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## ISLAM AND COMMERCE: WAQF AND THE BAZAAR OF YAZD, IRAN<sup>1)</sup>

With 3 figures (partly as supplements VI-VII) and 4 tables

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**Zusammenfassung:** Islam und Handel: Waqfund der Bazar von Yazd, Iran

Religiöse Stiftungen (*waqf*) waren eine der wichtigen sozialen und wirtschaftlichen Einrichtungen der Stadt im islamischen Orient. In besonderer Weise mit dem Bazar verknüpft, dienten die Einkommen aus diesen Stiftungen vor allem zur Finanzierung von Moscheen, Koranschulen und anderen religiösen Gebäuden und Einrichtungen. Der folgende Beitrag untersucht den besonderen Zusammen-

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hang von Stiftungen und Bazarbereich in der Stadt des islamischen Orients. Ausgehend von einer allgemeinen Kennzeichnung des waqf und seiner verschiedenen Formen sowie seiner historischen Bedeutung für die Entwicklung einzelner Städte wie Aleppo oder Istanbul, dient die iranische Stadt Yazd als Fallbeispiel für eine Detailanalyse. Hier waren religiöse Stiftungen für die Entwicklung des Bazars bedeutsam, wie auch heute noch aus der engen Verzahnung von religiöser und kommerzieller Bausubstanz im Bazarbereich deutlich wird. Eine Analyse der Mieten für Geschäftsräume im Bazar zeigt, daß waqf auch insofern von Bedeutung war und ist, als es die Mietpreise im Vergleich zu privaten Vermietungen niedrig hält. Waqf als eine spezifische Institution des Islam ist somit von grundsätzlicher Bedeutung für das Verständnis vom besonderen Charakter der Stadt im islamischen Orient und ihrer Entstehung.

The impact of Islam on the city in the Middle East is a subject fraught with difficulty and controversy. The concept of the "Islamic City" as formulated and espoused by the MARÇAIS brothers (W. MARÇAIS 1928; G. MARÇAIS 1940, 1945) and promoted by VON GRUNEBaum (1955) depicted Islam as an urban religion and the Islamic City as a settlement whose main elements were the Friday Mosque, central market, and public baths. ABU-LUGHOD (1985) has shown that this "model" was based upon a very limited number of case studies, principally of North African cities, but also on the Syrian cities of Aleppo and Damascus, derived largely from the work of JEAN SAUVAGET (1934, 1941). Others also have commented on the limitations of the stereotyped model (BONINE 1979; HOURANI 1970; WIRTH 1975).

Although the influence of Islam on the city in the Middle East remains rather suspect, one religious phenomenon which may have had a rather direct effect on city structure has been ignored in the geographic literature – and has been neglected in research by geographers until relatively recently. This is the role and impact of Islamic religious endowments on city structure.

Religious endowments, called *waqf* in Arabic<sup>2)</sup>, were one of the fundamental social and economic institutions of the Islamic Middle Eastern city. They

supported mainly religious structures, but also were a means of sustaining other public works and to provide for the needy – and even for one's own family.

Waqf property itself is mainly real estate, especially commercial shops, and so the spatial component is most significant. Endowments were particularly associated with the Middle Eastern bazaar, where the mix of commercial and religious establishments imparted a special quality to this traditional central economic core.

This study examines the role and impact of waqf on the physical structure of the Middle Eastern city, emphasizing the importance for the principal commercial area. The small provincial city of Yazd, Iran, is used as an example to show in detail the location and function of waqf in the main bazaar in the 1970's – before the establishment of the Islamic Republic of Iran. Such an examination will indicate the interrelationship between the commercial and religious sectors, as well as showing the historical influence of waqf on the central commercial zone.

## 1. *The institution of waqf*

### 1.1. *Characteristics and origins of waqf*

Waqf is an endowment of personal property which is dedicated for the benefit of some good cause, which may be anything not incompatible with the tenets of Islam (HEFFENING 1961; SCHACHT 1964, 126). It is mortmain or property which has been restrained or immobilized by the irrevocable, voluntary act of a private individual, the founder (*waqif*) having full rights of disposal over his (or her) property. Waqf developed mainly as an Islamic institution, although Christians and Jew sometimes had a similar type of community/religious endowment (GOITEIN 1971, 112–121; GIL 1984).

Agricultural land and shares of irrigation water are commonly endowed in the rural areas, where even entire villages can be waqf. In urban areas, real estate such as land, houses, or commercial property constitute the usual endowment.

### 1.2. *Types of waqf*

Two types of waqf generally are distinguished: a) public or charitable waqf (*khayri* or *'amm*) and b) private or family waqf (*ahli*, *dhurri*, *khass* or *auladeh*).

a) Public waqf is most common, and it is usually an endowment for a religious purpose. A mosque, theological college (*madrasah*), shrine, sufi hospice

<sup>2)</sup> The Arabic term *waqf* is used throughout this article, although the common English transliteration of the Persian pronunciation is *vaqf*, and the Turkish term is *vakif*. Another common Arabic term in Northwest Africa is *habs* (French *habous*). An English plural, *waqfs*, is used instead of the Arabic plural *auqaf*. Other foreign words may be the Arabic, Persian, or Turkish form.

(*khaniqah*), sufi complex (*zawiya*), or any other religious building may be the recipient of a waqf. Waqf also commonly supports religious ceremonies and feasts as well as baths, bakeries, water cisterns, and other public facilities.

It is the use or usufruct of a piece of waqf property which generates an income, which then is to be used for the designated purpose. The usufruct consists of an annual revenue (or rent) in most cases, and this sum is used for the upkeep of the endowed structure or activity. Another popular purpose of public waqf is for support of the poor, sick, and disadvantaged. Cash payments or the purchase of food or clothing might be named in the endowment, and a particular group of people or a specific location, such as an individual city quarter, may be designated as the recipient. Hospitals, orphanages, and rest homes also might be supported by waqf. One special type of endowment, the waqf of the two Holy Cities – the Two *Harams* (*Harameyn*) – is used only to support the poor and institutions of Mecca and Madina (*Ochsenwald* 1984, 39–57, 174).

Other special shrines, such as Imam Reza in Mashad, or reknowned colleges, such as al-Azhar in Cairo, also had considerable and widespread property endowed for their support. Even the *hajj* or pilgrimage to Mecca had endowments.

b) The second type of endowment, private or family waqf, is for the benefit of the donor's family, or for specifically designated family members and/or relatives. In theory, however, under Islamic law (*shari'a*), family waqf is not different than public waqf, for the ultimate purpose of a family endowment also must be for some charitable cause. The revenue of the endowed property reverts to a religious institution or to the poor if and when the individuals designated as beneficiaries by the founder all become deceased.

### 1.3. Administration of waqf

An endowment is written in a foundation deed (*waqfiyya* or Persian: *vaqfnameh*), and this document specifies the properties involved, and the terms and conditions of the endowment. An administrator or supervisor of the waqf is named, and this *nazir* or *mutawalli* receives a set salary or a percentage of the revenues – usually in the range of 5 to 15 percent.

The founder of a waqf can name himself/herself or a family member as the administrator, even if the endowment is public waqf. And, similar to family waqf, members of the family also can be named in a public waqf to receive compensation for rendering

certain duties and services, such as the reading of the Qur'an at a special service.

*Qadis* (judges) of a particular city helped insure the integrity of waqf, seeing that the administrators functioned properly and according to the waqf deed's instructions. In other cases, as in Mamluk cities of the 14th and 15th centuries, the local governors would have to arbitrate disputes among the ulama over the management or control of waqf properties (LAPIDUS 1967, 74–77).

