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## *Waqf* as a Model for Production and Conservation of Architectural Heritage

By Khalfan Amour Khalfan

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**Keywords:** *architectural conservation, heritage, islamic waqf, zanzibar stone town.*

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# Waqf as a Model for Production and Conservation of Architectural Heritage

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## I. RESEARCH AIM

This research aims primarily at linking conservation of built heritage with the traditional practice of Islamic *waqf*. It first establishes the relationship between *waqf* principles and production of architectural heritage. Thereafter, gives an overview of the *waqf* practice in the heritage Stone Town of Zanzibar (STZ) and draws insight into the conservation worthiness of *waqf* traditions. The research presents seemingly effective alternative means of achieving conservation of buildings and heritage sites. As a result, it draws attention to the academic community that traditional systems are valuable sources of inspiration for modern systems.

## II. INTRODUCTION

Traditional systems have little chance of survival in the contemporary times. Conversely, *waqf*, an Islamic endowment, has endured 14 centuries of economic, political, and social temptations and has emerged potential for conservation of architectural heritage. In the UNESCO inscribed Stone Town of Zanzibar (STZ) (see map in Fig. 2), *waqf* holds about 20% of the town's building heritage. Originally, *waqf* system was established to feed the poor and disadvantaged members of society. Later on, *waqf* went beyond feeding the poor to supporting their wider demands for construction of public facilities and financing their upkeep. One example of the impressive results of *waqf* is the iconic Al-Azhar University in Egypt. It is said to have been built out of *waqf* funds\*<sup>1</sup>. And in Iran, *waqf* funds form an indispensable part of the preservation of Kashan city (Jokilehto, 1999).

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In spite of this performance and centuries of operation in Muslim dominated countries, its conservation merit has gone almost unnoticed by scholars. The present study has barely come across an exposition of the subject except that of Assi (2008) \*<sup>2</sup>. Conservation link to this tradition is yet to be documented. The aforesaid results and the existing gap indicate the need to explore useful conservation concepts from the tradition of Islamic *waqf*. Therefore, the intention of this research is to probe into the *waqf* traditions through the STZ case and analyze aspects that have for long helped to conserve significant number of buildings in the town. The research on the traditions of Islamic *waqf* was inspired by the UN-Habitat Agenda\*<sup>3</sup> that advocates exploration and use of knowledge from traditional systems.

## III. METHODOLOGY AND MEANING OF TERMS

In order to fulfill the research aim stated above, the following questions were put forward:

- i. What are the general rules that govern waqf system?
- ii. How is waqf practice in the historic STZ contributed to building conservation?
- iii. What conservation lessons can be drawn from the waqf tradition?

Data analyzed in this paper was gathered from two main sources; *Waqf* and Trust Commission (WTC) and Zanzibar National Archives (ZNA). The archives contain information on waqf administration during the British colonial period (1890 – 1963) while the WTC houses in data mostly from the third quarter of the 20<sup>th</sup> c. Limited information exists prior to the British era. Hence, information before the British era was obtained from historical, archaeological, and other studies in addition to maps and information from travelers and explores.

Some 32 archival files were examined from ZNA. Selection of the files was guided by the archives' documents' index. ZNA organizes information in alphabetical classes and sub-classes according to their themes. *Waqf* files belong to 'HD' class. Efforts were made to broadly cover all classes in the 'HD' series and a narrow down search on sub-classes was undertaken based on the relevance of the information to the research. The analysis was made on qualitative and quantitative data from *waqf* deeds, rent records and books of accounts, *waqf* decrees, *waqf* registers, jurists'

rulings and court cases, correspondences, individual *waqf* records as well as minutes of the then *Waqf* Commission. A strategic selection was made to include general administrative files featuring the British Protectorate daily correspondences from the 'AB' class in order to supplement the information from the 'HD' classes. The research also ventured into confidential files of the protectorate to unveil classified *waqf* information. Most of the archival information is in English except when Arabs were involved, in which case English translation was often provided. Similar data was collected from the present WTC to get the trends in *waqf* development in the remaining period of the 20<sup>th</sup> c. and beyond. Information contained in the records was then supplemented by an observation survey through the STZ to capture pictorial data to help clarify several unfolding issues. Background information regarding history of *waqf* and its practice was obtained from past studies and staffs of WTC.

