THE RELEVANCE OF ISLAMIC LAND LAW
FOR POLICY AND PROJECT DESIGN

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Abstract

Islamic land law as a supplemental strategy in the service of international development goals and land rights is relatively a new endeavour. The experiences of the international community deploying Islamic law in other fields such as environmental protection and Islamic finance offer valuable guidance and possible methodologies. This paper briefly outlines the preparatory work of the Global Land Tool Network (GLTN) in developing an Islamic land law supplemental approaches as part of its initiative to create land tools which are innovative, affordable, gendered and scaleable. Muslim women’s equal property rights is offered as a practical case study. Islamic land law itself is an emerging field and the challenge of harnessing its potential is both exciting and daunting.

WHY ISLAMIC LAND LAW?

Generic land principles, international standards and global discourse generally apply equally to Muslim contexts as elsewhere. Yet, those working in Muslim countries, from Indonesia and Afghanistan to Sudan and Iraq, are also often confronted with an increasing demand for land solutions based on Islamic principles. Since Islamic principles influence a significant proportion of the 1.2 billion Muslims worldwide, (about 35% or 400 million of whom are considered poor), their impact must be assessed. Whether acknowledged or not, Islamic discourses are already part of the ‘unofficial discourse’ which need to be considered as a component of global strategies 2. Though admittedly faith based approaches to land can be complex and problematic, commentators also see newer opportunities, innovative approaches and windows to enhance ownership, legitimacy and sustainability in particular contexts. Faith based approaches are not an alternative track but could operate as a supplemental means of supporting international development goals, where appropriate, and Islamic land tools may be explored for integration into universal priorities and principles, to the extent possible.

Studies show that Islamic law is gaining currency, rather than its relevance declining 3. Miles, for example, examines seven countries on the African continent and concludes that while the influence of customary law may be eroding through ‘modern legal developments’, there is evidence of consistent growth and role of Islamic law 4 in Muslim societies. Where there are Muslims, there is likely to be Islamic law – through formal rules or informal practices 5. Islamic

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law is often intertwined with the informal approaches or formal policies of the State and the land rights discourse. Islamic norms may appear as customary or cultural religious based practices in Muslim society, but clarifying the nature and scope of Islamic principles could serve to weed out injurious or patriarchal practices. The significance of Islamic law for Muslims as part of their identity, and guide to their spiritual and temporal responsibilities cannot be overstated6. For practising Muslims, Islam regulates all aspects of life, including property relations and land tenure, thereby impacting on the totality of their lived experiences. This demand for authenticity and community driven perspectives may not be easily discernible as noted by this author, during a workshop in Kabul7

….there appeared high level official presence, receptivity to new ideas and enthusiastic interventions. Yet, there was virtually no discussion of customary or Islamic norms or dispute resolution, in contrast to coffee break and off-court deliberations which were sceptical of the universalist interventions. Some participants said they assumed that these aspects were not part of the rules of engagement (‘agenda’), and did not want to ‘expose’ themselves as Islamists. One expressed his opinion that nobody cared about Islamic law nor did he feel comfortable discussing Islamic and customary realities with foreigners. The direct implication of this internal-external polarised dialogue was that some of the main issues such as women and endowments (waqf) were never discussed.

However, the trend in recent years is increased direct engagement by the World Bank, the UN agencies and other stakeholders with Islamic law and practices. Augmenting community participation and recognising cultural contexts8 has led to greater openness to Muslim ideas and partners9. ‘Informal or alternate systems’10 could also be manifestations of Islamic community practices, but it is necessary to identify these forces for what they are, in order that they may be addressed. World Bank evaluations of Muslim countries have raised questions, for example the agency of Muslim women (Bangladesh) or the role of charitable obligations, zakat (Pakistan) and there have been joint evaluations of countries such as Tunisia and Jordan with the Islamic Development Bank, but it’s apparent that we know less than we need. The knowledge gap is being bridged by initiatives such as the ongoing World Bank Islamic Development Series sponsored by the Islamic Development Bank’s Islamic Research and Training Institute (IRTI) which introduces fundamental principles of the Islamic law, economics and policy into the broader context of the rapidly integrating global economy.