### 1.4. Motives for endowing property

Several primary motives can be identified for individuals to convert their property into waqf. It was a way to circumvent the Islamic inheritance laws, whose rigid prescriptions of division to children and relatives leads to extreme fragmentation of property, particularly over several generations (COULSON 1971). It could serve as well as a means to exclude certain rightful heirs who should inherit property according to Islamic law, particularly women (GERHOLM 1985, 133).

Waqf also was an attempt to prevent property from being confiscated by the government, an occurrence which was not uncommon, particularly for more valuable and larger properties. Yet, even waqf property, sanctioned by Islamic law, was not immune to the more rapacious ruler, who used such tactics not only to enrich his coffers, but also to undermine the status and wealth of rivals and great families (BAER 1962, 161).

One further advantage of waqf was that charity property was often subject to less types of taxes than private property (AL-SAYYID MARSOT 1973, 140). In Yemen, for instance, only *zakat* (an alms-tax) is paid on waqf property (SERJEANT a. LEWCOCK 1983, 151).

Although these practical reasons for establishing waqf were important, one should not underestimate or discount true religious and charitable motivations. Many pious Muslims are, indeed, moved by a desire to help the poor and support the Muslim religious and social institutions.

## 2. Waqf and the Middle Eastern city

Waqf was essential for supporting the cultural and social institutions of the traditional Islamic Middle Eastern city. Wealthy and powerful individuals, especially rulers and governors, were in a position to endow considerable property in a city, and such large-scale public acts of piety served as a means for

buying esteem and prestige, often a means of upward mobility and entry into a city's elite class (MARCUS 1985, 123). In medieval (Mamluk) Cairo the city's local elite not only supported mosques, religious schools, and hospitals, but they also provided endowments for libraries, baths, public fountains, and even chairs for scholars, teachers, mystics and poets (PETRY 1981, 30).

Typical of a large waqf was the endowment of the al-Zahiriyya, founded in late 13th century Mamluk Damascus. A complex comprising two theological colleges, a school for teaching the hadith, and a tomb, the original waqf supported 36 staff members, later increased to a total of 141 individuals (LEISER 1984). Another enormous tomb complex supported by waqf was the Rab'-e Rashidi, built by the Ilkhanid vizier, Rashid ad-Din, (d. 1318), in Tabriz at the beginning of the 14th century (BLAIR 1984). Zawiyas and other sufi foundations also were common in Ottoman Egypt (FERNANDES 1981, 1985).

Waqf was, in fact, extremely important in early Ottoman cities. INALCIK (1973, 142-150) notes that the system of waqf essentially created the cultural and commercial complexes of Muslim Istanbul when it was established as the capital of the Ottoman empire by Mehmed the Conquerer in the mid-15th century. The key to this commercial development was the *bedestan*, a covered market with iron doors which not only protected valuable commercial goods, but also was the depository for the money and jewelry of the city's wealthy. The *bedestan* itself was waqf and shops were erected surrounding the structure as well. For instance, there were 118 shops with storerooms in Mehmed's *bedestan*, with 984 shops erected in the surrounding markets.

*Bedestans* also were constructed in other cities, and this waqf-supported property served as the commercial center of the town. Other trade centers or bazaars grew up around the *bedestans*. This pattern occurred particularly in the large Ottoman towns of the Balkans, including such cities as Plovdiv, Sarajevo, Sofia, Skopje, and Salonica.

Besides *bedestans*, the Ottomans were responsible for the creation of *imarets*, which were complexes of public buildings and institutions supported by waqf. Important in many Ottoman cities:

It [imaret] was a complex of institutions - mosque, medreses, hospital, traveler's hostel, water installations, roads and bridges - founded with pious or charitable motives, and the institutions which provided revenue for their upkeep, such as an inn, market, caravanserai, bath house, well, dyehouse, slaughter house or soup kitchen. The religious and charitable institutions were usually grouped around a

mosque, while the commercial institutions stood nearby or in some suitably active place (INALCIK 1973, 142).

When *imarets* were established, people would settle near them, creating new quarters.

Other cities outside Anatolia also contained considerable waqf property and this institution was important for urban development. Much of Ottoman Aleppo was waqf, principally from large waqfs of the 16th-18th centuries. Practically the whole *suq* area - its shops, khans (caravanserais), and workshops - was waqf property (GAUBE a. WIRTH 1984, 131-138). The extensive waqf in Aleppo developed principally from foundations established by a succession of pashas in the 16th century, and similar patterns of large foundations occurred in other major Ottoman cities, such as Damascus and Cairo (RAYMOND 1979, 1984, 1985).

Smaller towns could also have considerable waqf property. Studies have included the small Anatolian city of Lefke (GRISWOLD 1984), and the Iranian cities of Malayer (MOMENI 1976, 30ff.) and Zabol (RIST 1981, 104ff.). STÖBER (1985) has recently analyzed the waqf of Chaouen, Morocco, where 444 waqf properties are in the small town.

Considerable rural agricultural land also supported the pious foundations in the cities (as well as supporting structures within villages). This waqf revenue, similar to taxes and goods which flowed from the countryside to the city, can be seen as part of the rent capitalist system which has characterized much of the Middle East (BOBEK 1971, 1979; EHLERS 1978; WIRTH 1973). FAROQHI (1984, 45), for instance, notes that the waqf of the Anatolian countryside was channelled to the Ottoman towns; part of the tax-gathering mechanism which resulted in a constant transfer of surplus from village to city.

### 3. *Waqf and the Yazd bazaar*<sup>3)</sup>

The small provincial city of Yazd in central Iran provides an illustration of the role of waqf, not only for the evolution of the bazaar but also for influencing the rents and types of shops which may exist in this central commercial area. Specifically, this examination of Yazd will show that: 1) waqf was significant in the spatial evolution of the bazaar; 2) waqf within

<sup>3)</sup> This discussion presents the Yazd bazaar in an historical perspective, and the latest time period is the 1970's before the Islamic Revolution. Hence all proper names, such as Shah Avenue, refer to names before the establishment of the Islamic Republic of Iran.

the bazaar is principally for religious and public institutions within the bazaar complex; 3) considerable waqf property outside the city also supports the main religious structures in the city, including within the bazaar complex; and 4) waqf affects the rent structure within this commercial area, and, hence, can influence the spatial distributions of shop types due to differential incomes by trades.

### 3.1. Evolution of the Yazd bazaar

Yazd has been one of the principal cities of the arid, central plateau of Iran for well over a millenium, being founded during the Sassanid period (224–641 C.E.). A number of villages were built in Yazd's hinterland by the Sassanids and the city remained an important center for a surrounding hinterland of villages throughout the Islamic period (BONINE 1980, 12–15). The city is described in the 10th century as well built, well fortified, and possessing two iron gates, while in the 11th century a large wall was constructed around the town with a moat and four gates, as well as a great palace and Friday Mosque in the central part of the city.

During the 14th century a great amount of construction took place in Yazd, first due to Sayyid Rukn ad-Din (d. 1331–2), the vizier to the Mongol Il-Khanid, who endowed considerable waqf property in the city, as well as villages, *qanats*, gardens, and agricultural land (AL-KHAIRAT 1962). Then, in the middle of the 14th century the city walls of Yazd were rebuilt by Mohammad Muzaffar, doubling the size of the city.

Throughout the 14th and the first half of the 15th centuries many mosques, shrines, theological schools and sufi hostels were built in the city and its suburbs, as well as in the rural areas. The rulers, such as the Muzaffarids and Timurids, were responsible for many of the buildings, although the majority were actually sponsored by local patrons. This period was one of considerable growth for the city, and many villages were incorporated into the city as it expanded, particularly to the south of the original city.

