

MUSLIM ENDOWMENTS IN ASIA

Waqf, Charity and Circulations

19-20 October 2016

ARI
ASIA RESEARCH INSTITUTE
National University of Singapore



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This workshop aims to trace processes of connectivity and transformation of the Muslim endowment known as the “*waqf*” in Asia in both historical and contemporary contexts. As a legal institution, the *waqf* refers to the alienation of revenue-generating property with the principal remaining inalienable, while its revenues are disbursed for a pious purpose in order to seek God’s favor explicitly. In practice, the *waqf* is a highly complicated institution which has taken various forms ranging from private homes, cemeteries, libraries, mosques, schools, to agricultural farms, medical dispensaries, hospitals and commercial businesses. In other words, the *waqf* has become a flexible institution manifested in myriad guises, situated within different pre-colonial, colonial, post-colonial, socialist and post-socialist contexts in Central Asia, East Asia, West Asia (including the Middle East), South Asia and Southeast Asia. This workshop seeks to bring together scholars of *waqfs* in order to discuss circulations between these different contexts and to work towards a comparative analysis of the *waqf* across reified regional boundaries.

CONVENORS

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19 OCTOBER 2016 (WEDNESDAY)**10:00 – 10:15 REGISTRATION****10:15 – 10:45 WELCOME & INTRODUCTORY REMARKS**

10:15 **JONATHAN RIGG**, *Director of Asia Research Institute, and Department of Geography, National University of Singapore*
KENNETH DEAN, *Leader of Religion and Globalisation Cluster, Asia Research Institute, and Department of Chinese Studies, National University of Singapore*
AMELIA FAUZIA, *Asia Research Institute, National University of Singapore*
TILL MOSTOWLANSKY, *Asia Research Institute, National University of Singapore*
NURFADZILAH YAHAYA, *Department of History, National University of Singapore*

10:45 – 12:15 KEYNOTE ADDRESSChairperson **KENNETH DEAN**, *National University of Singapore*

10:45 **“What’s in a Name?”: The Persistence of *Waqf***
AMY SINGER, *Tel Aviv University, Israel*

11:45 Questions & Answers

12:15 – 13:15 LUNCH**13:15 – 14:35 PANEL 1 – TERRITORY**Chairperson **BERNARDO BROWN**, *National University of Singapore*

13:15 **Territoriality in Motion: *Waqf* and Hyderabad State**
ERIC BEVERLEY, *State University of New York at Stony Brook, USA*

13:40 **The Land through the Eyeglasses: South Xinjiang Rural Survey (1951-2) and “*Waqf* Issues”**
JUN SUGAWARA, *Tokyo University of Foreign Studies, Japan*

14:05 Questions & Answers

14:35 – 14:50 BREAK**14:50 – 16:10 PANEL 2 – LAW**Chairperson **AGA ZUOSHI**, *National University of Singapore*

14:50 **Family *Waqf* under the British Legal System in Colonial India**
MUHAMMAD ZUBAIR ABBASI, *Lahore University of Management Sciences, Pakistan*

15:15 **From Forgiveness to Foreclosure: *Waqf* and the Remaking of the Hanafi Legal Subject in Late Ottoman Mount Lebanon**
NADA MOUMTAZ, *University of Toronto, Canada*

15:40 Questions & Answers

16:10 – 16:40 TEA BREAK**16:40 – 18:00 PANEL 3 – GIFT ECONOMIES**Chairperson **GIUSEPPE BOLOTTA**, *National University of Singapore*

16:40 **The Innovation and Contemporary Practices of *Waqf* in Asia**
DIAN MASYITA, *Padjadjaran University, Indonesia*

17:05 **Sultan, *Awqaf* and Mosque in Java: *Waqf* Practices of Sri Sultan Hamengkubowono IX**
HILMAN LATIEF, *Muhammadiyah University of Yogyakarta, Indonesia*

17:30 Questions & Answers

18:00 END OF DAY 1**18:15 – 20:00 WORKSHOP DINNER (For Speakers, Chairpersons & Invited Guests)**

