of land means pervasive and extensive control over people, especially those who directly depend on land either for their livelihood or to access the state apparatus. Those who do not own land are relegated to an inferior economic, social, and political status. In short, land becomes a ‘bundle of rights’ rather than a simple patch of soil. As an extension, the transfer of land—through land reforms—from landlords to tenants means transfer of this ‘bundle of rights.’ Effective land reforms, therefore, have the potential to reduce the position of existing landlords, land inequality, and economic, social, and political inequality at large. However, in Pakistan, the power of the landlords could not be curtailed and inequality could not be reduced for several reasons—mainly due to Islamisation of land reforms.

Soon after the creation of Pakistan, the Muhajir (migrant) community, peasants, urban classes, and professionals put forward demands for land reforms. In addition, Mian Iftikharuddin—the Minister for Refugee and Rehabilitation in West Punjab—argued that without radical changes in the socio-economic system of the province (particularly with regards to the redistribution of agricultural land), the resettlement of the refugees was impossible.

The state responded to the demands by constituting agrarian reform committees to investigate high concentration of land and to propose recommendations to resolve the problems associated with the landownership, land tenures, and land management. Agrarian Committee—headed by Mumtaz Muhammad Daultana and Pakistan Planning Board—headed by Zahid Hussain proposed to impose ceilings: 150 acres of irrigated land, or 300 acres of semi-irrigated land, or 450 acres of non-irrigated land, coupled with tenancy and other agrarian reforms.

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However, these proposed land reforms met with stiff resistance from the landed elite on the one hand and clergy on the other hand. It is believed that the landed gentry resisted attempts at land reforms by mobilizing religious support for their position. That is why the majority of the sects that were practiced in Pakistan at that time, including the fundamentalist religio-political party—Jama’at-i-Islami (JI), helped galvanizing support for the landed elite by underscoring the sanctity of private (individual) property in Islam.

Why did the clergy side with the landed gentry rather than common masses, mainly peasantry? This question, probably, could be answered as: first, that the clerics, who aimed at becoming the vanguard of Islam in the nascent state of Pakistan, tried to realize the masses and to convince the ruling elite that Pakistan was created in the name of Islam, so, an Islamic system (i.e., political, social, economic, and administrative, etc.,) should be implemented here; second, that some of the clergymen were landlords themselves (e.g., Khalifa Mirza Bashiduddin); and third, that lucrative offers were made to the religious leaders by the landed elite to speak for them and against the land reforms. For example, a minister of Sindh government (from landed class), through a covert lucrative offer to the clerics, successfully got a religious decree against Muhammad Masud—popularly known as Khaddarposh.

The clergymen criticized the proponents and advocates of land reforms by accusing them of being communists (non-Muslim) and declaring their proposals as un-Islamic. They tried to prove the sacredness of individual property by arguing that an individual could own land up to maximum level, and neither state nor individual has any authority to impose ceilings on that land. For this purpose, they not only issued statements and religious decrees but also published pamphlets and books. For example, Khalifa Mirza Bashiruddin Mahmood Ahmad (second Khalifa of ‘Jama’at-i-Ahmadiya’ Organization), Syed Abul A’la Maududi (the founder and chief of Jama’at-i-Islami), and Ghulam Ahmad Parvez (the founder of Tehreek-i-Tulu-i-Islam) wrote books in the mid-1950s to resist and counter the proposals for land reforms by highlighting the sanctity of the individual property.

If landlords were mediators between the state and the masses, religious clerics were the mediators between the masses and God. Using their intermediary position and power, the clerics propagated a distinct theological argument—that it was the will of God that some were born as poor peasants and others as rich landlords. It followed was that any protest or resistance to the existing system would be a defiance of the Divine order. It was this theology that set the conditions for two attitudes, commonly propagated by clerics—that land reforms were anti-Islamic, and that the peasants have no just cause to revolt against the landed elite.

Not only religious clerics but judges too Islamised land reforms that, ultimately, served the landed elite. For example, the Shariat Appellate Bench (SAB), in Qazalbash Waqf vs. Chief Land Commissioner Punjab case, struck down land reforms by declaring them repugnant to the Islamic principles on August 10, 1989 (with effect from March 23, 1990). However, the decision was not unanimous but divided by 3-2. Both the groups, despite contrasting conclusions, resorted to the Quran and Sunnah in order to conceptualise the property ownership theologically rather than legally or rationally. This judgment deprived thousands of poor peasants who were benefitted as a result of land reforms and closed the doors for future land reforms in Pakistan.

Contrary to this judgment, the Islamic concept of property ownership seems to be based on the redistributive spirit that is manifested from the institutions of Zakat, Baytul-Maal, and Waqf, coupled with the Islamic laws of inheritance.

By keeping in view the Islamic concept of property ownership—redistributive, a critical evaluation of the ruling suggests that the following windows were open for the SAB: first, that the petition could have been reviewed in the context of an endowment property and the decision could have been that the Waqf was not a person, but a religious endowment and ceilings could not be imposed on the endowment property; second, that it could have been directed that the government should pay compensation for the acquired land, in excess to ceilings because acquiring land without compensation was un-Islamic; and third, that it could have been stated that if the Qazaqlbash Waqf was holding property for public welfare, the state had also acquired land in the public interest. Had they (or anyone of them) been considered, the fate of landlordism in Pakistan would have been different.