Although commercial districts or bazaars were always associated with the city, the main bazaar complex which exists today had its origins also in the 14th century. On the south side of the wall built by Muzaffar a new commercial zone began to develop near the Mehrijerd (Mehriz) gate. It evolved outside the 14th century city wall, a pattern somewhat different than the inner-city shahrastan commercial areas of Central Asian cities (GIESE 1980) or some Iranian cities such as Tabriz (SCHWEIZER 1972). This area

south of the wall was called Mahalleh-ye Sar-e Rig, and before 1331–32 a double rowed bazaar had been built, as well as caravanserais. A large mosque, Masjed-e Rig, was completed in 1368–69, and the mosque had shops associated with the structure, which were undoubtedly waqf.

Later an excellent bazaar with 60 shops was built by Hajeh Shams ad-Din Mohammad Tahher, who also repaired an old bazaar and mosque. The new bazaar was joined with an existing branch, one which contained many shoemakers. In 1421–22 an excellent bazaar was built outside the Mehrijerd (Mehriz) gate. Built by the *darugheh* (market overseer) of Yazd, Ali Aqa, the bazaar had 50 shops with facing rows. Later 30 more shops were added and the bazaar was noted for its tailors (JA'FARI 1960, 50 ff.).

Hence by the 15th century the present bazaar had begun, outside the city wall (note Fig. 1) and with two foci, one near or at Masjed-e Rig and the other at the Mehrijerd (Mehriz) gate. Over the next centuries more branches, caravanserais, mosques, and theological schools were constructed, creating the intermixture of commercial and religious structures typical of the Middle Eastern bazaar (WIRTH 1968, 1974–75, 1975).

The next major changes in the morphology of the Yazd bazaar came in the latter half of the 18th century during the long reign (1747–98) of the Yazdi governor, Mohammad Taqi Khan. He constructed a number of theological schools including the large Madrasah-ye Khan within the commercial complex. Several new bazaar branches were built, including Bazar-e Qaysariyeh, an especially well-built bazaar with doors and which was entirely waqf for the support of the new religious school. In the early 19th century Bazaar-e Kashigari was made waqf (but not built) by the son of Taqi Khan, Ali Naqi Khan, for the same theological school (NA'INI, n. d., 184–186).

Further changes in the bazaar resulted from the reign of another Yazdi governor, Mohammad Khan Vali, who was governor in the late 19th century. He built the Bazar-e Khan Vali, which was an extension of the old original Bazar-e Ali Aqa outside the Mehrijerd (Mehriz) gate. The last major additions to the bazaar came in the early 20th century, resulting from Mushir Mamalik, head of the Yazd finance office during the last four decades of the Qajar period. He was responsible for the building of two bazaars, Bazar-e Sadri and Afshar, as well as several *sera* (caravanserai for wholesalers) at one end of the Bazar-e Khan.

The bazaar evolved and grew to its present shape and size (Fig. 3a (Supplement VI)) mainly due to

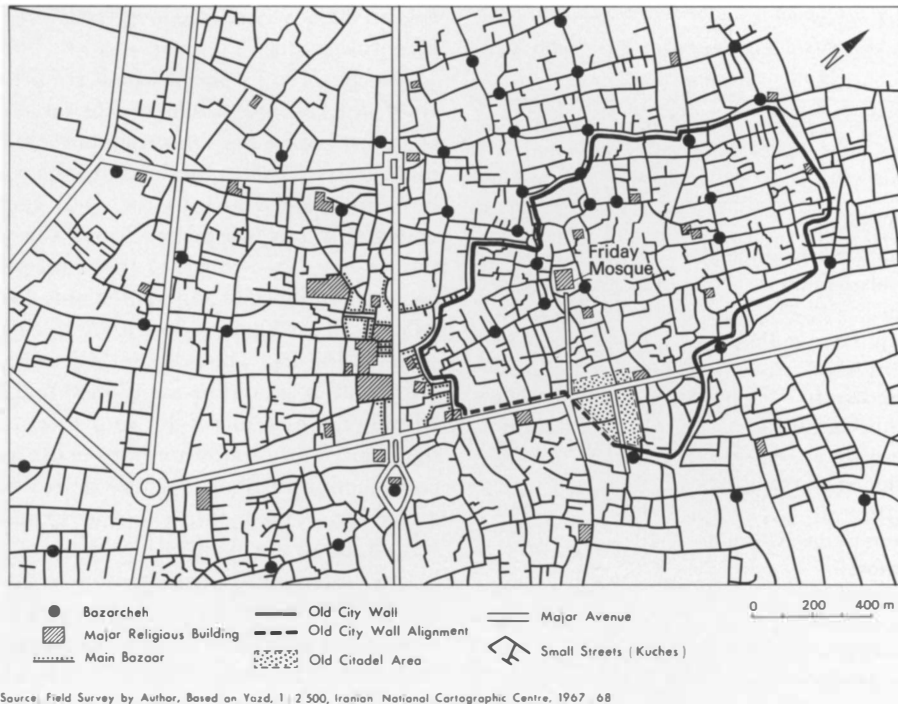


Fig. 1: Distribution of bazarchehs and major religious buildings in central Yazd  
Verteilung von Viertelsbazaren und bedeutenden religiösen Gebäuden im Zentrum von Yazd

the actions of individuals, and this growth was not necessarily a slow accretion due to economic needs. Religious structures were established particularly by influential and beneficent governors, and shops were founded as waqf to help support these structures.

Major changes also occurred in the form and function of the commercial zones within the Pahlavi period due to the construction of large avenues through the city and the bazaar. As has been observed for other Iranian cities (WIRTH 1968; BONINE 1979), the policy instituted by Reza Shah Pahlavi had a profound influence on the bazaar of Yazd. Shah Avenue had the most effect on the commercial structure because it was built right through the bazaar (note Fig. 1 and 3 (Supplement VI, VII)). And, even though the avenues came to have many more shops than the traditional commercial area, the bazaar has nonetheless remained a viable, important economic center (BONINE 1981).

### 3.2. Distribution and function of waqf and religious structures

In the early 1970's the Yazd bazaar comprised 954 separate shops and 20 wholesaling sera. About 1,500

shops were located on the avenues and another 1,000 in 60 smaller neighborhood bazaars (*bazarcheh*) or as scattered, separate establishments. The bazarcheh and separate shops provide many of the daily necessities, the main bazaar specializes especially in textiles and metalwork, and the main avenues have a majority of the personal goods and services, household provisions, and daily necessities (BONINE 1981).

Associated with the commercial structures of the main bazaar are four large mosques, eight smaller mosques, four theological schools, and two shrines, as well as other religious structures nearby (Fig. 3a (Supplement VI)). Many of the religious structures in the bazaar are partially supported by rents from shops which have been endowed for those specific buildings. In fact, waqf property constitutes almost one-fourth of the bazaar. Of the 954 shops (occupied and closed), 229 are waqf and five are partly endowed. The purpose of the waqf indicates that almost all the endowments are for structures within the bazaar complex (Table 1). Only five shops are endowed to structures outside the bazaar, these being for Masjed-e Fort and the Friday Mosque, and the former mosque is, in fact, next to the bazaar.

