

## MISCELLANEOUS

### WAQF STUDIES IN THE TWENTIETH CENTURY: THE STATE OF THE ART

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The study of the *waqf*—the Islamic endowment institution—has always been part of the broad field of Islamic studies. However, for a long time the subject was rather marginal, attracting the interest of a relatively small number of students and scholars. By the end of the twentieth century this is certainly no longer true. In the past decade or two the study of the Islamic endowment institution has been making its way into the M.A. and even the B.A. curricula of university departments specializing in Islamic history and culture, and studies dealing with social and economic aspects of any of the regions of the Islamic world, particularly prior to the twentieth century, hardly ever neglect to include at least some reference to the *waqf*. It is the process which brought about this change of attitude towards the study of the *waqf* institution which concerns me here.

Broadly speaking, I discern three main stages in the development of studies of the Islamic endowment institution in the twentieth century. Two general remarks are in order before I go on to describe these stages. First, I am aware that the division into stages is somewhat artificial and may do injustice to some studies, whose publication date places them in an earlier stage, while their contents belong to a later one. Furthermore, subjects which attracted scholarly attention in earlier times continue to be discussed to this day. My aim is to highlight the broad trends characterizing each of these stages, stressing the innovations in each of them. Second, from the continually growing literature on the *waqf*, only a limited number of studies will be mentioned in the references, by way of examples.

In the first stage the grounds were laid for the study of the Islamic endowment institution. Following in the footsteps of nineteenth and early twentieth century scholars, studies in this stage concentrated in the main on the legal

aspects of the *waqf*.<sup>1)</sup> To the study of *waqf* laws, scholars in later decades of the twentieth century added discussions of the legal reforms undertaken in various parts of the Islamic world during the nineteenth and particularly the twentieth century.<sup>2)</sup> A small number of translations and scholarly editions of endowment deeds were also produced in this first stage.<sup>3)</sup>

It was only in the second stage of development of *waqf* studies that the broader implications of the institution, beyond the legal aspects, began to be discussed on a meaningful scale. This stage was inaugurated by a number of eminent Turkish scholars, who published their studies mainly in the *Vakıflar Dergisi*,<sup>4)</sup> as well as by some studies centered on the implications of *waqf* formation on agrarian relations.<sup>5)</sup>

The international seminar held in Jerusalem in June 1979 constituted a significant landmark in this stage. Insofar as I know, this was the first international gathering devoted entirely to the Islamic endowment institution. It brought together 27 scholars from several disciplines, dealing with various regions of the Islamic world. The organizers, headed by the late Professor Gabriel Baer, invited the participants to produce papers addressing one of a variety of specific questions, such as, the economic implications of the *waqf*; its significance for the various public services; the *waqf* and the law of succession; the impact of endowments on the social system; the relations between the *waqf* and the state. The sessions of the Seminar focused around these general themes, and a special session was devoted to methodology, with particular emphasis on the use of quantitative analysis in *waqf* studies. The seminar thus introduced a whole new branch of “*Waqf Studies*” and set up an agenda for future studies on the subject.

The idea of the seminar, the topics discussed, as well as the sources and methodology used by some of the participants should all be seen as an integral part of important developments in the study of history at the time, such as the

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1) See Heffening, *EI* (1931); The majority of items in his bibliography are studies on legal aspects of the *waqf*. His somewhat shortened article—*Shorter EI* (1974)—includes some more items, all of them treating legal aspects.

2) Anderson 1952 and 1976, pp. 162-69; Busson de Janssens 1951, 1953; Fyze 1964, pp. 290-318; Tahir 1988; Ottoman Empire: Barnes 1986; Egypt: Baer 1969; Kepel and Barbar 1982; Lebanon: Bartels 1967; Syria: Deguilhem-Schoem 1992; Deguilhem 1994; Mandatory Palestine and Israel: Kupferschmidt 1987, esp. pp. 102-28; Layish 1966; Reiter 1996, 1997, ch. 3; Dumper 1994; Morocco: Stöber 1986, ch. 2; Kogelmann 1997 and the bibliography there; Pakistan: Malik 1990; Tunisia: Ben Achour 1992; Hénia 1995; India: Kozłowski 1985, 1995a, 1995b.

