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Dr. Suad Joseph
General Editor

Distinguished Professor of Anthropology and Women and Gender Studies, University of
California, Davis

<http://sjoseph.ucdavis.edu/ewic>

Religious Practices: Waqf: Overview

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By Zeinab A. Abul-Magd

Muslim women have played a major role in creating awqāf (sing. waqf, called ḥubus in North Africa), endowments for charitable or family purposes. Waqf is thus one of the basic sites where Muslim women's socioeconomic and political history can be investigated. Women's waqf reflects a Muslim woman's economic right in Sharī‘a law to own and dispose of her property. This right has allowed Muslim women throughout Islamic history to endow money and property in order to construct, support, and maintain religious and charitable foundations. For centuries their perpetual endowments supported mosques, Islamic schools (madāris), fountains with Qur’ānic schools (asbila), stipends for students, rations for notable scholars (‘ulamā’), accommodations for divorced and widowed women (arbiṭa), houses for Sufis (arbiṭa wa-khawāniq), dervish houses (takayā), small mosques (zawāyā), hospitals, public baths (ḥammāmāt), and the like.

Women in waqf history were either donors or beneficiaries. A woman could also be assigned as the supervisor (mutawwalī or nāzir) of someone else's waqf or could play the role of agent (wakīl) whom the endower entrusted to handle deals related to the endowed property. Basically, there are two types of waqf, charitable waqf and family waqf (waqf ahlī). Family waqf entitles donors to receive the income of the endowed properties during their lifetime. After their death the income goes to their heirs; when the heirs are extinct the waqf is transferred to charitable status. Waqf sources inform us that women of different social classes created awqāf. While high-class women donated huge properties for the construction and maintenance of big institutions in their localities or in the holy places of Islam, middle- and lower-class women usually donated small-sized properties to support already established awqāf to help the poor in their own neighborhoods. Women endowed awqāf for spiritual reasons, but they also created them in order to keep notable social positions or to support state policy.

Different types and forms of women's waqf resources are available, such as waqf documents and historical encyclopedias. Waqf documents are of various forms: court registers (sijillāt), waqf deeds (waqfiyyāt or ḥujaj), and supervisors' periodical reports and balance sheets of waqf management. Court registers include brief data about the name of the donor, the property endowed, the purpose of endowment, the date, and sometimes the name of the judge (qāḍī) and witnesses. A waqf deed includes more detailed basic and supplementary information about such specifics as the endower, all witnesses, the description of the property endowed such as real estate, farm land, or cash, endowment stipulations, the supervisor and his/her duties, the beneficiaries and the amounts they are entitled to, duration, maintenance, day to-day functioning, and so on. According to Sharī‘a law, the endower is able for a limited time to make alterations in the foundation deed, for example changing the purpose, expanding or reducing the share of a beneficiary, or increasing or reducing the number of beneficiaries. A waqf deed also shows different degrees of spiritual and pious motivations, as well as family interests involved in the endowment.

Elaborate narratives about awqāf and their owners are found in various historiographic sources such as chronicles, histories of cities, geographical encyclopedias (khuṭaṭ al-buldān), and biographical dictionaries. For example, in his chronicles, which cover the events of the late Mamluk and early Ottoman Egypt, Ibn Iyās (1448–ca. 1524) refers to Cairene endowments and contextualizes them within their political and social contexts. In his description of Cairo's districts and alleys, al-Maqrīzī (1364–1442) offers elaborate information about female

endowers who donated to support the erection and maintenance of both large and small size public constructions. The large historical encyclopedias of Ibn 'Asākir (1105–76) on Damascus and Ibn al-'Adīm (1192–1262) on Aleppo offer elaborate information about notable and middle-class Syrian women's endowments, which contributed to the construction of the urban structure of those two cities. Biographical dictionaries that include entries about women scholars, such as the two eminent dictionaries of al-Sakhāwī and Ibn Ḥajar al-'Asqalānī, generally give such details about women's endowments as were available.

Most of the research conducted on waqf relies on Sharī'a court documents more than other sources. The two basic types of waqf, family and charitable, are usually the subject of investigation. While some studies tend to focus on the awqāf of women of all classes in a given time and place, providing statistical data, others tend to sketch the awqāf of notable women, such as the women of the Ottoman court and the female members of the Mamluk households. Commonly, they study women as founders, administrators, and beneficiaries of charitable endowments. They often focus on certain centers of Islamic history: Egypt, especially Cairo; the Levant, including Damascus and Aleppo; and Turkey, including Istanbul. A few focus on women's waqf in Mughal India and in Safavid Iran. Some studies pay attention to women who established waqf to support the holy places in Mecca and Medina (waqf al-Ḥaramayn) and Jerusalem, even if they were living in distant cities such as Istanbul. Elite women are studied more often than middle- and lower-class women. Some studies have used women's waqf in order to explore the policies of the state to reinforce its authority through charitable endowments, especially the Ottoman state.