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9 For example, The World Bank awarded USD 4.5 million reconstruction project to Muslim Aid, to deliver the flood mitigation project in post-tsunami Banda Aceh, a charitable organisation based on Islamic principles.

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Increased knowledge of Islamic practices, law and policies would be vital in assessing developments within a given country, which may have implications for land reforms. For example, what are the implications for introduction of the Shari‘a or Islamic criminal law in Indonesia, a country with legal pluralism indicating the confluence of customary, secular State and Islamic laws11. How to respond to the Islamic courts in Moghadishu, Somalia or the Supreme Council of Sharia in Oyo State, Nigeria who are using Islamic principles to settle land disputes. Why does the legislative reform of the Mudawwana in Morocco provoke public debate over key concepts such as democracy, development, human rights, civil society, and ijtihād (personal interpretation)12, any why is the discourse so different in other countries such as Mali13. Can 'judicial activism' based on application of ijtihād serve as the basis of a justice-ameliorative approach14, as in Bangladesh. How have Iran women negotiated several breakthroughs which impact on their land rights15 In general, Islamic law is a contested zone and its application varies as per methodologies, players involved, a country's particular customary practices, and state policy and law16. It is a vital debate for more stakeholders to get involved rather than abandoning the Islamic law field to fundamentalists.

This paper makes two broad arguments. First, the Islamic principles relating to land policies cannot be assumed to be dissolved or dismantled by universalist interventions and Islamic law continues to resurface during the pursuit of durable solutions to the land management issues. While Islamic law may be a dominant or peripheral influence, a workable and operational land framework should consider the interplay between universalist, human rights, customary, informal and Islamic conceptualisations and application, as appropriate to each country context. The lack of engagement with the internal Islamic dialogue risks creating land systems that are bereft of authenticity and legitimacy, as seen from the inside. Even where well intentioned donor driven efforts to establish modern land systems succeed, the obduracy of informal norms, practices and processes lead to unattended dualisms that undermine the prospect of integrated, unifying and sustainable land policies.

The second argument is that, in contrast to the stereotypes about Islamic law, constructive engagement with Islamic dimensions of land potentially offers many opportunities for the development of Islamic land tools which could support the campaign for the realization of fuller land rights for various sections of Muslim societies, including women. Islamic land law can also be seen as an evolving, responsive and assimilating sphere of competing ideologies and interests, though it is a site of struggle between conservatives and liberals. However, in order to enable that debate and prospects for pro-poor, innovative and inclusive land tools is productive, various stakeholders must be involved in an inclusive, professional and transparent dialogue. Two ongoing initiatives where there has been constructive engagement with Islamic principles projects

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12 Buskens L (2003) Recent Debates on Family Law Reform in Morocco: Islamic Law as politics in an emerging public sphere, 10:1 Islamic Law & Society 70-131
possible ways forward for the land sector in systematically assessing the role of Islamic land law and policy in appropriate contexts.

ISLAMIC PRINCIPLES AND ENVIRONMENTAL PROTECTION

In the mid 1980s, the World Wide Fund for Nature (WWF) International invited leaders of five major faiths—Buddhism, Christianity, Hinduism, Islam, and Judaism—to Assisi in Italy to explore how they could contribute to environmental protection. In 1995, HRH Prince Philip, the Duke of Edinburgh, then president of WWF International, launched a new international non-profit organization, the Alliance of Religions and Conservation (ARC). By 2006, six more faiths joined the Alliance—Baha’ism, Daoism, Jainism, Shintoism, Sikhism, and Zoroastrianism—as well as the diverse partners such as the World Bank\textsuperscript{17}, UN agencies and the BBC. In December 2007, the United Nations and ARC committed themselves to further projects to run through to 2016. At the inception, each faith group compiled its own statement summarizing its relationship with beliefs and responses to the environment\textsuperscript{18}. The World Bank logic for involvement was simple “the faith groups represent two-thirds of the global population, own around 7 percent of the habitable surface of the planet, they have a role in 54 percent of all schools, and their institutional share of the investment market is in the range of 6–8 percent. They are serious stakeholders in development”.