20 OCTOBER 2016 (THURSDAY)**10:30 – 10:45 REGISTRATION****10:45 – 12:05 PANEL 4 – APPROPRIATION***Chairperson* **LAI LEI KUAN RONGDAO**, *National University of Singapore***10:45** **The Mausoleum and the Minaret: Reorienting Waqf Legacies and Landscapes in Colonial Penang**
KHOO SALMA NASUTION, *Penang Heritage Trust, Malaysia***11:10** **Hindu *Bakaph*? Technicians of Pilgrimage and Infrastructural Investments in Gogameri, India**
CARTER HAWTHORNE HIGGINS, *National University of Singapore***11:35** Questions & Answers**12:05 – 13:05 LUNCH****13:05 – 14:25 PANEL 5 – TRANSFORMATION***Chairperson* **MOK MEI FENG**, *National University of Singapore***13:05** **Certain Factors Undermining the Reputation and Purpose of Awqāf: A Critical Evaluation and Remedial Measures**
SYED KHALID RASHID, *International Islamic University, Malaysia***13:30** **Spiritual Economy, Philanthropy, and Salafism: Transformation of Waqf Cemeteries in Indonesia**
AMELIA FAUZIA, *National University of Singapore***13:55** Questions & Answers**14:25 – 14:40 CLOSING REMARKS****14:25** **AMELIA FAUZIA**, *Asia Research Institute, National University of Singapore*
TILL MOSTOWLANSKY, *Asia Research Institute, National University of Singapore*
NURFADZILAH YAHAYA, *Department of History, National University of Singapore***14:40 END OF WORKSHOP & AFTERNOON TEA****15:00 – 16:00 DISCUSSION ON PUBLICATION PROJECT (For Organizers & Speakers)**

**“What’s in a Name?”:
The Persistence of *Waqf***

Amy Singer

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One small word, *waqf* describes a surprising variety of institutions in Islamic societies. They were established over more than 1000 years and across a geography that includes any place where Muslim communities thrived. Even focusing only on Asia hardly reduces the spectrum of initiatives carrying this name, since Asia includes most of the world’s Muslim communities. “Waqf” accommodates a diversity of legal variants within the context of Muslim law, alternative arrangements of the basic components: endowed property + beneficiary + manager. For the most part, Muslim and non-Muslim scholars have not been troubled by the existence of this diversity per se, although an extensive corpus of law and commentary reveals the distinctions among the many Muslim legal traditions. Late twentieth-century research on waqf by university scholars began to move away from the more purely legal, religious or textual studies that had characterized earlier scholarship, mostly by non-Muslims. They also moved away from the colonialist assumptions that had informed some of these studies. New research by Muslims and non-Muslims alike turned to more problematized investigations of the history of individual institutions or reassessed the collective impact of endowments on particular societies. This work continues. The questions posed in this paper are broader. Why did waqf become such a popular and prevalent legal framework for establishing such different institutions? How do the local particularities of waqf across Asia contribute today to understanding the adaptations and accommodations that took place historically between Islam and local cultures? How does waqf-making persist today, both in states where Islamic law is the norm and under new legal frameworks?

Amy Singer (PhD Near Eastern Studies, Princeton University, 1989) is Professor of Ottoman history in the Department of Middle Eastern and African History at Tel Aviv University. Her research began with an historical study of the relations between Ottoman officials and Palestinian peasants (*Palestinian Peasants and Ottoman Officials*, 1994). From the same documentary corpus, with the addition of imperial endowment deeds and accounts registers emerged the story of an Ottoman public kitchen endowed in Jerusalem in the mid-sixteenth century (*Constructing Ottoman Beneficence*, 2002). The study of one endowment (*vakıf/waqf*) prompted a more general interrogation of Islamic charity (*Charity in Islamic Societies*, 2008). At present, she is engaged in a study of the Ottoman city of Edirne and is one of the founders of OpenOttoman, a collaborative initiative to identify, create, distribute and sustain digitally the resources and products of research on Ottoman history.