Different approaches have informed the study of women's waqf. While traditional historians focused on legal aspects of waqf institution, scholars in the last few decades have paid more attention to waqf documents as significant primary sources for Muslim women's socioeconomic and political history. One school of historians utilizes the study of waqf simply to dismiss the Orientalist assumption of the marginal positions and passive roles of women in Islamic history. They demonstrate how women's economic rights allowed them to endow different types of property to support various charitable institutions throughout Islamic history, taking particular Mamluk and Ottoman women as examples. Women were able to play important social and political roles, as well as to control the inheritance of their properties, by specifying their female inheritors and slaves as recipients of major amounts of waqf ahlī revenues. They could thus manipulate inheritance law, which favors male heirs.

Another school of historians, however, seriously questions such conclusions. They argue that fewer women than men were endowers and beneficiaries of awqāf and that they held minor roles as supervisors. Accordingly, although women had the right to establish endowments, their male kinsmen controlled endowed properties by playing the role of supervisors. In addition, male endowers favored their male heirs as beneficiaries when it came to waqf ahlī. Scholars from this school explore certain case studies to prove that the fact that women's waqf was mostly for male beneficiaries and controlled by male managers weakened women's economic position and gradually limited women's control of their legal inheritance. Scholars from the former school raise a counter argument to prove that in other case studies women were more often administrators and beneficiaries of waqf.

Socioeconomic studies employ waqf data as an important source of information for the various facets of social, economic, political, and cultural history of Muslim women. A waqf deed often gives information about the endower's social class through her title or place of residence, marital history, the amount of wealth and the size of her properties, religious motivations, political affinities, and relationships within her family and household. Informed by this approach, research is conducted on female Mamluks and attention is paid to their significant contribution to educational life through supplying the endowments necessary to establish and maintain schools. Women were also eligible to serve as controllers of endowments supporting madāris. The study of waqf is one of the main means to reassess the understanding of Muslim women and the public/private dichotomy.

Family waqf is investigated by various ap- proaches. Some scholars use family waqf as a means to explore the construction of the Arab family and women's position within it, and the way that family waqf controlled inheritance in favor of male or female inheritors. Some historians claim that family waqf was a way to deny female heirs their legal rights because it allowed male endowers to exclude female heirs or their offspring. Others try to prove that the opposite was the case: male and female endowers used family waqf to favor their female inheritors. Manipulating the Islamic law of inheritance in which a daughter receives half of what her brother receives, such scholars argue, endowers assigned female and male inheritors equal shares of the waqf's revenue. Some notice that female endowers favored their kinswomen and female slaves. Family waqf endowed by female members of the

family could be also controlled by the female donors; sometimes they named themselves as the managers of waqf during their lifetime.

Historians who investigate women's political role in Islamic history also find waqf documents of great significance in understanding the dichotomy between public and private. Women's waqf reveals that women in Mamluk households played basic roles in public life and sometimes influenced the formation of state policies. Some studies confirm that occasionally women participated in the construction of Islamic schools, helping the new political elite gain the loyalty of the urban population. They established shrines for Sufis in order to support the religious and ideological aims of the state, such as reducing Shi'ī influence during the Sunnī rule of the Mamluks and Ottomans. Some studies focus on Ottoman court women's endowments, which were established to strengthen the state's authority.

In terms of periodization, the history of waqf in general and women's waqf in particular can be divided into many historical stages. After the Islamic conquests, all the lands conquered were considered property of the state, *ḥubus*. After the abolishment of the *ḥubus* system, Muslims owned farmlands and real estate and shortly afterwards they started donating them for charitable purposes. From the seventh/thirteenth century onwards, the new land system enabled Muslim women to endow properties that they inherited from fathers and husbands.

Women's participation in establishing endowments started as early as the Fatimid period in Egypt and North Africa, through the fifth/eleventh and sixth/twelfth centuries. At this time, before the appearance and spread of Islamic schools (*madāris*) from Iraq to the rest of the Islamic world, mosques functioned as schools. In the Fatimid realm huge mosques, such as al-Azhar, supported the state's formal Shi'ī madhhab (school of law). Elite female Fatimids who enjoyed the title of *sharīfa* (descendant of the Prophet Muḥammad) and other notable women contributed to the state's political and religious projects of enhancing authority through the establishment of huge mosques. Women endowed *awqāf* to establish houses (*arbiṭa*) for widowed and old women and fountains for the poor. Their *awqāf* contributed to the construction of the new city of Cairo. Women's waqf played similar religious and political roles in the Ayyubid period, through the sixth/eleventh and seventh/twelfth centuries. Islamic Sunnī schools flourished during this time and worked to eradicate the influence of the Shi'ī madhhab of the Fatimid state. Many royal and notable women endowed to support the Islamic Sunnī school, which taught the four rites of Islamic law. In addition, endowments to support Sufi houses were encouraged by the Ayyubid state, and women played a role in the establishment of *arbiṭa* and *khawāniq*.