3) E.g. Stephan 1944; Massignon 1951, 1953; Darrāğ 1963; Rabić, 1964/5.

4) Some of the early studies are: Barkan 1942; Köprülü 1938, 1942. See also Gibb and Bowen 1957, part II, pp. 165-78 and the bibliography there.

5) E.g. Sékaly 1929. Baer 1962, esp. ch. IV, and the bibliography there.

pronounced interest in social and economic history, the introduction of quantitative methods into the studies of the humanities in general and historical research in particular, and the “discovery” of the *qāḍī*'s court records (*sijills*) as an invaluable source for the study of Middle Eastern history.

Nearly two decades after the first international seminar on the *waqf*, the moment seems appropriate to look at the balance of what has been achieved and what remains to be done in the field of *waqf* studies.

Much of the research accomplished in these two decades may be described as a mission of discovery into the actual workings of the Islamic endowment institution. To be sure, none of the studies conducted at this stage centred on disclosing facts alone. Each scholar sought to analyse his or her findings in one or more contexts. While some focused on particular aspects of the institution itself, others used *waqf* documents to explore other subjects. In the process, the significance of this hitherto neglected institution in a large variety of fields was discussed, and a great deal of traditional wisdom concerning the *waqf* was questioned. I shall concentrate on a few examples of the insights gained in this stage.

Examining the volume of *waqf* formation, the heterogeneity of people and public purposes designated by the founders as beneficiaries and managers of endowments, studies conducted in this second stage brought to light the true dimensions of the institution. What today is common knowledge, that prior to the twentieth century a broad spectrum of what we now designate as public or municipal services, e.g., welfare, education, religious services, construction and maintenance of the water system, hospitals, etc. were set up, financed and maintained almost exclusively by endowments, was documented in this stage. So was the fact that very large proportions of real estate in many towns and in the rural areas were actually endowed property.

Much of this property was endowed by rulers and their entourage, governors, senior officials and the wealthy strata of the population. Studies of this type of endowments showed how *waqfs* were used by rulers as an instrument of public policy, that is, as a means to secure their influence and prestige with the public, promote their ties in outlying provinces and strengthen the hold of the state on the beneficiary population. The creation of endowments, particularly for the establishment of *madrāsas* and *Şūfī* lodges, was also an effective instrument for local governors and *grandees* to spread their influence and gain political legitimization or support among the population. Scholars differ in the emphasis they place on the political, cultural, pious or private motivations behind the large endowments made by rulers, governors etc. Indeed, in many cases the founders and members of their families or entourage stood to gain from these endowments, as managers or beneficiaries in one way or another.

However, the contribution of these endowments towards the general good as well as their effect on the relations between the founders and the population can hardly be questioned.<sup>6)</sup>

This type of endowment, often connected with *Şūfī* orders or shaykhs, was also widely used as a tool to spread Islamization, and, in the case of the Ottoman Empire, promote colonization and expansion of Ottoman presence and culture in frontier regions or newly conquered territories.<sup>7)</sup> Endowments made to benefit Mecca and Medina, their food supply, their inhabitants and in general, the pilgrimage, are the ultimate example of the use of *waqfs* to promote the political prestige of rulers. The “defenders of the *ḥaramayn*” naturally bore the main responsibility and burden. However, studies conducted in this stage have stressed the political importance attached by rulers of other regions of the Islamic world to endowments contributed by them and the population under their rule to Mecca and Medina, as well as to Jerusalem.<sup>8)</sup>

The inclusion of the general population in the study of the Islamic endowment institution was one of the most significant contributions of studies conducted in this stage. It went together with the growing interest manifested by scholars in the past few decades in various aspects of the civil society and in cultural history. Indeed, *waqf* documents proved to be one of the richest sources for the study of these subjects.