Some waqf, however, is for outside the commercial center. A common practice in Yazd is for a shop-

Table 1: Purposes of waqf property in the Yazd bazaar, 1971  
Zuordnungen von Waqf-Eigentum im Bazar von Yazd 1971

	No. of endowed shops	Annual rent (tumans)
Public waqf (waqf-e khayri)		
Mosques (within bazaar complex)		
Masjed-e Mulla Ism'ail	15	1,426
Masjed-e Rig	29	5,540
Masjed-e Hajji Hosayn Pustini	4	830
Masjed-e Beya Khan	8	1,760
Masjed-e Tabriziyan	4	725
Masjed-e Amir Chakhmaq	1	240
Masjed-e Mesgari	1	50
Mosques (outside bazaar complex)		
Masjed-e Fort	3	950
Masjed-e Jami (Friday Mosque)	2	272
Theological schools (within bazaar complex)		
Madrasah-ye Khan	84	13,644
Madrasah-ye Shafi'yeh	17	1,729
Madrasah-ye Mosalay	8	1,260
Madrasah-ye Abd al-Rahim Khan	1	300
Shrines (within bazaar complex)		
Shahzadeh-ye Fazel	5	844
Water storages	4	390
Imam Hosayn (for rouzeh)	26	5,218
Feeding Mullas	1	3,000 <sup>*)</sup>
Zoroastrian waqf (for gahambar)	15	1,896
Private waqf (waqf-e auladeh)	8	1,117
Unknown purpose	1	400
Total	237 <sup>**)</sup>	42,091 (\$ 5,538)

<sup>\*)</sup> One very large confectionary

<sup>\*\*)</sup> Includes five shops partly waqf, three of which are counted twice because they are waqf for two institutions

Source: Field survey by author, 1971

keeper to make his shop waqf for Imam Hosayn, and the rent from such an endowment goes for conducting mourning ceremonies (*rouzeh*) during the month of Moharram, when these Shi'a bewail the tragedy and death of their third Imam. A specific mosque (which could be in the bazaar), *Hosayniyeh* (a *takiyeh* or open square specifically for Moharram ceremonies), or other location, including private houses, are designated as the location of the rouzeh. Fifteen of the shops in Bazar-e Mohammad Ali Khan are Zoroastrian waqf—an unusual occurrence. This waqf is for a *gaham-*

*bar*, an event where free food is served at a gathering of Zoroastrians.

Except for eight shops which are private or family waqf, the rest are public or charitable waqf. In fact, 80 percent of the waqf shops support either mosques or madrasahs. Madrasah-ye Khan, the religious school built by Taqi Khan in the 18th century, has 84 endowed shops, 35 percent of all the waqf shops in the bazaar. Two-thirds of the waqf property in the central commercial zone is for only four structures: Madrasah-ye Khan, Madrasah-ye Shafi'yeh, Masjed-e Mulla Ism'ail, and the 14th century Masjed-e Rig. And, it should be mentioned that Madrasah-ye Mosalay, which has eight waqf shops, actually once had many more endowed shops in the bazaar, but the construction of Shah Avenue destroyed the branch along the front of the school and these shops were rebuilt along the avenue.

One interesting phenomenon is the existence of five shops that are only partially waqf (Table 2). Their exact division reflects the practice of ownership being reckoned in six *dang*. Further subdivisions often are reckoned as parts of one dang, as has occurred to two of the shops. The four split-waqf shops in Bazar-e Maydan-e Khan are probably four of the five shops that each had four dang (=  $\frac{2}{3}$  waqf for each shop) endowed by Ali Naqi Khan in the early 19th century (AYATI 1938, 376).

The distribution of waqf property in the bazaar usually occurs in specific clusters or branches (Fig. 3 a (Supplement VI)). This pattern is partly due to the construction of commercial stalls adjacent to particular religious structures when these buildings were established (or repaired). Hence, waqf shops are around one or more sides of Masjed-e Mulla Ism'ail, Masjed-e Rig, Madrasah-ye Shafi'yeh, Madrasah-ye Khan, Madrasah-ye Mosalay, and along the entrance to Masjed-e Beya Khan. The largest concentration of waqf shops, however, is in Bazar-e Qaysariyeh and Bazar-e Kashigari, both endowed for Madrasah-ye Khan. Small mosques and water cisterns (*abambar*) may have one or two contiguous shops for their upkeep. The few scattered waqf shops include endowments for various major religious institutions in the bazaar (and outside it), much of the private waqf, and some of the shops for Imam Hosayn. The location and purposes of all the waqf in the central bazaar is illustrated in Fig. 3 b (Supplement VII).

Most of the wholesaling sera that are interspersed throughout the bazaar are privately owned, although in a number of cases the ownership has been divided over many generations and is reckoned in hundreds of shares (*sahm*). Sera-ye Tehrani, however, is entirely

Table 2: *Division of Yazd bazaar shops partly waqf, 1971*

Eigentumsverhältnisse von Geschäften mit Waqf-Anteilen im Bazar von Yazd 1971			
Shop	Bazaar branch	Dang division <sup>*)</sup>	Waqf or owner
1	Meydan-e Khan	3	Waqf: Madrasah-ye Khan
		2	Waqf: Madrasah-ye Shafi'yeh
		1	Landlord
2	Meydan-e Khan	4	Waqf: Madrasah-ye Khan
		2 ) 2 parts	Waqf: Madrasah-ye Shafi'yeh
		) 1 part	Shopkeeper
3	Meydan-e Khan	4	Waqf: Madrasah-ye Khan
		2 ) 2 parts	Waqf: Madrasah-ye Shafi'yeh
		) 1 part	Landlord
4	Meydan-e Khan	2	Private waqf
		3	Landlord
		1	Shopkeeper
5	Ja'far Khan	2	Private waqf
		4	Landlord

<sup>\*)</sup> 6 dang = entire property

Source: Field survey by author, 1971

waqf for Imam Hosayn, and the rent supports a ten-day rouzeh during Moharram. Sera-ye Khan-e Qadim has two dang waqf (=  $\frac{1}{3}$  of the revenues) for Imam Hosayn, while Timcheh-ye Mesgari has four and one-half dang waqf (=  $\frac{3}{4}$  of the revenues), partly for a rouzeh, but also to help support a water storage facility outside the bazaar in Mahalleh-ye Sheshbadgir (for Abambar-e Sheshbadgir).

Endowments often are very specific, the exact use being stated in the waqf deed. Although Bazar-e Qaysariyeh and Bazar-e Kashigari are both waqf for Madrasah-ye Khan, rents from the former are for upkeep and repairs of the school, while rents from the latter are only for the living expenses of the religious students (*taleb*).

Even though considerable property is found in the Yazd bazaar, it should be recognized that endowments do exist throughout the city, including other shops, houses, and land. Some of this waqf is also for the structures in the bazaar, but much (if not the majority) is for other mosques (such as the Friday Mosque), shrines, theological schools, rouzehs, and various other purposes. Usually the waqf will be for a structure or event in the same neighborhood.

Many of the small bazarcheh, for example, are waqf and have shops associated with local religious structures or water cisterns. Bazarcheh-ye Shah Abul Qasem is a node of six shops with a large mosque, smaller mosque, *houzkhaneh* (for ablutions before

praying), Hosayniyeh, and water cistern (Fig. 2). The rent from the shops is for support of the Hosayniyeh only. A similar complex is Bazarcheh-ye Sayyed Gol-e Sorkh, where the rent of four shops help to support a shrine, mosque, Hosayniyeh, houzkhaneh, and water cistern (Fig. 2). Vacant land around the shrine also is waqf. One last illustration is Bazarcheh-ye Mahallah-ye Tal, where out of fourteen shops, five are waqf for the nearby Masjed-e Mahallah-ye Tal and one shop is private waqf (Fig. 2). Within the complex, besides the mosque, are a water cistern, public bath, and houzkhaneh.

