Christoph Werner
Vaqf en Iran.
Aspects culturels, religieux et sociaux

[Studia Iranica Cahier 56, Association pour l'Avancement des Études Iraniennes, Paris]
Leuven, Peeters, 2015, 187 p.
ISBN: 978-2-910640-42-2

The volume contains five papers presented at the Collège de France in Paris for the sixth Ehsan and Latifeh Yarshater Iranian studies lecture series (19-23 November 2012). They bring together the author's research on the Islamic endowment (Per. *vaqf*) in Iran after an important study on the fate of a seventeenth-century Safavid era endowment in Tabrīz during the early nineteenth-century Qajar period(1).

After an introduction describing its aims, scope and plan (p. 31-34), in part one (p. 35-57:« L'institution du *vaqf* en Iran »), the author begins by providing a legal definition of *vaqf*. He then considers how previous scholars working on other parts of the Islamic world have tried to understand *vaqf* as a social structure, focusing, in particular, on the relevance of the term 'institution' with regard to *vaqf*. The author defines *vaqf* in Iran as being at once a charitable, legal and economic institution (p. 44-45). Next, he provides a historical contextualization of the administration of the *vaqf* institution in Iran and its relationship to the state. This is followed by a discussion on *vaqf* in Iran as a living institution. *Vaqf*-s continue to be constituted to the present day, however, according to the author, the blurring of terminology, and consequent confusion, between *vaqf* and new para-governmental type foundations (*bonyād*), should be traced to the Pahlavi period. The last section of the first part draws on juridical literature, in particular, on the collections of legal opinions (*su'āl va javāb*) of eminent Iranian jurists of the nineteenth and twentieth centuries. The author demonstrates how jurisprudence on *vaqf* was shaped by problems that arose in actual practice. He focuses on the problem of the transfer of possession of endowed property (*qabż va iqbāż*–a legal requirement in Imāmī Šī'ī law–) in cases where the founder declares himself the beneficiary (*vaqf bar nafs*) orthe administrator (*motevallī*) of the *vaqf*(2). Other problems not examined by the author include property constituted as *vaqf*, twice at separate times – the so-called 'doubled' *vaqf*(3), or, after the death of the founder (*vaqf bar mayyet*)(4).

In part two (p. 69-92: « Mouvements mystiques et fondations pieuses: les Kujujī et les Safavides au XIV^e siècle »), the author examines the endowments in Tabrīz and biographies of the *šayḫ*-sof the Kujujānīya, a rival of the Ṣafavīya Sufi order. Aubin had already pointed out the significance of the Kujujī (Kujujiyān) *šayḫ*-s in 1959(5). The author, however, provides new insights on this Iranian notable family. By comparing the better-studied Ṣafavīya order centered in Ardabīl(6) with the Kujujānīya in Tabrīz, the author investigates whether the Kujujī *šayḫ*-s, as often repeated in the secondary literature, constituted a Sufi order in North West Iran in the fourteenth century. Moreover, why were they less successful compared to the Ṣafavīya after the fall of Jalāyerid dynasty in Āẕarbāyjān in 788/1386? The author's study is based here on a detailed examination of the endowment deed (*vaqfīye*) in Arabic dated 782/1380 of Šayḫ Ġiyāṯ al-Dīn Moḥammad Kujujī (d. after 784/1382) published in facsimile by Afšār in 1975(7) and the surviving references in the literary sources to the Kujujī *šayḫ*-s.

Part three and four are concerned with the Āstān-e Quds-e Raẓavī, the shrine in Mašhad of

(1) Christoph Werner, « A Safavid Vaqf in Qajar Times –the Zahīrīya in Tabrīz », in Rika Gyselen and Maria Szuppe (eds.), *Matériaux pour l'histoire économique du monde iranien*, Paris, Association pour l'Avancement des Études Iraniennes, 1999, p. 233-248.

(2) On the latter problem see the case of the *vaqf* of Loṭf 'Alī Ḫān Turshīzī (d.1215/1800-1) in Zahir Bhalloo, « The Qajar jurist and his ruling: a study of judicial practice in nineteenth century Iran », Unpublished D.Phil. thesis, University of Oxford, 2013, p. 102-156.

(3) Noubaki Kondo, « The Case of 'Doubled Waqf': A Study on Qajar Shari'a Courts »,*Annals of Japan Association for Middle East Studies*, 19-2 (2004), p. 117-142 [in Japanese].

(4) Sayyed Moḥsen Qā'em-fard, « Vaqf-nāme-ye Amīn-al-Dowle motavaffā-ye 1263 h.q. va naẓar-e marhūm Sayyed Moḥammad Bāqer Šaftī dar mowrede vaqf bar mayyet », Mīrāṣ-e Jāvīdān, 19-20 (1376 h.š./1997), p. 122-127.

(5 Jean Aubin, « Études safavides. I. Šāh Ismā'īl et les notables de l'Iraq Persan », *Journal of the Economic and Social History of the Orient*, 2 (1959), p. 37-81.

(6) See for example Monika Gronke, *Derwische im Vorhof der Macht. Sozial und Wirtschaftgeschichte Nordwestirans im 13. und 14 Jahrhundert*, Stuttgart, Steiner, 1993, (Freiburger Islamstudien, 15).

