

The Islamic and Christian Waqf in Jerusalem

- An Annotated Bibliography

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Preface

The history of the institution of the Islamic *waqf* (plural: *awqaf*) dates back to the time of the Prophet (PBUH). An Islamic *waqf* involves the donation or dedication of any property (building, plot of land, etc.) for purposes recognized in Islam as pious, religious or charitable. These *awqaf* often include religious and charitable public services such as education, health care, a water supply, and other facilities.

To the best of our knowledge, at present, there is no specific bibliography on the Islamic and Christian *awqaf* in Jerusalem. We hope that the one presented here will become a useful resource for researchers and scholars of the topic, directing them to the most relevant and useful sources.

While the aim is to present a comprehensive list of English and Arabic language sources - the latter in a transliterated format - that facilitates and guides the study of the *waqf* in Jerusalem, this bibliography does not claim to be exhaustive. It is meant to serve as a reference bibliography of primary and secondary resources including books, articles, studies, and dissertations available on this topic as of March 2022, with the oldest published in 1922. Entries cover the period from the 15th century to the present day. Research was conducted online (websites such as academia.edu, web magazines, etc.), in libraries using relevant book references, and based on references for authors and works provided by local scholars in the field.

Documents were carefully chosen for inclusion in this bibliography if they covered any aspect of the institution of the Islamic or Christian *awqaf* in Jerusalem. Due to this methodological choice, no case studies or works which focus on *awqaf* from other cities or countries are included nor are general works on



the institution and functions of *waqf*. Furthermore, the bibliography purposefully excludes listings which cannot be obtained with relative ease by an “ordinary” researcher at a university or another library or online.

Entries are organized in alphabetical order by the author’s name (with the Arabic prefixes Al-/Ad-/As-/At-/Az- not counting). The entries paint a broad picture of the significance of the *waqf* institution in Jerusalem, be it as a source of law, or in architecture, sociology, or historical, economic and political studies. As many entries tackle several issues, they are not divided into sections.

Each entry is annotated. Some annotations may merely summarize while others may assess or evaluate a source. Some may capsule a work as a whole while others only focus on a relevant section. These annotations are not book reviews but descriptive so as to allow the researcher to get an idea of the major theme of the work and to make informed choices in determining which material they might find interesting for their specific purposes.

As expected in a predominantly Muslim setting, the vast majority of written materials available are dealing with the Islamic rather than Christian *waqf*. Furthermore, there were more scholarly works available covering the *waqf* in the 16th to 19th centuries than with regard to contemporary times. More works were authored by foreigners, including Israelis, than by Palestinian scholars.

This publication was peer-reviewed by Dr. Bernard Sabella, Executive Secretary at the Middle East Council of Churches, and Dr. Munir Nusseibeh, Director of Al-Quds University's Human Rights Clinic, Jerusalem.

The list of books is preceded by a glossary for those unfamiliar with some of the background and terms relating to the institution of the Islamic *waqf* in Jerusalem.



Glossary

AD	Anno domini (Latin for "in the year of the Lord") used to refer to the years after the birth of Jesus.
AH	Anno hegirae, i.e., Hijri Year (Islamic calendar). The first year AH corresponds to 622 CE.
Awqaf	Plural for <i>waqf</i>
Ayyubid	Sunni Muslim dynasty of Kurdish origin, which lasted from 1171-1250 and was founded by Salah Ad-Din in 1171, after repulsing a Crusader army near Cairo and declaring the end of the Fatimid caliphate. The Ayyubid ruled much of the Middle East during the 12 th and 13 th centuries CE. The Sultanate thereby depended on Mamluks (nominally slave soldiers) for its military organization, yet the end of the dynasty in 1250 was largely caused by Turkic Mamluks themselves, who overthrew the last Ayyubid sultan Al-Malik Al-Ashraf. Ayyubids are known especially for their works in inlaid metalwork and ceramics and their outstanding architecture.
Beneficiary	Beneficiary of the proceeds of a <i>waqf</i> , whether a person, an initiative, a project or any other disbursement channel
CE	Common Era - the secular equivalent of AD
Dhimmi	"Protected person" – historically non-Muslims living in an Islamic state with a special



status and legal protection in return for paying the capital tax. Originally only made available to non-Muslims who were People of the Book (i.e., Jews and Christians), but was later extended to others.

Endower's wishes	Terms laid down by the endower of the <i>waqf</i> specifying the nature of endowment, disbursement channels of its proceeds, term and continuity, oversight and management, and any other matter related to maintaining the endowment.
Fiqh	Islamic jurisprudence
Fuqaha	Jurist(s)
Hadith	Sayings of the Prophet Muhammad
Haseki sultan (sometimes Khasseki)	Title given to concubine of the Ottoman sultan who gave birth to his son, thus meaning mother of a prince.
Ijma'	Consensus (of <i>fuqaha</i>)
Imaret	An inn or hostel for pilgrims, also name for public soup kitchens built throughout the Ottoman Empire
Infaq	Expenditure, spending
Al-Isra' w-al-Miraj	Prophet Muhammad's journey from Mecca to Jerusalem and his ascension to heaven.
Jizya or jizyah	Per capita annual taxation historically levied in the form of financial charge on permanent



	non-Muslim subjects of a state governed by Islamic law.
Khan	Architectural space built around a central courtyard designed for hosting caravanserais, offering rooms for travelling merchants, stables for their steed, and storage for their goods
Khanqah	Lodge or building designed specifically for gatherings of a Sufi brotherhood for spiritual retreats and exercises
Mamluk	The Mamluks ruled Egypt and Syria from 1250 until 1517, when their dynasty was extinguished by the Ottomans. Mamluks were not native to Egypt but were originally slave soldiers (the word Mamluk means 'owned'), mainly Qipchak Turks from Central Asia. While serving the Ayyubids, the Mamluks overthrew the last Ayyubid sultan in Egypt and founded the Mamluk sultanate in 1250. Their reign lasted until 1517, when they were defeated by the Ottomans. Culturally, the Mamluk period is known mainly for its achievements in historical writing and in architecture, as builders of religious edifices - mosques, schools, monasteries and, above all, tombs.
Mawquf'alaih	Beneficiaries of the <i>waqf</i> which can be persons or public utilities. The founder can specify which persons are eligible for the benefit (such as the founder's family, entire community, only the poor, travelers, etc.). Public utilities such as mosques, schools, bridges,



graveyards and drinking fountains can also be the beneficiaries of a *waqf*.

Mosque	Place dedicated for establishing prayer. All facilities and utilities attached to the mosque are considered part of the mosque.
Mudarabah	Partnership whereby one party (the capital owner) provides capital to an entrepreneur to undertake a business activity. Profits are shared between them as agreed, but any financial loss is borne only by the capital owner, as his loss is his unrewarded efforts put into the business activity.
Musalla	Place dedicated for establishing prayer in public or private establishments
Mutawalli/ mutawalliyah	Manager or director of the <i>waqf</i>
Nazir	<i>Waqf</i> institution administrator who must have capacity to act and contract. Trustworthiness and administration skills are required of this position.
Ottoman	Era spanning from 1517-1917. The Empire was created by Turkish tribes and became one of the most powerful states in the world during the 15 th and 16 th centuries. At its height, it encompassed most of southeastern Europe, parts of Ukraine, and portions of the Middle East (today's Iraq, Syria, Israel/Palestine, and Egypt), North Africa, and the Arabian Peninsula. At the outset of the new Ottoman rule, particularly during the reign of Sultan Sulei-



	man (the Magnificent), Jerusalem flourished with walls and gates.
Philanthropic waqf	Support for the poor, or the public interest at large, by funding such institutions and activities as libraries, scientific research, education, health services, or care of animals and the environment
Posterity or family waqf	Property whose revenues are first given to the family's descendants. Only the surplus, if any, is given to the poor.
Qadi	Muslim judge who renders decisions according to the <i>Shari'a</i> law
Qard Al-Hasan	Interest-free loan
Qiyas	Analogical reasoning or deduction in Islamic law, in which the teachings of the Hadith are compared and contrasted with those of the Qur'an
Register	Record issued by the concerned authority to register the endowment and any amendment thereof
Religious waqf	Mosques, as well as real estate that exclusively provides revenues for mosque maintenance and service expense
Revenue	Income derived from <i>waqf</i> investments
Ribat	Hospice, hostel, base or retreat for voyagers on major trade routes; homes of religious Sufi



	teachers; solidarity house for supporters of the two Holy Mosques
Sabil	Public water fountain
Sadaqah	Charity/Charities
Sadaqah jariyyah	A <i>waqf</i> defined as a form “continuous charity,” which is created by giving away an asset that produces benefits/revenues for a targeted objective on a permanent basis.
Sahabah	(Prophet’s) Companions
Shari’a	Divine guidance as given by the Holy Qur’an and the Sunnah of the Prophet Muhammad (PBUH) which embodies all aspects of the Islamic faith, including beliefs and practice
Sijill	Islamic court records
Sufi	Practitioner of the tradition of <i>Sufism</i> , the inner, mystical dimension of Islam
Sukuk	Asset-based or asset-backed financial certificate(s)
Sunnah	Tradition derived from the life of Prophet Muhammad
Taharah	System of ritual purity in Islam
Takiyah, tekaya	Conventionally denoting a charitable establishment where food and care were given to the poor and needy, such as soup-kitchens (also known by its Turkish term, <i>tekke</i>).



Trust Fund or property	Terms often used in English for “ <i>waqf</i> ”
‘Ulama’	Muslim religious scholars; literally: those who possess knowledge, mainly of Islam.
Umayyad	The Umayyads were the first great (Sunni) Muslim dynasty to rule the Empire of the Caliphate (661-750 AH) after the death of Prophet Muhammad. It was the only Muslim dynasty ever to control the whole of the Islamic-conquered world. Umayyad rule was divided between two branches of the family: the Sufyanid (661-684 AH), descendants of Abu Sufyan, and the Marwanid (reigned 684-750 AH), Marwan I and his successors. In Jerusalem, the Umayyads built the Dome of the Rock on the highest place at Al-Aqsa Mosque.
Waqf	<p>In Arabic, literally, hold, confinement or prohibition. The <i>Shari’a</i> meaning is to transfer the ownership of a portion of one’s wealth, in cash or kind, to Allah as a dedication for any <i>Shari’a</i> compliant purpose.</p> <ul style="list-style-type: none">- Charitable endowment holding a certain property and preserving it for the sole benefit of a certain philanthropy and prohibiting any other use or disposition of the property. Applies to non-perishable properties whose benefits and usufructs can be extracted without consuming the property itself.- Mortmain property and the disbursement of its proceeds.



Waqf ahli or thurri or lil-awlaad	A <i>waqf</i> dedicated to family or one's children for a time period which reverts to <i>waqf lillah</i>
Waqf capital	The corpus of the <i>waqf</i> . <i>Waqf</i> by its nature is a capital asset. <i>Waqf</i> capital is pooled into a <i>waqf</i> fund.
Waqf fund	The pooled <i>waqf</i> capital that is donated by donors.
Waqf investments	<i>Waqf</i> capital is generally invested in either social/religious assets such as schools, water wells, mosques, clinics, etc., or in economic assets such as shops, apartments, factories, houses, etc.
Waqf lillah	All <i>awqaf</i> are in the way of Allah - whether <i>ahli/lil-awlaad/thurri, khayri, or mushtarak</i> .
Waqf khayri	A <i>waqf</i> dedicated to public charitable purposes and causes.
Waqf mushtarak	A combination of <i>waqf ahli/thurri</i> and <i>waqf khayri</i> . A percentage may be dedicated to family/progeny and a percentage for public charitable purposes and causes.
Waqf al-nuqud	Cash endowments
Waqif/Waqifah (pl.: Waqifun)	Person making a <i>waqf</i> , i.e., the donor of a fund or assets in the form of <i>waqf</i> .
Waqfiyyeh (pl.: waqfiyyat)	Endowment deed(s) - written deed, document, or charter setting out in detail the <i>waqf</i> that has been made, its purpose, and the



terms and conditions governing the use and management thereof.

Wasiyyah

The portion of an estate over which one has freedom of testation. The Islamic will is divided into fixed portions and flexible portions. Regarding the fixed portion (66 2/3%), the testator submits to the shares as stipulated and fixed in the Qur'an. Regarding the flexible portion, the testator may determine beneficiaries (other than the Qur'anic heirs) up to a maximum of 33 1/3%. A *waqf* may only be made from the flexible portion.

Zakah (pl. zakat)

Obligatory contribution(s) or due payable to the poor by all Muslims having wealth above the *nisab* (threshold or exemption limit)

**Zawiya(h),
zawiyat or
zawaya(h)**

Islamic institution, place for religious activities or religious instruction, usually associated with a particular religious leader; often a Sufi lodge





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Abbad, Abdul Rahman, *Al-Maalem Al-Islamiyah Al-Manwi Ii-haquha bit-Turath Al-Yahudi* [Islamic Monuments Intended to be Attached to Jewish Heritage], edited by the Islamic Scholars Association in Palestine (2012).

This study is a collection of eight articles on the Judaization of urban landmarks in Palestine. The articles document and comment on a project to “revive” Jewish heritage in Palestine, which included *waqf* and other sites such as the walls of the Old City of Jerusalem between Ottoman authenticity and Israeli desecration, the Bilal Bin Rabah Mosque (in Bethlehem), the Judaization of Prophet Samuel’s Tomb (in Nabi Samuel village northwest of Jerusalem), the Buraq (Western) Wall and the Ibrahimi Mosque (Abraham’s Mosque in Hebron). The study presents relevant documents and discusses the potential dangers of Israeli actions on Islamic sites.

Abbasi, Muhammed Zubair, “The Classical Islamic Law of Waqf: A Concise Introduction,” *Arab Law Quarterly*, Vol. 26 (2), (2012), pp. 121-153.

This article provides a brief overview of the laws behind the *waqf*, and how *awqaf* were used to finance public services, support the poor, as well as to provide for the families of the founders of certain *awqaf*. It examines the scale of the *waqf* throughout the Muslim world, as well as the reason for its proliferation.



Abdallah, Tarek, “Naho Mawja Thaniya li Ihya’ al-Waqf fil Alam al-arabi” [Toward a Second Wave of Waqf Revival in the Islamic World], *Journal of King Abdulaziz University, Islamic Economics* (2018).

This paper sheds light on the recent reappearance of endowments in Islamic societies after they had been neglected for a number of years. It highlights the importance of *awqaf* and their role in contemporary Islamic societies through their jurisprudence and legal requirements. It then focuses on the social, cultural and economic dimensions of *waqf*.

Abdel-Ghani, Mustafa, *Al-Awqaf Ala Al-Quds* [The Endowments in Jerusalem], General Egyptian Book Organization (1970).

This is the first Arab study to pay such attention to the issue of Jerusalem's *waqf*. The author attempted to compare the *waqf* in Jerusalem before and after the Israeli occupation, as well as within the Old City of Jerusalem and the reconfiguration that Israel is trying to enact within the city. The chapters of this study cover the modern era until the 1970s. It starts with the *waqf* of the late Ottoman era, continues through the modern era, and ends with a look at the *Waqf* from the Nakba through the 1970s.

Abdeljouad, Lotfi, “The Earliest Known Waqf Inscription in Stone Waqf of Abu Sālih Ḥayr al-Ḥādīm,” *International Journal of Turkology*, No. 15 (December 2021), pp. 4-37.

This article contains the publication of the oldest surviving *waqfiyyeh* inscription from the Islamic World (between 252-380s AH / 866-990s AD). The *waqf* is for two farms in Palestine with horses and mules, making it a production unit, which is quite unique. It also includes crops which are also for the beneficiaries of the *waqf*. It is written on limestone in a very distinctive cuneiform-like kufic script. The study is based on photos of



an auction house. It deciphers and analyzes the text and includes a comparison with some inscriptions from Ramallah and Jerusalem.

Abdul Karim, Ibrahim, *Al-taadiyat al-sahyoniya ala al-masajed fi al-manateq al-falastiniya montho aam 1948* [Jewish Encroachment on Mosques in Palestine Since 1948 AD], *Awqaf, Kuwait*, No. 10 (May 2006), pp. 60-101.

This study begins by providing data on the Zionist destruction and attacks on mosques in Palestine since 1948. Then it addresses the Zionist seizure of many mosques and other endowment properties for use by Zionist institutions in a way that violates the sanctity of the place. After that, the study expands by presenting samples of documented Zionist violations and abuses that affected mosques in Palestinian cities and districts within the areas on which the Zionist entity was established in 1948.

Abdul Karim, Ibrahim, "Islamic Awqaf in Palestine (General Parameters and Historical Origins)," *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities, Kuwait Awqaf Public Foundation (KAPF)*, No. 23 (November 2012), pp. 13-26.

This study focuses on forming an image of the general parameters and historical origins of the Islamic *awqaf* in Palestine up to 1948. It looks at lands and types of *awqaf* during the Ottoman era and how these were dealt with during the subsequent British Mandate. This is followed by an evaluation of the *awqaf* property, including providing samples bearing the Islamic identity, civilizational construction and cultural-spiritual opulence of the Palestinian society. Also examined is the particularity of the Palestinian case resulting from the rise of the Israeli state and the Zionist encroachment on Islamic land and other *awqaf* properties.