The more extensive use of *qādīs*' court records (*sijills*), administrative surveys including abridgements of endowment deeds, and other sources<sup>9)</sup> has produced

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6) Some examples from various regions and periods are: Barkan 1979; Behrens-Abouseif 1994, pp. 145-177, 271-72; Ben Achour 1992; Bilge 1983; Gerber 1983a; Humphreys 1989; Jennings 1979; Kozłowski 1995b; Kunt 1979; Lambton 1997; Van Leeuwen 1994; McChesney 1981, 1991, *passim*, esp. 182-190; Necipoğlu-Kafadar 1985; Peri 1983b, 1992; Petry 1983; Subtelny 1988; Wolper 1995; Yediyıldız 1985, *passim*. The development of *madrasas* and the interplay of endowments by local notables and the political authorities especially from the tenth to the fifteenth century is a particularly interesting case in point, which, however, cannot be discussed here in detail. For the main bibliography on the subject see Arjomand 1998 and forthcoming.

7) Barkan 1942; Kunt 1979; Layish 1987; Lopasic 1994; Mutafčieva 1979; O'Fahey 1997; Schwarz and Kurio 1983, pp. 3-8.

8) 'Afifi 1995; Amin 1980, pp. 223-31; Faroqhi 1994; Heywood 1988; Hoexter 1998; al-Tāzī 1995.

9) For the expanding availability of primary documentation, as well as for catalogues and collections of endowment deeds relating to the central lands of the Ottoman Empire, Egypt, Meknes, Beirut, Mosul see Crecelius 1995, pp. 247, 249-51 and n. 4, 5, 6. For some additional sources, see e.g. for Edirne: Gerber 1983a, p. 30; for Ottoman Algiers: Saidouni 1995; Temimi 1983; for Tunis: Ferchiou 1992a, pp. 13-17. For *sharī'a* court registers in Turkey, see Haneda and Miura 1994, p. 200. For a list of inventories of *waqf* foundations prepared during the sixteenth century for various towns in Anatolia, see Faroqhi 1984, pp. 351-52, n. 9.

case-studies relating to endowments by the general population of certain regions within defined periods. They revealed that the endower population included practically all strata—from the rich and powerful to people who owned very small bits of property, like a room or some part of a dwelling; men and women, Muslims as well as *dhimmīs*. Awareness of the volume of *waqf* formation and its all-encompassing character opened up a series of questions touching on some basic understandings of the society and culture. They highlighted the socio-economic significance of the institution, far beyond that of normal charity. They also challenged the accepted wisdom concerning property transmission from one generation to the next.

Family (*ahli*) endowments were shown to have been an important component of the Islamic inheritance system, that is of the way property (in the case of endowments—usufructory rights in the property) was transmitted in practice from one generation to the next. Endowing one's property and dividing usufructory rights to the endowment's revenues according to personal inclinations, along with testamentary dispositions and various forms of gifts *inter vivos*, were found to have been wide-spread practices, and perhaps not less common ways of passing on rights to one's property than the inheritance laws themselves.<sup>10)</sup>

Studies of the ways in which endowers divided usufructory rights in endowed property among their kin and the stipulations they made concerning the manner in which these rights would pass on to future generations provided important indications as to the actual socio-economic norms characteristic of the society and culture studied. Moreover, variations were found in these respects in different regions, attributable to local political and economic conditions, and reflecting different cultural perceptions about the meaning of family, kinship and descent and varying degrees of importance attached to the extended family.<sup>11)</sup> Furthermore, family endowments were found to have played an important role in generating cooperation between members of the lineal descent group, who in many cases were the exclusive beneficiaries of family endowments, but also discord, tension and conflict within the same group as well as between the lineal group and relatives who did not qualify as beneficiaries.<sup>12)</sup>

An insight was gained into the process of adaptation of non-Muslims to their cultural environment by examining *waqfs* they made in the *shari'a* court, and

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10) See particularly Powers 1990b. See also n. 11, below.

11) Doumani 1998; Ferchiou 1987, 1992b; Hénia 1995; Layish 1983, 1994, 1995, 1997; Marcus 1989, pp. 210-12; Powers 1990a, 1993; Reiter 1996, 1997, pp. 74-115. See also notes 23 and 24 (*infra*).