One further point should be mentioned about waqf for the religious structures of the Yazd bazaar. It should not be construed because of the support of these structures by shops within the bazaar that this is their only support or even their principal support. Besides other waqf property within the city for some of these structures, the hinterland of Yazd contains considerable waqf for the city. In many of the villages there are gardens (*bagh*), agricultural land, and especially shares of qanat irrigation water which are waqf for religious structures in Yazd. Although the waqf deeds and contemporary waqf statistics of the Office of Waqf (Edare-ye Auqaf) were unavailable to the author, data from the mid-19th century found in the Ketabcheh-ye Mouqufat-e Yazd (TARAZ 1841-42) illustrates the types of total support of a particular structure. For instance, the waqf for Madrasah-ye



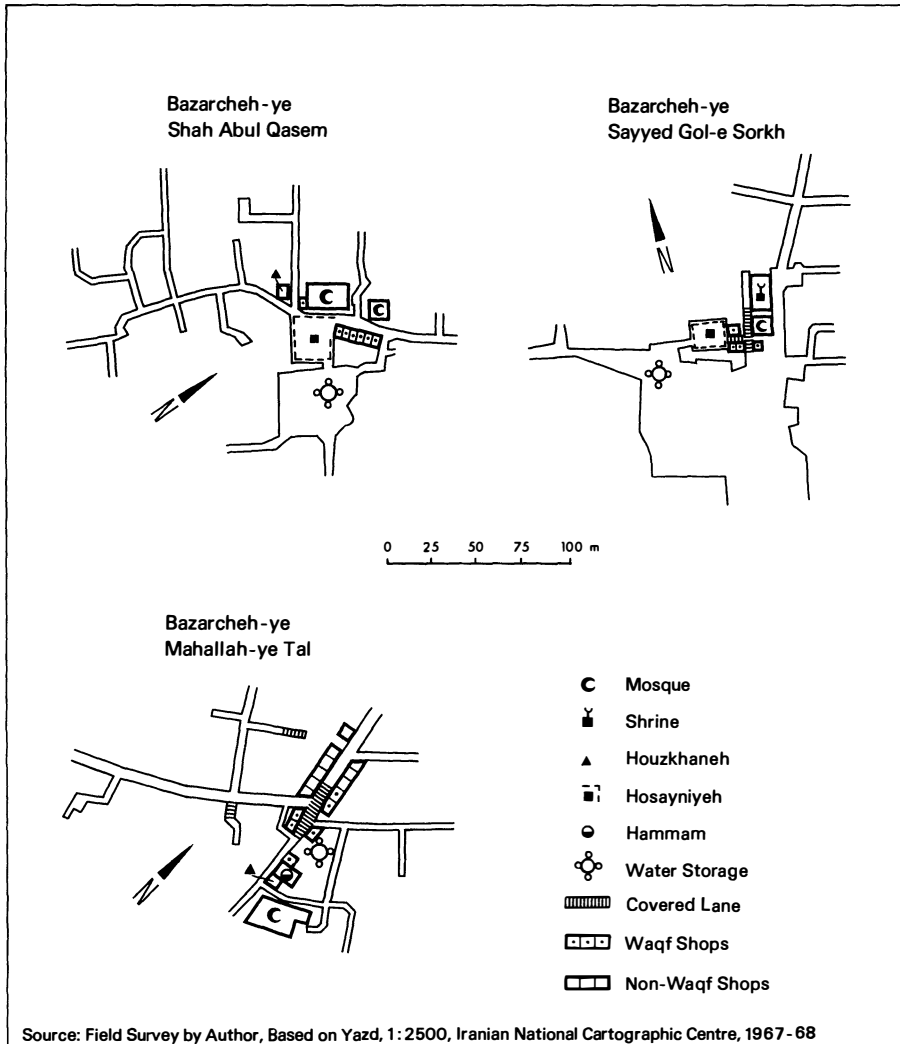


Fig. 2: Examples of waqf distribution in bazarchehs  
Beispiele der Waqf-Verteilung in Viertelsbazaren

Khan and Madrasah-ye Shafi'yeh shows great support from outside the bazaar (Table 3). Payments for Madrasah-ye Khan indicate that more money was obtained from the surrounding village waqf than by the urban endowments. Although the amount of payments are not indicated for Madrasah-ye Shafi'yeh, very possibly the villages also may have contributed a greater percentage of the support for this religious school.

In 1841-42 four shops in Meydan-e Khwajah [Khan] were partly waqf for Madrasah-ye Shafi'yeh (each two shares of nine shares). As previously shown (Table 2), there are still four split-waqf shops in Meydan-e Khan, two of which are the same as the

earlier divisions, and a third still partly for the madrasah. The fourth shop, however, is now private waqf.

### 3.3. Rents, key money, and the influence of waqf

Rents for shops in Yazd are collected at the beginning of the Persian New Year (March 21) and are paid for a year in advance. If the shopkeeper possesses the key money (see below) the landlord cannot remove him - but the landlord can attempt to raise the rent, which now may be set for a period of three to five years or have built-in raises for inflation. Often, however, the same rent tends to be perpetuated for a particular shopkeeper (there is no lease from landlords), and

Table 3: *Waqf property for two madrasahs, 1841/42*

Waqf-Eigentum von zwei Koranschulen 1841/42	Amount	Payment
<b>Madrasah-ye Khan</b>		
City (= bazaar)		
Bazar-e Qaysariyeh	26 shops	150 T
Mint (Zarrabkhaneh) <sup>+) )</sup>	1 mint	75 T
Baker beside minaret of meydan <sup>+) )</sup>	1 shop	12 T
Outside City		
Water shares of Gerd Falamarz [= Gerd Faramarz]	130 jurreh*)	130 T
Water shares of Maryabad [= Maryamabad]?	130 jurreh	88 T/5,000 D
Water shares of Abrumobarakeh [= Mobarakeh]?	65 jurreh	26 T/5,000 D
Water shares of Shamsabad-e Maybod	190 jurreh	60 T/1,250 D
Water shares of new suburb (?)	130 jurreh	60 T/1,250 D
<b>Madrasah-ye Shafi'yeh</b>		
City (= bazaar)		
Meydan-e Khwajah [Khan]	4 shops (2 of 9 shares each)	
Meydan-e Khwajah [Khan]	Meydān land (2 of 9 shares each)	
Shops near the school	12 shops	
Outside city		
Water shares of Ashkezar	53 jurreh	
Agricultural land of Ashkezar	32 qafiz**)	
Water shares of Roknabad-e Ashkezar	38 jurreh	
Agricultural land of Roknabad-e Ashkezar	4 qafiz	
Water shares of Allahabad-e Ashkezar	53 jurreh	
Water shares of Abrumobarakeh [= Mobarakeh]?	65 jurreh	
Water shares of Taft	31 jurreh	
Water shares of new water (?) for the school	7 jurreh	

T = Tuman, D = Dinar

<sup>+) )</sup> In the latter part of the 19th century the mint was located in Bazar-e Qaysariyeh, and it probably was in the same location in 1841/42

<sup>+) )</sup> Undoubtedly the minaret of Masjed-e Rig, located at one corner of Meydan-e Khan

<sup>\*)</sup> Water shares are time units, varying from 120–196 units (jurreh) per 24 hours in the Yazd region, the rent being paid for the annual use of these shares in cycles of 6–16 days

<sup>\*\*) )</sup> One qafiz equals 900–1,000 square meters in the Yazd region

Source: TARAZ, ABD AL-VAHHAB, 1841–42. Present-day equivalent of villages, locations, and units based partly upon author's field work (BONINE 1979, 1980, 1982)

only when a new shopkeeper comes to the establishment will a new (and current) rent rate be applied. Rents for new shops had been increasing rapidly in the 1960's and 1970's, and so great inequalities in the rents of shops in the same location can occur. A man who has been in his shop for ten years may be paying 200 tumans (\$ 26) annually while a shop next door (and the same size) that was occupied by a new shopkeeper one year previously may have a rent of 500 tumans (\$ 67)<sup>4)</sup>.