(7) Īraj Afšār, « Vaqfīye-ye Kujujī, abvāb-al-berr-e Šayḫ Ġiyāṯ al-Dīn Moḥammad Kujujī be sāl-e 782 hejrī », *Farhang-e Irān-zamīn*, 21 (1354 h.š./1975), p. 1-38. The original Mongol era document is lost. For a study and an edition of the twelve-metre long copy produced in the Safavid period (c. 1108-1112/1696-1701), see Christoph Werner, Daniel Zakrweski, Hans-Thomas Tillschneider, *Die Kuǧuǧī-Stiftungen in Tabrīz). Ein Beitrag zur Geschichte der Ǧalayiriden (Edition, Übersetzung, Kommentar)*, Weisbaden, Reichert Verlag, 2013.

BCAI 32 (2018) Christoph Werner: Vaqf en Iran. Aspects culturels, religieux et sociaux, recensé par Zahir Bhalloo
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the eighth Twelver Shīʿī *emām*, ʿAlī b. Mūsā al-Reżā (d. 818).

In part three (p. 93-134: « Ville de lumière: Machhad et ses fondations d'illumination »), the author demonstrates the growing intersection of socioeconomic and political interests, from the Safavid period onwards, in constituting endowments dedicated specifically to lighting the shrine (*mowqūfāt-e rowšanāyī*), as it developed into a major pilgrimage site. Of particular importance is the author's discovery of endowments made to the shrine whose founders did not allocate revenues for specific objectives, thus allowing the shrine's administrators the freedom to pursue an investment policy on behalf of the shrine (p. 107). The final section of part three discusses the appearance towards the end of the nineteenth-century Qajar period of the new post of chief lamplighter (*čerāġ-bāšī*) and a corps of lamplighters (*čerāġčiyān*) of the shrine. This obsession with lighting proved, however, to be short-lived. In 1899, Rezay of and his son put an end to the significance of endowments for lighting by bringing the first electric generator to Mašhad from Russia.

The fourth part (p. 115-134: « Robes d'honneur conférées par l'imam Reżā ») studies the power relations between the administrators of the Āstān-e Quds-e Raẓavī shrine and the royal Qajar court. The author demonstrates that the post of chief administrator (*motevallī-bāšī*) of the shrine was an important Qajar political office rarely accorded to religious figures and sometimes held by the governor of Ḫurāsān. To interpret relations, therefore, between the shrine's administration and the Qajar court as a confrontation between the Mašhad clergy (*ʿolamā'*) and the Qajar aristocracy in Tehran is incorrect. According to the author, a series of unusual royal decrees (*farmān*-s) from the late nineteenth-century in Arabic in which the eighth *emām*, ʿAlī b. Mūsā al-Reżā confers robes of honour (*ḫelʿat*) to the Qajar šāh-s, does suggest, however, that the shrine's highly bureaucratized administration enjoyed a considerable degree of autonomy, operating perhaps as a semi-independent state[8]. The custom, normalized in the Safavid period, where the šāh sent a robe of honour to the administrator (*motevallī*) of a sanctuary after receiving a gift (*pīškeš*) from him, was thus reinvented as a diplomatic exchange between two royal powers– the eighth *emām* (*al-ʿezzat beʾllāh, al-solṭān ʿalī b. mūsā*) and the Qajar šāh.

In part five (p. 135-166: « Mécénat, instruction publique et nationalisme: le vaqf à l'époque pahlavī »), the author reconstructs the series of attempts from 1858 by the Qajar, later Pahlavi, šāh-s to establish a central *vaqf* administration in Iran regulated by civil law[9]. Besides the administrative changes, however, new perceptions of *vaqf* begin to appear. On the one hand, the secularist Pahlavi propaganda saw *vaqf*, inextricably associated with the Shiʿi clergy, as an obstacle to agrarian reform and modernization of the state. On the other hand, philanthropists such as Ḥājj Ḥoseyn Malek (1871-1972), Dr. Maḥmūd Afšār (1893/4-1983), and Dr. Moḥsen Moqaddam tried to use *vaqf* to provide modern education and health services. In addition, new *bonyād* type foundations are created, such as the Pahlavi, Alborz and Fāteḥ foundations, many of which, though not legally speaking *vaqf*, were nevertheless recognized as 'endowments' after the Islamic revolution and are administered today by the Central Endowments Organization (Sāzmān-e Awqāf va Omūr-e Ḫayrīye).

In brief, the five papers contained in this volume are a major contribution to our understanding of how *vaqf*, as it emerged in the eighth-century Abbasid period, adapted to the political, economic, social and juridical realities of Iran from the fourteenth century to the present day. The author quotes the seventeenth century German traveler Kaempfer in the original Latin twice without translation (p. 103 and p.119-120) but this does not detract from the quality of the scholarship. The volume edited to the highest standards, contains a detailed bibliography (p. 9-30), an index (p. 181-186) and English summaries (p. 167-180).

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(8) The archive of the Āstān-e Quds-e Raẓavī has received little scholarly attention. For a glimpse of the bureaucratic machinery of the shrine's administration see the recently edited decree dated 1332/1914 in Omīd Reżāyī, « Ḥosn-e ham-kārī va tavānāyī-ye ḥerfe-ī dar šarāʾeṭ-e boḥrānī: barresī-ye manšūr-e moʾarrekh-e ṣafar-e 1332-e Āstāne-ye Rażavīye », *Tārīkh-e Īrān*, 18 (1394h.š./2015), p. 81-102.

(9) For a perspective from the provinces missing in the author's discussion, see Omīd Reżāyī, « Ravand-e šekl-gīrī-ye edāre-ye maʿāref va owqāf-e kermān va qom », *Mīrās-e Jāvīdān*, 8 (1379h.š./2001), p. 47-57.

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