12) Doumani 1998; Ginio 1997; Marcus 1989, pp. 211-212; Powers 1990a, 1990b.

comparing their details with those of endowment deeds made by their Muslim neighbours.<sup>13)</sup>

Some scholars have turned their attention to the pace of *waqf* formation. Differences were discovered between regions and periods; the explanations offered by scholars pointed to the dynamic factors, such as social, economic and political circumstances, which affected the rate of endowment.<sup>14)</sup>

Attention paid in this stage to endowments by the general public brought out the fact that some of the largest public foundations were composed of a multitude of small endowments; most of these entered the foundation's patrimony after the extinction of family lineages which had been designated as first and intermediate beneficiaries. Greater sensitivity to the effects of demographic trends, the high rates of child mortality and the low life-expectancy in pre-modern times, as well as to the impact of epidemics and other natural disasters on family longevity, helped establish the fact that in many cases family (*ahlī*) endowments reached their ultimate, charitable or public beneficiary after relatively short periods.<sup>15)</sup> The notion that these ultimate public beneficiaries were no more than pro forma clauses of family endowment deeds required by the law, and that they did not actually contribute to public purposes, was thus shown to be at least inaccurate.

Some scholars ventured into the field of *waqf* management and the financial and economic aspects of the endowment institution. Basic differences were found between the management of endowments in their family (*ahlī*) stage and that of the large public foundations, as regards the way managers were chosen, and also in some aspects of the management of endowments. The idea of the nearly exclusive role of the '*ulamā*' as managers of public foundations was revealed to have been much exaggerated. Local notables and officials of various sorts were found to have been at least as important as '*ulamā*', particularly as managers of the largest foundations, and the grip of the state over these foundations was found to have been quite strong.<sup>16)</sup>

Detailed discussion of the income of large foundations from their various

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13) For endowments constituted by Jews, see Gil 1976; Gerber 1983b; Goitein 1971, pp. 91-143; idem 1983, *passim*, esp. pp. 88-90; for Jewish and Christian *waqfs*, see Shaham 1991. For endowments by Copts in Egypt, see 'Afifi 1994; and by Maronites in Lebanon, see van Leeuwen 1994. See also Layish 1990 for the Druze community in Israel.

14) Baer 1979; Barkan and Ayverdi 1970, p. xxx; Hoexter 1998, ch. 4; Marcus 1979; 1989, pp. 210, 304; Meriwether 1993; Peri 1981; Roded 1979; see also Hénia 1995.

15) Hoexter 1998, esp. pp. 90-91; See also Baer 1983, pp. 21-22; Ben Achour 1992, p. 61; Yerasimos 1994, p. 45.

16) Hoexter 1995, pp. 146-49 and notes there; See also 'Afifi 1991, pp. 23-140, 257-62; Amin 1980, pp. 69-130; Ben Achour 1992, esp. pp. 67-69; Hoexter 1998, ch. 3; Lambton 1997, pp. 308-10.

endowed properties and their expenditure on services rendered and personnel produced a clear picture of the actual functioning of these foundations, the financial problems they encountered, how they tackled them and the importance of their public functions to their surrounding area. Dependent, as many of these foundations were, on income from agricultural regions, examination of their evolution over a period of time contributed to our understanding not only of the history of particular foundations, but also to the economic history of the regions in which they were located and from which they derived much of their income.<sup>17)</sup> The in-depth study of these large foundations also revealed the variety of services they rendered to the public, not only in pursuance of the terms determined by the founders, but in other fields as well, e.g. money lending, safekeeping of valuables, providing a safe shelter to travellers, etc.<sup>18)</sup>

Perhaps the most intriguing question concerning the management of large foundations was whether, or to what extent, accusations of endemic corruption, neglect etc. in *waqf* management, leading to large scale dismemberment of *waqf* property, held true in the face of discrete studies. The study of transactions in endowed properties was of particular interest in this respect, and in the second stage of development of *waqf* studies much new information was gained on the nature of the various long-term transactions and on exchanges in *waqf* properties.<sup>19)</sup> These transactions were usually found to have been carried out on a much broader scale than that conceived by *waqf* laws. While mismanagement, corruption and neglect were documented for some areas and periods, in others a more differentiated picture emerged, or as Raymond put it: “Des recherches plus attentives ont montré que les conclusions classiquement formulées sur l'économie du waqf et sur sa gestion étaient excessivement pessimistes. Le waqf, grâce à sa souplesse et à ses capacités évolutives, a pu jouer un rôle économique positif et sa gestion paraît avoir été meilleure qu'on ne l'a dit.”<sup>20)</sup> Indeed, social and economic reasons were shown to have been at the root of the proliferation of these transactions, and the results were not necessarily detrimental either to the *waqf* or to the community. Moreover, in some

