

CONTRIBUTORS

Vakıf
210079

S. S. Waheedulla Hussaini Quādrī Multānī, Ph.D
Senior Faculty, Henry Martyn Institute, Hyderabad
waheedmultani@gmail.com

T. Swami Raju,
Professor in Religion, Culture and Philosophy,
Andhra Christian Theological College and
Advanced Institute for Research on Religion and Culture, Hyderabad
swamiraju@yahoo.com

J.M.P. Thomas Birla
Assistant Professor, Department of Religion and Philosophy,
Gurukul Lutheran Theological College and Research Institute, Chennai
birla27@gmail.com

Pranay Bin, Research Scholar
Henry Martyn Institute, Hyderabad
binpranay@gmail.com

Pamhor Thumra
Henry Martyn Institute, Hyderabad
thumraacademics@gmail.com



The Islāmic Institution of Endowment (*Waqf*)

S. S. Waheedulla Hussaini Quādrī Multānī

This study aims to analyse the *sharī'ah*-legal framework for irrevocable¹, perpetual² and inalienable³ Islāmic endowment (*waqf*)⁴ which is based on the Islāmic principle of unilateral concept of charity (*ṣadaqah*) and shed some light on the potential role of the dynamic institution of *waqf*⁵ (charitable trust) in socio-economic advancement, poverty alleviation, curbing income inequalities and to eliminate the tendency towards massive concentration of wealth among rich. This paper also discusses the unique characteristics of *waqf*, and other related issues. Allāh outlined Islāmic law to give mercy to humankind which is developed based on five foundational components of Islāmic teaching, i.e., protection of religion, intellect, life, lineage and property.⁶

The concepts of mercy, affection love and sympathy with one's fellow being especially the poor and the needy, have been common in all

- 1 It means the property cannot be taken back by the *wāqif* founder once it has been dedicated.
2 It applies to non-perishable property whose benefit can be extracted without consuming the property itself. Therefore *waqf* widely relates to land and buildings. However, there are *waqf* of books, agricultural machinery, and cattle, shares and stocks and cash money.
3 The corpus becomes inalienable irrespective of the law of inheritance or the rights of the heirs. It means that it is not subjected to any sale, transfer, disposal, mortgage, gift, inheritance, attachment, or any alienation whatsoever.
4 There are four major motives for instituting a *waqf*, i.e., (i) piety, (ii) status, (iii) politics and (iv) to shelter wealth which gave rise to a distinction between the charitable and family *waqf*.
5 *Waqf* in the western Persian-speaking regions, *vakıf* to a Turk, and *hubus* to a North African.
6 It is popularly known as the ultimate objectives of Islām (*maqāṣid-i sharī'ah*).

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who had been the enemy of the Prophet's progeny. That was a story that began with the erection of the very madrasah where this pious and punctilious beneficiary of the sayyids' legacy was ultimately buried, three centuries later. Mufid, who took over much of his deceased patron's responsibility, must have thought himself worthy of this trace of sacred inheritance as well. That sense of entitlement only increased his bitterness during his frustrating exile in India.

Conclusion

The Nizāms' subversion of the Atābegs' time-honoured skyline in Yazd coincided with a profound but gradual reorientation of the ritual and political life of Yazd. But the ongoing cultural and social effects of those transformations shaped the ways in which later historians of Yazd composed the history of their city and put it to use. By collapsing disparate narratives about the last Atābegs' insubordination against the Ilkhanid state together with local tales about the divinely sanctioned origins of the Nizāms' madrasahs, the Yazdī historians succeeded in legitimating the religious authority of the city's sayyids and in mythologizing their expert administration of the imperial order. The retooling of such tales for the eloquent prose-histories of the city had the effect of making the story instrumental for political ends. This appropriation allowed Yazd's historians to expand the sayyids' genealogical claims to be the legitimate agents of sacred empire into thaumaturgic ones that could be available to people from non-sayyid lineages. The history of the 'Urayzī sayyids' miraculous emergence as local and imperial power players thus served as a foundation story that could explain the origins of Yazdī sayyids' and non-sayyids' participation in imperial affairs more generally. Moreover, the divinely sanctioned triumph of the sayyids could then serve as both a model of and a model for the professional success of other local notables in imperial affairs, such as Sharafuddīn 'Alī Yazdī and Allāh Qulī Beg, as well as their respective eulogizers, Aḥmad Kātib and Mufid. Although non-sayyids could not claim sacred lineages, they could prove their right to participate in the administration of sacred kingship by making conspicuous displays of devotion to Yazd's sayyids and by emulating some of the charismatic qualities of saintliness that Ruknuddīn and his son had eventually come to embody. Indeed, Yazd's non-sayyids had become experts in the sorts of knowledge circulating around the sayyids' madrasah complexes, and, like the sayyids, they had even become eligible for receiving mantic knowledge from the Imāms in dreams. These credentials, combined with expertise in the arts of administration, made these figures uniquely suited to serve empires in need of religious legitimacy. Whether they held formal posts or simply received court patronage for their writings, Yazdī notables were instrumental in fashioning and administering programmes of imperial sanctity, from the Timurid to Safavid eras. Nevertheless, these figures worked in increasingly competitive environments, where claims of association with sayyids and demonstrable ties to their shrines served as key means of securing access to the imperial centre for notables in other regions as well.

The waqf-endowment strategy of a Mamluk military man: the contexts, motives, and purposes of the endowments of Qijmās al-Ishāqī (d. 1487)

Daisuke Igarashi
Waseda University, Japan
igarashidaisuke@waseda.jp

MADDE YAYIMLANDIKTAN
SONRA GELEN DOKÜMAN



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Abstract

This study analyses the original waqf documents belonging to Qijmās al-Ishāqī, an amir who lived in late Mamluk Egypt and Syria, from three perspectives: first, the types of assets possessed or endowed by Qijmās and the creation of these assets; second, the contexts and purposes of establishing waqfs by comparing the data obtained from the documents and the life history of Qijmās, which was reconstructed from literary sources; and third, how his personal relationships reflected the character of his waqfs. Further, this study reveals how he selectively and strategically used the waqf system for personal and/or public benefit at different stages of his life and according to the prevalent social circumstances. This case study proves that the waqf system had multi-dimensional and complex functions: in addition to realizing its universal purpose of enabling the performance of charitable deeds, the waqf system fulfilled the founder's particularistic secular intentions and expectations.

Keywords: Waqf, Mamluk sultanate, Egypt and Syria, Islamic philanthropy, Life history

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Introduction

Waqf is an Islamic religious endowment established through stopping (*waqafa*) the transfer of the ownership of property and dedicating the income from the property to charitable purposes designated by the founder (*wāqif*), such as religious institutions and social services. It has been established that the waqf system was a crucial socio-economic mechanism that deeply influenced social life in pre-modern Islamic societies, including religious, educational, and commercial activities as well as those that promoted urban development and stimulated cultural achievement. Islamic law encouraged Muslims to establish waqfs by defining the waqf as a virtuous legal instrument that brought *qurba*, nearness to God (i.e. an act pleasing to God) for which the founder would be rewarded in the afterlife. The purpose of a waqf was usually described in original deeds that were prepared when the waqfs were established, whether it was for the welfare of Muslims or for the salvation of the founder in the afterlife.

However, the spread and popularity of the waqf system throughout pre-modern Islamic societies cannot be attributed simply to its status as a "charitable act" supported by altruism and benevolence. Rather, people established waqfs for more practical and self-interested reasons. First, secular and personal motives