For the sake of comprehending the topic, the terms below are given to provide English phonetic equivalent of words from Arabic origin and the meanings associated with them.

- *Waqf*: (sometimes pronounced 'wakf') is a term used to explain an Islamic charity system. In Zanzibar, the term is sometimes used to refer to both the property dedicated as charity under this tradition and the commission that administers

properties dedicated as *waqf*, i.e. the WTC.

- *Awqaf*: is the plural form of *waqf* when referring to properties.
- *Waqif*: a person who dedicates his/her property as *waqf* (the founder of a *waqf*).
- *Mutawalli*: a person selected by *waqif* to manage a *waqf* property.

#### IV. WAQF IN CONTEXT

##### a) Background history

*Waqf* can be explained as an endowment carried out voluntarily by individuals who dedicate their property as everlasting charity. In Islamic law, *waqf* means to give a property a new legal status that has religious associations. Endowing *awqaf* is said to be an original Islamic tradition (Hennigan, 2004) dating back to 1,400 years ago. Muslim jurists refer *waqf* origin to different traditions of their Prophet. One of these traditions\*<sup>4</sup> (Box 1) is imperative for understanding of this paper. It sets out terms and conditions for a *waqf*.

The tradition in Box 1 reveals *waqf* as a practice which is interwoven with social, economic and religious life of the people. It is a platform on which the rich share their wealth with the poor. The sharing between "have" and "have-not" may be among the reasons that made *waqf* survive and grow into one of the most important institutions in Muslim communities. Throughout the

##### Box 1 Prophetic tradition depicting *waqf* conditions

It is narrated in *Sahih* Muslim that Umar, one of the future Caliph of Islam, sought advice from the Prophet on how to use a valuable land he acquired. The Prophet advised him to "... keep the corpus intact and give its produce as '*sadaqa*'..." Keeping the corpus intact mean it should not be disposed of in any way including selling, inheritance or gifting. The word '*sadaqa*' is an Arabic term signifying offerings the poor, the disadvantaged, and the needy members of society in order to achieve piety to God. It is further narrated that, "There is no sin for one, who administers it if he eats something from in a reasonable manner...", meaning the

times, *waqf* evolves in response to internal and external factors. Many of the external factors attempt to modify its traditions in order to modernize the *waqf*. But, it has survived the attempts and continues to be practiced according to its rudiments. The presence of several Islamic sects\*<sup>5</sup> with differing philosophies has been instrumental to its internal evolution and guidance on dealing with external threats.

*Awqaf* may be generally classified as either private or public. The public *waqf* is an endowment intended for the greater society, especially the poor and disadvantaged. On the other hand, private *waqf* (also called family *waqf*) is a dedication to benefit family's progeny. However, some private *waqif* (dedicators) do allocate portions of their *waqf* income to serve the public. And in some cases entire dedication ends up benefiting the public after serving the private purpose.

##### b) *Waqf* system

The traditional *waqf* comprises of a mutawalli who is appointed by *waqif* as administrator of the said *waqf*. Mutawalli is responsible to oversee the *waqf* according to stipulations set out in a *waqf* deed by the *waqif* (see sample in Box 2) to ensure the property is maintained.

*Waqf* deed is the most important document in *waqf* administration. The deed contains description of the property, *waqf* beneficiaries, their share of income and the manner in which the *waqf* should be administered. A sample of 129 old and recent deeds was investigated from ZNA and WTC. Interestingly, despite the fact that the deeds were traditional and individually written they all demonstrated strictness in terms of content and wording. Strictness was particularly observed in laying down the details. *Waqf* strict stipulations are certainly the basis for reserving its

properties. The shortest worded deed contains the optimum explicit declaration for a sound *waqf*. The sample deed in Box 2 shows the *waqif* even detailed the boundary of their *shamba*\*6 using cardinal references of the neighboring land in that age of the absence of surveying and mapping services in Zanzibar. All these could be viewed as attempts by the *waqif* to leave no room for misinterpretation that would eventually lead to the extinction of the *waqf* property.

