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Topic of Research: Reconfiguration of Waqf in Malabar

## **Findings**

**Keywords:** Waqf, Personal laws, Islamic law, Secular governance, Endowments.

Talal Asad has provided a paradigm shift in understanding secularism as a form of power. Following his views, numerous studies have been carried out to comprehend the current sharia's trajectory. Hussein Agrama's ground-breaking intervention in response to Asad has inspired a closer examination of the modern state's incessant pursuit of determining and defining the boundaries between religion and other spheres of modern social life. On the basis of those findings which relate to secularism as a form of modern power, various aspects of personal laws have been examined in the south Asian context. However, there is a lack of research to comprehend waqf in relation to emerging secularism studies. Nada Moumtaz's study on the reconfiguration of waqfs in modern Lebanon has ushered in a new era of waqf studies that contribute to such studies. She has traced the evolution of waqf from the late Ottoman period to the present day in Lebanon, in the context of establishing religion and economy as separate domains of governance. Following her footsteps, my study attempts to comprehend the reconfiguration of waqf in colonial and postcolonial Malabar.

The research focuses on three primary areas (law, family, and community) to comprehend tradition's ruptures and continuities. Waqf is a component of the personal laws of modern Muslims, as is well known. Consequently, this study sought to comprehend how personal laws of waqf have negotiated with contemporary laws of charity in South Asia. Modern, public-

utility-based charities are a vital part of the modern economy. In contrast to modern philanthropy, Islamic charity is rooted in *kurbat* (nearness to God) and *swab* (spiritual merits). The study attempts to comprehend modern law interactions with waqf, which is founded on Islamic concepts of charity.

The second part of the study examined how waqf has been assisting Muslims in Malabar to negotiate Islamic law with their familial and kinship relations. Unlike other regions of India, Mappilas have traditionally adhered to customs such as the matrilineal system, which gives the mother a greater role in the family structure (in contrast to the patrilineal system). This study sheds light on the hitherto unexplored phenomenon of the proliferation of family waqf among matrilineal families in Malabar over the 20th century. In addition to attempting to contextualize family waqf practices, this study examined how public waqf management based on family-centred management also assisted Muslims in perpetuating both waqf institutions and their family lineages.

Finally, the study looks how the religious community became a category of unit in waqf benefaction, supervision and management. The study illustrated how various regulatory structures, such as the waqf board, waqf commission, waqf fund, waqf tribunal, and waqf council have come to exist as a part of reconfiguration. The study depends on two types of significant resources of waqf. The first are cosmopolitan texts, whereas the second are contingent records of practices. These two types of resources were designated by Brinkley Messick as the library and archives, respectively.