During the Mamluk period, from the seventh/thirteenth to the tenth/sixteenth centuries, a variety of *awqāf* forms flourished, especially *arbiṭa* and *madāris*. The spread of *awqāf* was strong during that time because the Mamluk household relied on charitable endowments to seek political legitimacy among the populace. In this context, many women of different social classes participated in public life by establishing great endowments. Many princesses and notable women established Sunnī schools, which thrived during this period. However, women were not able to fund the construction of hospitals, which were very few; only the Mamluk rulers could afford this. Concubines, who were mostly part of royal families and played political roles, for spiritual or political motives contributed greatly in establishing *awqāf* that served different social purposes.

During the Ottoman period, up to the twelfth/eighteenth and early thirteenth/nineteenth centuries, the centralization of waqf policy led to substantial decline in *awqāf* establishment. In general, endowments established to support mosques, *zaw-āyā*, *asbila*, and *takayā* were more common than those that granted money to schools, hospitals, and *arbiṭa*. Ottoman court women mostly endowed massive farmlands and properties to support mosques and the holy cities of Islam. Female Mamluk households, concubines, freed slaves, and free women donated farmlands and other forms of real estate. Female affiliates of Mamluk households tended to endow family waqf in order to protect private properties from the state. In general, women's wealth grew as a result of their work in official positions, especially as *multazimāt* who were allowed to hold and administer lands in return for collecting taxes for the Ottoman central government. A few women owned huge commercial complexes (*wikālāt*). A woman's *wikāla* contained dozens of stores and residencies for traders (*khān*); revenue from rent went partly to support various charitable endowments. Middle-class women owned or shared ownership of various types of small properties such as land, houses, mills, stores, sewing halls, and dye-houses. They donated to support endowments that served the communities of their quarters. Sometimes fathers assigned daughters the position of waqf manager (*naẓīra*).

During the colonial period, especially in the late nineteenth century and early twentieth centuries, women in some countries used waqf to play nationalist roles. When the British administration's policy in Egypt limited educational expenditures and public services, Egyptians responded by endowing to establish schools, hospitals, and orphanages. They supported education and welfare through donations granted to charitable societies, which in turn created endowments. New European-style constructions appeared and women supported them through endowments, such as schools for girls, orphanages, and “modern” schools. They also endowed to support grants for educating students in Europe.

In the contemporary Islamic world, post-independent states have abolished waqf and applied centralization policies in most Islamic countries. However, some women still attempt to revive waqf institutions. In Egypt, a few cases recently appeared in which women have initiated charitable awqāf to support the poor and elderly with the permission of the state.

There are many eminent examples of women endowers, some of whom have been treated in earlier studies. One of them is Fāṭima al-Fihriyya, who lived in the third/tenth century in Morocco. Fāṭima inherited a great deal of money from her husband and brothers, and since she was a religious, pious woman she decided to endow it to support the establishment of a great mosque with an interior well. She fasted without break until the end of the construction period of the mosque in 245 A.H. This mosque has been one of the important educational centers in North Africa and the Islamic world, and today it is the University of al-Qarawīyīn.

Another important example is Haseki Hürrem, the beloved wife of Sultan Sulaymān the Magnificent. The waqf created on her behalf, for political and pious reasons, resulted in the creation of vast properties to support the holy cities, Jerusalem, Mecca, and Medina. In Jerusalem, she endowed villages, farmlands, mills, and other properties, which the Sultan had previously bestowed upon her, for the establishment and perpetual support of a mosque, a public soup kitchen, and an inn (khān) for Muslim pilgrims on their way to Mecca. In Mecca and Medina she endowed for the establishment and perpetual support of two huge Sufi lodges (ribāṭ) and attached fountains (asbila).

One of the prominent endowers of the Mamluk period is Nafīsa al-Bayda, a concubine and the wife of Murad Bik, a famous member of Mamluk households in the late eighteenth and early nineteenth centuries. Nafīsa, who played an important political role in dealing with the French commanders during the French expedition to Egypt in 1798–1801, donated the revenue of a large commercial complex (wikāla) to support a fountain for the poor with a Qur’ānic school for children (sabīl). The study of Nafīsa's awqāf provides a useful vehicle for exploring the political roles of the Mamluk female elite, especially concubines who owned and endowed commercial complexes (wikālāt) and other properties.

Although many scholars attempt to explore women's waqf, they often center on elite women in particular places and times. For example, the greatest concentration is on Egypt, the Levant, and Turkey, and it is rare to find studies on other regions, such as North Africa, Iraq, or India. Likewise, scholars seldom utilize waqf documents to explore women's socioeconomic and political history during the colonial period of the nineteenth and early twentieth centuries or under the postcolonial state. Further research needs to be done on non-elite women's history, women's waqf archives outside metropolitan areas, and women's waqf established prior to the Ottoman period. Since the early establishment of women's waqf contributed to the construction of the main cities of Islam, it might be interesting to explore women's significant contribution to the construction and development of urban areas in major Islamic cities.

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