Abdul-Latif, Zuhair, "Waqf qiraet al-quran fi al-masjed al-aqsa min awael al-qarn al-sades ashar hata montasaf al-qarn al-thamen ashar al-miladi 922-1175 hijri/1515-1761 miladi" [The Awqaf Endowments for Quranic Recitation in Al-Aqsa Mosque from the Beginning of the 16th Century until the Middle of the 18th Century AD, 922-1175 AH/1515-1761AD], *Journal of Islamic Jerusalem Studies*, Vol. 8, Issue 1 (2007), pp. 1-28.

This research deals with the endowments for Qur'anic recitation and is divided into several sections. The study includes the names of the endowers, the jobs they assumed, the endowed properties, i.e., money, lands and fruitful plants. It also addresses the conditions set by the endowers, the recitation places, the parts of the Qur'an that the reciters must read, the recitation endowments, as well as the number of readers, which differ from one endowment to another.

Abdul-Mahdi, Jalil, *Al-Madaress fi Bait al-Maqdess fi Al-Assrain al Ayyubi wa Al-Mamluki: Dawrha Fi al-Haraka Al-Fikriyah* [Schools in Jerusalem in The Ayyubid and Mamluk Eras: Their Role in the Intellectual Movement], Amman: Al-Aqsa Library, (1981).

This historical encyclopedia is a study of Jerusalem schools in the Ayyubid and Mamluk time. This study focuses on the role of schools in Jerusalemite society at the time and the way they contributed to the creation of a Jerusalemite intellectual class, and also looks at the role the *waqf* played in this regard.

Abdul Razeq, Adnan, *Harat Al-Yahoud Fil-Quds* [The Jewish Quarter in Jerusalem], Nicosia: Rimal (2013).

This study covers two parts of interrelated research. The first part contains research into scientific sources and the presentation of evidence relevant to the historical and political reality of



the Jewish presence in Jerusalem throughout the various historical periods, and the status of the holy sites of the Jews during various times, including since the occupation of Jerusalem in 1967. The second part compiles facts and evidence documented on the ground, including regulations and records of real estate and their identities within the expanded Jewish quarter, as well as field images, aerial images and maps.

Abu Armis, Ibrahim Mahmoud and Rabayah, Ibrahim Husni, "Waqf qanaat al-sabil fi al-quds min khilal al-wathayiq al-'uthmania" [Endowment of Al-Sabil Canal in Jerusalem through the Ottoman Documents], *Journal of the Islamic University of Humanitarian Research (Gaza)*, Vol. 22, No. 2 (June 2014), pp. 111-139.

This study deals with the Sabil Canal, which was the water lifeline to Jerusalem for a long period, and the Ottoman interest in it due to its vital and pivotal impact on the city. The research includes a brief background about the emergence of the canal during the Mamluk era, tracing its path from the sources to the estuary on Al-Quds Al-Sharif and Al-Aqsa Mosque.

Abu Assab, Nour, "The Umayyads' Attitude Towards the Christian Sacred Sites in Islamic Jerusalem", *Journal of Islamic Jerusalem Studies*, Vol. 14, Issue 1 (2014), pp. 27-76.

This paper aims to investigate the Umayyads' attitude towards and dealings with Christian sacred places in Jerusalem under the Umayyad rule. It explores issues such as renovation of existing and building of new churches, Christian feast and parades, pilgrimages and the displaying of crosses.



Abu Bakr, Amin Masoud, *Milakiat al-aradi fi mutasarifat al-quds: 1858-1918* [Ownership of land in the Jerusalem Mutasarrifate: 1858-1918], Amman: Abdul Hamid Shoman Foundation (1996).

This book deals with issues of land ownership, endowment and administrative/political divisions during the late Ottoman era, also discussing the roles of *takiyah*, *zawayat* and families.

Abu Bakr, Amin, “*Al-masader al-maliya lil masjid al-aqsa 1516-1918*” [The financial sources of Al-Aqsa Mosque 1516-1918 AD], *Journal of Islamic Jerusalem Studies*, Vol. 19, Issue 3 (2019), pp. 389-416.

This study deals with the financial resources of Al-Aqsa Mosque in the Ottoman era, on which it relied in running its affairs and providing the necessary services for visitors and worshipers, such as drinking water, purity, cleaning, lighting, decoration, maintenance, restoration, and the payment of salaries to employees and servants (i.e., some 1,000 employees, headed by the sheikh of the sanctuary, and including preachers, imams, readers, teachers, timekeepers, muezzins, librarians, warehouses, brushes, guards, student accommodation expenses, scholars, jurists, teachers, and others).

Abu Raya, Jihad, “*Al-Awqaf fi Filastin (48) bi manthour al-qanoon al-israeli*” [The *awqaf* in occupied Palestine from the Israeli legal system’s perspective], *Al-Mayadeen Net* (21 December 2016).

This article tackles the question of the legal status of *awqaf* in the Israeli legal system and how Israel has manipulated the law in order to expropriate *awqaf*.



Abu Al-Rub, Marwan, *Awqaf Bait Al-Maqdes wa atharha fi al-tanmiya al-iqtisadiyah wa Athar al-ihtilal al-Yahudi al-ayha* [Jerusalem's endowments and their impact on the economic growth and the impact of the Israeli occupation on them], Vol. 1, Amman: Al-Dar Al-Uthmaniyah (2005).

This study aims to show the *waqf's* status in the Islamic *Shari'a*, as well as its role in the economic development of Jerusalem across time. This study talks about the *waqf's* status from the beginning of Islam and the challenges it has faced throughout history, focusing on the most recent challenges under the Israeli occupation. The study also tackles the social aspect of *awqaf*, presenting the social role that they have played in the educational and medical field, their effects on unemployment and finally their role in the housing sector, infrastructure, tourism, and social welfare in general.

Abu Al-Rub & Marwan Abdel Hafez Awad, "Awqaf bayt al-muqadas w 'atharuha fi al-tanmiat al-'iqtisadiat w 'athar al-ihtilal al-yahudii 'alayha al-mualif," [The endowments of Jerusalem and its impact on economic development and the impact of the Jewish occupation on it], *Researchers' Guide to Islamic Economics and Islamic Banks in Jordan: An Analytical Bibliographical Study (1974-2010)*, Amman: International Institute of Islamic Thought (2016).

This research highlights the role played by Islamic *awqaf* in economic development in the Muslim community in general and that of Jerusalem in particular by reviewing how the Jerusalem *awqaf* developed from the Rashidi era until the present time. The author discusses the impact of the Jerusalem *awqaf* on economic development in terms of the concept of economic development in Islam, its rules, objectives, financing and the investment formulas that were used in different eras.



Abu Ash-Sha'ar, Hind & Nadia Saad El-Din, *Al-Awqaf Al-Islamiyah Wal-Masihyah Fil-Quds* [Islamic and Christian Endowments in Jerusalem], International Scientific Conference on Islamic and Christian Endowments in Jerusalem, Amman: Arab Thought Forum (2014).

This study talks about the efforts of the Ottoman state in protecting endowment institutions and discusses records and documents in the Ottoman archive. It also focuses on the endowment of "Abu Median Al-Ghoth" along with an explanation of the endowments of the Catholic, Orthodox, Coptic and Ethiopian churches. In its conclusion, the book talks about Israeli violations in Jerusalem and its environs.

Al-Alami, Muhammad Ali, "The Waqfs of the Traditional Families of Jerusalem During the Ottoman Period," in *Ottoman Jerusalem: The Living City, 1517-1917*, edited by S. Auld & R. Hillenbrand, London: Altajir World of Islam Trust (2000), pp. 145-58.

This essay is part of a two-volume book that was the result of a larger project involving international scholars. It was published on behalf of the British School of Archaeology in Jerusalem in cooperation with the Administration of *awqaf* and Islamic Affairs, Jerusalem. The author studies *awqaf* established by prominent families of Jerusalem during the entire Ottoman period. He found 142 *awqaf* created by the Husseini, Khalidi, 'Alami, Jarallah, Nammar, and Imam families. Of these 30 were charitable and the rest were family *awqaf*.

Al-Alami, Ahmad, *Waqfiyat Al-Maghariba* [The Moroccans' Endowments], Jerusalem: The Waqf Department/Dar Al-Aytam Al-Islamiya (1981).

This study is a transcription of the work of two Arab scholars who wrote and gathered documents on the Moroccan endowments



in Jerusalem from 720-1356 *hijri*. It also highlights the role of the *Shari'a* court judge in public life in resolving disputes regarding inheritance issues and in keeping and preserving endowments.

Al-Ali, Ibrahim, *Al-Irhab As-Sahyouni Tijah Al-Ard Al-Filastiniyah, Qanoun Amlak Al-Gha'ibeen* [Zionist Terrorism toward the Palestinian Land, the Absentee Property Act], London: Palestinian Return Community (wageb), n.d.

This research paper discusses the way Israeli authorities seized Palestinian properties, including such belonging to the *waqf*, even before the declaration of the state of Israel in 1948. In one of its chapters, the research presents different assaults that Israeli authorities have been practicing on Christian and Muslim endowments in Palestine, the reasons behind such actions and the way they are conducted under the Absentee Property Act.

Al-Aref, Aref, *Al-Mufassal Fi Tareekh Al-Quds* [Detailed History of Jerusalem], Dar Al-Ma'aref Publications (1999).

The book is a chronological presentation of the history of Jerusalem from ancient times, through the Islamic conquests, to the Crusades, and reaching Saladin Al-Ayyubi. It speaks about the city's most important monuments, including *awqaf* such as the Al-Khanqah As-Salahiyya Mosque and the Salahiyya School.

Al-Aref, Aref, *Tareekh Al-Quds* [The History of Jerusalem], Vol. 3, Dar Al-Ma'aref Publications.

The book deals with the history of Jerusalem throughout the ages, from its construction to the Nakba in 1948. It presents the subject mostly from a historical point of view, but also focuses on the last century. It presents the different families, buildings, monuments and services in Jerusalem at that time and gives an idea of how Jerusalem looked like before the Israeli occupation.



Al-Arna'ut, Muhammad M., "Significance of Cash Waqf in Jerusalem during the Ottoman Rule," *Awqaf Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 22 (May 2012), pp. 13-24.

This article traces the history of cash *waqf* in Bilad Al-Sham (from 963 AH/1556 AD) and in Jerusalem a year later, explaining its emergence, evolution, difference from traditional *waqf* and its decline. It provides many examples and case studies as well as the full text of one *waqf* deed in the appendix.

Al-Ashqar, Mahmoud, *Al-waqf wa mueamalatuh fi matlae al-qarn al-thaamin eashar min khilal sijilaat al-mahkamat al-shareiat - tahlil wa-bayanat al-nashr* [Waqf and its transactions at the beginning of the 18th Century through the records of the Shari'a court - analysis and data], Jerusalem: Ministry of Endowments and Religious Affairs, 2008.

This paper analyses *waqf* transactions in the early 18th century related to lease, replacement, housing, assault and theft, construction, rights, monopoly, "key money", debt, crops, boycott, receivables, emergency expenses, jobs, and power of attorney. It includes a lot of data and tables.

Al-Ashqar, Mahmoud, "Al-awaqf al-aailiya fi madinit bayt al-maqdes fi al-ahd al-othmani 938 hijri/ 1531 miladi - 1305 hijri/ 1878 miladi: sijilat al-mahkama al-shariya fi madinit bayt al-maqdes masdaran" [Family Endowments in the City of Jerusalem During the Ottoman Period 938 AH/1531 AD - 1305 AH/ 1878 AD: The Registers of the Sharia court in the City of Bayt Al-Maqdes as a Source], *Journal of Islamic Jerusalem Studies*, Vol. 10, Issue 1 (2009), pp. 15-49.

This article deals with the family endowment in Jerusalem during the Ottoman era, in terms of the endowers, the endowed



properties, and the beneficiaries of the endowment, which are represented by the endower him-/herself and his/her sons and daughters, and the children of their children and their descendants.

Al-Ashqar, Mahmoud & Zuhair Ghanayim, "Endowment for Al-Aqsa Mosque in the Ottoman Era (In the Period as of 922-1333 AH/ 1516-1914 AD)," *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 32 (May 2017), pp. 67-99.

This research addresses the *waqf* of Al-Aqsa Mosque in the Ottoman Era with respect to the endowed properties and disbursements. The endowments for the mosque varied, including lands, houses, inns, dyeing shops, soap factories, baths, and revenues of some duties and taxes, such as *jizya*. It shows that the purpose of such endowments was to provide the needs required by the Holy Mosque such as reconstruction, renovation, and paying the wages of its laborers, including Sheikhs, Imams, preachers, Quran reciters, teachers, and preachers.

Al-Ashqar, Mahmoud & Zuhair Ghanayim, "Toroq istighlal al-waqf wa jibayatih fi al-Quds fi al-asr al-othmani hata bidayet al-tanthemat (922-1266 AH, 1516-1850 AD)" [Means of Exploiting Waqf and Collecting it in the Ottoman Jerusalem till the Regulations (922-1266 AH/1516-1850 AD)], *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 36 (May 2019), pp. 13-47.

This article deals with the process of collecting the *waqf* proceeds and utilizing them in Jerusalem during the Ottoman era. It describes the types of *waqf* transactions, the means of exploit-



ing the *waqf* assets and the process of distributing the proceeds to the beneficiaries.

Al-Ashqar, Mahmoud and Khaled Ali Zawawi (eds.), *Al-awqaf al-islamiyat w-al-masihiat fi al-quds taht al-ihtilal al-isra'ili* [Islamic and Christian Endowments in Jerusalem under Israeli Occupation], 2 Volumes, The Fourth International Islamic Bait Al-Maqdis Conference, Ramallah: Ministry of Waqf and Religious Affairs (2013).

Part One of this publication examines the history of the Islamic and Christian endowments in Jerusalem before 1948 as well as their reality under the Israeli occupation. Part Two describes the Israeli occupation's attacks on and violations of Islamic and Christian endowments in Jerusalem and looks at ways to preserve and save Islamic and Christian holy places and endowments in Jerusalem.

Al-Assa, Aziz, Ar-Rajabi, Tayseer, Sabri, Urwa, Ali, Muhammad, At-Tazziz, Muath, "Al-Waqf Al-Islami Fi-Al-Quds" [Islamic Waqf in Jerusalem], Higher Islamic Council, Proceedings of the 4th Academic Conference (2018).

This two-day conference took place in Jerusalem. The conference tackled current issues surrounding the Islamic endowments in Jerusalem. The various speakers specialized in different *waqf* matters and spoke about different aspects of *awqaf* in Jerusalem, such as their importance to Jerusalem and religious and historical significance. The conference also focused on family endowments in Jerusalem and their role in preventing the Judaization of the city. Finally, it talked about the legal framework of those endowments and how they could be maintained.



Al-Assali, Kamel, *Ajdadna fi thara bait al-maqdes* [Our ancestors in the regolith of Jerusalem], Amman: Royal Aal al-Bayt Institute for Islamic Thought (1981).

This study concentrates on old relics and tombs. The author explains that in order to move on and develop, we must understand our history and our heritage. He chooses to do so by studying the different graves in Jerusalem: their location, who the people buried there are, who owns the properties and the history of each grave. Most of them are *waqf* property, so the author also tackles the challenges they have faced since Israel's occupation of West Jerusalem in 1948 and East Jerusalem in 1967.

Al-Assali, Kamel, *Watha'eq Maqdissiya Tarikhiya* [Historic Jerusalemite Documents], Vol. 2, Amman: University of Jordan Publications (1985).

In this book there are a total of 104 historical documents on Jerusalem. They are divided into two parts: 61 documents from the Mamluk era and 43 from the Ottoman period. The published Mamluk documents come from the Haram Ash-Sharif and were discovered by the Islamic Museum in the years 1973-1976.

Al-Assali, Kamel, *Watha'eq Maqdissiya Tarikhiya* [Historical Jerusalemite Documents], Vol. 3, Amman: University of Jordan Publications (1989).

The book presents 165 documents in two files covering two periods: the oldest period goes back to the year 609 AH, where the belongings of the great King Issa Al-Ayyoubi are engraved. The second file includes documents from the British Mandate (1336 AH / 1917 CE) as well as documents related to various establishments and institutions in Jerusalem during that period, particularly endowment institutions and villages. 111 of the documents are records from the *Shari'a* court in Jerusalem.



Assi, Eman, "Islamic Waqf and Management of Cultural Heritage in Palestine," *International Journal of Heritage Studies*, Vol. 14 (2008), pp. 380-385.

This paper studies the salient features that characterize the Islamic *waqf* and the importance of its development through history as a system for the management of cultural heritage in Palestine. It concludes that *waqf* in Palestine is certainly not an invitation to the authority of the government to dominate the area of benevolent activities in society but quite the opposite: from its beginning, it was a clear representation of creating a third sector related to philanthropy that is kept away from both the profit-motivated behavior of individuals and the authority-dominated action of governments and could be adopted in today's society as a sustainable approach to managing cultural heritage.