## V. WAQF IN STONE TOWN OF ZANZIBAR

The beginning of *waqf* practice in the STZ is probably from the 12<sup>th</sup> c. An archeological study established that people of African origin started to live in the present location of the town around the 12<sup>th</sup> c., at which time Islam was already in practice in Zanzibar

archipelago. By the 17<sup>th</sup> c. Arab Muslims temporarily inhabited the area (Juma, 1990). The 17<sup>th</sup> c. saw a relatively active role of *waqf* considering the presence of the oldest known mosque from the century (Fig. 1) that even pre-dates the oldest structures in the town.

The *waqf* practice in STZ is perhaps the most synergistic in the world of *awqaf*. Nowhere else *awqaf* seem to be endowed and its traditions shaped by different nationalities and various cultural sects than in the STZ. Ibadhi, Shia and Sunni sects of Islam all had hands in the evolution of *waqf* here. Additionally, Indian *waqf* laws were used as precedents in some *awqaf* court cases during the British era (ZNA, HD 10/37) representing an intercontinental influence in the administration of STZ *waqf*. The

**Box 2** Sample of a typical *waqf* deed from ZNA (source: Deed No. 304 of 18<sup>th</sup> January, 1937)

... (Name) dedicates as *waqf* his *shamba* (land) at ... which is bounded on the North by..., on the South by..., on the West by..., and on the East by... The *shamba* contains ... (number) trees including the house built of ... (structural material) and covered with ... (roofing material) sheets. The *shamba* together with their boundaries, rights and whatever is connected therewith are an accomplished *wakf* in favor of his ... (beneficiaries' name) and their children and grand children and their posterities, one generation after another and that the first generation is entitled to enjoy the *wakf* before the second one and so forth ..., it is for the benefit of poor, the children of his paternal uncles and aunts ... should be continued in all the generations and on their death it is for the benefit of poor Moslem of ... tribe ... who have to enjoy the income of the *wakf* and also to live therein after making provision of the upkeep of the property so that it should remain in good condition until on the resurrection day. The dedicator has appointed himself as a trustee during his life time and after him, his executors ... until the *wakf* revert to poor Moslems of ...tribe when the General Trustee should be a trustee. The executors are entitled to 10% out of the income of the *wakf* during their life time being their remuneration. It is a valid *wakf* and lawful and which is neither to be sold, mortgaged, gifted nor inherited until God inherits the Earth ... Dated this day of ... Name and signature of *waqif* ... Witnessed by ...

*waqf* had considerably impacted *awqaf* development in the neighboring East African territories of Mombasa (Kenya) and Tanganyika (now Tanzania). While *waqf* jurists in Mombasa used to refer to its cases, Tanganyika actually drafted a *waqf* memorandum based on that of Zanzibar (ZNA, HD 10/37). In short, STZ *waqf* was shaped by different external influences and in turn influenced several others.

Early *awqaf* in the town were mosques. Historic study affirms endowing mosques started circa the 17<sup>th</sup> c. and was certainly strengthened with the settlement in the 19<sup>th</sup> century. Of the 51 mosques now found in the town, 2 were of the 17<sup>th</sup> century, 42 were constructed in the 19<sup>th</sup> century, and the remaining built in the 20<sup>th</sup> c. (Sheriff, 1999). Thus, with the exception of few mosques

which are over 100 years, majority of the have survived a century long.

Sheriff (1999) describes mosque endowments to have proliferated in every quarter of the town and was motivated by an Islamic tradition that "... a person who builds a mosque, God will build him a home in paradise". This should have triggered several individuals to endow mosques that today are celebrated as world heritage. Considering the position of mosques in Islam and their age in the town, it would be wise for this study on conservation in *waqf* to use mosques as its point of departure.