Since Islam includes strong messages on protecting the environment and promoting its sustainability, conservation activities were recognised by Muslim stakeholders as a clear application of Islamic teaching itself\textsuperscript{19}. The initiative brought on board mosques, religious schools and communities for a range of activities. Ongoing evaluation suggests that the environmental promotion was enthusiastically received by the Islamic communities, leading to Village Conservation Agreements, for example in Indonesia. In 2006, the Africa Muslim Environment Network (AMEN) was formed bringing together Muslim groups and secular organizations for outputs such as training workshops, environmental audit kits for mosques and dialogues with secular organisations and other faiths. Among the seven pledges of AMEN are gender balance, inclusivity and liaison with “government agencies and other relevant bodies such as NGOs, CBOs, etc. to make positive changes within the Muslim community”. AMEN and other partners also significant land rights work by organizing micro-finance through waqf (a religious endowment in Islam)\textsuperscript{t} and zakat (the welfare tax paid annually by all adult Muslims as one of the Five Pillars of Islam). Practical case studies include the Islamic Foundation for Ecology and Environmental Sciences (IFEES) collaborating with other NGOs such as CARE International who sought to reduce harmful fishing practices through Islamic arguments in Zanzibar, Tanzania, which involved support at all levels- government officials and the Mufti’s office down to ordinary fishermen.

ISLAMIC BANKING

In the 1970s and 1980s, Islamic banking was characterised by some philanthropic initiatives and a number of commercial banks serving retail Muslim customers in their respective countries.

\textsuperscript{19} Joint Statement of the participants to the workshop on “Islamic Teachings on Environmental Conservation (Fiqh Al-bi’ah)” (Indonesia, May 2004); Recommendations — “Formulating the Role of Islamic Ummat in Environmental and Nature Conservation” (Indonesia, June 2005)
Islamic banking now manages approximately USD180 billion dollars today, growing at approximately 15% per annum. Now, over 150 Islamic financial institutions operate in over 40 countries around the world, from commercial banks, investment banks, investment companies to leasing, microfinance initiatives and insurance companies. Though some argue that it was the oil boom that led to Islamic banking, others note that it was the demand from ordinary Muslims for basic services based on Islamic principles. The four fairly common Islamic financial products are murabaha (mark-up/cost-plus sale); mudaraba (trust financing); musharaka (joint venture) and ijarah (lease). For several decades, conventional banks either ignored or resisted Islamic principles arguing that these were not sustainable ideas, the demand was transitory or the rules were too complex. However, Islamic banking went global with many Western based banks offering Islamic products as a choice as well as clientele outreach. Through Shari’a committees or advisory boards, conventional banks have now entered the area of offering Shari’a compliant products with relative ease.

The engagement with Islamic finance laws has been also based on the recognition that there is more to it than the prohibition on interest. In its ideal form, an Islamic bank is much more than just an institution guided by Islamic principles and avoiding interest payments; it seeks to achieve a just and equitable society. As Dhumale and Sapcanin have argued, ‘many elements of microfinance could be considered consistent with the broader goals of Islamic banking. Both systems advocate entrepreneurship and risk sharing and believe that the poor should take part in such activities’20. Through interest in Islamic financial products, cross fertilisation between conventional and Islamic banking practices is taking place, without undermining the core Islamicity. The World Bank and other international players have been working closely with Islamic banks on corporate governance and regulatory issues21. In the 1990s, the World Bank liaised with Islamic financial institutions, concerned itself with regulation and governance matters22 and itself issued Islamic bonds in 2005. Since land financing is a major issue in land debates, the manner in which transfusion of Islamic principles and professional practices took place may be instructive.