Territoriality in Motion: Waqf and Hyderabad State

Eric Beverley

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Even as charitable endowments disconnected landed property from circulation as commodity, waqf forged connections across geographical distance and jurisdictional difference. Waqf served as means for the transnational expression of the territorial sovereignty of the South Asian state of Hyderabad during the nineteenth century and into the twentieth. By endowing lands outside Hyderabad State or dedicating revenues from one property to institutions or people in another polity's jurisdiction, Hyderabadis yoked together diverse places and circuits. Taking examples of waqf and related forms of 'religious' property tenure, this paper analyzes the transnational productivity of endowments in a context where major European empires expanded among multiple minor states. Never formally colonized, Hyderabad was a Muslim-ruled state in South Asia with robust connections across oceans and empires. The rise and consolidation of European imperialism and global capitalism depended on territorial processes such as the creation and regulation of land markets and drawing and policing of administrative boundaries. Waqf became a localized means for disrupting and scrambling these processes and their effects. Empires fortified 'Islamic law' as a key source of legitimate authority, subjecting texts and interpreters to rigorous state-led codification and regulation. The scope and penetration of colonial debates and legal reform projects were highly limited in places like Hyderabad. Subjects and officials in Hyderabad used waqf not only to shelter properties from market forces and political intervention in the state, but also to formalize connections and transpose legal interpretations and agendas across complex political geographies.

Eric Beverley is Associate Professor of History at State University of New York, Stony Brook, USA, where he teaches courses on South Asia, the Muslim world, colonial and postcolonial studies, and other topics. His research on modern and early modern South Asia and the Indian Ocean world examines topics ranging from sovereignty and the making of the global state system, to colonial urban studies and the history of law and crime, to transnational connections and urban diversity. His book, *Hyderabad, British India, and the World: Muslim Networks and Minor Sovereignty, c. 1850-1950*, was published by Cambridge University Press in the UK in 2015, with a South Asia edition from CUP-India in 2016.

The Land through the Eyeglasses: South Xinjiang Rural Survey (1951-2) and “Waqf Issues”

Jun Sugawara

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In order to understand the traditional Islamic order of pre-modern South Xinjiang (Chinese Turkestan), the series of reports of “rural survey”(农村调查) which has been officially carried out in the early 1950s, have unique and indispensable academic values. Above all, Deng Liqun (邓力群, 1915—2015) and Gu Bao(谷苞, 1916-2012)’s field report entitled “Waqf-land Issues of South Xinjiang”(南疆的瓦哈甫地问题, 1953, “Waqf-land Issues” hereafter) is an informative report that attempts to describe various conditions of the *waqf* - endowments of this region in such as (1)Names, (2)Ownership, (3)Use, (4)Class system, (5)Origin and history, and (6)Characters as “barrier to the development” of agricultural production. This “Waqf-land Issues” has been widely read as a fundamental literature presenting the circumstances of the Uyghur *waqfs* for a long time, and even today Chinese scholars tends to discuss this Islamic institution on the basis of this report’s descriptions. However, as is clearly understood by some “conditions” above, “Waqf-land Issues” has been originally composed for political purposes; the land reform and collectivization followed by communist’s “Peaceful Liberation”(和平解放), and constant bias is observed in the contents. In this paper, I would like to consider couple of respects (names and types, caretakers and the history) by comparing the contents of “Waqf-land Issues” and a collection of *waqf*-related documents from Kashghar, and reevaluate this report in the broader context of *waqf* studies.