Besides the temporal element, there is another variable affecting the rents. Analogous to a graduated income tax structure there is an understood agreement that shops which are going to generate more income should be able to pay more rent (and more key money). A goldsmith or modern appliance seller is expected to make more money than a tinsmith or a carpenter, and so the former two tenants might pay more for the same shop than the latter.

Of course, there is a minimum value imposed by the land value due to the location and accessibility which will keep out many lower income trades and shops. Sometimes a landlord will establish a mini-

<sup>4)</sup> In 1971, 7.6 tumans (or 76 rials) equalled \$ 1.00; by 1977, 7 tumans (or 70 rials) equalled \$ 1.00.

Table 4: *Waqf and non-waqf rents in the Yazd bazaar, 1971*

Mieten für Geschäfte mit Waqf- und Nicht-waqf-Charakter im Bazar von Yazd 1971

Bazaar branch	Non-waqf			Waqf			All shops		
	Annual rent (tumans) <sup>+)1</sup>			Annual rent (tumans) <sup>+)1</sup>			Annual rent (tumans) <sup>+)1</sup>		
	No.	Median	Mean	No.	Median	Mean	No.	Median	Mean
Mohammad Ali Khan	24	282	454	22	<u>120</u>	<u>177</u>	46	180	300
Ja'far Khan	19	<u>200</u>	294	2	<u>200</u>	<u>200</u>	21	250	285
'Alaqabandi	3	<u>150</u>	<u>150</u>	12	<u>150</u>	<u>150</u>	15	150	150
Panj-e Ali	19	<u>300</u>	301	15	<u>300</u>	<u>297</u>	34	300	299
Tabriziyan	12	213	201	0	-	-	12	213	201
Qaysariyeh	0	-	-	31	240	227	31	240	227
Chitsazi	7	<u>100</u>	<u>126</u>	6	115	135	13	100	130
Masjed-e Rig	4	240	330	17	<u>150</u>	<u>151</u>	21	180	193
Meydan-e Khan	42	360	374	10	<u>160</u>	<u>185</u>	56*)	360	341
Kashigari	0	-	-	28	100	129	28	100	129
Hazrat-e Abbas	11	180	195	16	<u>60</u>	<u>77</u>	27	100	125
Mesgari	18	180	201	7	<u>72</u>	<u>88</u>	25	180	170
Khan	73	360	532	7	<u>180</u>	<u>241</u>	80	360	506
Zargari	28	360	411	8	<u>160</u>	<u>225</u>	36	330	369
Afshar	8	270	259	0	-	-	8	270	259
Sadri	24	240	252	0	-	-	24	240	252
Total	292			181			477*)		

Underlined number indicates lower figure between non-waqf and waqf; dashed line indicates same value

+) 7.6 tumans = \$ 1.00 (1971)

\*) Includes 4 shops part waqf

Source: Field survey by author, 1971

rent that is rather high for the location and remain inflexible. Such shops may remain unoccupied for years until a shopkeeper decides he can afford the rent or the landlord lowers his rent. Shops also remain closed for long periods while the shopkeeper works outside the city, sometimes even for several years.

Unlike the renting arrangements with private landlords, waqf shops are rented on a lease. Such an agreement may be for only a few years, but more often it is a long-term lease – even up to 99 years. The mutawalli (or the Edareh-ye Auqaf) is in charge of the leasing arrangements and is responsible for negotiating any new arrangements. The mutawalli also is responsible for insuring that the tenant does not damage the shop or make changes unacceptable to the endowment. A shopkeeper cannot change his business if the change means a degrading or less sanctified occupation. There have even been cases in Yazd in which the shopkeeper has been forced out of his shop by the mutawalli.

The long-term leases of waqf shops create a differential in the rents of these stalls compared to private property. Rents on waqf shops tend to be less than

non-waqf establishments in the same location. Of the 11 bazaar branches that have both types the contrast is often striking, indicating much lower rents for the waqf shops in the same bazaar (Table 4). Because of the long leases waqf property is less influenced by the market economy and less apt to reflect current market values. The same rent tends to be perpetuated even when changes occur in the occupancy (unless a new lease is negotiated). The waqf shops have been taken out of the more fluid competitive pricing system and adjustments to increasing land values of inflation lag behind the private sector.

This situation is especially evident where the waqf median is half or less than the non-waqf median in Bazar-e Mohammad Ali Khan, Meydan-e Khan, Hazrat-e Abbas, Mesgari, Khan, and Zargari (and the differences between the means are even greater). These bazaars are the more vigorous and prosperous ones, and non-waqf rents have increased due to demand. Similarly, due to the opposite situation, in Bazar-e Chitsazi waqf rents are lower than non-waqf ones. This small, moribund bazaar, bypassed by the main flow of pedestrians, is much less important than many decades ago when the *chitsazi* (printed cloth)

craftsmen were located here – and, hence, the non-waqf rents have actually become less than the waqf ones.

Rents from waqf shops compared to the nearby non-waqf shops are not only less, but they tend to be more uniform as well, similar to the situation of one landlord having the same rents for all his adjacent shops. Bazar-e Qaysariyeh is the best example of this phenomenon, because the entire bazaar is waqf and 19 of 31 shops have the same annual rent of 240 tumans (\$ 32). This bazaar, consisting of a majority of cloth sellers, is a rather prosperous one between Bazar-e Maydan-e Khan and Panj-e Ali, and the rents would undoubtedly be higher (and more variable) if it were not waqf.

Waqf rents can influence the spatial and economic structure of the bazaar. Due to the leases and the fact that rents are more regular and lower than nearby shops, shopkeepers and craftsmen can remain who might be forced out by higher rents.

Key money (*sarqofli*) is a payment for the right to occupy a particular establishment. It proclaims usufruct of a specific shop and no one can dispossess the shopkeeper of that right – not even the landlord. In one sense the rent of a shop is to the landlord for the space or the land and the shop itself is “owned” by the occupant. If a shopkeeper repairs or rebuilds the shop this expense becomes part or all of the key money. A new shopkeeper may take possession of a dilapidated shop without any key money and his investment in repairing the shop becomes his key money. Payments are made between shopkeepers for possession of the shop (which can be the landlord if he is also the shopkeeper).

One consequence of the key money system is to minimize investments by landlords because they cannot get rid of a tenant once he occupies the structure. On the other hand, it maximizes inputs by the shopkeeper because he knows he cannot be forced out, and he can get a return on his investment by the key money (besides any increase due to inflation or accessibility changes). In fact, many older shopkeepers may keep possession of their shops, making little profit in their trade because of the rapidly rising key money – and holding out until the amount becomes too attractive or too needy. The right of occupancy also helps to explain the large number of closed shops in Yazd. Even if a shopkeeper is leaving the city for six months or a year, he will not “sub-lease” his shop to another person, because he may not be able to remove him upon his return.

Key money varies tremendously, both temporally and spatially. Within the last several decades key

money has risen rapidly on certain sections of the avenues and some of the bazaars, while in a few of the poorer bazaar branches the key money has actually declined. In the early 1970's the payments ranged from 10,000 to 60,000 tumans (\$ 1,316–\$ 7,895) on the main sections of the avenues to 500–2,000 tumans (\$ 67–\$ 263) toward the end of the avenues. In 1971 within the very poor branches of the bazaar there was either no key money, or only 500–1,000 tumans (\$ 67–\$ 131) paid in such branches as Bazar-e Kashi-gari, Masjed-e Rig, or Ja'far Khan. On the other hand, payments of 10,000–20,000 tumans (\$ 1,316–\$ 2,632) were made in the goldsmith bazaar (Bazar-e Zargari), and even as high as 30,000 tumans (\$ 3,974) in the center sections of Bazar-e Khan, the esteemed cloth bazaar. However, the inflation of the mid-1970's sent these figures up considerably. By 1977 key money was often over 100,000 tumans (\$ 14,286) for the better bazaar locations, and in the neighborhood of 300,000–500,000 tumans (\$ 42,857–\$ 71,429) for the best locations on the avenues.

