Religious Endowments (waqf: literary: confinement, prohibition)\(^{35}\) in the Islamic context have been of prime importance for a variety of issues, such as colonisation, urbanisation, education, and institutions like shrines. The idea of endowment is rooted in a hadith, the Prophet’s answer to ‘Umar b. ‘Abd al-Khattab’s question on what best to do with his booty after the battle of Khaibar: “If you like, you may hold the property as waqf and give its fruits as charity.”\(^{36}\) It is also linked to the Quranic idea of charity, such as sadaqa and zakat, which is to do good deeds and to distribute proceeds as alms.

Basically, the idea of Islamic endowment is that the owner (mainly of real estate) gives up property rights by a formal act of endowment and assigns it to the legal ownership of God. Thus it becomes a property which cannot be transferred or sold. The purpose of waqf and the identity of the beneficiaries are stipulated in a deed (waqfiyya). One may understand two kinds of waqf: the private/family endowment (waqf ahli) that favours a particular person or family and the descendents, and the public endowment (waqf khairi) that favours the community as a whole. Since the transfer of such a property is a formal act, waqf deeds appoint an administrator. However, in most cases the waqf is administered by the donor him-/herself and his descendents. Although it started as a private initiative, waqfs were later controlled by the state jurisprudence, mainly by a qadi, to prevent nepotism and misuse.

---


Common endowments are mosques, hospices and convents (esp. hospitals and khanaqahs), religious schools (madrasas) and public wells (sabilis)\(^{37}\) thereby making up a major source for public welfare and social security. There are some very famous awqaf; such as the Haramain, al-Aqsa in Jerusalem, institutions of higher learning such as the Madrasa Nizamiyya in Baghdad, al-Azhar, the Jam‘a Dimashq, the Jam‘a Qurtuba (Cordoba), or tombs and graveyards belonging to a noble family (e.g. the Taj Mahal in Agra). They might also have a religious connotation, such as the graveyard Jannat al-baqi‘a in Medina.\(^{38}\) Similarly, in South Asia waqf played a very important role. During the Sultanate and Mughal periods,\(^{39}\) rulers followed the ‘classical’ way outlined above of dealing with endowments, and set up awqaf themselves (like West Asian rulers around the same period) by supporting their favourite shrines and khanaqahs, declaring them waqf under royal patronage. During the period of the centralised system, Mughal rulers took keen interest in the distribution of deeds, which were a means of controlling certain social and political groups, by making Sufis and ulama economically dependent on awqaf. The Mughal rulers gave deeds to Hindus and Muslims alike, especially during the reigns of Akbar and Jahangir. Some state-sponsored awqaf in that period, such as Jama‘ Masjid Delhi, Badshahi Masjid Lahore, Taj Mahal, were important for the monumental architecture and Mughal power\(^{40}\) while in later Mughal/Nawwabi time rulers used endowments to promote certain strands of religion, such as Shia Islam in Awadh, by endowing e.g. the Imambargaahs.\(^{41}\) Some non-state endowments were used to maintain economic independence from the political establishment, such as the Mujaddidi khanaqah in Old Delhi.

Under the East India Company (EIC), the waqf system was not changed and state policy continued, albeit in a different way to centralise the administration of the awqaf and the distribution of their deeds, in order to enhance control over these rather heterogeneous institutions. This was in line with a new jurisdiction for the status of land to impose taxes accordingly. Thus awqaf lands corresponded to EIC’s religious policies. It was privileged, but nevertheless taxed.\(^{42}\) Similarly, awqaf


\(^{39}\) Cf. Kozlowski: Muslim Endowments, pp. 21–32.


\(^{41}\) Cf. Kozlowski: Muslim Endowments, pp. 27–32.

\(^{42}\) Kozlowski: Muslim Endowments, pp. 37–40.