There should definitely be means of maintaining these mosques. One of the sources of maintenance to these early endowments is probably funds from the endowers\*7. Majority endowers were wealthy merchants of the 19<sup>th</sup> c., some were also land owners. This suggests adequate funds were available to look after the mosques. Land (*shamba*) was also endowed as *waqf* (Fig. 2) and was probably one of the means of finance for the maintenance of some mosques especially in the first half of the 19<sup>th</sup> century when relatively few lucrative stone buildings\*8 covered less than half of the town's area. Land situated on the other side of the STZ (Ng'ambo) was almost *waqf* of these merchants who had their mansion in stone town. As the town developed, buildings themselves were made *waqf* to



Figure 1 : Unique minaret of a 17<sup>th</sup> century Bamnara mosque at Malindi, the oldest in the STZ

support family progeny and mosque upkeep. And as Fig. 2 shows the *waqf* land also expanded.

*Waqf* in the STZ passed through the influence of Omani Arab Sultanate, the British hegemony, and later a post-colonial government. The Sultanate was favorable to *waqf* practice but the British influence was rather

turbulent and disturbing when it was attempting to remodel its traditions (Oberauer, 2008). On the other hand, the post-colonial government was messed-up with mismanagement of the *a waqf*. However, *waqf* largely managed to resist many of these influences and eventually preserved its rudiments.

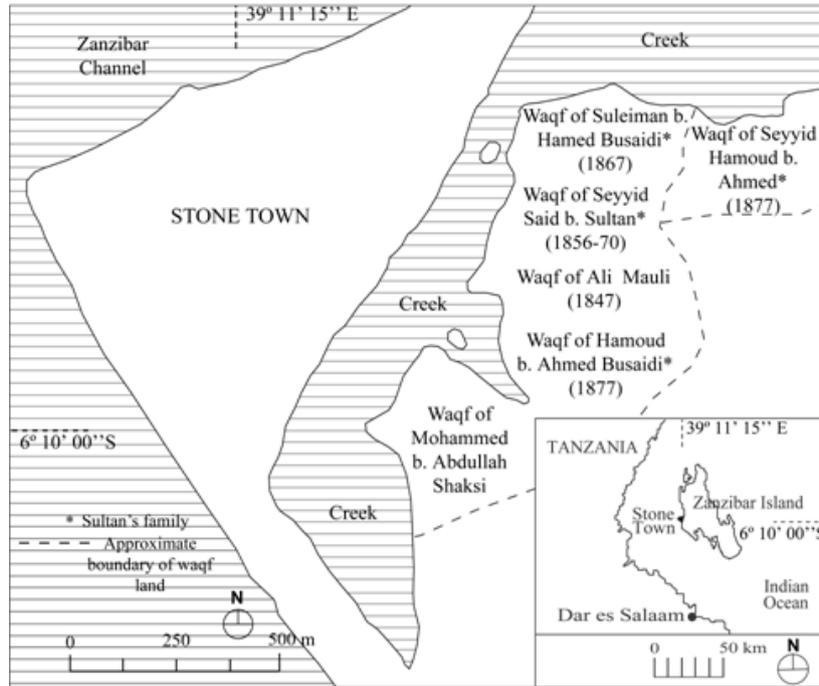


Figure 2 : The 19<sup>th</sup> c. land awqaf on the other side of the STZ (source: Adopted from Myers (1999))

## VI. WAQF, HERITAGE AND CONSERVATION

### a) The link between waqf and built heritage conservation

Back to the tradition in Box 1, there are two significant scenarios that may enlighten our understanding of *waqf* in relation to property conservation; its requirement to keep the property intact, and the need for an administrator. The interest of the present paper is in the former in which a prolonged existence of a property is envisaged. In fact, lengthening

property life is the key objective of any conservation project. Conservation in *waqf* system is found to be an automated secondary aim resulting from financing social welfare, the primary concern of the tradition (Fig. 3). But, the primary concern cannot be sustained if the secondary aim of preserving the property is not carried out. Thus, the importance of the secondary aim logically outweighs that of the primary. And this is perhaps why the tradition did not take for granted protection; instead it clearly stipulates that it should be carried out.