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17) For example: Faroqhi 1974, 1976, 1981; Gerber 1988, ch. 8; Jennings 1990; McChesney 1991, *passim*.

18) Some examples are: Barkan 1942; Faroqhi 1981, pp. 106-108, 113 and notes; Hoexter 1998, ch. 6; Jennings 1979, 1990. On cash waqfs depending for their income on money lending alone, see Mandaville 1979; Çizakça 1995 and literature there. See also Rafeq 1994.

19) 'Afifi 1991, pp. 141-204; Baer *EI2*, 1979; Ben Achour 1992, pp. 69-74; Çizakça 1995, pp. 320-22; Deguilhem-Schoem 1988, Deguilhem 1991, pp. 76-95; Gerber 1988, pp. 170-78; Hénia 1995, Hoexter 1984, 1997, 1998, ch. 5; Kreiser 1986; Reiter 1996, ch. 7; Shinar *EI2*; Shuval 1996.

20) Raymond 1995, p. 12.

cases evidence was found of the involvement of the public in keeping an eye on the managers of public foundations in order to prevent them from neglecting their duties or embezzling public funds.<sup>21)</sup>

Many of the studies conducted in this stage dealt with the implications of the *waqf* in the field of social history. Some of the findings emphasized the significance of *awqāf* as a source of power and prestige of notable families, and demonstrated the various ways in which endowments could and did contribute to the advancement of families and the maintenance of their standing in society for generations. Besides notable families and ‘*ulamā*’ a variety of groups—professional guilds, *ashrāf*, groups of common origin, town quarters, schools of law, *Ṣūfī* orders and dervish convents as well as non-Muslim communities—were found to have been supported by *awqāf*.<sup>22)</sup> These studies thus opened up new vistas on important themes, like the nature of patron-client relations and that of civil society in pre-modern times.

One of the fields in which *waqf* studies have made a major contribution is gender studies. The idea that women did not own property was challenged and discarded by studies of the endower population. Since only property which belonged in full ownership to the founder could be endowed, the presence of women in the population of endowers is an undeniable proof of the ownership of property by women. These studies revealed not only that women did possess property, but that ownership of property by women was not an exceptional phenomenon limited to a small number of elite women. Studying the general endower population and coming up with quantitative results, helped characterize the findings and point to the relative share of women. Studies from various regions and periods found that women constituted between 20 and 50% of the endower population (depending on the specific study).<sup>23)</sup> Moreover, women endowers came from all walks of life—rich and poor, women of notable families,

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21) Gerber 1988, pp. 166-69, 174-75, 179; Hoexter 1997, 1998, ch. 5; Jennings 1990, p. 335; Marcus 1989, pp. 303-4; Peri 1983a, pp. 42-47; Raymond 1973-74, vol. 2, p. 794; Reiter 1996, p. 203.

22) See Baer 1997 and literature there. See also Barkan 1983, esp. pp. 41-42; Baer 1979, 1986; Behrens-Abouseif 1994, esp. 165-172; Fernandes 1981; Jennings 1990; Kupferschmidt 1987 p. 68, n. 61, pp. 113-14 and n. 59, 60; Marcus 1989, esp. pp. 296-313; Roded 1988, 1990; Salati 1995.