Jun Sugawara (MA in history, 1992, Aoyama Gakuin University, Tokyo) is a Research Fellow of the Graduate School of Global Studies, Tokyo University of Foreign Studies (Tōkyō Gaikokugo Daigaku: TUFS). He specialises in Xinjiang history (19th to 20th centuries) and modern uyghur lexicography. His recent publications include "Islamic Legal Order in the Northwestern Frontier: Property and Waqf Litigation of a Sufi Family in Kāshghar (1841–1936)" in Zsombor Rajkai and Ildikó Bellér-Hann(eds), *Frontiers and Boundaries: Encounters on China's Margins*. Wiesbaden: Harrasowitz, 2012: 177-201, "Expanded Texts of ‘Martyrdom’: The Genesis and Development of the Uighur Legend of Abdourahman Han" in *Eurasian Studies* 2014 XII.: 417-435, *Mazar: Studies on Islamic Sacred Sites in Central Eurasia* (co-editor with Rahile Dawut, Fuchu-Tokyo: TUFS Press, 2016) and *Kashgar Revisited: Uyghur Studies in Memory of Ambassador Gunnar Jarring* (co-editor with Ildikó Bellér-Hann and Birgit N. Schlyter. Leiden: Brill, forthcoming).

Family Waqf under the British Legal System in Colonial India

Muhammad Zubair Abbasi

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The Judicial Committee of the Privy Council declared the family waqf invalid in its decision in the *Abul Fata* case in 1894. Based on the analysis of the cases that led to this decision, I argue that the primary reason behind the decision in *Abul Fata* was the policy consideration based on creditors' protection and market circulation of property. The majority of judges who decided the cases knew that Islamic law allowed the establishment of a family waqf. They were also aware of the safeguards provided under Islamic law against the misuse of the family waqf. However, they found these safeguards inadequate and conceptualised a waqf as a form of a gift or a stratagem or device to avoid Islamic inheritance law. Hence they declared it invalid.

Muhammad Zubair Abbasi, Assistant Professor at Lahore University of Management Science, completed his doctorate at Oxford University. The focus of his doctoral thesis was on the transplantation of English legal system in colonial India and the interaction between Islamic law (*Fiqh*) and English law in this process. He conducted a case study of the developments in Islamic waqf law under the British legal system by analysing the jurisprudence developed in the judgments of the Judicial Committee of the Privy Council and various Indian High Courts. His research revealed the crucial role played by Muslim lawyers, judges, '*ulamā*', and politicians in the formation of Anglo-Muhammadan Law (later called Muslim Personal Law). It showed how they simultaneously negotiated and collaborated with, and resisted the colonial administrators in the making and operation of the new Indian legal system.

From Forgiveness to Foreclosure: Waqf and the Remaking of the Hanafi Legal Subject in Late Ottoman Mount Lebanon

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In 1875, the highest official religious authority in the Ottoman Empire received an inquiry from Mount Lebanon's governor about family endowments [*waqfs*]. "Some inhabitants," he noted, "have been founding waqfs with the intent to escape the sale of these properties in fulfillment of debts." "Are these waqfs valid?" he asked. In this talk, I use this question as a springboard to investigate the effects of modern capitalist property and debt regimes on conceptions of the moral subject—particularly the subject's intent and sincerity—in the Islamic legal tradition. Indeed, in the Islamic legal tradition, the dominant debt regime was one built on forgiveness, and intent was tied to action. In the governor's question, the opening of the heart to scrutiny actually served to tie the subject to a moral economy where rights of creditors are absolute and repayment of debt is a moral duty outside any consideration of hardship. The attempt to close the gap between the intentions and the actions of the waqf founders insured the dominance of the new debt regime and restrict the challenge that waqf, as an instrument of ownership devolution, posed to its dominance. I suggest that such incidents remind us that ethical subjects are made and remade not only through "religious" practice, but also in debt and property relations.

Nada Moumtaz is Assistant Professor in Religion and Near and Middle Eastern Civilizations at the University of Toronto. She received her PhD in Cultural Anthropology from the Graduate Center of the City University of New York in 2012. She is the author of the chapter "Refiguring Islam" in *The Wiley-Blackwell Companion to the Anthropology of the Middle East*, edited by Soraya Altorki. She is completing her book manuscript, tentatively entitled *Reviving the Waqf: Property, Law, and Religion in Modern Beirut*.