Key money creates a problem in regard to waqf shops (and even for privately owned stalls). *Sarqofli* is forbidden in Islamic law because, similar to usury, the money is considered not to be earned, and therefore is improper. Pious Muslims, therefore, will not give or receive key money. Since most public waqf is for religious purposes, it becomes even more important to follow Islamic principles for renting these shops. Hence, either no key money is exchanged or sometimes a *hileh-ye shari'a* (religious legal device or trick) is used. In Islamic law it is the letter of the law which is important, so these devices enable various prescriptions to be circumvented. Instead of paying key money, a new shopkeeper may buy an old chair or book from the previous tenant – for 10,000 tumans (\$ 1,316)! Of course, these devices may be used to circumvent key money even for non-waqf shops.

Key money payments (or their *hileh* substitute) for waqf shops often are slightly higher than non-waqf shops in the same location. It is recognized that the rents of the endowed shops in the long-term are lower. Because of the leases, rents will be raised less often than privately owned shops.

### 3.4. *Waqf and the Yazd bazaar: the significance*

Waqf property in the Yazd bazaar indicates the significance of religious institutions in this commercial center, and sheds light on understanding the traditional, conservative attitude of *bazaris* in Iranian society. The great number of major religious buildings intermixed within the bazaar branches and sera,

as well as the large percentage of shops endowed to these various institutions, imparts a religious dimension to this traditional economic center of Yazd.

Although waqf takes money out of the private economic sector, it is a means by which the major socio-religious institutions of the city can be supported. In one sense, endowments serve as a banking mechanism, collecting money for reinvestment in the local quarter or city. When a mosque or religious school is repaired, local retailers, artisans, and craftsmen are used and, hence, supported. Even a rouzeh uses local food, drink and materials as well as paying the orator of the tragedy at Kerbala and the processional groups.

The waqf of the Yazd bazaar is supporting religious buildings and activities mainly within the bazaar area itself. Secondly, functions and structures in other parts of the city are the recipients of the endowments. And, even much of the waqf in the hinterland is to support the city's religious infrastructure as well. Waqf was an integral part of the traditional urban economy and its social institutions.

#### 4. Concluding comments

The Islamic Middle Eastern city is often depicted as a city without order or even municipal institutions (DE PLANHOL 1959, 22). Yet, the essential public services and municipal requirements of these cities were being met in pre-modern times. Islamic law was one of the means of maintaining the urban social order, but whether – or how – Islamic law may have affected the spatial organization and structure of the city remains to be seen.

Waqf as an institution – and instrument – of Islamic law, was, in any case, most significant for the traditional Middle Eastern city. It was a means of support for the principal religious structures and functionaries, as well as other public facilities. Within the city this support was provided in particular by rents from commercial establishments, which were located principally in the central bazaar. Mosques, religious schools, and other Islamic buildings became associated with the main commercial area, as bazaar shops and even branches were founded as waqf for these religious institutions. Often, large complexes were founded as a unit, as among the Ottoman imarets and bedestans; or in other cases, only a few waqf shops may have supported a particular building or purpose. That a variety of religious and public structures can be located in the bazaar area and be supported by waqf shops in that central commercial

zone, has been illustrated by the example of Yazd. Property from the countryside also was endowed for these structures within the bazaar (and rest of the city), substantiating the pattern of urban dominance that characterized much of the traditional Middle East.

Yet, the link between Islam and urban structure requires more research. The role of waqf in the broader context of the Islamic legal system and its influence on urban land use still needs investigation. If it can be shown, for instance, that Islam – as a legal system – has had a significant impact on the spatial organization and structure of the city, (for which, HAKIM (1986) is a beginning), then we can start to evaluate in earnest that elusive, perplexing concept – the Islamic City.

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## DUALITY OF MARKET STRUCTURES IN NINETEENTH AND EARLY TWENTIETH CENTURY OMAN

With 5 figures and 5 tables

MARK SPEECE

*Zusammenfassung:* Der Dualismus der Marktsysteme in Oman während des 19. und frühen 20. Jahrhunderts

Duale Strukturen haben die Geschichte Omans durchgehend geprägt. So war der Küstensaum stets auf den Handel ausgerichtet und die weltoffenen Städte dieser Region stellten Brennpunkte des sozialen und ökonomischen Lebens dar. Demgegenüber war das Innere Omans traditionell durch eine auf sich selbst bezogene, stammesmäßig organisierte Gesellschaft gekennzeichnet. Dieser Dualismus schlug sich u. a. in der sehr unterschiedlichen räumlichen Organisation des Marktwesens nieder. Die räumlichen Strukturen Omans in der Zeit vor dem Beginn der Ölförderung sind am besten in den Berichten von politischen Repräsentanten und Reisenden aus den Jahrzehnten um 1900 dokumentiert.

Zu dieser Zeit war die Küstenregion Omans über ein hierarchisch gestuftes System von Markttorten mit dem Handelsnetz des Indischen Ozeans verknüpft. Innerhalb dieses Systems waren die untergeordneten Märkte jeweils nur auf einen Markt höherer Ordnung ausgerichtet, und die Güterströme flossen innerhalb der Markthierarchie zu den unmittelbar über- oder untergeordneten Zentren. Horizontale Güterströme zwischen Märkten gleicher Rangordnung oder Ströme, die benachbarte Hierarchiestufen umgingen, waren sehr selten. Auf der untersten Marktebene waren Araber die Träger des Handels, doch mit wachsender Rangordnung der Märkte entfernte sich