23) For results obtained for various regions and periods, see Baer 1983, p. 10; Doumani 1998, p. 19, n. 52. For additional results referring to the general population in a fairly long period, see: *ibid.* p. 19 (Tripoli and Nablus between 1800 and 1860); Gerber 1983a, p. 37 (Edirne in the fifteenth and sixteenth century); Marcus 1989, p. 210 (family endowments in Aleppo, 1746-71), p. 304 (endowments in Aleppo, 1718-1800); Meriwether 1993, p. 71 (Aleppo, 1770-1820); Reiter 1996, p. 58 (Jerusalem in the twentieth century until 1949). For women of notable families in Tunis, see Ferchiou 1992b, p. 257; in Ayyubid Damascus, see Humphreys 1994; and for those of the ruling class in Mamluk Cairo, see Petry 1983, p. 201.

of rulers' households, as well as women of simple origin. That they endowed their property, and very frequently also administered it, offered a picture of women freely disposing of their property and actively engaged in economic and financial matters. Furthermore, questions like the kind and size of assets endowed by women as compared to men, women's preferences concerning the beneficiaries of their endowments, their stipulations as to the division of rights between male and female beneficiaries, the patterns of devolution in subsequent generations, the administrators designated by women as compared to men—all these questions occupied some scholars and again differences were found between regions and periods.<sup>24)</sup> Certainly much more can and should be done in this field, which holds out the promise of enriching gender studies in a very significant way.

Urban studies is another field which gained by the use of *waqf* documents. The shaping of the public space and urban environment, the development of towns, the construction or remodelling of entire parts of cities, details of public buildings, their locations in the town and their characteristics, the socio-economic nature of neighbourhoods, problems touching on the need to recycle properties—are some of the topics in the field of urban studies where recourse to *waqf* documents is absolutely essential. Starting with the sixties, the use of these documents, particularly endowment deeds, in urban studies has become much more popular during the last two or three decades. Indeed, major contributions in this field, based in the main on *waqf* documents, have already been made,<sup>25)</sup> and more are obviously in progress.<sup>26)</sup> Besides enriching our

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24) See 'Afifi 1991, pp. 239-45; Baer 1983; Behrens-Abouseif 1994, *passim*; Crecelius 1986; Doumani 1998; Fay 1997; Ferchiou 1987, 1992b; Gerber 1983a; Hénia 1995; Jennings 1990; Marcus 1979, 1983, 1989, pp. 210-12; Meriwether 1993; Petry 1983, pp. 195-201; Powers 1993; Reiter 1996, pp. 58-59, 74-115, 131-32; Roded 1979. For a typical small endowment of a woman in late eighteenth century Cairo: 'Abd al-Malik and Crecelius 1990. See also n. 11, above.

25) Of the vast literature, only a small number of more recent studies can be mentioned here. See particularly: Raymond 1973-1974, 1977, 1979a, 1979b, 1983, 1985; Behrens-Abouseif 1994; Bonine 1987; Bylinski 1994; David 1982, 1990; Hanna 1983; Inalcık *EI2*, 1969, 1979/80, 1990; Necipoğlu-Kafadar 1985; Pascual 1983; Shuval 1994; Subtelny 1991; Yerasimos 1994. See also: Badr and Crecelius 1993, 1995; Bakhit 1990; Crecelius 1978, 1979; Faroqhi 1984; Fernandes 1987; Garcin et al. 1988, 1990, 1991; Garcin, Maury, Revault and Zakariya 1982; Garcin and Taher 1993; Jennings 1990; Schwarz and Kurio 1983; Vatin and Yerasimos 1993, 1994; Zakarya 1983. For a general survey of Islamic urban studies including references to the *waqf*, see Haneda and Miura 1994. For further bibliography see Faroqhi 1984 (esp. for the extensive literature in Turkish on Anatolia in the sixteenth and seventeenth centuries); Haneda and Miura 1994 (esp. for literature in Persian and Japanese).

26) See Denoix 1995 on the work of a group of scholars within the IREMAM on "Histoire de la vie matérielle et des sociétés urbaines," based on *waqf* documents of Mamluk Cairo.

knowledge and understanding of the urban environment of different towns in the Islamic world, these studies also hold out the promise of clarifying traditional conceptions concerning the Arab or Islamic town.