The Innovation and Contemporary Practices of Waqf in Asia

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The third sector is known by various names including 'nonprofit', 'voluntary', 'philanthropy', 'charity', and 'giving'. Charity has many forms, both short-term and long-term (perpetuity). The role of voluntary organizations such as *waqf* is essential and there are varying levels of *waqf* in practice. Briefly, the *Waqf* was either a family or charitable endowment of property created by a waqif/donor for use by designated beneficiaries and administered by *mutawalli/nazir*/trustees who in turn were under the supervision of a local judge. Besides the mosques, tomb, school, other properties are well known as form of *waqf* assets, nowadays there are many potential solutions to the necessity of sufficient fund for public needs. Cash *waqf* was firstly introduced in Ottoman era. Previously, *waqf* from buildings and land were the most popular forms of *waqf* assets because of their perpetuity.

In this paper, besides the form of waqf as mentioned above, many contemporary practices of waqf will be presented here. Corporate waqf, social enterprise waqf fund, waqf based Islamic microfinance, waqf model for Hajj Insurance and other implementation of waqf assets and funds are some of them. Zarqa says that everything about *Waqf* is subject to *Ijtihad* and there is no single ruling in it except it must be benevolent. Policy makers when designing a particular waqf policy should take corrupt practices resulting from the mismanagement of waqf assets into account.

Dian Masyita graduated with her PhD in Islamic Finance from Durham University, UK in 2012. She was a member of Indonesian Waqf Board. Currently, she is Associate Professor and Head of Islamic Economics Study Program at the Faculty of Economics & Business, Universitas Padjadjaran, Indonesia. She was awarded two national competitive research grants, RUT IX and *Riset Insentif*. She wrote frequently on some journals and magazines. She was a contributor for edited books "*Creating Opportunities for the Poor through Innovation*" and *Encyclopedia of Women Islamic and Cultures/EWIC*. She was a presenter for the System Dynamics Conference, MIT-USA (2005), IRTI-IDB's Islamic Financial Conference (2007) in Brunei Darussalam, Moral Value in Milan Italy (2009), Ustinov Seminar (2010), DFIP-Kyoto Univ Workshop in Durham (2010 & 2012), Ethics in Financial in Melbourne (2011); two IRTI IDB Conferences in Sudan and Doha-Qatar (2011), Fundamental of Islamic Finance, Durham Univ (2014), UC Berkeley and Umm Al Qura – Makkah (2016).

Sultan, Awqaf and Mosque In Java: Waqf Practices of Sri Sultan Hamengkubowono IX

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This article examines the practices of *waqf* (land endowment) and the roles of Sri Sultan Hamengkubowono IX of the Sultanate of Yogyakarta in establishment of religious institutions (mosques, clinics and charities) through land endowment. It will take a look at the changing nature of the relationship between the “*Sultan Ground*” and awqaf; between the Sultanate of Yogyakarta and religious communities; and between Sultan’s *awqaf* and current regulation in Indonesia. This paper will present cases pertaining to Sultan’s endowed land for the establishment of mosques (Masjid Syuhada, Masjid Soko Tunggal and Masjid Gede) and other faith-based charities. This paper will argue that the practice of awqaf by Sultan reflects his dynamic relationships with various religious groups and communities in Java (Yogyakarta).

Hilman Latief pursued his undergraduate studies at the State Institute for Islamic Studies (IAIN) Sunan Kalijaga, Yogyakarta (1999). He earned his MA degrees from the Center for Religious and Cross Cultural Studies, Gadjah Mada University, Indonesia, and from the Department of Comparative Religion, Western Michigan University, USA, in 2003 and 2005 respectively. He obtained his PhD degree from Utrecht University, the Netherlands, in 2012. He was a research fellow at KITLV (The Royal Netherlands Institute of Southeast Asian and Caribbean Studies / *Koninklijk Instituut voor Taal-, Land- en Volkenkunde*) in 2013. He is currently a faculty member in the Faculty of Islamic Studies, Universitas Muhammadiyah Yogyakarta (UMY).