Ata, Zubeida, *Urubat Al-Quds Min Waqe' Wathaeq Al-Awqaf Al-Maqdissiyah* [The Arabism of Jerusalem from the Documents of the Jerusalem Waqf], *Ein for Human and Social Studies* (2007).

This study aims to underscore Jerusalem's Arabism throughout history. Its goal is to fight Jewish claims that they are the sole owners of the Holy City to erase Jerusalem's Arabism. The author presents a powerful study through this book, using *waqf* documents to uncover the inaccuracy of many Zionist claims.

Attallah, Mohammed Ali, "Min waqei al-awqaf fi al-quds: faaliyet ijaret al-amlak al-waqfiya khilal aam 1009 AH/1600 AD" [The Reality of Awqaf in Jerusalem: The Effectiveness of Leasing Endowment Properties during the Year 1006 AH/1600 AD], *Journal of Islamic Jerusalem Studies*, Vol. 2, No. 2 (1999), pp. 65-93.

This study focuses in a distinctive way on the effectiveness of leasing endowment properties during the year 1009 AH/1600 CE. It addresses the various endowment bodies, as well as the



endowed properties and premises, and it derives its information mainly from the legal Shari'a registers (87 legal documents), in addition to other references and secondary studies.

Avni, Gideon & Seligman, Jon, "Between the Temple Mount/Haram el-Sharif and the Holy Sepulchre: Archeological Involvement in Jerusalem's Holy Places," *Journal of Mediterranean Archaeology*, Vol. 19(2) (2006), pp. 259-288.

This article attempts to understand the interrelation between the academic world and the religious 'owners' of holy sites by investigating the relationship between archaeologists and architects who have studied holy places in Jerusalem and the local religious authorities in charge of them, including the *waqf* as an example. It seeks to answer questions related to the way the 'owners' of the Haram Ash-Sharif and the Holy Sepulcher viewed those scholars and their research, the extent of their cooperation with them, their motives for cooperation or the lack of it, and how archaeologists and other researchers operated and adhered to scholarly interests in such complex sites.

Ayyash, Mervat Mohammed, "Zakharif 'emarat al-waqf al-nisaiyyi bi-madinat al-quds fi al-'asr al-mamlukii," [Decorations of the women's endowment building in Jerusalem in the Mamluk era], Paper presented at the conference on Architectural Heritage: Reality and Challenges of Conservation, Islamic University College of Engineering, Gaza, in April 2008 (2008).

This conference paper dealt with the decoration that can be found on the women's endowment building in Jerusalem from the Mamluk era.



Badrieh, Omar, *Al-Balda Al-Qadima, Asswaq Wa Hawaneet* [Jerusalem, The Old City, Markets and Shops], Jerusalem (2012).

This book is a representation of the different markets and stores of the Old City of Jerusalem, explaining their historic background, their specificities and their connection with the *waqf*, where applicable. It is the first publication of its kind that focuses on the commercial aspect of the Old City in addition to its historic and touristic aspects. It concentrates on the history of commercial places and their present-day fate.

Baer, Gabriel, "The Dismemberment of Awqaf in Early Nineteenth-Century Jerusalem," *Asian and African Studies*, Vol. 13 (1979), pp. 220-41.

This chapter shows how, despite *awqaf* being inalienable, mechanisms have been devised through time that have permitted the gradual deterioration of the *awqaf* assets. It explains these devices and the gradual erosion of the Jerusalem *waqf*'s importance throughout the late Ottoman period.

Baer, Gabriel, "Jerusalem's Families of Notables and the Waqf in the Early 19th Century," *Palestine in the Late Ottoman Period: Political, Social, and Economic Transformation*, edited by David Kushner & Yad Itzhak Ben Zvi, Brill, Leiden, Jerusalem (1986), pp. 109-22.

This book chapter examines the different forms of connection between the *waqf* as an institution and the elite in Jerusalem during the 19th century. Taking Jerusalem as a case study, it shows how the *waqf*, due to its religious position, occupied an important place in the city's social and economic place and the role of the notable families - the richest and most influential merchants, civil and military officers and Muslim scholars - therein.



Baer, Gabriel, "The Dismemberment of Awqaf in Early Nineteenth-Century Jerusalem," in *Ottoman Palestine, 1800-1914: Studies in Economic and Social History*, edited by Gad G. Gilbar, Brill: Leiden (1990), pp. 299-320.

This essay argues that private loans to *awqaf* through the *khulu* system helped to establish private rights within the *awqaf*, contributing both to their destruction as well as the creation of new *awqaf*.

Baer, Gabriel, "The Waqf as a Prop for the Social System (Sixteenth-Twentieth Centuries)," *Islamic Law and Society*, Vol. 4 (3) (1997), pp. 264-297.

In this essay, Gabriel Baer argues that an important function of the *waqf* during this period in the Near and Middle East was to reinforce the bond within social units based on kinship, or on social class, profession, territory, religion, linguistic-ethnic identity and ethnic or national identification.

Bagaeen, Samer Ghaleb, "Evaluating the Effects of Ownership and Use on the Condition of Property in the Old City of Jerusalem," *Housing Studies*, Vol. 21 (2006), pp. 135-150.

This paper looks at the changing nature of ownership patterns in the Old City of Jerusalem from a historical perspective, the role of rent control and leasing arrangements, and assesses their impact on the maintenance and condition of property in the Old City. It investigates the nature of the institution of Muslim religious trusts in order to build up a picture of its transformation into a manager of housing in the Old City since 1967, focusing on the shift of ownership from the public *waqf* to the private family *waqf* and the effects of this on the condition of the built environment. Although recent trends in the Middle East and some Muslim countries indicate a clear decline in the status of the



waqf as an institution, this paper shows how, in Jerusalem and in the Old City in particular, it has been flourishing since 1967. The paper offers some insights into the impact of the identified historical and legal factors on the condition of buildings and, by examining statistical evidence, finds a clear correlation between the ownership and use of buildings and their physical condition.

Barakat, Bashir, *Al-Quds Ash-Sharif Fil-Ahd Al-Othmani* [Jerusalem in the Ottoman Era], Jerusalem: Dar Al-Fikr (2002).

This book studies the urban, social and economic formation of Jerusalem during the Ottoman era, including the roots of certain Jerusalemite families and the deeds of a caliph in the records of the Jerusalemite Court.

Barakat, Bashir, *Mabaheth Fit-Tareekh Al-Maqdisi Al-Hadeeth* [Themes from Modern Jerusalem], Vol. 2, Jerusalem (2006).

This study talks about Jerusalem in the Ottoman and British eras. It presents the different families of the city throughout these eras and their history, as well as the history and what has become of the monuments, buildings and services in the city throughout the years.

Al-Barghouti, Omar & Totah, Khalil, *Dabt wa Tantheem Aradi Al-Awqaf Fi Filastin 1826-1948* [Control and Regulation of Waqf Lands in Palestine 1826-1948], Bait Al-Maqdes Printings (1923).

This study presents a chronological study of *waqf* properties in the period from 1826 to 1948, i.e., the late Ottoman and British Mandate periods of Palestine. It tracks the transformations that affected land ownership in Palestine and their effects. It also focuses on the legal and administrative environment that governed *waqf* lands during this period with a view on tracking the



course of *waqf* lands under the Ottoman regime and its developments under the British Mandate.

Barkan, Ömer Lufti, "Social and Economic Aspects of Vakıfs in the Ottoman Empire in the 15th and 16th Centuries," Paper presented at the International Seminar on Social and Economic Aspects of the Muslim Waqf, Jerusalem, June 24-28, 1979.

This paper describes the role of *waqf* in the urban economic policies of the Ottoman ruling class, demonstrating how the Ottoman rulers used *waqf* as a policy tool to achieve certain social and economic goals, among others by dedicating a substantial proportion of state tax revenues to *waqf* so as to support institutions such as mosques, *madrassa*, water systems and kitchens for the poor.

Barron, J.B., "Muhammadan Waqfs in Palestine," Jerusalem: Greek Convent Press (1922).

This book is an early English-language study of the Islamic *waqf* in Palestine, during the period of the British Mandate. The author was the director of Revenue and Customs in the Government of Palestine, and as such was responsible for supervising the finances of Muslim *awqaf*. It contains the historical background of the *awqaf*, how they are administered and how the British Mandate affected their administration.

Bilge, Mustafa, "Awqaf of a Madrasa in Jerusalem," *Palestine, Vol. 1: Jerusalem, The Third International Conference on Bilad Al-Sham 19-24 April 1980, University of Jordan/Yarmouk University, Amman (1983), pp. 27-33.*

This paper looks at the architecture and historiography of an endowed madrasa and its contribution towards the general good



as well as their effect on the relations between the founders and the population.

Ciprut, Jose V., "Administering the Temple Mount is a Privilege, not a Right," *BESA Center Perspectives Paper No. 543*, Ramat Gan: Begin-Sadat Center for Strategic Studies (28 July 2017).

This article argues that the administration of the Al-Aqsa compound by the *waqf* is a privilege granted by the State of Israel rather than a right of ownership. It goes on to say that, following the July 2017 disturbances, discussions need to be held in order to clarify what is a privilege and what is a right when it comes to the administration of Jerusalem's holy sites.

Cohen, Amnon, *Economic Life in Ottoman Jerusalem*, Cambridge: Cambridge University Press (1989).

Using Arabic and Turkish archives relating to the Ottoman period, the author reconstructs a vivid and detailed picture of everyday life in Jerusalem, with a focus on the major 16th century guilds - butchers, soap-producers and dealers, millers and bakers, describing and analyzing their production methods, prices and measures, economic ties with neighboring villages, and the services they provided for the local population. Throughout the book references are made to the various *awqaf* involved in economic activity and how through them the government also manifested concern for the lower strata of local society.

Ad-Dabbagh, Mustafa, *Biladuna Filastin [Our Country Palestine]*, Beirut: Dar At-Tale'a Publications (1988).

The book presents the geography and history of Palestine since the beginning of time, as well as a history of the cities and villages in Palestine.



Daradkeh, Hilmi Khalifa Ali, *Yahud al-quds fi al-nisf al-awal min al-qarn al-tasie 'ashar: dirasat aijtima'iatun-aqtisadia* [The Jews of Jerusalem in the first half of the 19th century: a socio-economic study], Beirut: Center for Arab Unity Studies (2014).

Using archival sources and Shari'a Court records, this book examines the *waqf* and socioeconomic conditions in 19th century Jerusalem, divided into three chapters. The first discusses the Millet System in the Ottoman Empire, the second looks at the social and the third at the economic life of the Jews of Jerusalem. Issues covered range from financial transactions undertaken to religious pluralism and ethnic relations between Jews and Muslims at the time.

Darawish Hussein & Wasim Shuli, *Al-waqf al-iislamiu fi filastin wa-atharuh fi daem al-ta'alim al-shareii wa tatwirihi* [The Islamic endowment in Palestine and its impact on supporting and developing Islamic education], Paper presented to the Conference on Shari'a Education and Ways to Develop it, held at An-Najah National University, Nablus (2017).

This descriptive historical study examines the impact of the *waqf* in the field of education in Palestine, its role in supporting legal education and in helping the needy. Chapter One defines the endowment, linguistically and idiomatically, its legitimacy from the Qur'an, the Sunnah of the Prophet, and from consensus, its importance, and its role in serving society in the Islamic world throughout history. The second chapter distinguishes the role of the Islamic *waqf* in Palestine in supporting Islamic sciences, through sponsoring and supporting educational and cultural institutions, while the third highlights the problems facing the Islamic *waqf* in Palestine, ways to confront them, and a conclusion and recommendations.



Darwish, Huda, “Al-Quds Madinat Al-Adyan” [Jerusalem, the City of Religions], *Al-Maqdissiya Journal*, Center for Jerusalem Studies (Fall 2019).

The article deals with the history of Jerusalem from a religious perspective, explaining the importance of Al-Buraq wall, churches in Jerusalem, and Al-Aqsa Mosque and its *zawaya*. It demonstrates the importance of Jerusalem in the belief of each religion.

Deguilhém, Randi, “The Waqf in the City,” in Salma Khadra Jayyusi, Renata Holod, Antillio Petruccioli, and André Raymond (eds.), *The City in the Islamic World, Handbook of Oriental Studies*, Vol. 94 (2 vols.) (January 2008), pp. 929-956.

This study looks at the types of properties used to create revenue-producing assets for the endowments and their geographical location in the city as well as in rural areas reveal ownership patterns by individuals who belonged to different socio-economic levels in specific cities in the Islamic world. It shows that the beneficiaries chosen by the endowers often reflected cultural, religious, political and social trends, and concerns of the day. Thus, *waqf* provided both the infrastructure of many aspects of daily life as well as the means to maintain and subsidize social services for the community while at the same time preserving urban real-estate. While describing the *waqf* practices and the organization of urban space, the paper also looks at the status of Christian and Jewish *waqf* in Islamic cities.

Dumper, Michael, *Siyasat Israel Tjah Al-Awqaf Al-Islamiyah Fil-Quds, 1948-1988* [Israel’s Policy Toward the Islamic Waqf in Palestine, 1948-1988], Beirut: Institute for Palestine Studies (1992).

This research focused on the Israeli violations toward Islamic *awqaf* in Jerusalem. The author aims to illustrate how *awqaf* have had, for a long time, a significant role in resisting the Israeli



occupation. The author also presents the different violations and contradictory policies that Israel has been committing and issuing regarding Islamic *waqf* since its occupation, and how Israel managed to control their resources.

Dumper, Michael, "Forty Years without Slumbering: Waqf Politics and Administration in the Gaza Strip, 1948-1987," *British Journal of Middle Eastern Studies*, Vol. 20(2) (1993), pp. 174-190.

This study analyses the role of the *waqf* in the Gaza Strip from 1948 to 1987. It shows how Israeli involvement in the running of the *waqf* was greater than its involvement in the running of the *waqf* in the West Bank, but less than for the *waqf* in Israel. The main questions it seeks to resolve are whether this limited involvement was due to the fact that the *waqf* had a hidden strength when it came to dealing with state authorities, or whether or not the smooth and relatively unhindered running of the *waqf* was beneficial to the Israeli authorities. It shows how, in contrast to in the West Bank and Jerusalem, where the Jordanian government played an important role in the running of the *waqf*, the *waqf* in Gaza stagnated and did not have the benefit of government aid and funding as Egypt did not incorporate Gaza as Jordan did the West Bank.

Dumper, Michael, *Islam and Israel: Muslim Religious Endowments and the Jewish State*, Washington, D.C.: Institute for Palestinian Studies (1994).

This book deals specifically with the *waqf* system in Palestine from the Ottoman period to the successive phases of Israeli integration and occupation of Palestinian lands. Underlining the importance of the *waqf* in the history of Muslim society and the development of states, the author examines Israeli politics vis-à-vis the Palestinian *waqf* and the struggle between Palestinians



and the Israeli government for control over the endowed land and properties. Thereby, he demonstrates how the *waqf* has become a marginalized but at the same time still politically significant institution.

Dumper, Michael, "Muslim Institutional Development in Jerusalem: The Role of the Waqfs," *Journal of Islamic Jerusalem Studies*, Vol. 2(1) (1998), pp. 21-38.

This paper looks at how the *waqf* has survived through extended periods of non-Muslim rule during the 20th century, and how, unlike in neighboring states, the *waqf* still plays a prominent role in Jerusalem. It examines the extent and nature of the *waqf* in Jerusalem, in particular the economic aspects, the relationship between the *waqf* and the governing authorities, and the changing role of the religious elite in the city. It concludes with general findings and observations based on the above topics.

Dumper, Michael, "The Palestinian Waqf and the Struggle over Jerusalem 1967-2000," *Annuaire Droit et Religions* (3) (2008), pp. 199-221.

This article looks at the evolving role of the *waqf* in the struggle over Jerusalem in the period following the 1967 Israeli occupation until 2000.

Elasrag, Hussein, *Taf'il dawr Al-Waqf Al-Islami fi Tanmiyat al Mawared Al-Bashariya fi Al-dawal el Arabiya* [Activating the Role of the Islamic Waqf in Human Resources Development in the Arab States], Munich: University of Munich (2016).

This research aims to study the role of the Islamic *waqf* in the development of human resources in the Arab countries, since Islam urges all of the society to cooperate among themselves in



the environment of Islamic law. Among the examples of economic projects in Islam, we have the *waqf*, where a charity is launched, and the endowment is intended. The *waqf* as a system achieves a dual purpose which is reflected in the long-term development of human resources in certain sectors of the community through the proceeds of endowments and to ensure a minimum level of autonomy of the community. This research aims to study the activation of the role of the Islamic *waqf* in the development of human resources in the Arab countries.

