

Waqf (pI. 'awqi()) emerged in the first century after the birth of Islam, and spread to the whole of the Middle East to become one of the most distinctive features of its societies. Although waqfs played many different socio-economic roles, their significance has up to now usually been described by means of the dichotomic concept distinguishing between waqf chayri (charitable endowment) and waqf 'ahli (family endowment), the first having been established as a kind of charity to provide free social services to the population (mainly mosques and madrasas), the latter as a tool for evading inheritance rules (ilm al-jarii'i), which, if applied, would cause the fragmentation of properties into uneconomical units. This concept originated in the period of the 19th and 20th centuries when the new legislation was being produced in Middle East countries to restrain waqf as an obstacle to social and economic progress. The thesis traces a history of this dichotomic concept in the context of modern Egypt. First it discusses the waqf policy of Muḥammad ʿAlī in the first half of the 19th century, then the development of the central waqf bureau up to the end of the 19th century, and the process of conferring property rights to the land which caused an unprecedented expansion of family-like endowments during the first half of 20th century. At that time waqfs were exposed to the attacks of Egyptian intellectuals and politicians who alerted to the danger of possible transformation of all landed properties in the country into the waqf. Their objections were not directed to the waqf institution as such, but centred exclusively on family-like endowments, because those with public determination were from the Islamic point of view uncontested. Their reasoning was based on two arguments peculiar to almost all opponents of waqf. ...