The Mausoleum and the Minaret: Reorienting Waqf Legacies and Landscapes in Colonial Penang

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In nineteenth century Penang, Muslim testators collectively endowed a large body of awqaf in fulfilment of their cultural-religious aspirations. This collective accumulation of awqaf, both public and private, was central to the process of sustaining communal-religious identity and place-making. Pursuing an agenda of urban improvement, Penang's municipal commission were vexed by the issues arising from the waqf estate around the Kapitan Kling Mosque, a legacy associated with the settlement's sizeable Tamil Muslim community. Forestalled by a number of legal suits by the end of nineteenth century, the problematic management of this endowment manifested itself in the largest slum in the middle of George Town. Through an intensely negotiated process involving the broader Muslim community, the European administrators legislated the establishment of the Mohammedan Endowments Board in Penang – the precursor to the formation of similar boards in Malacca and Singapore. In the early twentieth century, the Kapitan Kling Mosque waqf was by far the single most important resource available to the Penang local authorities for jumpstarting the broader process of urban renewal and spearheading modern Islamic education. In the aftermath of the Singapore mutiny, the formation of the Mohammedan Advisory Board enabled the colonial authorities to expand their purview over the affairs of the Muslim community using the resources of Endowments Board. This paper looks at how both colonial institutions were mobilized to win over the hearts and minds of the Muslim community in the Straits Settlements. The paper focuses on Penang with some reference to parallel developments in Singapore.

Khoo Su Nin, better known as **Khoo Salma Nasution**, is a fifth-generation Penang peranakan and the author and/or co-author of more than 10 books. She is a principal of a Penang-based publishing house Areca Books, and custodian of the Sun Yat Sen Museum Penang at 120 Armenian Street in the George Town World Heritage Site. She has been involved in the Penang Heritage Trust since 1989 as Honorary Secretary, President, and currently Vice President of the non-profit organisation. Her book *The Chulia in Penang: Patronage and Place-making around the Kapitan Kling Mosque 1786-1957* (2014) was shortlisted for the ICAS Book Prize 2015 Best Study in the Humanities and won the ICAS Colleagues' Choice Award. She has a long-term interest in learning about how the social-cultural values which contributed in the past to the development of heritage, belonging and place-identity can be revitalised to safeguard a culturally-enriched and sustainable future.

Hindu *Bakaph*?

Technicians of Pilgrimage and Infrastructural Investments in Gogameri, India

Carter Hawthorne Higgins

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Located in Rajasthan, India, the mausoleum of a warrior saint, known alternatively as Gogaji and Zahar Pir, has long garnered the devotional donations and pilgrimage visits of Hindus, Muslims, and Sikhs alike. Built in an architecturally Islamic style but housing images, the mausoleum contains several devotional stations, each now presided over ritually and financially by one of three litigious “priestly” groups: Muslim Chayals, Brahman Sharmas, and representatives of the state government’s Department of Devasthan (Hindi: “religious sites”). This paper reads current religio-charitable and administrative practice there alongside three moments of transformation in the endowed pilgrimage infrastructure. In 1911, the king of the erstwhile princely state sponsored “renovations,” including the installation of the saint’s image. In 1949, when the princely state joined the state of Rajasthan in independent India, this royal investment enabled the government to transfer administrative control of this “temple” (*mandir*) to the Devasthan Department, tasked with preserving and developing former kings’ temples and their endowed lands (*dev-sthāns*). In 2007, to curtail state-funded social services and develop the “religious countryside,” the department began leasing plots of endowed temple lands to government-registered, public religious and charitable trusts. Trusts would then build pilgrim hostels from which to provide non-governmental social services to worshippers. By the time of my fieldwork (2010 and 2013), priests, bureaucrats, and trustees came to formulate their religious, charitable, and administrative activities as what I, following them, term “*sevā-vikās* projects”: ongoing, collective efforts to “serve and/or worship” (*seva*) Gogaji and his pilgrimage public through acts of “development” (*vikas*).