Emek Shaveh, *Archaeology in the Political Struggle over the Temple Mount/ Haram al-Sharif, Jerusalem (2015).*

This publication discusses the use of archaeological excavations, or excavations termed as archaeological, in the political struggle over the Haram Ash-Sharif and its environs. It thereby examines, *inter alia*, the role of the Islamic *waqf*, the conflicts that ensue between its representatives and Israeli authorities, and the *waqf's* ongoing struggle to maintain its status on the site.

Erođlu Memiř, řerife, "Ottoman Provincial Society and the Waqf: Jerusalem, 1703-1831," Ph.D. Thesis submitted to the Hacettepe University, Institute of Social Sciences, Department of History (January 2016).

This doctoral thesis addresses the effects of Jerusalem's *waqf* network on urban space, social relations and relations with the central government from 1703 until 1831. It describes the *waqf* network in Jerusalem and evaluates social relations within this network before examining the Ottoman state's practices in the context of a provincial town.



Eroğlu Memiş, Şerife, “Management and Staff Employment Policies of the Awqaf at the Magharibah Neighborhood in Islamic Jerusalem During the 18th Century,” *Journal of Islamic Jerusalem Studies*, Vol. 17, Issue 1 (2017), pp. 37-69.

This study focuses on the *awqaf* of the Magharbeh Quarter during the 18th century, showing how the central government's representatives extended their control over the assignment of the *awqaf*. The establishment of the neighborhood as a Muslim *waqf* is a unique example which was unprecedented in Muslim history. The first part of the study deals with the establishment of the *waqf* and its institutions in the quarter and its significance for the city of Jerusalem; the second examines in detail employment records of the *awqaf* and its management policies; and the third looks at personnel status and conditions.

Eroğlu Memiş, Şerife, “Benefactresses of Waqf and Good Deeds: Charitable Women in Ottoman Jerusalem, 1703-1831,” *Jerusalem Quarterly*, Vol. 72 (Winter 2017), pp. 48-57.

This article discusses the role of women in the formation of *awqaf* in Ottoman Jerusalem. It examines *waqf* practices in a context of discrimination against women in a male-dominated society and looks at the ability of women to both establish *awqaf* and serve as their managers. It then deals with women establishing *awqaf* in Jerusalem during the 18th/19th centuries.

Eroğlu Memiş, Şerife, “Between Ottomanization and Local Networks: Appointment Registers as Archival Sources for Waqf Studies. The Case of Jerusalem’s Maghariba Neighbourhood,” in *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, edited by Angelos Dalachanis & Vincent Lemire, Brill, Boston (2018), pp. 75-99.

This study discusses the importance of appointment registers in the Archive of the General Directorate of Foundations in Turkey for the social and economic history of Jerusalem after 1840. The



author focuses on the Ottoman registers located in Ankara relating to Jerusalem's *waqf*, especially in the Magharbeh Quarter, which was founded as a *waqf* quarter - an unprecedented event in Islamic history. This study looks at the changing nature of these institutions over time. It examines what the Jerusalem *waqf* was able to achieve as well as what its purposes were, in particular with regards to infrastructure.

Eroğlu Memiş, Şerife, "Rental Transactions of Waqf Assets in Jerusalem in the 18th Century," *Journal of Islamic Jerusalem Studies*, Vol. 19(1) (2019), pp. 19-46.

This article examines the rental transactions of the assets of the *awqaf* of Jerusalem from 1703 to 1831. The article also attempts to measure the position of the *waqf* in the economic life of Jerusalem.

Eroğlu Memiş, Şerife, "Employment in the Waqfs of Jerusalem: Socio-Economic and Demographic Characteristics of Waqf Staff During the 18th Century," *The Journal of Ottoman Studies* (2020), p. 99-144.

This article analyzes the employment status of *waqf* staff in Jerusalem during the 18th century from a socio-economic and demographic point of view. It sheds light on the Ottoman state's employment policies in provincial towns.

Eroğlu Memiş, Şerife, "Petitioning the Waqf Cases: Conflict over the Abū Madyan Waqf, Old City of Jerusalem, at the Beginning of the Twentieth Century," in *Die Welt des Islams* (November 2021).

This article analyzes 22 petitions, held at the Ottoman Imperial Archives (Boa) in Istanbul, submitted to the Council of State Registers (*Şura-yi Devlet*) at the beginning of the 20th century by the *mutawalliyah* of the Abu Madyan *waqf*, as well as by residents



and representatives of the Magharbeh quarter in Jerusalem. The petitions concern the alleged mismanagement of the *waqf* by the *mutawalliyah*, including the embezzlement of funds and violation of the conditions stipulated in the *waqf's* deed (*waqfiyyeh*). Through this analysis, the study aims to show how *waqf mutawalliyah* and the representatives of local political and religious authorities contributed to the confiscation of property allocated to a *waqf*, for personal gain or to serve common interests, and, thus to the gradual disintegration of the *waqf* system in early 20th century Jerusalem. It also sheds light on the networks between local citizens (*Maghribis*), *waqf mutawalliyah*, local *qadis*, the central Ottoman administration and the sultan.

Fakhr Eldin, Munir & Salim Tamari, *Jerusalem Properties and Endowments: A Study of the Old City Properties in the Twentieth Century* | *Al-Awqaf Wa Mulkiyat Maqdisiyah: Dirasa Li Aqarat Al-Balda Al-Qadima Fi Al-Qarn Al Ishreen*, Institute for Palestine Studies and the Welfare Association (2018).

This study (which is available in both, English and Arabic) addresses the features of urban space in the Old City of Jerusalem and its social and historical significance by analyzing the types of properties, including family endowments and charitable foundations. It illustrates in graphs and other graphics the types and proportions of properties and their approximate sizes, including description of each real estate, history of property owners, changes in the Ottoman-era property tenure system, legislative changes under the British Mandate, including statistics of Jewish property in the Old City of Jerusalem, and changes brought by the Zionists in the Old City of Jerusalem. The book shows the similarity between the Islamic and Christian *waqf* and emphasizes their importance as an instrument of resistance, with the goal of achieving a better historical understanding of the sources of study and contributing to an understanding of the transformations and pol-



icies of urban landscape in Palestine. This study was mainly based on archival data on the real estate tax assessment of Jerusalem in late 1966. It explains that this tax assessment affected the beneficiary of the property, not necessarily its true owner, especially since a large amount of real estate are *waqf* property. This issue leads us to believe that the adoption of this tax assessment may have created a gap between actual possession and real ownership. The work encourages a dialogue between researchers and interested people and promotes the initiation of other studies based on other high value sources and references such as records of the *Shari'a* courts and the chamber of *awqaf* in order to make comparisons and reach more accurate results.

Farah, Rafik, *Tareekh al-Kanissa [History of the Episcopal Church in the Diocese of Jerusalem 1841-1991], Part II, Beirut (1995), pp. 481-532.*

The book talks about the Episcopal Church's numerous institutions in Jerusalem, such as the Youth School, the English College, Saint George's College, the Theology Near East College and the Episcopal Council for Education to show how these institutions have made numerous contributions to Palestinian society and the role of the Christians in doing so.

Frenkel, Yehoshua, "Political and Social Aspects of Islamic Religious Endowments (*awqāf*): Saladin in Cairo (1169-73) and Jerusalem (1187-93)," *Bulletin of the School of Oriental and African Studies*, Vol. 62 (1) (1999), pp. 1-20.

This study investigates some of the legal and social aspects of Saladin's *waqf* policy in the territories conquered by his armies and his political aims – to gain military control – by converting enemy properties into *awqaf*. The author describes Saladin's world view at the time and also includes a descriptive list of the *awqaf* established by Saladin in Cairo and Jerusalem.



Galor, Katharina, "The Temple Mount/Haram al-Sharif," in *Finding Jerusalem: Archaeology Between Science and Ideology*, University of California Press, Berkeley (2017), pp. 146-162.

This chapter looks at the history of the Temple Mount/Haram al-Sharif and the current issues it faces. It briefly looks at the relationship the *waqf* has with the Haram al-Sharif, as well as its relationship with the Israeli Antiquities Authority with regard to excavations in and around the site.

Gerber, Haim, "Late 19th Century Wakf Reform in the Ottoman Empire," Paper Presented at the Workshop on Waqf, Harry S. Truman Institute of Advanced Studies, The Hebrew University of Jerusalem (February 1981).

The author discusses Ottoman attempts to reform the double rent in the late 19th century.

Gilbar, G., "Muslim Waqf and Economic Growth - Towards a Quantitative Analysis of Waqf (Investment and Productivity)," Paper presented at the International Seminar on Social and Economic Aspects of the Muslim *Waqf*, Jerusalem (24-28 June 1979).

This paper looks at issues related to investment and productivity of *waqf* institutions.

Ghanayim, Zuhair, *Wathā'iq al-waqfīyah wa-al-idāriyah al-ā'idah lil-Ḥaram al-Qudsī al-Sharīf, sijillāt maḥkamat al-Quds al-sharīyah* [Endowment and administrative documents belonging to the Al-Haram Al-Quds Al-Sharif, Al-Quds Shari'a court records], 2 Volumes, Amman: The Royal Committee for Jerusalem Affairs (2006).

This study seeks to shed light on the importance of *awqaf* in the civilizational project of the Islamic nation. It addresses the reality of endowments in historical Palestine and clarifies the Israeli



mechanisms and policies targeting Islamic endowments in the years 1948 and 1967. It shows how Israeli military laws and decisions such as the Absentee Property Law affect *awqaf*.

Ghanayim, Zuhair & Muhammad Abdul-Karim Muhafatha, "Al-awqaf w mu'amalatuha fi al-quds 'athna' al-hukm al-misrii 1831-1840 m: "dirasat fi sijlaat al-mahkamat al-shar'iati," [Endowments and their Transactions in Jerusalem during the Egyptian Rule 1831-1840 AD: A Study in the Records of the Shari'a Court"], *Mu'tah for Research and Studies: Human and Social Sciences Series*, Vol. 21, No. 6 (December 2006), pp. 93-109.

This study examines the endowments and their economic transactions in Jerusalem during the Egyptian rule (1831-1840 AD) based on the records of the *Shari'a* court of the city and their effects on the social and political conditions of the population. The types, roles and purposes of the *awqaf* are described and how they were dealt with, especially with regard to their destruction through reforms and reconstruction due to monopoly, substitution, debt and vacancy.

Ghanayim, Zuhair & Mahmoud Al-Ashqar, "Endowment of Land for Palestinians in the Second Period of Islamic Power (583-1333 AH/1187-1914 AD)," *Awqaf – Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 27 (November 2014), pp. 77-114.

This research is about the endowment of land for individuals in the Second Period of Islamic Power, starting from the Ayyubid period and during the Mamluk period until the end of the Ottoman era. It shows the various stages of endowment and includes a map of the villages that had endowed lands during the period of the research. The authors provide insight into how supervisors and entrusted persons managed the endowment lands and collected the revenues of its lease and look at the problems of



endowment lands, such as attacks, a growing number of claimants who want to share the lands' revenues, and the peasants' reluctance to pay fees of the endowment.

Ghosheh, Muhammad Hashim Musa Dawud, *Al-Awqāf Al-Islamiyah Fil-Quds Ash-Sharif: Dirasa Tarikhiyya Muwathaqa* [Islamic Endowments of Jerusalem: A Historical Documentation], Istanbul: IRCICA (2009).

Despite numerous writings on the *waqf*, this study is one of the most important ones done about *awqaf* in Jerusalem as it uncovered previously unpublished documents and records which, in addition to establishing the origin of many *waqf* properties, affirms the historical entitlement of Muslims in the holy city.

Goadby, F.M., "Law and Jurisdiction in Palestine in Matters of Personal Status and Waqf," *L'Egypte Contemporaine*, Vol. 17, Cairo (1926), pp. 127-149.

This article examines issues of personal status jurisdiction in relation to the *waqf*.

Güneş, Hasan, "Harat Al-Maghariba Wa Ahamiyatuha Fi Difa' Al-Quds Al-Shareef" [The Importance of the Moroccan Quarter in the Defense of Al-Quds Al-Sharif], Beit Al-Maqdes Fourth International Islamic Conference "Islamic and Christian Waqf in Al-Quds (Jerusalem) under Israeli Occupation" (June 2013).

This lecture talked about the significance of the Moroccan Quarter, its history, what it represented, what has become of it since the Israeli occupation of the city in 1967, and what the present reality of the *awqaf* in this neighborhood is. The focus is thereby on how the numerous *awqaf* have contributed to the quarter's development and their role during the occupation of the city.



Haidar, Aziz, "Siyasat Israel Nahwa Amlak Al-Gha'ibeen Al-Filastiniyeen" [Israel's Policy toward Palestinian Absentee Property], *Qadaya Israiliyah [Israeli Affairs]* (2007), pp. 5-19.

This article discusses Israel's policies towards Palestinian properties since 1948 and how the Israeli Absentee Property Act was put in place and used by the Israeli authorities to seize Palestinian properties. The article covers historical, technical and legislative aspects of this act and the kind of properties seized by the Israeli authorities, including *waqf* properties.

Haj-Hasan, Zainab, "Jerusalem, Christians and the Church of the Holy Sepulchre in a Period of Transformation (1700-1703)," Master Thesis submitted to Istanbul Medeniyet University, Department of History (January 2020), 205 p.

This thesis explores the details of the day-to-day practices, social and economic transactions, and general conditions of the Christian population in 18th century Jerusalem as well as the influence of their holy sites. It also discusses issues related to the Christian hierarchy and properties, including the role of the *waqf* in administrating and supervising these properties.

Hajjah, Shawkat Ramadan & Othman Ismail Al-Tal, "Hijat waqf al-amir sayf al-diyn tunakiz (al-madrasat al-tankiziati) 730 h 1329 m: dirasatan w tahqiq," [The argument of the endowment of Prince Seif Ad-Din Tankaz (The Tankaziyah School) 730 AH 1329 AD: Study and investigation], *Journal of the Islamic University of Humanitarian Research (Gaza)*, Vol. 19, (2011), pp. 1131-1172.

This research deals with the study and investigation of the *waqf* of the Tankaziyah School in Jerusalem, which was endowed by Prince Seif Ad-Din Tankaz, the governor of Damascus during the



Mamluk era. It looks at the scholars who taught in it and contains important information related to the endowment in terms of endowed properties, their locations, the terms of the endowment and the beneficiaries of it.

Al-Hamwi, Yaqut, *Ma'ajem Al-Buldan* [The Dictionary of Countries], (1224).

The book presents the different countries in the world during the period 1220-1224 and is therefore considered an important historical reference for that period. It talks about Jerusalem in one of its chapters and describes its geography and landmarks during the beginning of the 13th century.

Al-Hanbali, Mujir Ad-Deen, *Al-uns Al-jalil fi tareekh al-Quds w al-Khalil* [The Glorious History of Jerusalem and Hebron], 2 vols., Amman, 1973.

An integrated historical and geographical encyclopedia that includes the political, economic, social, cultural and intellectual aspects of the city of Jerusalem and its surrounding regions in Mujir Ad-Deen Al-A'limi Al-Hanbali time (15th-16th centuries AD). Although the author links Jerusalem with Hebron as the most sacred sites of the Holy Land, the focus is on Jerusalem, discussing its religious merits for Muslims as heirs of the monotheistic tradition, its shrines and topography, its history, and biographies of its notables - primarily, but not exclusively, '*ulama*'. In the chronicle of the reign of Qa'it Bay, the book shows that even in a time of political and economic turmoil Muslim rulers took active measures to maintain and enhance the holy status of Jerusalem.



Hariri, Mahmoud, "Al-Awqaf al-Islamiya wa dawroha fi al-hifath ala al-haya al-ilmiya wal ijtimaiya fi bayt al-maqdes (Min zaman Artq ibn Akrab ila zaman Salah ad-Din al-Ayyubi) 479-1193 AD / 589-1086 AH" [Islamic endowments and their role in preserving scientific and social life in Jerusalem (From the time of Artq ibn Aksab to the time of Salah Ad-Din al-Ayyubi), *Majalat Madarat Tarikhia*, Vol. 3, Issue 3 (September 2021), pp. 10-33.

This study deals with the Islamic endowments in Jerusalem during the period extending from the reign of Dahir al-Din Artq ibn Aksab to the reign of Sultan Salah Ad-Din al-Ayyubi. It sheds light on the pivotal role that these endowment institutions played in preserving the progress of scientific life and social life, especially during the period of the Islamic Crusader conflict, which was based on its most intense time at that time.

Al-Hidra, Ahmad Mahmoud, Al-Safadi, Muhammad Subhi, Durgham, Jamal Judeh & Mahaish, Ghassan Moussa, *Waqfiyat Al-sit Amina Al-Khalidi* [The Waqf of Mrs. Amina Al-Khalidi], Jerusalem: The Department of Reviving the Islamic Heritage (1988).

This study talks about a specific *waqf* in Palestine that belongs to Amina Al-Khalidi. After describing the general status of the *waqf* in Palestine in its first chapter, the authors focus on Amina Al-Khalidi's *waqf*: its contents, status, and the challenges it has faced.

Hoexter, Miriam, "Huquq Allah and Huquq al-ibad as Reflected in the *Waqf* Institution," *Jerusalem Studies in Arabic and Islam*, (1995), Vol. 19, pp. 133-56.