THE GLTN ISLAMIC LAND LAW INITIATIVE

The Global Land Tool Network (GLTN) is an international multi-stakeholder coalition dedicated to facilitating innovative land tools based on core values and approaches such as pro-poor, gender responsiveness, age sensitivity, governance, equity, subsidiarity, affordability, and systematic upscaling.23 Among its ongoing activities are the development of effective land administration and management models, grassroots mechanism, gendered approaches, environmental sustainability and post-conflict land governance aimed at facilitating improved and transparent land governance systems and international human rights. GLTN considers generic and universal land tool development necessary for all societies- including faith based and culturally diverse communities. The GLTN undertook exploration of Islamic land tools in order that it be integrated within the larger GLTN priorities, principles and goals whereby every Islamic tool under consideration meets several benchmarks, including gender responsiveness. GLTN is equally

21 See for example, Corporate Governance Issues in Islamic Finance, a two-day Seminar to be hosted in Manama by the Central Bank of Bahrain and World Bank on March 11 to 12, 2008.
23 For further information see www.gltn.net

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interested in pursuing other cultural and faith based practices that have implications for security of land tenure- which can be used appropriately and constructively in specific contexts.

The GLTN Islamic land tools initiative, a small component of its overall work, began in 2004 as an effort to bridge the knowledge gap concerning Islamic land principles to aid those working with the complex and distinctive forms of land tenure and land rights found in Muslim societies. Two consultants from the University of East London were tasked with carrying out a year long consultancy for UN-HABITAT on the Islamic and universal dimensions of land and property rights. To ensure balance and neutrality, a male Muslim human rights lawyer and Islamic law specialist and a female non-Muslim land and gender expert were chosen to adopt a dialogical approach and deploy a range of universal, Islamic, policy and practice material. The research produced eight position papers covering the themes of Islamic land theories, their relevance in land governance systems, Islamic land laws and their relationship with statutory and informal norms/practices, Islamic land tenure systems, Islamic human rights relating to land, Muslim women’s access to property, Islamic inheritance, the Islamic endowment (waqf) and Islamic micro-finance. The papers accompanied by a glossary and an extensive database of material were widely disseminated through GLTN networks and published as a book.

The research found that Islamic conceptions of land and property rights varied in practice throughout the Muslim world, either through official systems or informal practices, and their influence too differed from country to country. Yet, Islamic law and human rights were not static, autonomous or monolithic, as generally assumed, and through legal pluralism intersected State, customary and international norms in numerous ways. In doing so, Islamic discourses potentially offered opportunities for the development of authentic Islamic land tools for various sections of Muslim societies, including women. The research included strategies on using distinctive Islamic conceptions of land and property rights and aspects of Islamic principles, mechanisms and processes to provide authentic and durable solutions. In particular, the research challenged stereotyped constructions of Muslim women’s inferior property and land rights by pointing to recent developments and dynamic methodologies supporting gendered equal rights.

GLTN’s wide ranging multi-stakeholder consultations have yielded several important endorsements on Islamic land discourse. The UN-HABITAT research on Islam and land was ratified by the Government of Egypt and the pre-eminent Islamic institution, the Al Azhar and by over 40 experts who adopted the Cairo Initiative on Islamic Land Tools. This Initiative calls upon the international community to support further work in this area. In May 2007, an Expert Group Meeting on ‘Cross Fertilisation of Universal and Islamic Land Approaches’

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25 Sait and Lim, supra note 3
East London Guiding Principles on Islamic Land Tools\textsuperscript{28}, as an elaboration of the principles contained in the Cairo Initiative. The Guiding Principles, among other things, emphasise women’s “equal property rights” and identify Islamic concepts of \textit{ijtihad} (reasoning), \textit{maslaha} (public interest) and \textit{‘adl} (justice) as capable of generating approaches which can assist the construction of workable tools including those which support women’s rights.