Currently a postdoctoral fellow at the Asia Research Institute, NUS, in the Religion and Globalization cluster, **Carter Hawthorne Higgins** holds a PhD in Asian Literature, Religion, and Culture from Cornell University (2016), where his dissertation was entitled, “*Saintly Investments: Pilgrimage Development and Contemporary Hinduism in India*”. His first publication, “*Ritual and Recognition of Divine Presence in North India*”, is forthcoming in the *Journal of Ritual Studies*. His ethnographic work in India and Nepal centers on the lines of connection and disconnect between daily devotional practice, regionally expansive religious networks, knowledge, affect, and the state.

Certain Factors Undermining the Reputation and Purpose of Awqāf: A Critical Evaluation and Remedial Measures

Syed Khalid Rashid

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There are millions of *awqāf* in the world, worth nearly \$100 billions and annual income enough to finance the social welfare of Muslims and society globally. However certain factors adversely affected the efficiency of *awqāf* in the modern world. These factors need to be identified for devising remedial measures. Out of many factors adversely affecting *awqāf* today, the following are discussed in this paper:

1. *Corrupt and shady behavior of mutawallis and waqf administrators* has generally tarnished the image of *awqāf* to an extent that prospective donors (*waqifin*) refrain from creating *waqf* for fear of misappropriation of their funds. Emphasis on Islamic ethical principles of transparency, accountability, honesty and integrity shall arrest the fast declining moral standards.
2. Present *excessive state intervention* shall be brought to a healthier level.
3. The historical debate between “temporality” and “perpetuity” of *waqf* need to be resolved taking into account the current social and legal realities in the light of *shariāh* permissible limits.
4. The adhocism of present *waqf* development *efforts* need proper planning based on technical constructs. Details for this may only be supplied by a thorough survey of *waqf* properties, which has not been conducted in any country except India.

Some other problems not discussed here due to space constrains are: Encroachment on *waqf* properties; Fatal imposition of Income Tax and other taxes on family *waqf* wherever these exist or their total abolition; Long Leasing of *waqf* properties on nominal rent; etc.

Syed Khalid Rashid's PhD thesis on “Waqf Laws and Administration in India – A Socio-legal Study”, won the first PhD in Islamic Laws awarded by the Aligarh Muslim University in 1971 in the century long history of the university. Apart from the University Fellowship, his PhD research and field-study was financed by the Government of India on condition that his thesis would be provided to them. Many of the provisions of the 1975 amendment of the Waqf Act 1954 are based on his doctoral recommendations. His 50 years of research and teaching experience was spread over four universities in three countries – India, Nigeria and Malaysia. Out of his 13 books and 88 published papers, 7 books and 48 papers are on *waqf*. In 2011, Islamic Development Bank (IDB/IRTI), Saudi Arabia invited him as Visiting Scholar, while the Prime Minister's Department, in Malaysia, appointed him as Chief Consultant (Waqf) in 2010-11. IIUM made him the Founding Director, International Center for Waqf Research (2013), he now permanently resides in Malaysia.

Spiritual Economy, Philanthropy, and Salafism: Transformation of Waqf Cemeteries in Indonesia

Amelia Fauzia

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Waqfs are endowed assets – the ownership of which belongs to God, the assets themselves being dedicated to charitable purposes including the public good. In considering the phenomenon of waqfs in Southeast Asia, specifically in Indonesia, a central question arises as to how Southeast Asia waqfs continue to be mainly in the form of “dead” properties that relate to Islamic ritual purposes (such as mosque buildings, school buildings, cemeteries, and lands), compared to more “productive” waqf properties found in the Middle East that relate to the active economy (such as waqfs in the form of hostels, markets, farms, factories, shops, and even cash).

Possible factors in explaining this clear difference may include the nature of the economies, the differences between schools of Islamic law or fiqh of waqfs, socio-political contexts, and theologies. This phenomenon of waqfs being tied to “dead” properties has been a concern to Indonesian Muslims since the last decade of the twentieth century, so there have been clear attempts to make a movement to enliven, “develop” and make waqfs be “productive,” which means to commercialize the assets of waqf properties in order to derive profitable revenues for supporting Islamic institutions and the waqfs themselves.