This article examines the legal framework in Islamic law and the nature of the *qadi's* relationship to *awqaf* and his role in



overseeing their well-being, as part of his responsibility to the general welfare of the Muslim community.

Hoexter, Miriam, "Waqf Studies in the Twentieth Century: The State of the Art," *Journal of Economic and Social History of the Orient*, Vol. 41 (4), (1998), pp. 133-65.

This article discusses the trends in *waqf* studies throughout time. It shows how earlier scholars focused on the legal aspects of the *waqf*, and how this progressed to scholars discussing the broader implications of the *waqf*, such as economics, the significance of public services, the law of succession, the impact on the social system and the urban layout, and the relation between the *waqf* and the state. In addition, the role of women in *awqaf* has also been examined in more depth since the end of the 20th century.

Hourani, Yasser Abdel Karim, "Nahwa ittar bain al-moassasat al-waqfiya al-aabira - namothaj al-sharaka bain al-waqf al-maqdisi wa al-awqaf abr al-aalam" [Towards a complementary framework for the transient waqf institutions - a model of partnership between the Jerusalem waqf and the transient waqf], *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 38 (May 2020), pp. 13-43.

This article compares Jerusalem *awqaf* and *awqaf* of international nature in order to explore opportunities that may strengthen Jerusalem *awqaf*, e.g., by finding partnerships with similar institutions that are able to utilize resources, experiences and finances in a joint and complementary way.



Hussein, Ahmed Abed, “Dawr al-waqf fi intishar al-zawaya wa izdiharha fi al-quds khilal al-ahd al-othmani” [The Role of the Waqf in the Spread and Prosperity of the Corners in Jerusalem during the Ottoman Era], *Journal of Islamic Jerusalem Studies*, Vol. 19, Issue 3 (2019), pp. 435-444.

This study attempts to show the great role played by endowments in the sustainability of the activity of any institution that has endowments that depend on its revenues. It also shows how these endowments are managed and the accuracy in their administrative structure, the multiplicity of ranks and jobs for their employees, as well as the accuracy in selecting their employees from well-known Jerusalem families in the city who have a long history of working in the field of endowment management, and how their owners were racing to endowment in the service of the people of knowledge and religion.

Al-Husseini, Faeq Najeeb, *Al-Waqf Al-Islami fi Filastin* [The Islamic Waqf in Palestine], Master Thesis, American University of Beirut (1938).

This is one of the first works that talked about the *waqf* in Palestine. It is a description of the definition of a *waqf*, its characteristics, its conditions, the different types of *awqaf*, the way they are administered and how a building can be considered a *waqf*.

Al-Husseini, Muhammad & Al-Imam, Assad, *Al-Manhal As-Safi Fi Al-Waqf Wa Ahkameh: Al-Wathaeq At-Tarikhiyah Lil-Aradi Wal-Huqouq Al-Waqfiyah Al-Islamiyah Fi Filastin* [The Repository of the Waqf and its Provisions: The Historical Documents of Lands and Islamic Endowment Rights in Jerusalem], Jerusalem: National Press (1982).

This study contains a vast number of documents reordered and assembled by the Ramallah *Shari'a* judge. It addresses endow-



ment in Islamic law, its history, types, conditions, how to benefit from it, maintenance, how to hold it to account and more. It also speaks of historical Islamic documents of lands and endowment rights in Palestine and beyond.

İpşirli, Mehmet, "The Waqfs of Palestine in the Sixteenth Century According to the Tahrir Registers," *The Third International Conference on Bilad Al-Sham*, Vol. 2: Geography and Civilization of Palestine, Amman (1984), pp. 96-107.

This paper discusses 16th century *waqf* in Palestine, using the Tahrir Registers as a case study.

İpşirli, Mehmet & Muhammad Al-Tamimi, *Awqaf wa amlak al-Muslimin fi Filistin* [The Muslim Pious Foundations and Real Estates in Palestine], Research Centre for Islamic History, Art and Culture, Istanbul: IRCICA (1982).

This publication contains information deciphered and processed from a 16th century Ottoman State Tahrir Register pertaining to *awqaf* and Muslim properties in five regions of Palestine: Al-Quds, Gaza, Safad, Nablus and Ajlun, with comparisons to three other registers. It contains indexes of personalities, places and terms.

Iskandar, Salameh, *Khaski Sultan, Lamha Tarikhiyya* [Haseki Sultan Waqf: A Historical Glance], Law Practice Adv. Iskandar Salameh (June 2013).

This article is an analysis of Haseki Sultans' *Waqf* from a legal point of view, presenting the ambiguity of its status. After briefly describing how Haseki Sultan got her *waqf*, the article gives a historical and legal insight of this *waqf* and the challenges it faces nowadays.



Izreiq, Moheeb, *Awqaf Liwa' Nables Munth A'am 1826-1918* [Endowments of Nablus District From 1826-1918], Master Thesis submitted to An-Najah National University, Nablus (2013).

In this paper, the Nablus *waqf* has been selected as a model and example of the reality of endowments in Palestine in order to identify their area and the extent of their expansion as well as their returns and expenditures and the challenges they faced. It shows that the Ottoman State not only approved of the Ayyubid and Mamluk *awqaf*, but also added to them, which enabled different scientific, medical, social and economic institutions to continue performing their roles. In order to ensure the organization and preservation of the *awqaf*, "The Endowment Department" was established to supervise the affairs of charitable *awqaf*.

Jabarat, Mahmoud M., "Waqafiat minjak basha (784 h/1382 mi): dirasat w tahqiq," [The Waqf of Manjk Pasha (784 AH/1382 AD): Study and investigation], *The Jordanian Journal of History and Archaeology*, Vol. 3, No. 1 (April 2009), pp. 71-100.

This article investigates the Minjak Pasha *waqf* of Jerusalem (784 AH/1382 AD), which included a *waqf* from the era of the Mamluk Bahri in the village of Beit Safafa and consists of four documents, the last of which is the *waqf* document of Prince Minjak Al-Yousifi and Mrs. Tanshaq Al-Mudhafari. It shows that women in that era had exceeded the guardianship of father, brother and husband in the economic field, and were able to start selling, buying, relinquishing and endowing land and real estate.

Al-Jabbouri, Jassem, *Awqaf Al-Muslimeen Fi Al-Quds Ash-Sharif* Khilal Al-Qarn Al-Thamen Ashar Al-Miladi [Muslim Awqaf in Jerusalem during the 18th Century], Dar Al-Hamed Publishing (2017).

This study presents the Muslim *awqaf* in Jerusalem from 1700 until 1800. There is no doubt that the teachings, principles and



customs of the Islamic religion have had a clear mark on the administration and institutions of the Islamic state.

Jaradat, Ezzat, "Makanat Al-Quds End Al-Moslimeen" [Jerusalem's Status for Muslims], *Afkar*, 348th Edition (January 2018), pp. 23-29.

This article explains why Jerusalem is important for Muslims, concentrating on the religious reasons based on the Qur'an and *Al-Isra' w-al-Miraj*, and its importance to Muslims as humans. It also looks at the social and practical aspect of the city's *awqaf* (e.g., houses and employment) and how the Muslims of Jerusalem have shaped and influenced the city.

Jibreel, Sameer, "Al-Taleem fi Al-Quds" [Education in Jerusalem], in *Al-Quds, Waqe' wa Tahadiyat* [Jerusalem - Reality and Challenges], Jerusalem (2016), pp. 169-206.

This research tackles the main problems in the educational sector for Jerusalemites. It presents each "type" of school's challenges from the Israeli occupation, which has been trying to impose the Israeli curriculum for decades. The study's third part focuses on *awqaf* schools and their challenges, such as being denied the right to renovate schools or build new ones and facing the imposition of the Israeli curriculum onto their schools.

Jilan, Abdul-Rahman Muhammad, "The Effect of Waqf on the Scientific Development in Iraq and Sham (From 400-800 Hijri/1010-1398 AD)," *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 27 (November 2014), pp. 40-76.

This article attempts to highlight the significant impact that *awqaf* have had on the structure of Islamic civilization and the



development of its communities, with a focus on scientific aspects. It shows how *waqf* institutions established the nucleus for the development and progress of the Islamic civilizational structure by advancing medicine and writing in all sciences. Similarly, *awqaf* helped securing roads, digging wells, and caring for the poor members of the community. The research identifies the foundations upon which these institutions were established, how they took advantage of multiple *awqaf*, the extent of the community's control over *awqaf* and what guidance these institutions provided towards scientific development.

Jubeh, Nazmi, "Jerusalem's Haram al-Sharif: Crucible of Conflict and Control," *Journal of Palestine Studies*, Vol. 45, No. 2 (Winter 2016).

This essay argues that Israel's recent and recurrent violation of the *status quo* at Haram al-Sharif in Jerusalem is one critical episode in a decades-long series aimed at gaining control of the area. Starting in 1967, the conflict over control of the area has varied in intensity, as Palestinians fought hard to preserve their city's national treasures, particularly, albeit not exclusively, its religious sites. While it has come at the cost of many Palestinian lives, the struggle has so far thwarted or derailed Israeli attempts to take over the compound. This paper also discusses the changing role of the Waqf over time and seeks to show that although tension in Jerusalem has reached the boiling point, the conflict is not merely a matter of who controls the contested area. Rather, it is the crucible of the much broader struggle for survival by Palestinians resisting almost fifty years of occupation.



Jubeh, Nazmi, “The Bab al-Rahmah Cemetery: Israeli Encroachment Continues Unabated,” *Journal of Palestine Studies*, Vol. XLVIII (1) (Autumn 2018), p. 88.

This report examines the history of the city’s three major Muslim burial grounds, particularly the Bab Al-Rahmah Cemetery, which is an Islamic *waqf*, and discusses their desecration in the context of Israel’s efforts to Judaize Jerusalem. It also addresses the role of the *waqf* in fighting those efforts.

Jubeh, Nazmi & PASSIA Team, *Al-Maghariba fi Bayt Al-Maqdes [Moroccans in Jerusalem]*, Bayt Mal Al Quds Asharif Agency, 2nd edition (2021), 330 p.

This study follows the Moroccan presence in the Old City of Jerusalem through what is called the Moroccan Quarter in the Old City, which is now part of the Jewish Quarter. It focuses on what travelers and historians documented on the Moroccan soldiers of the Fatimid army in Jerusalem and the presence of their scholars in the scientific/educational and intellectual life in the city since the early stages of the Islamic conquests. The book is divided into five chapters: the first chapter traces the Moroccan presence in Jerusalem from the beginning of Islam until June 1967, the second chapter presents the material heritage of the Moroccans in Jerusalem, including *waqf* assets, the third chapter briefly introduces Palestinian families of Moroccan descent which are still present in Jerusalem and have become part of the Palestinian society, while the fourth chapter presents contributions of Palestinians of Moroccan origin in the resistance and struggle from 1930 to 2014, and the fifth and final chapter reviews the situation of Moroccans in Jerusalem after the destruction of the Moroccan Quarter, explaining their demographic, social and economic characteristics.



Al-Jubouri, Ahmad, "Al-Quds Ash-Shareef Bain Ahdain: Al-Mamaleek Wal-Othmaniyeen, (1382-1566 / 784-974 AH)" [Jerusalem between Two Eras: The Mamluk and the Ottoman Periods (1382-1566 / 784-974 AH)], 6th Scientific Research Conference, Diyala University, Iraq (2018).

This paper explains the transition in Jerusalem from the Mamluk to the Ottoman era, showing how the Mamluks first developed the city, made it an independent district covering large areas of Greater Syria, and cared about its urban aspects, before Mamluk Jerusalem deputies and rulers then began to exploit its people and impose excessive taxes. The Ottoman Sultan Selim I visited Jerusalem and ordered the restoration of its old wall as the first step taken by the Ottoman Empire to rebuild the Holy City and manage its affairs. Jerusalem then witnessed an era of civilizational, economic and social prosperity throughout the Ottoman period, whose features and effects remain until this day. The era of Sultan Suleiman the Magnificent is considered the Golden Age of Jerusalem, during which security and stability was spread to all areas within and around the city, achieving peaceful coexistence between the different religions of the city.

Al-Jubouri, Ahmad, "Dawr Al-Waqf Fi Intishar Wa Izdihar Az-Zawaya" [The Role of Waqf in the Spread and Prosperity of Al-Zawaya in Jerusalem During the Ottoman Period], *The Journal of Islamic Jerusalem Studies*, Ankara (2019).

This research focuses on the *awqaf* as a reflection on modern and contemporary history. It also focuses on the educational aspect of the role of *awqaf* in the revival and development of Sufi institutions in Jerusalem. The study attempts to show the great role played by *awqaf* in the sustainability of the activity of any such institution. It also explains how *awqaf* are managed, their administrative structures and the diversity of jobs and employ-



ees within them, as well as the accuracy in the selection of employees from the Jerusalemite families that are known in the city and have a long history of working in the administration of the *awqaf*. Furthermore, the study shows the role played by the Ottoman empire in developing the Sufi culture in the city, which in turn led to the spread of many Sufi movements and establishments serving Sufis who came from all over the Muslim World to gain knowledge from scholars. This led to the prosperity of a large number of *awqaf* which supported them and became housing facilities for followers of the Sufi movement around the world. The *zawiyah* thus became important centers for knowledge and Sufism in Jerusalem for Sufis who came from various countries such as North Africa and India to study religious sciences and memorize the Quran. The study relied on reviewing, investigating and analyzing records of the Al-Quds Islamic Court during the Ottoman period.

Kanaan, Abdallah, "Al-Wissaya al-hashimiyah Ala Al-Muqadasat Al-islamiyah wal-Massihiyah fi Al-Quds" [The Hashemite custodianship on Muslim and Christian Holy Sites in Jerusalem], *Afkar*, 348th edition, January (2018), pp. 13-22.

This article discusses the Hashemite custodianship on the different Muslim and Christian Holy sites in Jerusalem, it explains how the Hashemite family became the "protectors" of those Holy sites and how they have contributed to keeping them from the influence of the British and the Israelis after 1948. The author of this article argues that the Hashemite custodianship did not start in 1924, but that it was a duty of the Hashemite family since the beginning of Islam. Since it is believed that the Hashemite family are the descendants of the Prophet, it is a religious but also a moral duty.



Kaya, Deniz Ikiz, "Heritage in Conflict: Critical Analysis of Approaches to Build Heritage in the Old City of Al Quds/Jerusalem," *Al-Quds/Jerusalem 2015 Project: The Fourth Seminar Report*, ICRICA, Jerusalem (2012).

This paper analyzes the conservation approaches of the main actors participating in the decision-making mechanisms for the heritage of the Old City of Jerusalem. After discussing the significance of the Old City and the impact the Israeli occupation has on the historic urban area, the paper introduces the stakeholders taking part in the management system of the Old City and analyzes them based on the urbanism and conservation approaches they have developed in order to safeguard the urban heritage in the Old City.

Khalidi, Omar, "Indian Muslims and Palestinian Awqaf," *Jerusalem Quarterly*, No. 40 (2009), pp. 52-58.

This article is concerned with Indian Muslim support to the projects of religious and educational purposes in one part of the former Ottoman Empire, Palestine, during the British Mandate, 1918-1948. In Jerusalem, Indian Muslim presence dates back to 13th century CE and their interest manifested mainly through financial support to the advancement and preservation of Muslim religious and cultural institutions, exemplified by the case of *Zawiyat al-Hindiyyah* or *Zawiyat Faridiyyah*.

Khalidi, Walid, "Special Report: The Ownership of the US Embassy Site in Jerusalem," *Journal of Palestine Studies*, Vol. 30, No. 4 (Summer 2000), pp. 80-101 (republished in *Jerusalem Quarterly*, Vol. 70 (2017), pp. 27-42).

This article examines the question of the land ownership of the new US Embassy site, as it is located on historic *waqf* land.



Khalil, Amina Ayoub, "Waqfiah al-kutub w al-maktabat al-filastiniat 'iishea'atan hadariatan fi al-'ahd al-'uthmanii: waqfiat bayt al-maqdas" [The Waqfs of Palestinian Books and Libraries: A Civilization Radiation in the Ottoman Era: The Waqfs of Beit Al-Maqdis as a Model], *Arabic 3000*, Vol. 3, No. 2 (June 2002): pp. 2-13.

This research aims to shed light on the phenomenon of endowing libraries and books in Jerusalem during the Ottoman era as a civilized aspect, i.e., demonstrating that the people of the city were keen on serving its students of knowledge, especially after they began to feel the danger of foreigners taking over the country, and the possibility of losing books from it.

Al-Khalili, Noura, "Protection from Below: On Waqf between Theft and Morality," *Jerusalem Quarterly*, Vol. 70 (2017), pp. 62-74.

This article examines the *waqf* system within a settler-colonial context. It looks at how the *waqf* is protected and can be used as a means of resistance, as well as how the *awqaf* administration has survived through the British Mandate and since the 1967 Israeli occupation.