\section*{ISLAMIC LAND LAW}

Schacht, the leading orientalist scholar stated ‘Islamic law is the epitome of Islamic thought, the most typical manifestation of the Islamic way of life, the core and kernel of Islam itself’\textsuperscript{29}. The foundational principles of Islamic law, known as \textit{maqasid al Shari ‘a} (the objectives of Islamic law) list protection of property as one of the five main objectives. Though there is a body of Islamic legal and policy literature dealing with property and land rights, there is no unified field of legal doctrines or dedicated discipline of ‘Islamic land law ’\textsuperscript{30}. Instead there is a set of overlapping themes or domains which practitioners will recognize as such. Land rights in Islam do not exist in isolation and are best under-stood with reference to other parts of Islamic law. Islamic land rights and tenure regimes are themselves derived from a range of Islamic fields such as family, public, finance, taxation and commercial laws. Religiously justified specific rights or secularized rights relating to land and property in the Muslim world are often contingent on being authenticated through \textit{Shari ‘a} validation. Property rights in general are to be exercised in accordance with foundational concepts in Islamic dogma and the \textit{Shari ‘a}. Likewise, Islamic laws relating specifically to the property rights of women are drawn from a variety of fields such as family law (marriage/mahr, inheritance, and guardianship), property law (gifts, \textit{waqf}, sale and hire) and economic law (right to work, income), as well as public law. The practice of Islamic law relating to property and land operates is under researched.

Land analysis or country studies often refer to the (Muslim) composition of society but regularly fail to recognise the existence of Islamic practices, laws and policies. Often, there is a mention of customary or informal practices but insufficient regard to Islamic socio-historical narratives that had impacted contemporary land tenure regimes in Muslim countries. Also ignores are particular episodes, including colonialism and distinctive local histories, that inform contemporary land regimes in different Muslim countries. Property rights across the 57 Muslim majority countries, however, cannot be generalized, as they are also an outcome of contemporary economic and political conditions and choices. Many interventions in Muslim countries which have sought to implant legal concepts or good practices from elsewhere, without regard to the particularities of the Muslim contexts, have not lasted and have only created more confusion. This is not to suggest that Islamic solutions alone are required for Muslim societies but that land projects must be designed with reference to the culture, practices and priorities of the people. More generally, Islamic land tenure regimes offer a range of options relating to the protection of rights of occupation, possession, use, usufruct and full ownership\textsuperscript{31} for a wide range of constituencies,

\begin{itemize}
  \item \textsuperscript{28} Adopted at the Expert Group Meeting on ‘Cross Fertilisation of Universal and Islamic Land Approaches’ organised by UN-HABITAT and the University of East London on 17–18 May 2007.
  \item \textsuperscript{29} Schacht,J.(1986 [1964 ]\textit{An Introduction to Islamic Law },Oxford,Clarendon Press.
  \item \textsuperscript{31} See generally on Islamic land tenure, ‘Abd Al-Kader, A (1959) ‘Land, Property and Land Tenure in Islam’ 5 \textit{Islamic Quarterly} 4-11
\end{itemize}
including the urban poor, squatters and slum dwellers. There are several avenues for regularizing informal settlements.