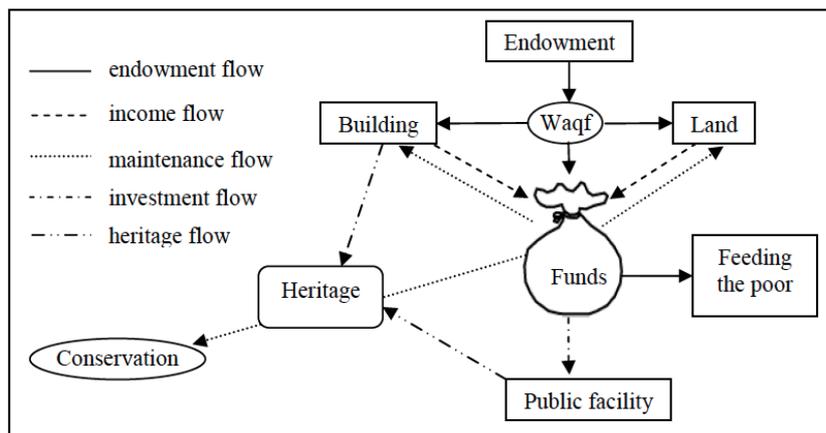


Figure 3 : Conceptual link between waqf, heritage and its conservation

Analysis of *waqf* deeds from ZNA and WTC reveals two forms of endowments that assisted to build the *waqf*-conservation framework in Fig. 3. The first is an asset (building/land) itself set as *waqf* to generate income for a certain social function, of which part is used for its upkeep. Second is an asset (building/land) set as *waqf* to provide income for the upkeep of another property, such as public facility, while part of it is retained to maintain the asset. Maintaining *awqaf* in the first place was found to be a pre-requisite set by all *waqif*. In no circumstance was a *waqif* recorded to skip such a stipulation in all *waqf* deeds scrutinized. The building assets and the facilities continue to be maintained through the system, and as time passes by they become heritage of which their conservation still depend on the same system. Hence, *waqf* can be explained as a heritage and conservation inherent tradition.

#### b) Local *waqf*-conservation movement

At times, rental income of some *awqaf* yielded surplus funds. But, owing to the presence of several schools of Islamic jurisprudence in the evolution and development of *waqf* tradition in STZ, jurists differed over the way the surplus amount should be spent. Spending an amount on other purpose than that endorsed by the *waqif* was particularly debated. Nevertheless, a later precedent established that income from one *waqf* may be spent on another, provided it is for charitable purpose (ZNA, HD10/7). This precedent was significant because several *awqaf* buildings were falling out of repair due to insufficient income. A cross financing mechanism between the *awqaf* was then made possible and records show a number of such properties received maintenance fund from the wealthy *awqaf* (ZNA, AB 34/1; HD 10/85). Such an arrangement defines the co-operate conservation efforts of the individually endowed *awqaf* and perhaps created a local conservation movement unconsciously.

#### c) International *waqf*-conservation movement

The property conservation co-operation was not limited to the STZ locality. It extended across several nations. The files contain records of *waqf* funds used to repair pilgrims' lodging house in the city of Mecca in 1934 (ZNA, HD 5/66). A mosque in Cutch Madvi, India also benefited for its upkeep from income of a house in the STZ (ZNA, HD 4/67). Similarly, a mosque *waqf* at Shangani in the Stone Town is said to receive income from a share of irrigation scheme in Oman (Sheriff, 1999).

The most striking result to emerge from this movement is that, the international conservation activities in *waqf* pre-dates the global conservation charter, the Athens Charter<sup>9</sup> of 1931. And it is learned from history of conservation that UNESCO's first convention concerning the Protection of World Cultural and Natural Heritage was enacted in 1972 to laud the

notion of heritage as for all humanity, just found embodied in *waqf* practice long ago.