Studies of individual *waqfiyyas*, particularly the long and elaborate deeds created by the rich and powerful, have produced interesting information on a large variety of subjects. The following are some examples: the background and careers of the founders, their social and religious ties, e.g. the continuing solidarity of eunuchs who rose to high positions in government with the eunuch corps serving as guardians of the tomb of the Prophet, the financial and economic acumen manifested by individuals in amassing properties to enlarge their endowed patrimony, the educational background of founders, based on the contents of the libraries they endowed, data on numismatics.<sup>27)</sup>

The above are only some examples of the wealth of new insights gained by studies conducted in the second stage of the development of *waqf* studies. The growing number of studies in the field has certainly aroused awareness to the great potential of *waqf* studies, the breadth of the subject and its relevance to a great many research topics in all periods and areas of Islamic history. One manifestation of the growing interest in the *waqf* was the international conference on “*Waqf* in the Contemporary Muslim World (19th and 20th centuries)”, held in Istanbul in 1992, and treating the social, economic and political functions of the Islamic endowment institution.<sup>28)</sup> Since then no less than three further collections of articles on various aspects of the *waqf* have been published.<sup>29)</sup>

Although much has been achieved since the first seminar on the *waqf*, more remains to be done, in all the areas I have mentioned above and in others as well. Most of the studies have centred around a specific area and period, and there is need, no doubt, for much more of the same, covering additional periods and regions. The Mamluk and Ottoman periods, large endowments and large cities, particularly in the Ottoman coreland, in the provinces of Syria and Palestine, and in Egypt have received relatively generous attention from scholars, whereas we know much less about other regions, smaller towns, endowments by the general public and especially in earlier periods.

Monographic work, depicting the history of large public foundations, is one area in which little has been done to date.<sup>30)</sup>

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27) E.g. Behrens-Abouseif 1994, *passim*; Cahen et al. 1978; Crecelius 1991, 1995; Garcin and Tahir 1995; Hathaway 1994; Hennequin 1995; Tawab and Raymond 1978; Winkelhane and Schwarz 1985.

28) Bilici 1994.

29) Deguilhem 1995; *JESHO* 1995; *ILS* 1997.

30) The main examples are: Faroqhi 1974, 1976, 1981; Hoexter 1998; McChesney 1991. See also Temimi 1980; Çizakça 1995.

Our knowledge of the origins of the Islamic endowment institution and its early developments still rests mainly on early works by Köprülü, Schacht and Cahen,<sup>31</sup> with very few additions.<sup>32)</sup>

Insofar as the schools of law are concerned, information based on endowment deeds established according to the Shāfi‘ī and Ḥanbalī schools, as well as on Shi‘ī *waqfiyyas* is lacking. Also, the vast *fatāwā* literature is a very promising source for *waqf* studies, which until now has received too little attention from scholars.<sup>33)</sup>

In the past few years a third stage may be discerned in the study of the Islamic endowment institution. Based on information and insights gained from studies conducted in the first two stages, the third stage consists of studies seeking to incorporate the *waqf* in general ideological, sociological and cultural conceptions. Themes such as the *waqf* and the idea of charity, a comparison of the Islamic endowment institution with similar institutions in other cultures, the dynamics of Islamic law as reflected in the *waqf*, the concepts of “private” and “public” in the *waqf*, the role of the *waqf* in the formation of the civil society and public sphere, have been occupying some scholars in this field. Although little has actually been published on these subjects so far,<sup>34)</sup> such studies certainly hold out a promise of putting the subject on the agenda of every student of Islamic history. They will also help incorporate *waqf* studies in particular and some basic elements of Islamic thought and culture in general in the intercultural discourse.

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31) Cahen 1961; Köprülü 1942; Schacht 1953. See also Anderson 1951.

32) Perikhanian 1983, pp. 661-65 is the most significant contribution to the discussion of possible outside influences on the *waqf* institution. For early developments of the concept of charity in Islam, see Bashear 1993; Stillman 1975; Weir *EI2*.

33) On this source, see Powers 1990a as well as idem 1990b, 1993.

34) Some beginnings are: Arjomand 1998, forthcoming; Baer 1981; Gerber 1994, esp. pp. 100-110; Hoexter 1987, 1995; Jones 1980; Mandaville 1979. See also n. 32, above.

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