The complexity and the distinctive sources of Islamic law do pose a problem for the uninitiated. It is assumed that if the State (government) does demonstrate the existence of Islamic law, the same can be discounted. As it turns out, States themselves may be sceptical of the outcome of Islamic approaches, particularly in challenging status quo. Also, Islamic law is not merely legislation which has an Islamic flavour. Far from an exclusive domain of the state, Islamic law is manifested through mechanisms such as the mujtahid (Islamic law interpreter) or the Mufti (Islamic law advisor). Islamic law is not a centralizing force but rather one that manifests itself through a range of stake-holders, including the lay persons themselves. In the implementation of Islamic law there is a whole range of state, independent judicial, religious, customary, extra-legal and civil society mediums. They serve to deliver justice in various ways and impact on Muslim societies differently. Seeking to promote access to land and security of tenure, therefore, is a multidimensional enterprise in Muslim societies, and needs attention. The implication of property rights being a priority for Islamic law (as mentioned above) is that no law can violate this essential and also that state policy through maslaha or promotion of the public interest must operate to promote it.

The Muslim world demonstrates not merely distinctive formal legal systems but also a wide array of alternative dispute resolution mechanisms. Concepts of mediation or conciliation are found in the Qur’an. In assessing the applicability of Western-based conflict resolution models in non-Western contexts such as the Arab-Islamic culture area, theoreticians and practitioners alike have begun to recognize the importance of indigenous ways of thinking and feeling, as well as local rituals for managing, reducing, and resolving land conflicts. Access to justice implies not merely the existence of any mechanisms, but of those that consumers are able to relate to and use efficiently. Informal dispute resolution mechanisms could be innovative tools which therefore need to be recognized and, where beneficial, promoted.

**CASE-STUDY: MUSLIM WOMEN’S EQUAL PROPERTY RIGHTS?**

Among the reasons for general resistance to engaging with Islamic discourses is a widely held view that Islamic law confers an inferior status on Muslim women and compromises the pursuit of equal property rights. In practice, a Muslim woman's status is determined not merely by religion but often as much by her race, ethnicity, class, literacy, age, marital status or other considerations. As in other societies, a woman's access to land in the Muslim world is often frustrated by stereotypes of biological roles, her construction as a temporary member of the family (through marriage), interests in the consolidation of family properties and kinship relations. While there are several problematic areas in relation to dominant constructions of gender relations in Muslim societies, the conceptualisation of women’s land rights in Islam also offers opportunities. However, Muslim women across the globe increasingly confront misogynist versions of ‘Islamic’ rights as well as traditional restrictive practices by asserting that Muslim

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women throughout history have enjoyed an autonomous legal identity and separate property rights\textsuperscript{34}, as sanctioned by Islamic law.

The scope of Islamic law relating to female ownership of property emerges from its main textual sources. The key texts are the Qur\'an, read alongside the recommended practice of the prophet (Sunnah), as well as the theoretical debates and evidence of policy and practice through land registers, court records, religious advisory opinions (fatwa) and laws. There is explicit recognition of women’s acquisition, utilisation and alienation of property in the Qur\’an through purchase, inheritance, transfer of property from husband to wife at the time of marriage known as dower (mahr) and other transactions.\textsuperscript{35} All the key Islamic legal materials generally support women’s right to acquire, hold, use, administer and dispose of property. The Muslim woman has no restrictions on the property she can purchase out of her earnings, on the gifts she may receive from her natal family or her husband’s family or enjoy as a beneficiary of a trust/endowment (waqf). In all these respects she is entitled to equal treatment with male members of the family.

However, Muslim women’s lesser rights in inheritance (often half of a similarly positioned male) under the Islamic compulsory succession rules\textsuperscript{36}, have long been regarded as a marker of the inferior status of women under Islamic law. At the same time, most Muslim women would argue that inheritance, though important, should not be seen in isolation but as part of the totality of property arrangements within Islamic law which they argue is realistic and equitable.\textsuperscript{37} While women’s inheritance shares are unequal to men (based on the reasoning that women have no obligation to provide for the family), there is nothing within Islamic law that negates a women’s right to equal property through a ‘compensatory’ scheme. Under the integrated Islamic approach to women’s property rights, her reduced inheritance rights are expected to be compensated by other means of wealth generation. These methods include a woman's equal access to purchase though earnings, endowments and gifts as well as special supplements such as savings (from lack of financial obligations within the family), dower and maintenance.