#### d) *Waqf* tradition and building longevity

*Waqf* highly inspires property permanence, longevity and at the far end its perpetuity. In other words it instigates preservation. When the *waqf* deed in Box 1 is further examined, the *waqif* provided a perpetual declaration on the property by stating that, "... the property should neither be sold, mortgaged, gifted or inherited". And phrases like "until the resurrection day" and "until God inherits the earth" often accompany the declaration to insist on the property eternity. These strict and explicit terms were definitely intended for *waqf* longevity. They try to leave no room for disposal or alienation of *waqf*. Moreover, *waqf* deeds usually go into details about who should be responsible to oversee the *waqf* management and once s/he dies who would be the next manager. A well defined management is in place to ensure the property does not fall into tampered hands that would eventually cut off its longevity. In short, these stipulations may be summed up to a maxim that "once *waqf*, always *waqf*" and in conservation terms, one may refer it to "once reserved, should be preserved".

Intentions and realities however, do sometimes mismatch. The *waqif* cannot utterly foresee everything in the uncertain future with regards to execution of his strict stipulations. Although the *waqif* insists on no alienation of the *waqf*, in some situations this proved difficult to abide. In 1947 sale of property was permitted by Muslim jurists after the British administration unilaterally sold several houses on grounds of accessibility (ZNA, AB 34/32), dilapidated condition, and low income (ZNA, HD 3/21). Jurists initially objected the sale presumably to control tampered alienation of *waqf* by the British. In fact the sale is allowed, but with replacement, under very strict criteria of the Sunni *waqf* philosophy known as *istibdal*. Maghniyyah (1988) mentions these criteria as: 1) where the *waqif* stipulates its sale at the time of creation of *waqf*, 2) where the *waqf* is a movable property and is considered unfit for its prescribed purpose; 3) an immovable property will be sold for the expansion of public services such road, cemetery, etc. Maghniyyah further stresses that the sale is not permitted in any way out of these even if it lies in ruins and is not being utilized for any purpose. No *waqif* in the STZ was found to set the first criterion and all *awqaf* that the British sold did not qualify for the criteria, hence invalidate their sale grounds.

The perpetual concept in *waqf* is underpinned by the fact that the property and its associated surroundings have to be fixed to ensure its permanence, and so longevity. Thus, a *waqf* of building erected on non-*waqf* land is considered invalid<sup>10</sup> (ZNA, HD 10/7). But, the records show that one can dedicate his/her building as *waqf* on someone else land if and only if that land is also declared as *waqf* (ZNA, HD 10/9).

e) "Reconstruction" concept in *waqf*

The rules regarding sale of *waqf* tried to maintain strictness while introducing some sort of flexibility. Besides, they aspired to prevent sale by restricting situations under which the sale should be allowed. This is useful because many *awqaf* are real estate properties. They are attractive to the lucrative estate market. If the sale is not restricted several properties could be tampered to that end. Following the rules, the British colonial government was politically sympathetic that it replaced some of the sold houses with newly bought properties to be administered according to those sold (ZNA, HD 10/58). The British could have achieved the same if a new building is constructed instead. The replacement gave rise to a new *waqf* rule of substituting a sold *waqf* in the STZ, though already in the *istibdal*. Despite the fact that the sold *awqaf* were replaced by ones bought elsewhere, a general conservation idea arising from this option is that of a "recreation" of, or make up for a lost heritage which roughly corresponds to "reconstruction" in the world conservation concepts. As well, an interesting correlation emerges here with regards to the number of *awqaf*. With time, *awqaf* should not decrease in number. Instead, they should either increase or remain the same.

Recreation idea might be useful in international conservation discourse. Reconstruction concept is a relatively new phenomenon which is currently under controversial discussion. Such discussion is going on in, among other countries, Japan and the United States as a response to a complete replacement of demolished historic heritages in these countries (Lambiasi, 2008). According to Lambiasi, it is still unclear whether replacement of entire building by new construction should be termed "reconstruction" because the current discourse regards, reconstruction as recreation of non-existing portions of an existing property.