Khamaisi, Rassem, *Mush 'amun li'amlak al-awqaf: al-masajid w al-muqamat w al-maqabir al-islamiyat fi mintaqat janub filastin, dakhil al-khati al-akhdari* [General Survey of the Islamic Waqf properties: Land, Mosques and Cemeteries within the Green-Line], Kufr Barra: Al-Aqsa Association for Protection of the Islamic Waqf (2002).

This survey used the Palestinian *waqf* archives in order to trace its assets - such as land, mosques, shrines, tombs and cemeteries - within Israel proper with the aim to rehabilitate them and put them back into action.



Khan, Muhammad Tariq, "Historical Role of Islamic Waqf in Poverty Reduction in Muslim Society," *The Pakistan Development Review*, Vol. 54 (4), Part II (2015), pp. 979-996.

This study highlights the role of the Islamic *Waqf* in reducing poverty and providing aid. It covers *waqf* activities throughout the Islamic world and throughout history as well as *waqf* efforts against hunger, ill health, poor access to education, lack of clothing or shelter, lack of economic opportunity, lack of water, and lack of access to social and cultural life.

Khasib, Mohammad Abdul Raziq & Hussam Eddin Afaneh, "Athar al-waqf al-iislami 'alaa al-ta'alim fi filastin min al-fath al-'umuri 'iilaa waqtina al-mu'asiri" [The impact of the Islamic endowment on education in Palestine from the age of conquest to our time], *International Academic Journal for Islamic Studies*, Vol. 3, No. 1 (2021): pp. 94-121.

This research deals with the impact of the Islamic *waqf* in Palestine on the sustainability of education from the era of Caliph Omar Ibn Al-Khattab to the present day. It shows that the *waqf* was a basic pillar of advancing the educational process and an influential factor in finding educational centers that provided for the needs of teachers and learners. Recommendations include the necessity of reviving the *waqf* system and directing it to support education in Palestine, especially postgraduate studies, and the need to address the problems that led to its decline.

Al-Khatib, Muhammad, *Al-Awqaf Al-Islamiyah Fi Filastin Fil-A'sr Al-Mamlouki 1250-1517* [Islamic Awqaf in Palestine during the Mamluk Era 1250-1517], Doctoral Dissertation submitted to the Faculty of Arts, Yarmouk University (2007).

This dissertation examines the role of the Islamic *awqaf* in Palestine during the Mamluk era in four chapters covering their cultural, religious, social and economic roles.



Al-Khatib, Muhammad & Ibrahim Husni Rabayah, "Dirasa fi wathaeq wa hojaj muamalat al-Waqf fi mahkamat al-Quds al-shariya khilal al-qarn al-hadi ashar al-hijri/al-sabei ashar al-miladi" [A Study in the Documents and Transactions of Waqf in Jerusalem Ottoman Legitimate Court During the 11th AH / 17th AD centuries], *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 25 (November 2013), pp. 53-89.

This research deals with aspects of *waqf* transactions during the Ottoman era in Jerusalem. The two researchers review the archival sources represented in the Ottoman court records of Jerusalem, which are rich in valuable and rare information, including arguments from the 11th century AH/17th century CE. The study includes the most prominent issues of endowment transactions that were recorded by the *Shari'a* court in Jerusalem, including: replacement, lawsuits, reconstruction, loans and rent.

Khatib, Muhammad & Ibrahim Husni Rabayah, "Lamahat 'an madaris al'quds al'sharif min khilal sijili mahkamat al-quds al-shar'iat al-'uthmaniat raqm (152) ya'ud 'iilaa tarikh (13 safar 1067 h - 9 safar 1068 h la kanun al-'awal 1656 mi - 16 tishrin althaani 1657 mi)," [Glimpses of the Schools of Al-Quds Al-Sharif through the Ottoman Sharia Court of Al-Quds Register No. (152) dating back to (13 Safar 1067 AH-9 Safar 1068 to 1 December 1656-16 November 1657 AD)], *University of Sharjah Journal of Humanities and Social Sciences*, Vol. 11, No. 1 (June 2014), pp. 143-169.

This study provides some insight into Jerusalem schools and education in the 17th century through Ottoman court, *Shari'a* and *waqf* documents.



Khayat, Habeeb Albert, *Waqf in Palestine and Israel from the Ottoman Reforms to the Present*, Ph.D. Thesis submitted to the American University, Washington D.C. (1962).

This study from 1962 looks into the extent of *awqaf* in Palestine, their financial structure, and both their classical and changing roles since the Ottoman times. It discusses the historical development of the *awqaf*'s situation, the position of the *waqf* within the land tenure system, the Ottoman reforms dealing with or influencing *awqaf* from the Tanzimat period until World War I, the role played by the Supreme Muslim Council during the British Mandate period and by the Israeli government since 1948, and the differences and similarities of the Palestinian *waqf* compared to *awqaf* in the surrounding Arab countries.

Khoury, Shehadeh & Nicholas, *Kholassat Tareekh Kanissat Orshaleem Al-Orthodoxiya ma' nubtha Aan Tareekh El-Qadiyah Al-Orthodoxiyah, 1925-1992* [Summary of the history of the Orthodox Church with a brief summary of the history of the Orthodox issue, 1925-1992], Amman: The Middle East Publisher (1992).

This study explains the duties of the patriarch and Holy Synod of the Orthodox Church rules, in addition to the fraternal local confessional councils. The book also clarifies the financial provisions, how they were transferred, and the role of the *awqaf* in financing the church. The book also concentrates on the laws and patriarchal estates.

Kuran, Timur, "The Provision of Public Goods under Islamic Law: Origins, Impact and Limitations of the Waqf System," *Law & Society Review*, Vol. 35 (4) (2001), pp. 841-898.

This paper delves into how the legitimacy of the *waqf* was undermined over time due to 'legally questionable adaptations' of original agreements between *waqf* managers and trustees. Over



time, governments found it easier to confiscate *waqf* land due to its lack of ability to adapt and mobilize resources. With the arrival of European-style municipalities in the Middle East in the 19th century, the *waqf* system was formally repudiated in favor of government-coordinated systems of delivering public goods.

Kuran, Timur, "Legal Roots of Authoritarian Rule in the Middle East," *The American Journal of Comparative Law*, Vol. 64 (2) (2016), pp. 419-454.

This article questions whether the pre-modern Islamic *Waqf* played a role in the slow democratization process in the Middle East, and whether it played a role in paving the way for authoritarian rule. It argues that the *waqf* inhibited the 'indicators of democratization', and contributed minimally to building civil society, while controlling a relatively high number of resources, therefore perpetuating authoritarian rule.

Larkin, Craig & Dumper, Michael "In Defense of Al-Aqsa: The Islamic Movement inside Israel and the Battle for Jerusalem," *Middle East Journal*, Vol. 66 (1) (Winter 2012), pp. 31-52.

This article suggests that the Islamic Movement in Israel attempts to fill the vacuum created by the collapse of Palestinian political authority and leadership in Jerusalem following the Al-Aqsa Intifada in 2000. The authors explore how the Al-Aqsa Mosque was employed, by Sheikh Ra'ed Salah in particular, as a symbol for political empowerment and a focal point for religious renewal.

Layish, Aharon, "The Muslim Waqf in Israel," *Asian and African Studies*, Vol. 2 (1966) pp. 41-76.

This article examines Israeli secular legislation in matters of personal status, i.e., regarding marriage and divorce *vis-à-vis* Muslim religious law.



Layish, Aharon, "The Muslim Waqf in Jerusalem after 1967: Beneficiaries and Management, 1994," *Le Waqf Dans le Monde Musulman Contemporain (XIXÈ-XXÈ Siècles): Fonctions sociale, économique et politique*, edited by Faruk Bilici, L'Harmattan (1995), pp. 145-168.

Based on the fact that many Muslim countries have introduced regulations that diminished the status of the *waqf* on the grounds that it would not be able to adapt to current economic complexes, Layish pursues the question why the institution of the *waqf* has survived, and even flourished, in East Jerusalem.

Luz, Nimrod, *The Mamluk City in the Middle East History, Culture and the Urban Landscape*, Cambridge University Press (2014).

This book is a historical, cultural, and geographic study of Syria during the Mamluk period (1260-1517), with an emphasis on Jerusalem, Safad and Tripoli. Chapter 2 focuses on the cities' built-environment and includes a field survey of Mamluk Jerusalem. Chapters 3 and 4 look at the urban residential units and neighborhoods, while Chapter 5 examines the *awqaf* and their role in policy-making and jurisprudence. It also contains data on buildings in Jerusalem that are considered *waqf* or *waqf*-related properties and discusses in detail how endowments were catalysts for urban development. Other chapters deal with Mamluk politics and local notables. One of the appendices of the book includes a list of *awqaf* buildings in Mamluk Jerusalem.

Al-Madani, Ziad, *Madinat Al-Quds Wa Jiwariha khilal al-fatrat 1215-1245 AH/1800-1830 AD* [The city of Jerusalem and its Neighborhood: During the Period, 1215-1245 AH/1800-1830 AD], Mafraq: Al al-Bayt University (1996).

This study discusses the management, law enforcement and economic life - industries, crafts, trade and commerce - in Jeru-



salem during the early 19th century and how this related to land ownership, social life, families, *zawayat*, *awqaf*, and Christian denominations.

Al-Madani, Ziad, *Al-Awqaf Fil-Quds Wa Jiwaraha Fil-Qarn At-tase' A'shar Al-Miladi (1800-1918)* [Waqfs in Jerusalem and its Vicinity in the 19th Century (1800-1918)], Vol. 1 (2), Amman (2004).

This study is an introduction to *awqaf*, their meanings, different types, and the purpose behind the establishment. It explains how *awqaf* are managed, the obligations of their managers, and their cultural, economic and social importance.

Al-Madani, Ziad, *Madinat Al-Quds Wa Jiwaraha Fi Awakher Al-Aahd Al-Othmani 1246 AH/1831 AD–1336 AH/1918 AD* [Jerusalem and its Surroundings in the Late Ottoman Period, 1246 AH/1831 AD–1336 AH/1918 AD], Amman (2004).

This study examines administration in Jerusalem including governance, the judiciary and religious functions of the Ottoman Empire in the city. It explains economic life through agriculture and industry and the social life of the population and communities. The book also describes the architectural heritage of the Ottoman empire, such as buildings, hammams, markets and streets.

Al-Madani, Ziad, *Al-Awqaf Al-Quds Fil-Qarn Al-saabie 'ashar al-miladii 1009-1112 AH/1600-1700 AD* [Waqfs in Jerusalem in the 17th Century 1009-1112 AH/1600-1700 AD], Amman: Ministry of Culture (2018).

This study looks at the role, management, socio-cultural functions and economic significance of *awqaf* in 17th century Jerusalem.



Al-Madani, Ziad, *Al-Awqaf al-masshiya fi Al-Quds fin al-Qarn al-tase' aashr* [The Christian endowments in Jerusalem in the 19th Century], Bahrain, n.d.

This paper is a brief presentation of what the Christian *waqf* consists of. It shows how the Christian *waqf* developed and describes the different types of *awqaf*, how they work in the Christian religion and who is in charge of the *waqf*.

Malkawi, Hanan Suleiman, "Al-kutub al-mawqufat 'alaa maktabat al-masjid al'aqsa," [Books held at Al-Aqsa Mosque Library], *Journal of the Islamic University of Humanitarian Research (Gaza)*, Vol. 27, No. 1 (January 2019), pp. 272-283.

This study shows a side of cultural life that prevailed in Jerusalem during the 10th century AH/16th century CE by presenting a list of endowed books on Al-Aqsa Mosque Library in Jerusalem, based mainly on the list contained/mentioned in one of the Jerusalem court's records, dated on 16 Dhu al-Hijjah 992 AH, 1584 CE. The books include a variety of topics ranging from jurisprudence, to Hadiths, language and literature, philosophy, and other sciences, reflecting the pattern of scientific interest in the city, where the endowed books were at the disposal of students who studied in the mosque.

Al-Malukh, Mahmoud, "The importance of the Waqf in Supporting the Educational Life in Palestine," in *Al-awqaf al-islamiyat w-al-maslihat fi al-quds taht al-ihtilal al-isra'ili* [Islamic and Christian Endowments in Jerusalem under Israeli Occupation], edited by: Mahmoud Al-Ashqar & Khaled Zawawi, Ministry of Awqaf & Religious Affairs, Jerusalem (2013).

This book chapter elaborates the role, function and significance of the *waqf* in relation to schools and education.



Mandaville, Jon E., "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire," *International Journal of Middle East Studies*, Vol. 10 (3) (1979), pp. 289-308.

This essay discussed the legitimized but controversial practice of usurious piety, the *waqf al-nuqud*, which is the establishment of a trust with money, whose interest might pay the salary of a teacher, preacher, or even brazenly pass into the pocket of the founder of the trust. The author details the process by which the Ottomans carried out this cash *waqf* and the implications this had for the development of the social structure at that time.

Manna', Adel, *Liwa' Al-Quds Fi Awaset Al-Aahd Al-Othmani, Al-Idara Wal-Mojtama' Munth Awaset Al-Qarn Al-Thamen Ashar Hata Hamlat Ali Pasha Sanat 1831* [District of Jerusalem in the Mid-Ottoman Period: Administration and Society from the Mid-18th Century until the Campaign of Muhammad Ali Pasha in 1831], Institute of Palestine Studies (2008).

This study examines governance and administration of the Jerusalem district in the Ottoman era by showing the different governmental and *waqf* roles in various governance aspects including the taxation system and tax collection. The study also examines the role of Shami (Syrian) rulers at the time. The book presents an explanation of the military, security and administration, *Shari'a* courts and the judiciary in Jerusalem and examines governance and society in the villages of the Jerusalem district.

Al-Marashli, Ahmad, *Al-Mawsou'a Al-Filastiniya* [The Palestinian Encyclopedia], Vol. 1 (1984).

This encyclopedia has various studies covering geography and history, civilizations, and the Palestinian cause, among others. The encyclopedia aims to give an overview of Palestine from all perspectives.



Matani, Abed Al-Razek, *Awqaf Al-Maghariba Fi Ard Filastin [Moroccan Awqaf in Palestine]*, Umm Al-Fahm: Center for Contemporary Studies (2011).

This study deals with Israel's hostile campaign against *waqf* lands and sites since 1948, including those of the Moroccans who fought in Salah Ad-Din Al-Ayyoubi's army or those who were buried in the vicinity of Al-Aqsa Mosque. The perhaps most famous attack on *awqaf* was the demolition of the entire Moroccan quarter adjacent to Al-Buraq Wall, immediately after the 1967 Six Day War. This study documents and categorizes Moroccan *awqaf* in Palestine, many of which are found in Jerusalem and its environs, but also in Hebron, Gaza, Lod and Ramleh, Jaffa, Nazareth, Akko and elsewhere, including notarized deeds and images of each one. Today, most of these *awqaf* have come under Israeli control, properties have been inhabited or demolished and rebuilt, public spaces, courtyards and facilities have been left or commercially exploited, and land has been confiscated and marked state property. The author discusses how to preserve and reinstate these *waqf* properties, including the appointment of a guardian (e.g., an Islamic institution or association) to supervise whatever is left of them and to develop a project for their maintenance. He sees this study as starting point to documenting and restoring the entire Islamic *waqf* in Palestine that was lost during the Nakba.

Mendelsohn, Judith, "The Problem of the Waqf al-Haramayn in Jerusalem During the Ottoman Period," *Turkish Studies Association Bulletin* (1995), pp. 64-69.

This short article illustrates the difficulties in researching the *waqf* in Jerusalem. It also shows how Islamic rulers during the Ayyubid, Mamluk and Ottoman periods used the *waqf* as a tool to increase their political legitimacy.



Mohsen, Yusuf, "Al-waqfiat ka-masdar tarikhiin: waqafiat al-madrasat al-tankuziat fi al-quds kadirasat hala," [Waqfs as a historical source: The Waqf of the Tankaziyah School in Jerusalem as a case study], *Nasiriyah for Social and Historical Studies*, No. 7 (June 2016). pp. 391-438.

This study examines the importance of the *waqf* documents as historical sources, using the *waqf* of the Tankaziyah School in Jerusalem as a case study. It details the different institutions which made up the Tankaziyah *waqf*, such as the Fiqh school, the Hadith school, the *ribat* of the Sufis, the *ribat* of the women, the mosque, the *taharah*, the *sabil*, the two baths, the village of 'Ein Qinya, the *Khan* of Tankaz, and several shops in the Old City's Qattanin market which was established by Tankaz. The study also deals with the budget and management of the *waqf*, with daily human activities in Jerusalem and in 'Ein Qinya and other issues such as Al-'Arrub Canal, Jerusalem's sewage system.

Morgan, Claire, "Islam and Civil Society: The Waqf," *The Good Society*, Vol. 1(1) (2001), pp. 21-24.

This article provides a brief and concise overview of the role of the *waqf* in civil society. It covers its role in society, its origins and historical background, the classifications of different *awqaf*, the laws behind it as well as the roles of women within *awqaf*.