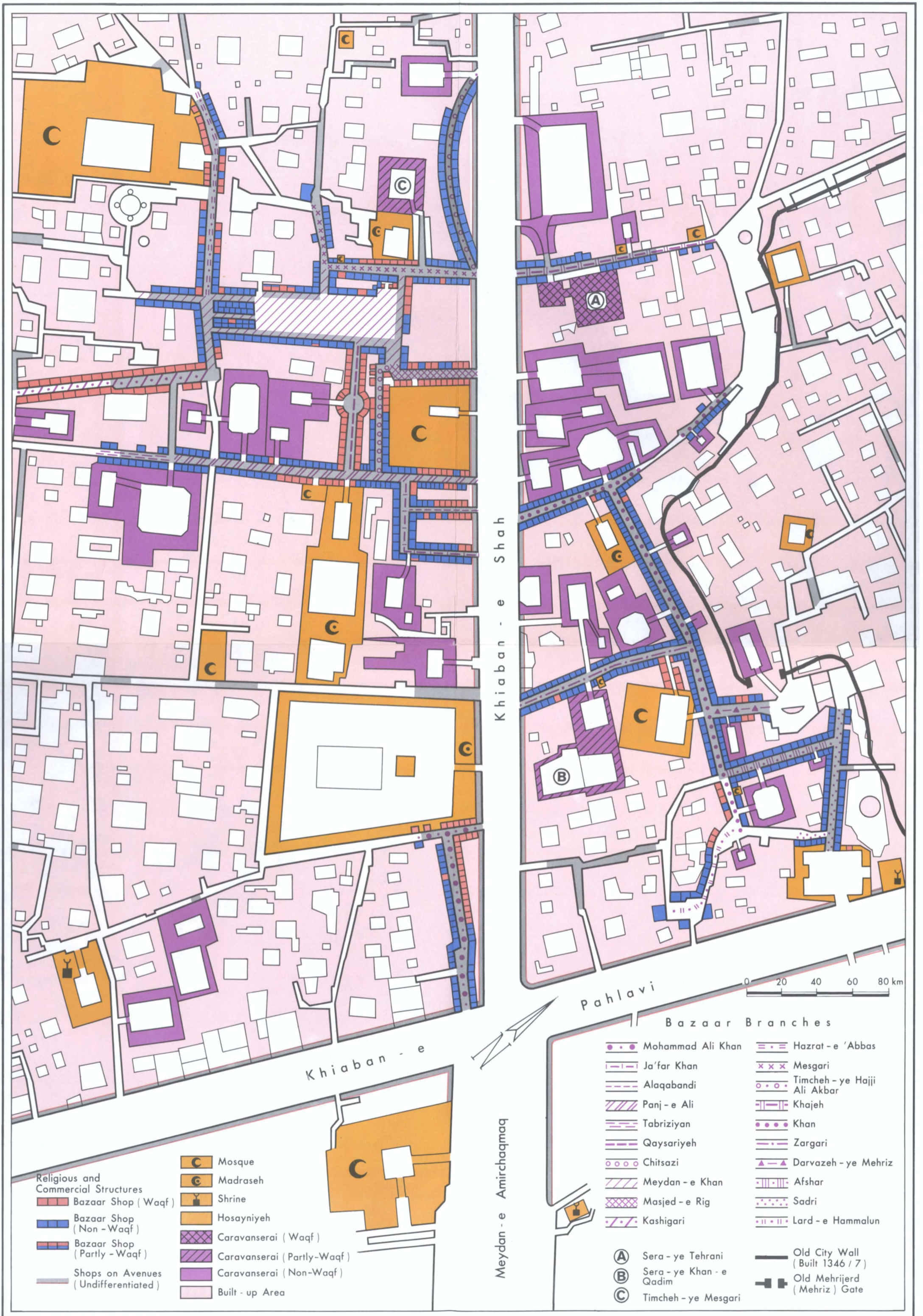
die ethnische Herkunft der Händler immer mehr von der eingewanderten arabischen Bevölkerung Omans. Diese Verhältnisse isolierten die breite Bevölkerung von einem wirkamen Kontakt mit dem internationalen Handel.

Das Landesinnere Omans hatte keinen Anteil an diesem hierarchischen System; es war vielmehr charakterisiert durch das Fehlen einer integrierten Marktstruktur. Die Markttorte des Innern fungierten gewöhnlich als Zentren von kleinen, lokalen Marktbereichen ohne nennenswerte Beziehungen zu anderen Märkten des Binnenlandes oder zum internationalen Handelsnetz. Ihre Standorte waren in erster Linie darauf ausgerichtet, den Austausch zwischen den verschiedenen naturräumlichen, sozialen, kulturellen und politischen Einheiten der traditionellen Gesellschaft Omans zu erleichtern.

### 1. Introduction

The history of Oman is largely a story of competition, and often conflict, between two vastly different entities. This duality was even symbolized by the name of the country, The Sultanate of Muscat and Oman, until 1970. The Sultanate was formed from the fusion of the Batinah coastal plain and its port

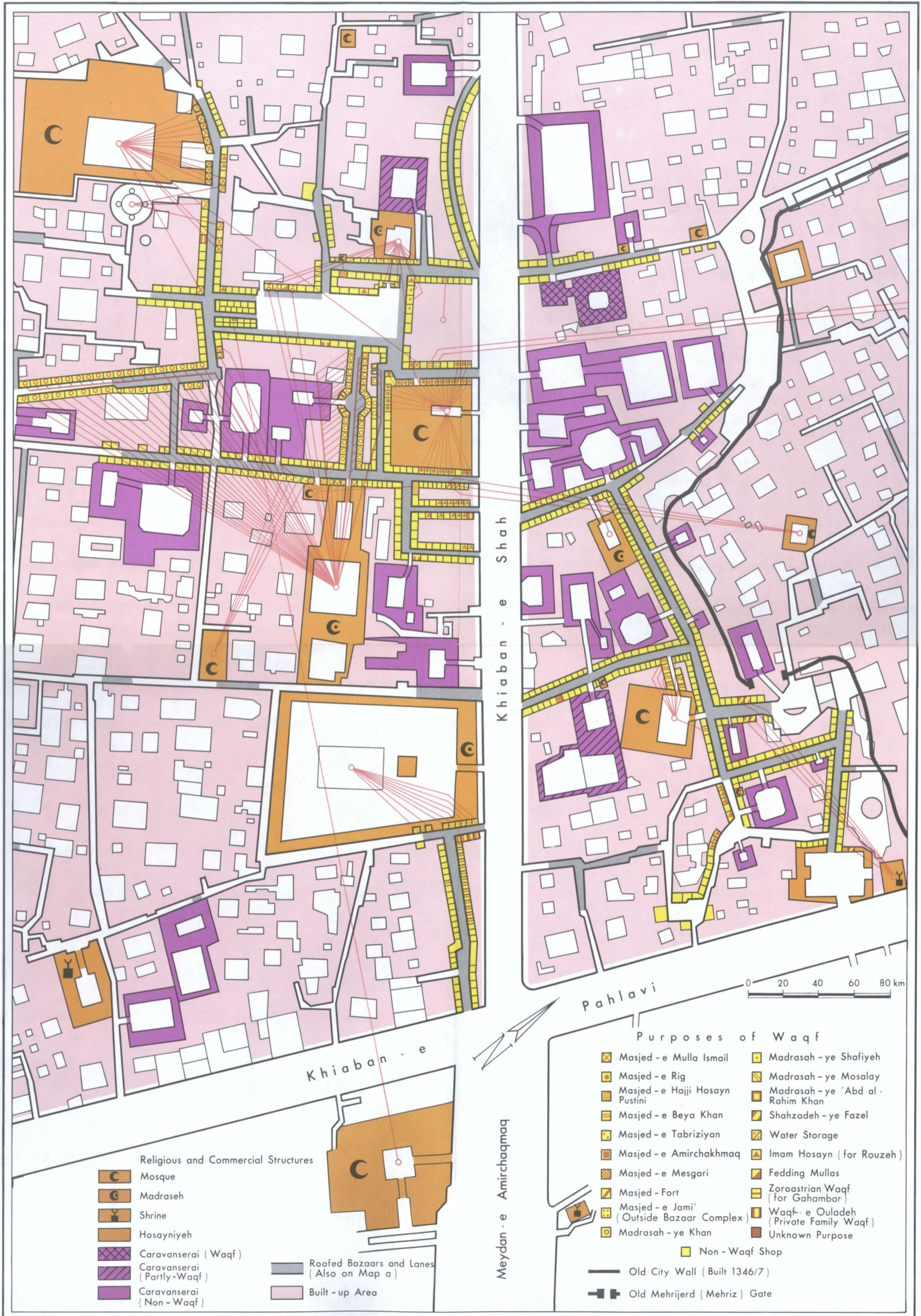
Fig.3a: Waqf, Religious Institutions and Commercial Structures of the Yazd Bazaar



Source: Field Survey by Author, Based on Yazd, 1 : 2 500, Iranian National Cartographic Centre, 1967 - 68



Fig.3b: Waqf, Religious Institutions and Commercial Structures of the Yazd Bazaar



Source: Field Survey by Author, Based on Yazd, 1 : 2 500, Iranian National Cartographic Centre, 1967 - 68