When we contemplate on *waqf* practice in the STZ, reconstruction of a complete building may be considered in the discourse. Further, the location of the reconstruction can be debated as to whether such reconstruction should take place on the same site, with in the same district, or elsewhere in the country. *Waqf* rules suggest a reconstruction on the same site, contrary to what the British government did. The reason for this is logical. It was shown in section 6.4 above that buildings dedicated as *waqf* have to be on land which is also *waqf*. Additionally, when a building collapses the land cannot be used for other purpose than that of *waqf*. Else, if reconstruction has to take place on site other than the previous *waqf* land, then the site should first be made *waqf*.

f) Authentic preservation issue in *waqf*

A building survey in 1993 by Stone Town Conservation and Development Authority (STCDA) reported a relatively unsatisfactory condition of *waqf*

buildings. Nevertheless, the *waqf* case is not exceptional. Majority of heritage buildings from other owners are also in deteriorating condition due to neglect (Fig. 4). In fact, *waqf* has managed to conserve more than other owners and in rather authentic way. Fig. 4 shows *waqf* had 2% of its buildings in ruins, 0.6% new - under construction, and 0.3% emptied plots. Therefore, it has lost 2.9% of its buildings. In comparison, private ownership, the largest landlord in the STZ had 1.7% of its building stock as ruins, 4% newly developed sites, and 1.4% emptied plots. Thus, it has lost 7.1% of its buildings in the 1993 counts; more than double that of *waqf*.

The relatively high percentage of good buildings from the private ownership come from business motivated renovations and adaptations to tourist facilities that started since 1980's. Large number of these renovations was found to be radical to the buildings. As well, the buildings are extended unlawfully and demolished unnecessarily. They are also associated with most ongoing new constructions (Khalfan & Ogura, 2010).

The 1993 survey showed 4% (45 structures) of buildings in private ownership being newly constructed and some 16 (1.4%) cleared (likely to have attracted new constructions). Further, among 98 buildings reported as radically altered, 72 come from private owners, 6 from *waqf*, and the remaining 20 belong to other ownership. Coincidentally, Khalfan & Ogura (2010) found additional 72 new structures from private developments were erected between 1993 and 2009. Therefore, private properties disappear at a higher rate compared to that of *waqf*. One major reason that kept *waqf* buildings far from such effects is that, tourist facilities in the STZ often involve activities that are regarded unlawful to such religiously owned buildings. In this way, *waqf* can achieve authentic preservation of its buildings better. It was observed that the original functions of most *waqf* buildings have remained the same, so is the structural integrity and no less the materials.

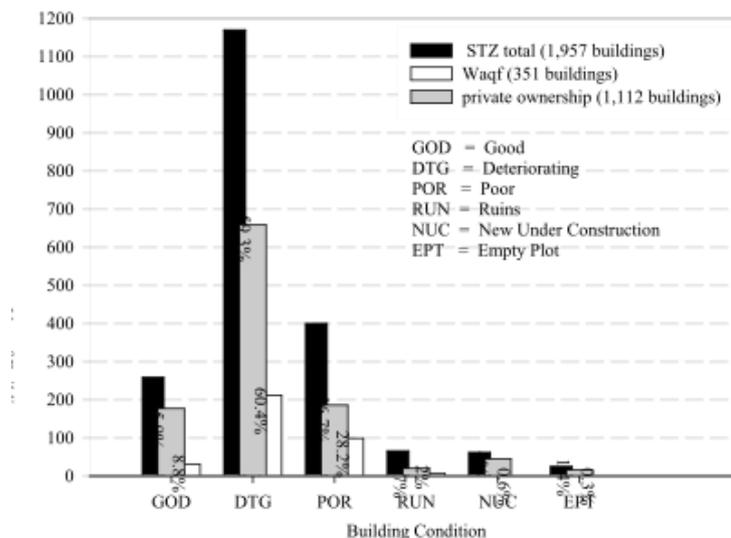


Figure 4: STZ building condition in 1993 (source: STCDA)

### VII. CONCLUSION

This paper set out to link building conservation with an Islamic endowment tradition, known as *waqf*. Over the centuries, the history of this tradition is turbulent but its ability to withstand external effects is remarkable. The result of preservation of its built heritage today is a result of *waqf's* ability to survive without its rudiments undermined. The genius of *waqf* tradition lies in its rigorous interaction with the society and the means of securing funds for property upkeep in addition to its universality. Properties such as land and buildings are used to generate *waqf* income to financially support *waqf* beneficiaries and provide funds for the upkeep. In so doing, *waqf* created a sort of dependency that certainly makes its beneficiaries to pay attention to. And in order for the benefits to continue, the source of the benefits should stay intact. It is through this simple logic that *waqf* properties are preserved. Therefore, according to *waqf* the preservation might be sustainable, if it comes out as a byproduct of something else desirable.