Muhafaza, Muhammad & Mahmoud Al-Ashqar, "Al-Waqf Ath-Tharri Fi Madinat Al-Quds Fi Al-Ahd Al-Othmani: Dirassah Fi Si-jillat Al-Mahkama Ash-Shariyah" [Family Waqf in the Holy City of Jerusalem During the Ottoman Era: A Study in the Archives of the Religious Court], Master Thesis submitted to Yarmouk University, Faculty of Scientific Research (2009).

This research paper discusses family *awqaf* in Jerusalem during the Ottoman period in terms of identifying the donors, properties and beneficiaries, and representing them through the do-



nors themselves, their children and their descendants, and the terms established by the donors to determine the benefits of the descendants. The study also discusses how to manage *waqf* properties and maximize their usage in a situation where the donors have descendants that have been given the right to manage the *waqf* freely and appointing the most suitable person to look after them. Furthermore, the study deals with the case where management of the *waqf* has been passed on to a religious institution or to poor people.

Al-Muhtady, Abla, *Awqaf Al-Quds Fi Zaman Al-Intidab Al-Baritani* [Jerusalem's Awqaf During the British Mandate], Amman: Dar Majdalawi (2005).

In this study the author aims to define what a *waqf* is and to explain the difference between the Arabic definition of the term and its religious definition. According to the author, in addition to its religious distinction, Jerusalem has been a center for the dissemination of knowledge across all regions of the world, which led Ayyubid and Mamluk monarchs to increase their interest in it and establish many charitable institutions, both religious and social, such as schools, hospitals and baths. From the earliest days of its presence in Palestine, the British Administration quickly formed a British *Waqf* Committee in Jerusalem. This was not due to British interest in the affairs of the Islamic *waqf*, but rather due to its firm knowledge of the greatness and importance of the Sultanatic *waqf* seized in Palestine. Al-Muhtady also explains how the Department of *Waqf* Affairs was handled by the British Administration and how local *waqf* management and fund councils were established in various areas with representatives of local councils and a British delegate representing the military administration.



Müller, Christian, "A Legal Instrument in the Service of People and Institutions: Endowments in Mamluk Jerusalem as Mirrored in the Haram Documents," *Mamluk Studies Review*, Vol. 12(1) (2008), pp. 173-191.

This article explores the legal practice connected to *awqaf* in Mamluk society, particularly from the leaseholders' perspective, i.e., the legal relations of shopkeepers and farmers on *waqf* land to the *waqf* administration.

Musa'e, Anwar H. M., Abbas, 'Iman Muhammad, Mujan, Wan Kamal & Sidik, Roziah, "Waqf Land in the West Bank and Investment Current State of Affairs," *Asian Social Science*, Vol. 10 (14) (2014), pp. 23-39.

This paper examines one of the *waqf* property assets: leased and non-leased plain *waqf* land in the West Bank, as well as lands belonging to mosques, shrines and cemeteries. The study further identifies plain land and planted land as the economically feasible assets, while the lands of mosques, cemeteries and shrines were classified as public utility and charitable work. The authors analyzed the descriptive data of the land in every West Bank governorate and organized the results in separate tables, showing the *waqf* land area and percentage of the investment of each type.

Musa'e, Anwar H.M., Abbas, 'Iman Muhammad, Mujan, Wan Kamal & Sidik, Roziah, "Financial Analysis of Waqf Real Estate Revenues in the West Bank: 1994-2014," *Asian Economic and Financial Review*, Vol. 4 (10) (2014), pp. 1260-1274.

This paper undertakes a financial analysis of the Palestinian Ministry of *Waqf*, finding that 61% of the *Waqf* revenue comes from real estate. However, it goes on to show that despite this, the *Waqf* in the West Bank fails to collect 73% of its rental dues. This was due to "the *waqf* real estate leasing mechanism pattern of



contracts regulating them, the legal extension of leasing contracts, freezing of rental charges, low collections, accumulation of debt on tenants, and legal legislations.”

Al-Naimi, Abdul Karim Ibrahim Al-Sammak, “Dawr al-waqf al-islamii fi al-haylulat dun tahwid Filastin” [The Role of the Islamic Endowment in Preventing the Judaization of Palestine], *Al-Bayan Magazine*, No. 312 (June 2013).

This article looks at the ways and means in which the Islamic endowment on Palestine confronted Israel’s various Judaization attempts, especially with regard to Jerusalem.

Najem, Raef, *Al-Imar Al Hashemi fi Madinat Al-Quds* [The Hashemite reconstruction in Jerusalem], Amman: Dar Al-Bayraq for Printing, Publishing and Distribution (1994).

This study presents the efforts done by the Hashemite Kingdom in order to restore and rebuild some of the Islamic and Christian religious places in Jerusalem. It focuses on the reasons, and the different ways that the Hashemite Kingdom has contributed to the reconstruction and servicing of some of the religious landmarks and properties in order to preserve them. The book also tackles the Hashemite Kingdom’s role since the Israeli occupation in protecting the *waqf* properties in Jerusalem and the challenges that it has been facing since.

Najem, Raef; Abdel Mahdi, Abdel Jaleel; Al-Natsheh, Yousef; Al-Hallak, Bassam & Kalboneh, Abdallah, *Konooz Al-Quds* [The Treasures of Jerusalem], Amman: The Royal Society for Civilization Research (1983).

The book provides an overview of the history and geography of Jerusalem throughout the ages up to the 1980s. It was compiled from documents and photographs of all the facilities of ancient



Jerusalem, both private and public, whether residential, commercial or governmental, Islamic, Christian or Jewish and includes a recording of what needs to be repaired and maintained.

Al-Natsheh, Yousef, “My Memories with Khassaki Sultan or ‘The Flourishing Edifice’,” *Jerusalem Quarterly*, Vol. 14, No. 7 (Winter 2000), pp. 29-35.

This article deals with the architectural complex of the Khassaki Sultan, a *waqf* located in the Old City of Jerusalem, near the Al-Aqsa Mosque compound’s Nazir Gate, which is related to Roxelane, the wife of 16th century Ottoman Sultan Suleiman al-Qanuni and is the largest charitable institution in Palestine.

Al-Natsheh, Yousef, *Masarat wa Jawalat: Min As-Siyaha Ar-Radifa Fi Madinat Al-Quds* [Paths and Tours: Alternative Tourism in Jerusalem], Jerusalem: Jerusalem Tourism Cluster (2011).

This book gives an overview of the history of Jerusalem and a chronology of the most prominent periods of Jerusalem. It describes several tours, each with its own historical significance, such as tours of the walls and gates of Jerusalem, the markets, churches, water fountains, and paths of religious significance such as the Via Dolorosa, the path of *Al-Isra’ w-al-Miraj* and a tour on the Mount of Olives, in addition to others such as tour of Sufism and its institutions and the architectural mosaic path.

Omar, Luay, *Al-Awqaf Al-Islamiyah Fi Ad-Diffa Al-Gharbiya* [Islamic Endowments in the West Bank], Ramallah: The Palestinian Independent Commission for Citizen’s Rights (2002).

This legal report tackles the main legal issues explaining the decline of the *waqf* department’s role in the West Bank and the limitations it faces under Israeli occupation. The report aims to present this issue from a legal point of view by examining the



different laws regarding *awqaf*, their legal status, their sizes and the way they are being managed under Israeli occupation. It also presents a comparison of the different laws regarding the endowments starting from the Ottoman Empire and going all the way to the Israeli occupation.

Papastathis, Konstantinos & Kark, Ruth, "The Politics of Church Land Administration: The Orthodox Patriarchate of Jerusalem in late Ottoman and Mandatory Palestine, 1875-1948," *Byzantine and Modern Greek Studies*, Vol. 40 (2) (2016), pp. 264-282.

This article studies the ongoing land dispute within the Orthodox Church of Jerusalem between the Greek religious establishment and the local Arab population from the late Ottoman era to the end of the British Mandate. It assesses how this dispute affected inter-communal relations and argues that both the Ottoman and British authorities adopted pro-Greek stances on the basis of regional political considerations.

PASSIA, *Kamel Al-Assali wa Qadiyat Al-Quds* [Kamel Al-Assali and the Issue of Jerusalem], Jerusalem (1996).

The book collects studies by several researchers and writers on the studies and writings of Kamel Al-Assali, including the demography of Jerusalem at the end of the 11th century, the records and documents of the *Shari'a* court, the heritage of Jerusalem, as well as cultural landmarks and radical changes in Palestine.

PASSIA, *Bab Al-Rahmah mahatat tarikhiya fi al-mashhad wa-ahdath shahray shbat wa mars 2019* [Bab Al-Rahmah, historic milestones of the scenes of the February and March 2019 events], Bulletin (May 2019).

This publication provides a brief historical review and explanation of Bab Al-Rahmah, the gate itself, the building, proximity



and status as a *waqf*. It shows the historical, religious and legal *status quo* and chronicles the events that took place in February and March 2019, including the positions of the main parties, violations of the Al-Aqsa Mosque/Al-Haram Al-Sharif and its sanctity, and the persistence and tenacity of the Palestinian resistance in Jerusalem. This gives a good example of the kind of violations an Islamic *waqf* is subjected to in Jerusalem.

Peled, Alisa Rubin, *Debating Islam in the Jewish State: Formative Moments in the Development of Policy towards Islamic Institutions in Israel*, Ph.D. Thesis, Harvard University (1994).

This study looks into the history and development of Muslim communal institutions in Israel, including *Shari'a* courts, *awqaf*, holy places and religious education, and the role both the Jewish state and Muslim community played in the establishment and administration of these institutions.

Peri, Oded, "The Waqf as an Instrument to Increase and Consolidate Political Power: The Case of the Khasseki Sultan Waqf in late 18th Century Ottoman Jerusalem," *Asian and African Studies*, Haifa Vol. 17, (1983), pp. 47-62.

This article discusses the political dimensions and uses of the *waqf* system during the 18th century Ottoman rule in Jerusalem, using the Haseki Sultan *waqf* as a case study.

Peri, Oded, "The Muslim waqf and the collection of *Jizya* in late eighteenth-century Jerusalem," in *Ottoman Palestine, 1800-1914: Studies in Economic and Social History*, edited by Gad G. Gilbar, Brill, Leiden (1990), pp. 287-298.

This essay uses the Jerusalem *qadi's* registers to describe the Muslim *awqaf* and the collection of *jizya* in the late 18th century.



It suggests that most of the *jizya* collections went to finance the hajjis and to a lesser extent the two main mosques in Jerusalem.

Peri, Oded, "Waqf and Ottoman Welfare Policy: The Poor Kitchen of Hasseki Sultan in Eighteenth Century Jerusalem," *Journal of Social and Economic History of the Orient*, Vol. 35 (2) (1992), pp. 167-186.

This article focuses upon one sector of the public services, for which the *waqf* in Ottoman times proved most important in the absence of municipal authorities, which is the relief and social welfare for the poor. It discusses the role played by the *waqf* in these areas by looking at the nature and operations of the Ottoman semi-formal institution known as *imaret* (prosperity or well-being), which was a kind of hostel offering free board, lodging and small pensions for Muslims studying religion. An *imaret* also functioned as a soup kitchen for the poor and a charity fund for the needy. This article tells the story of one of these in Jerusalem, the *imaret* of Haseki Sultan.

Powers, David S., "Revenues of Public Waqfs in Sixteenth Century Jerusalem," *Archivum Ottomanicum*, Vol. 9, Wiesbaden (1984), pp. 163-202.

This is a quantitative analysis of the land revenues of *awqaf* in Jerusalem in the 16th century.

Al-Qaddoumi, Issa, "Ashhar At-Takaya Fi Filastin" [The Most Famous Takayas in Palestine], *Islamstory* (islamstory.com/ar/artical/24044) (September 2006).

This online article is a description of the most famous *tekayas* (food distribution charity) in Palestine, which highlights the heritage of the Islamic *waqf*. The author exposes a number of fa-



mous *tekayas* including the *takiyah* of Haseki Sultan in Jerusalem and the *takiyah* of Prophet Ibrahim in Hebron in addition to other important *tekayas* considered part of the *awqaf* in Jerusalem.

Qahaf, Munther, *Al-Waqf al-Islami, tataworah, idaratoh, tan-miyatoh* [Islamic Waqf its management and development], Dar Al-Fikr (2000).

The book talks about the concept of *waqf* during the Islamic time and its role in the current society. The author then concentrates on *waqf* development, *waqf* management and the way we can assimilate it to the current society's development.

Qatanani, Abeer, "Al-Mo'assasat Al-Waqfiya Fil-A'hd Al-Othmani: Al-Imara Al-Amira Fi Bait Al-Maqdes Wa Atharha Fil-Haya Al-Ijtimaiyah" [Waqf Foundations in the Ottoman Period: Archeology in Islamic Jerusalem and its Impact on Social Life], *Journal of Islamic Jerusalem Studies*, Vol. 17(1) (2017), pp. 71-105.

This article looks at the role of charitable foundations (*waqf*) of Al-Imara Al-Amira in Jerusalem. It first examines the meaning of *waqf* in the Islamic *Shari'a*, the role of the Ottomans in keeping and serving these foundations, and the role of *waqf* in the social, economic and educational life in the 19th century. The second part gives a summary about the endower "Haseki Sultan", describing the building (*takiyeh*), while the third discusses the main *awqaf* endowed on the *takiyeh*, its services, and employees. The article focuses on the role of the *takiyeh* which still plays a supporting role as a charitable foundation, providing food, supporting the steadfastness and struggle against the Israeli occupation, and keeping this archaeological and historical monument alive in the face of cultural, intellectual and religious invasion.



Qudah, Ahmad Hamed Ibrahim, *Nasara Al-Quds: Dirassa Fi Daw' Al-Watha'eq Al-Othmaniyah* [The Christians of Jerusalem: A Study in the Light of the Ottoman Documents], Center for Arab Unity Studies (2007).

This study is the first of its kind on the general conditions of Christians in the 19th century in light of the data revealed by the records of the Jerusalem *Shari'a* court in Ottoman Jerusalem. The information contained in these records is unique and very important and not available in traditional sources. The study consists of a prelude and six chapters. It talks about the Christian communities that lived in Jerusalem and describes their social life. It deals with the personal status of the Christian communities and their role in the administrative and educational fields and also presents the economic and religious life and speaks about the Ottoman State's attitude towards the conversion to Islam by some Christians as well as towards the construction of churches. The study also examines the relationships of Christian communities with each other and their relations with Muslims.

Al-Qudah, Monther Abdul Karim, "Dawr al-awqaf al-moshtaraka bayn al-muslimin wal masihiyin fi khidmit maqased al-waqf al-aamma," [The Role of Endowments Shared by Muslims and Christians in the Service of General Endowment Purposes], *Zarqa Journal for Research and Studies in Humanities*, Vol. 20, No. 3 (2020).

This article looks at the role of *waqf* both at present and as played in historically in Arab-Muslim societies in general and in Jerusalem in particular, based on jurisprudential sources. It describes the Christian Waqf, the legitimacy of joint Muslim-Christian endowments, and how the provisions related to Waqf from a non-Muslim were organized.



Al-Qutob, Ishaq, *Al-Majales Lil-Ahia' Fi-Al-Quds Al-Arabiya* [The Neighborhood Councils in Arab Jerusalem], Jerusalem: PASSIA (1996).

The book discusses the origin and concept of neighborhoods in Arab Jerusalem, explaining their administration, organization, demographic changes, and the increase of settlements.

Rabayah, Ibrahim Husni & Muhammad Khatib, "Rehabilitation of Waqf Foundation in Jerusalem during the Third and Fourth Decade of the Seventeenth Century (1620-1640)," *International Journal of Humanities and Social Science*, Vol. 4 (10) (August 2014), pp. 203-219.

This study looks at the conditions of the *awqaf* in Jerusalem in the first half of the 17th century. Upon analyzing the archival resources represented in the Ottoman Registers at the *Shari'a* court of Jerusalem, it was obvious that they are a major source of information. These Ottoman Registers describe the status the *waqf* foundations have reached and their impact on Jerusalem in general. The research also shows the significance of this foundation at the time where Israel tries to control all its properties. It highlights the achievements of *awqaf*, which could serve as a role model to be followed in this respect in regard to the targeting by Israel.

Rabayah, Ibrahim Husni, "Waqafiat muhamad basha sahib al-khayrat fi al-quds (1023-1043 h 1614-1633 mi)" [Endowments of Muhammad Pasha, the owner of bounties in Jerusalem (1023-1043 AH 1614-1633 AD)] *Al-Quds Open University Journal for Research and Studies*, Vol. 2014, No. 34 (October 2014), pp. 187-222.

This study shows the endowment contract (*waqf*) of Muhammad Pasha, who was known as generous during his reign in Je-



rusalem, and discusses his role as ruler and the endowments in chronological order. It also reflects on the scientific and intellectual life in Jerusalem at the time.

Rabayah, Ibrahim Husni, "Cash Endowment on Al-Aqsa Mosque and the Dome of the Rock from 1050 AH/1640 AD to 1067 AH/1657 AD," *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF) No. 32 (May 2017), pp. 12-66.