This paper analyses the transformation of waqf in Indonesia by looking at the waqf cemeteries that make up about three to five percent of the 435,395 registered waqfs in the country. The majority of waqfs (about 80 percent) are mosques/mushallas, followed by Islamic schools. It seems that a separation between religious and economic realms has endorsed the development of waqf in Indonesian archipelago to aim for ritual, non-economic or commercial assets. However, modernism (modern management and organization) and an increasingly urban lifestyle have transformed the practice of waqfs to embrace developmentalism. In the contemporary period, the tendency in Islamic philanthropy has been to create professional organizations that embrace a curious mix of the neo-liberal notion of economy, entrepreneurship, and a Salafi spirit. This paper takes two case studies of a new form of waqf cemetery entitled the Firdaus Memorial Park, and Al-Azhar Memorial Garden, both located in West Java. The paper questions how contemporary Islamic philanthropy movement transform the waqf-making. With the intensive neo-liberal economy and steady Islamization, the recent modernization of waqf cemeteries has led to a creative modification of the spiritual economy in tune with Salafi Islam.

Amelia Fauzia is a Senior Research Fellow in the Religion and Globalisation Cluster at the Asia Research Institute, National University of Singapore. Dr Fauzia received her PhD from the University of Melbourne (2009), looking at contestation between state and Muslim civil society in the practice of Islamic philanthropy. Her dissertation was published by EJ Brill entitled *Faith and the State, A History of Islamic Philanthropy in Indonesia* (2013). She holds a Master in Islamic Studies from the University of Leiden (1998) on Islam and Javanese messianic movements of the 19th-20th century Java. She has taught and conducted research related to Islamic history of Indonesia, contemporary issues of Islam in Indonesia, and Islamic philanthropy. Dr Fauzia works on Islam, NGOs, and humanitarianism through the networks of Islamic philanthropy in Southeast Asia.

ABOUT THE CHAIRPERSONS & ORGANISERS

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Jonathan RIGG is Director of the Asia Research Institute and Professor in the Department of Geography at the National University of Singapore. Prior to that, he was Head of the Geography Department at Durham University in the UK. He was also based at the School of Oriental & African Studies, London University where he was a Lecturer, British Academy Post-Doctoral Research Fellow, and PhD student. He is a development geographer interested in illuminating and explaining patterns and processes of social, economic and environmental change in the Asian region and the impacts of such changes on ordinary people and everyday life. In his work, he has tried to give a "face" to the individuals buffeted by modernisation and ascribe to them an agency which is sometimes absent in higher level interpretations of change. He has been concerned to treat ordinary people as special and the geographical contexts in which they live—and which they help to shape—as distinctive. He is currently working on three projects: an international, interdisciplinary study of resilience to earthquake risk in the continental interior of Asia; a study of the role of land in agrarian change in Thailand; and a project on the survival of the smallholder in East and Southeast Asia. His latest book *Challenging Southeast Asian Development: The Shadows of Success* was published in August 2015.

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Till MOSTOWLANSKY is a Postdoctoral Fellow at the Asia Research Institute, National University of Singapore, and a research associate at the Universities of Sussex (UK) and Bern (Switzerland). Till has a particular interest in the anthropology of development, globalization, and Islam. He is currently pursuing a project on Shia networks which transcend the modern frontiers of Tajikistan, Pakistan, Iran and India through development and charity. Till is the author of *Azan on the Moon: Entangling Modernity along Tajikistan's Pamir Highway* (forthcoming with the University of Pittsburgh Press). He is also co-editor of the special issues "A Matter of Perspective? Disentangling the Emic-Etic Debate in the Scientific Study of Religion" (2015) for *Method and Theory in the Study of Religion* and "Language and Globalization in South and Central Asian Spaces" (forthcoming) for the *International Journal of the Sociology of Language*.