The preservation of *waqf* building heritage in the STZ and elsewhere should be credited to its highly incredible philosophy of longevity. There are hardly gaps for property disposal. The longevity is based on strict yet flexible rules supporting stability and permanence. *Waqf* buildings in the STZ have almost retained their ownership and their number has not decreased due to temptation but rather through neglect, common to most buildings in the town. This has contributed so much to their stability and permanence. Property permanence paves way for its longevity, hence its preservation. The ideas arising from this study are useful and could be used as a model to enrich today's conservation practice. It is surprising for a tradition like this to yield such interesting results. There is certainly an invitation to

the conservation society to look back to traditional systems for inspirations.

### VIII. NOTES

1. See Liebeskind, A.: The Financing of Madrasas and English Universities – Education, Endowments, and Law, p.5 ([http://www.abbyliebeskind.com/portfolio/the\\_founding\\_and\\_evolution.pdf](http://www.abbyliebeskind.com/portfolio/the_founding_and_evolution.pdf)),retrieved:2010/12/19.
2. This is a baseline study towards understanding *waqf* and heritage, perhaps one of the first (if not the first). It is a short article explaining the way *waqf* was used to manage cultural heritage in Palestine. The author mentions that *waqf* could be developed and adopted as a sustainable management tool but did not give the details of how such sustainability could be achieved. Besides, it deals with managerial aspects and has not explored the technical aspects on the way conservation of cultural heritages may be achieved through the *waqf*, the major distinction between this article and the present study.
3. The UN-Habitat Agenda is a main international political document produced by the Habitat Conference in its 1996 meeting in Istanbul, Turkey. It is ratified by 171 countries. The major issue in this conference is to promote sustainable development. The need for use of traditional knowledge is given under Chapter IV, Section C [8] [153(e)] of the document. See [http://ww2.unhabitat.org/declarations/habitat\\_agenda.asp](http://ww2.unhabitat.org/declarations/habitat_agenda.asp), retrieved: 2011/01/10.
4. The traditions of the Prophet are recorded in some six major collections. One of the most authentic collections of these traditions is *Sahih* Muslim. The collections feature oral traditions containing words and deeds of the Prophet.
5. Islam, like any other world religion is practiced according to schools of thought or sects. There are



- several schools and sub-schools in Islam. The major sects in Zanzibar are Ibadhi, Shia, and Sunni.
6. Shamba is a local word for a piece of land with permanent plantations that yield regular or annual crops. The plantations are rented or its fruits sold to provide income.
  7. Dedicators found themselves responsible for maintaining the mosques they established. Following this commitment many of the mosques are known by the names of their dedicators. Mosques are the most preserved buildings. This study has not found a report of a mosque collapse in the STZ although several had done so in other parts of Zanzibar Islands.
  8. Properties made *waqf* vary from location to location. In the case of STZ land and buildings were mostly used. But, Assi (2008) reports on *awqaf* of books, agricultural machinery, and cattle. Cash was introduced during the Ottoman Empire.
  9. The "Athens Charter" was a manifesto written mostly by the Swiss architect and urban planner Le Corbusier, summarizing the Fourth Congress of the International Congress of Modern Architects (CIAM), which took place in 1932. It is now one of the authorities in the restoration of historic monuments. See [www.iflalc.org/guidance/ICIC-AthensCharter-1932.pdf](http://www.iflalc.org/guidance/ICIC-AthensCharter-1932.pdf), retrieved: 2010/01/11.
  10. One of the basic requirements of a valid *waqf* is that, it should be declared as permanently reserved.

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