Those advocating women’s equal land rights in Muslim societies face pragmatic choices over whether or not to deploy Islamic arguments. If they do not explore positive Islamic interpretations, they abandon the field to dominant patriarchal voices and fall prey to customary practices which often diminish or altogether extinguish women’s property rights.\textsuperscript{38} Those who rely exclusively on international human rights formulations or statutory equality provisions find the rights mostly remain on paper and are not implemented as their legitimacy in communities is clouded. Discounting religious practices not only alienates believing women but also misses a wide range of practices that could have positive implications for women's lives.

\textsuperscript{35} For example, the Qur\’an states that women “shall be legally entitled to their share” (Qur\’an 4:7) and that “to men is allotted what they earn, and to women what they earn” (Qur\’an 4:32). Only if women choose to transfer their property can men regard it as lawfully theirs (Qur\’an 4:4).
\textsuperscript{37} See Barlas, A (2002) Unreading Patriarchal Interpretations of the Qur\’an (Austin; University of Texas Press); Wadud A (1999) Qur\’an and Woman: Rereading the Sacred Text from a Woman’s Perspective (New York: Oxford University Press)
CONCLUSIONS

The use of Islamic principles to promote the environmental protection agenda and the expansion of financial markets -two distinct but possibly related fields to the land sector- respond to potential risks of Islamic approach. First, the emphasis was on knowledge creation through an inclusive process which clarified norms and empowered communities themselves. Islamic land law is yet an under researched field and needs more work, but land rights projects and programmes would need to take into account the country context to assess the substance and relevance of Islamic land law, and how it evolves. Second, the political risks in adopting a faith-based approach seemed to evaporate owing to the harmonisation between Islamic principles and universal (secular) goals. Islamic law too offers opportunities as seen in the wide literature that reconciliation is possible between the two. Note that a number of Muslim countries ratifying international human rights treaties have entered reservations (exemptions) against some of the provisions of those treaties, usually in the name of religion but none relate directly to property rights (despite some gender equality issues elsewhere). The Islamic formulation that land is a sacred trust (ownership resting in God) implies that land ownership and enjoyment must be just and responsible. As a result, Islamic doctrines engage with entitlement to land rights for a broad range of beneficiaries, including women, children, landless and minorities. Land ownership in Islam is predicated on productive use of land, as evidenced from the principle of ownership of mewat (dead land) through reclamation.

Third, the consideration of Islamic principles did not reduce the stakeholders or exclude moderate or secular Muslims. As it turned out, the number of non-Muslim players expanded and it helped develop better relations and dialogue between faiths and with secular/ professional groups. As WWF and CARE demonstrated in the case for Islamic environmentalism and the role of conventional banks in Islamic finance, Islamic practice was not an exclusive domain of Muslims. At the same time, the role of Islamic law experts and the diversity of Muslim stakeholders were recognised in both fields. Fourth, the success of the two Islamic law fields for the common benefit lay in developing networks. This will be critical for the Islamic land law initiative. Operationalising the Islamic land tools initiative will not only require further dialogue, partnership, expertise and resources, but also ‘ownership’ by a broad range of stakeholders within and outside the Muslim world.

Finally, the Islamic land law initiative is too challenging and multifaceted for any one UN agency or a coalition of civil society to carry forward. Despite basic information now available, there is limited systematic knowledge about existing tools, capacities or networks. GLTN brings together the experience of its partners working on gender, post conflict, grassroots or land management tools for devising Islamic land tools strategies. GLTN has also facilitated discussions on developing well thought out multi-stakeholder, systematic and appropriate Islamic land tools methodologies. Yet, despite general consensus of the added value of an Islamic land tools approach, the initiative is an early and evolving stage. The challenge lies in moving beyond generalised theoretical assessments toward building practical, affordable and accessible land

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tools, through cross-fertilisation of beneficial Islamic approaches with universal tooling approaches.

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