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[**PERSPECTIVES**](https://dailytimes.com.pk/perspectives/)

**2020 – Agree to disagree**

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The year 2020 has proven to be the Monday of all years. The day nothing short of an epiphany compelling everyone to reminisce. Reminiscing August 11, 1947, “You may belong to any religion or caste or creed — that has nothing to do with the business of the State,” was ingeminated by Jinnah at his first presidential address.

Now come 2020, the state has conclusively gotten immunity from the politicisation of marginalised groups. The recent notification issued by the government of Punjab, making the teaching of the Holy Quran with translation mandatory in all provincial universities, has made everyone sceptical whether it’s a politicised move. Is this a speculation? Jamaat-e-Islami’s monopoly of being the most influential religious party in Pakistan must be mulled over.

The Khatam-e-Nabuwat or finality of the Prophet is a convenient political tool that has been used to exploit every political party against the other. Reverting to 2017, Khan exploited the “change of oath” issue against the PMLN government when Khadim Hussain Rizvi had accused the government of committing blasphemy. The black and white hatred for Ahmadis has become a cumulative thought process for the masses. This has been invoked by the consistent process of politicisation by the state rather than the contemporary religious differences. The state’s response has categorised from being accommodating in 1949 to Ahmadi exclusion in 1974 and outright criminalisation nowadays. It is ironic how Pakistan opposes Islamophobia, paying no heed to its existing penal code allowing religious discrimination, legalised by its constitution that multiplies the discrimination against the community by openly allowing calls for murder. This doesn’t come as a surprise, as per the 2020 international religious freedom report, the general intolerance and religious freedom conditions across Pakistan continue to trend negatively.

*The black and white hatred for Ahmadis has become a cumulative thought process for the masses*

Khan albeit made a lot of vows to safeguard the rights of minorities but ultimately surrendered to the pressures by u-turning every decision. He made his first u-turn in 2018 by removing the renowned economist Atif Mian from his economic advisory board because of his Ahmadi assent. If Mian had become PTI’s future finance minister, it would have turned the tables around. But when Khan was questioned on Mian’s faith, he crumbled under the pressure as per his competitors. Making it to the list of bashful events, in December 2019, Jannat Hussain, an assistant commissioner, was forced to apologise for her comments after she said to a group of students that the rights of the Ahmadiyya community, as citizens, should be respected. Brassed off, protestors, mainly from Jamat-e-Islami, forced Hussain to not only apologise but also call Ahmadis “kafir” (infidels). Is this democracy? Further enumerating the Ahmadi mosque attacks, on February 6, 2020, a group of people forcibly occupied a 100-year-old Ahmadiyya mosque in Kasur, Punjab. Succumbing to pressure, the local authorities deprived Ahmadis and handed the mosque over the radicals. Instead of taking potshots at the alleged ill-treatment of Muslims in India, the state should look at its horrendous institutional persecution of minorities. On top of it all, social media harassing hasn’t been pardoned, On July 19, 2019, an anti-Ahmadiyya hashtag Qadiani [a derogatory word for Ahmadis] was trending on Twitter. Finally, the most up-to-date controversy began with the cabinet deciding to include the Ahmadis in the National Commission for Minorities. And hue and cry started taking place by the mere mention of their representation. Within hours, an atrocious campaign against the community started on social media; labelling Qadianis as traitors, calling them the worst infidels in this world. These are some of the many events highlighted during PTI’s reign, which were brought to our attention via social media or got substantial coverage via newspapers. There’s so much that is unheard of.

The media channels of Pakistan don’t mind airing the most futile news on prime time. Does this major crisis decrease their ratings? Potentially, the notification making Quran mandatory can serve as a double-edged sword. The 2018 UNDP report stated that Pakistan currently has an edge by being one of the youngest countries in the world. That was distinctly observed when our youth passionately supported the BLM movement. It shouldn’t coy from its domestic problems either. Pakistan’s youth can give visibility to marginalised groups by letting their voice be heard and changing the narrative altogether. Unfortunately, Ahmadis will be stuck in a nexus between the discomfort of taking that course or fear of revealing their identity. Either this can be a catalyst for a new perspective finally breaking extremist Ahmadi social stigma embedded within our nation by gaining knowledge of the Quran or can dispense ethnic cleansing or forced displacement of Ahmadis from Pakistan.

A sense of security and belonging are two inherent rights that every citizen deserves. A solid takeaway from this year would be to harness the feeling of empathy and to regain our buoyancy. “‘If we cannot agree, let us, at any rate, agree to differ, but let us part as friends,” spoken by Jinnah. If only everyone took a step back and altered their perspectives, Khan’s Naya Pakistan wouldn’t be such a distant dream.

<https://www.youtube.com/watch?v=DDCaS3-fLUg>