This study aims at shedding light on endowing cash for Al-Aqsa Mosque by analyzing a set of cash endowment contracts from the mid-17th century. Such endowments were allocated by the Ottoman authorities, including the ruler of Jerusalem Muhammad Pasha, as charities so as to provide the funds required for supporting Al-Aqsa Mosque and the Dome of the Rock and their employees. This research compiled and analyzed eight of these contracts, their purposes and related conditions.

Reiter, Yitzhak, "The Administration and Supervision of Waqf Properties in 20th Century Jerusalem," *Varia Turcica*, Vol. 26, Institute Francais d'etudes Anatoliens, Istanbul (1994), pp. 169-82.

This is a detailed look at the administration of *waqf* property in Jerusalem. Evaluating available evidence, the author discusses the experience of enforcement, pointing to the weaknesses of the *waqf's* supervisory mechanism and governance procedures which are often exploited by the *mutawalliyah* for personal gains. The author concludes that in some cases *mutawalliyah* were actually dismissed for misconduct and that there was greater corruption with regard to public *awqaf* than with family *awqaf*.



Reiter, Yitzhak, "Family Waqf Entitlements in British Palestine (1917-1948)," *Islamic Law and Society*, Vol. 2 (2) (1995), pp. 174-193.

In this article, Reiter examines three different aspects of the *awqaf* by examining endowment deeds and court decisions recorded in the archives of the *Shari'a* court in Jerusalem. He looks at the rights of women to transmit their entitlement to future generations, the difference in treatment in males and females and the entitlement of orphaned grandchildren. The results are compared to the patterns found in the application of Islamic inheritance law.

Reiter, Yitzhak, *Islamic Endowments in Jerusalem under the British Mandate*, London: Frank Cass & Co. (1996).

In this book, Reiter presents a picture of the role of the *Waqf* as a major Islamic institution in Jerusalem under British Mandate, where it fulfilled vital political, social and economic functions. The book, on the basis of 1,500 legal documents of the *Shari'a* court, shows how the *waqf* adapted to modern times and reflects on the *waqf's* role in Islamic life in Jerusalem in light of the political debate between the Palestinian national movement and the Jewish Zionist movement, arguing that one of the weaknesses of Islamic endowments was the lack of proper supervision of their administration. The image of institutionalized corruption within the *waqf* system, involving beneficiaries, administrators, *qadis* and members of the elite, however, is not completely supported by the findings of the present study. Alongside cases of neglect and poor administration of *waqf* in Mandatory Jerusalem, there were numerous instances of estates being properly maintained and well managed.



Reiter, Yitzhak, *Islamic Institutions in Jerusalem: Palestinian Muslim Organization under Jordanian and Israeli Rule*, Arab and Islamic Law Series, Vol. 15, Brill, Leiden (1997).

This study examines Islamic activity and institutions under Jordanian and Israeli rule from 1948 to the mid-1990s/post-Oslo period. It discusses how Jerusalem's Islamic institutions became Jordanian organs after 1948 and how Palestinians established a local Supreme Muslim Authority to handle Palestinian religious and national debate for the future of Jerusalem. Furthermore, Reiter discusses the role of the *Shari'a* courts in various mechanisms which were developed to facilitate the adaptation to modern conditions, and looks at the competition between the Jordanians, Palestinians and Israelis over the city's holy places.

Reiter, Yitzhak, *Islamic Institutions in Jerusalem: Palestinian Muslim Administration under Jordanian and Israeli Rule*, The Hague, London, Boston: Kluwer Law International (1997).

In this book, Reiter describes the development of the Muslim institutions in Jerusalem, including the *waqf* administration since 1948. Examining the judiciary of the *Shari'a* courts, the *waqfs'* assets and budgets and the economic development of *waqf* properties, he concludes that *waqf* and *Shari'a* courts succeeded in maintaining their status and sometimes even augmenting it, by transforming themselves into a stronghold of political defiance of the Israeli government as well as by implementing internal reforms aimed at adapting to the changing circumstances.

Reiter, Yitzak, *From Jerusalem to Mecca and Back: The Islamic Consolidation of Jerusalem*, Jerusalem: Jerusalem Institute for Israel Studies (2005).

This study looks at whether the status of Jerusalem and its Holy Places is an unsolvable aspect of the Palestinian-Israeli conflict,



as well as whether the role of religious symbols, and religion itself, are obstacles to peace.

Reiter, Yitzhak, *Islamic Endowments in Jerusalem Under British Mandate*, New York: Frank Cass & Co., (2013).

The main aim of this book is to discuss the extent to which the institution of *waqf* was able to adjust and adapt to the new socio-economic realities of the first half of the 20th century and the effect that the arrival of the British Mandate had, being the first non-Muslim authority of Palestine in almost 700 years. It also focusses on the *waqf* as an element of *Shari'a* law and *Shari'a* law being meant to be implemented when under a Muslim ruler and the effect changing to a new economic system, from a traditional one to a largely capitalist system.

Reiter, Yitzhak, *The Eroding Status-Quo: Power Struggles on the Temple Mount*, New York/Jerusalem: Jerusalem Institute for Policy Research (2017).

This study offers an overview of the status quo at the Haram ash-Sharif/Temple Mount and the dynamics behind the changes since 1967. Understandings, arrangements and disputes over day-to-day administration are analyzed, as is the relationship between Israel and the Islamic *waqf*.

Reiter, Yitzhak and Jon Seligman, "1917 to the Present: Al-Haram al-Sharif/Temple Mount (Har Ha-Bayit) and the Western Wall," in *Where Heaven and Earth Meet: Jerusalem's Sacred Esplanade*, edited by Grabar, O. and Kedar, B.Z., Jerusalem: Yad Ben Zvi Press; University of Texas Press, Austin, (2010), pp. 231-273.

This book chapter looks at the evolution of the Haram Ash-Sharif/Temple Mount and the Western Wall into increasingly religio-nationalist symbols for both Jews and Palestinian Mus-



lims since the 1920s. It also examines the attitude of the *Waqf* authorities to archaeological research as demonstrated by their formal and informal relations with archaeological authorities from the Mandatory period till the present.

Rood, Judith Mendelsohn, "The Problem of the Waqf al-Har-mayn in Jerusalem During the Ottoman Period," *Middle East Studies Association (MESA) Abstracts* (1995).

This is an abstract of a paper presented to the Middle East Studies Association in 1995. The author questions unstated assumptions about the role and administration of Islamic institutions in the historiography of Jerusalem through evidence extracted from Jerusalem's Islamic court registers. The paper examines Jerusalem's status in relation to that of Mecca and Medina in Ottoman fiscal administration.

Rood, Judith Mendelsohn, "Intercommunal Relations in Jerusalem During Egyptian Rule (1834-1841)," *Jerusalem Quarterly*, Issue 32 (Autumn 2007).

This article discusses the relations of Jews and Europeans with the Muslim elite of Jerusalem during the period 1834-1841 as they began to make their presence felt in the city through the purchase of real estate. Based on Islamic court records the author shows how the change these foreigners brought to the holy city was perceived as threatening by the local Muslim elite, despite the fact that both the Egyptian regime occupying the city and the Ottoman Empire itself permitted the "alienation" of land from imperial Islamic *awqaf* in order to permit economic redevelopment and growth in the city and its environs and to provide for the needs of foreign residents.



Rood, Judith Mendelsohn, "Intercommunal Relations in Jerusalem During Egyptian Rule (1834-1841): Part 2," *Jerusalem Quarterly*, Issue 34 (Spring 2008).

This article presents four legal cases relating to land purchases by non-Muslims during the period 1834-1841, demonstrating that the purpose of the Ottoman government was to ensure that all lands and property were productive, and the religious identity of the owner of the usufruct did not matter. Each of the cases show that that resident aliens and *dhimmis* were able to buy and to sell land, including *waqf* property, in Jerusalem and its environs as they began to participate in the life of the city. The changes that began in this early modern period would have many repercussions in its development.

Al-Ruwaidi, Ahmad, "Al-Aaliyyat Al-Qanouniyya Lid-Difa' An Al-Mulkiyya Al-Aqariyya Fil-Quds (Fi daw' Al-Qanoun Al-Mahalli Wal-Qanoun Ad-Dawli)" [Legal Mechanisms for Defending Real Estate Ownership in Jerusalem (In Light of Domestic and International Laws)], Master Thesis submitted to Al-Quds University, Faculty of Law (2012).

The thesis examines the legal mechanisms for defending real estate in Jerusalem after its occupation in 1967 in accordance with domestic and international laws, with a special emphasis on Israeli legislation and legal procedures for the seizure of properties in Jerusalem and their legality. The study aims to find solutions for Palestinians to defend their properties. It analyzed Israeli laws applicable in Jerusalem and international laws and conventions on the subject in question and conducted a review of relevant published studies and meetings with specialists. In doing so, it drew on their experiences in dealing with issues related to real estate, land, demolition of houses, endowments and settlement in Jerusalem.



Saban, Suhail, "Qoyoud taakid al-sora men waqei sijlatiha fi al-arshif al-othmani (999-1100 AH, 1591-1689 AD)" [Restrictions in Distributing al Surre as it Appears in the Ottoman Archive (999-1100 AH/1591-1689 AD)], *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 36 (May 2019), pp. 48-47.

This study deals with a specific type of *waqf* governance during the Ottoman era, i.e., the *awqaf* that were established to meet the needs of the holy places in Jerusalem. It specifies the administrative and accounting control over the distribution of *Awqaf Al-Haramain*, tracking their records in the Ottoman archives and the "Al-Surre Records", i.e., the in-kind funds that were spent on Mecca, Medina, and Jerusalem's pilgrims and residents.

Sabri, Ikrimah, *Al-Awqaf Al-Islamiyah bain al nathariya wal tatbeeq* [The Islamic Endowment between Theory and Practice], Dar Al-Nafaes Publisher, 2nd edition, Jordan (2011).

The research aims to shed a light on the Islamic jurisprudence of *awqaf* by defining it and its objectives and explaining the services and possibilities provided by the endowment at all various levels, especially during its prosperity and expansion period.

Saidouni, Nacereddine, "The Awqaf of the Maghribis in Al-Quds (Jerusalem): Spiritual Links, Cultural Exchanges, Economic Necessities," in *Comparative Study of the Waqf from the East: Dynamism of Norm and Practices in Religious and Familial Donations*, edited by Toru Miura, Toyo Bunko (2018), pp. 165-187.

Based on *waqf* documents of the Magharbeh quarter, this paper examines the *awqaf* of the Maghreb community in Jerusalem, their realities, historical development and the cultural and social services they provided. It also shows the spiritual, human and cultural links of these *awqaf*.



Salahat, Sami, “Mu’assassat Al-Waqf Fi Al-Quds: Al-Nash’a Wal-Tatawor” [Waqf Institutions in Jerusalem: Their Origins and Evolution], in *Dirasah Fi At-Turath Ath-Thaqafi Li Madinat Al-Quds [A Study of the Cultural Heritage of Jerusalem]*, edited by Salah Muhsen, Beirut: Az-Zaytouna Centre for Studies and Consultations (2010), pp. 219-239.

This study focuses on the different *waqf* institutions in Jerusalem, the way they were formed and what has become of them. Additionally, it tackles the difficulties in gathering information related to Jerusalem *awqaf* as there is no specific area where researchers can find information.

Salahat, Sami, “Al-Awqaf al-maqdisiya fi al-alam wa dawroha fi daam madinet al-Quds” [Holy Endowments in the World and their Role in Supporting the City of Jerusalem], *Awqaf - Refereed Biannual Journal Specialized in Waqf and Charitable Activities*, Kuwait Awqaf Public Foundation (KAPF), No. 39 (May 2020), pp. 95-134.

This study examines Jerusalem-related *waqf* properties in the world, first providing a statistical overview of those properties and then discussing their role on supporting the holy city of Jerusalem. It analyses the transformation of the *waqf* under Israeli occupation and its ongoing Judaization attempts, comparing the historical *awqaf* that were established in Jerusalem with those in the Islamic world and elsewhere.

Salahat, Sami, *Al-Awqaf Al-Islamiyah Fi Filastin Wa Dawruha Fi Mowajahat Al-Ihtilal Al-Israeli* [Islamic Endowments in Palestine and Their Role in Confronting the Israeli Occupation], Beirut: Az-Zaytouna Centre for Studies and Consultations (2011).

This study stresses the Islamic *awqaf*'s importance in Palestine, as they cover large areas of the country. It shows how they formed an economic and social support net for Palestinians, how



they had a tangible impact in resisting the British Mandate, and how they have become a main target for the Israeli occupation. The study explains the mechanisms Israelis employ in targeting *awqaf* and the way laws were made, and military decisions were used, to take over the *awqaf* by expropriating and transferring them to the benefit of incoming Jewish immigrants.

Salameh, Khader, "The German Religious Properties in Jerusalem as Revealed in Ottoman Government Documents," *Jerusalem Quarterly*, Issue 11-12 (Winter 2001), pp. 79-

This article looks at a time – 18th/19th century – when the sale of land in Jerusalem to non-Muslims sharply increased, often facilitated through an Ottoman citizen serving as a proxy and other legal loopholes. While the sale of *waqf* property was normally forbidden, claims were made that it had become derelict and must be sold for cash in order to buy a more profitable property so as to generate the revenue needed to support charitable causes. The beneficiary of the *waqf* would then no longer have any claim on the exchanged property, except for an annual *hikr* tax of 1 percent of the value of the land. The author gives several examples of religious *waqf* property that ended up in the possession of foreigners, including the Lutheran Church of the Redeemer, the Dormition Abbey, Augusta Victoria, the Schmidt College, explaining the *waqf* transactions behind each of them.

Sana' Allah, Hassan & Abdel Razek Matani, *Al-Rumouz Al-Yahudiya Wal-Muqadassat Al-Islamiyah bain At-Taqdeess Wat-Tadneess* [Jewish Symbols and Islamic Sanctities between Sanctification and Desecration], Umm Al-Fahm: Markaz Ad-Dirasat Al-Muasirah (2012).

This book examines Jewish symbols in the Arab World and how they were preserved and respected by Muslims in stark contrast



to what Israel did to hundreds of Palestinian mosques and holy sites and how Israel has dealt with those who sought to preserve such properties. The authors refute the claims, made by Jews, of forced displacement from Arab countries. The first section deals in detail with the status and treatment of Jewish religious symbols, including tombs and synagogues, in Europe and the Arab world, and points to their patronage, restoration and preservation in comparison to the Israeli authorities' policy of abuse and persecution of Islamic holy sites through demolition, vandalism or confiscation. The book's second section deals with the violation of Islamic cemeteries in Palestine, providing statistics and types of violations as well as a list of the names and violations of the targeted cemeteries and demonstrating how Israeli archaeological excavations obscure the true face of these tombs.

Schleifer, S. Abdallah, "Jerusalem as Archetype of the Harmonious Islamic Urban Environment," *Journal of Islamic Jerusalem Studies*, Vol. 1, Issue 1 (1997), pp. 21-38.

This author looks at five factors that have, in his opinion, contributed to define Jerusalem as archetypal harmonious Islamic urban environment: (1) the centrality of Islamic Jerusalem as a model for the Muslim Middle East; (2) the centrality of Jerusalem to the Muslim consciousness of Islam as the primordial religion; (3) the centrality of Jerusalem for Muslim spirituality or mysticism; (4), Jerusalem being a symbol of the Islamic city as a "pluralist" civilization; and (5) the Old City serving as model of a traditional Islamic city for urban planners, architects and restorationists. This is mainly due to the fact that Islamic Jerusalem was very well preserved, especially before 1967, which is attributed to the role and functioning of the *waqf*, especially with regard to the inalienability of *waqf* property which reduced land speculation and prevented the gentrification processes seen in



modern cities. Finally, the author points out how the landscape of Islamic Jerusalem has suffered drastic blows since 1967 with Israel appropriating large areas of *waqf*, even destroying the entire Moroccan quarter and excavating *waqf*-administered land surrounding the Al-Aqsa Mosque compound.

Schölch, Alexander & Al-Assali, Kamel, *Tahawolat jazriya fi Filastin 1856-1882* [Drastic measures in Palestine 1856-1882], The University of Jordan Publications (1993).

This study focuses on presenting Palestine in a specific period under the Ottoman rule, from 1856 to 1882. The reason behind that is to have a perspective of Palestine in the post Crimean war, a period which saw a significant European presence in the region after the defeat of the Russian empire and the strengthening of the relations between France and Great Britain with the Ottoman Empire. This study focuses on all the aspects of Palestine: its population, its social and political developments, its economy and its administration. The author tackles the subject of the *waqf* properties in the country and how the *waqf* agricultural lands were used.

Şerifoğlu, Metin, "Religious minorities in Jerusalem and their role in the balance of conflict between the Ottoman Empire and European states: A Study through Ottoman Archival Documents (1517-1916)," *Journal of Islamic Jerusalem Studies, Bayt al-Maqdis during the Ottoman Period (Special Issue)* (2019), pp. 445-466.

This study deals with religious minorities in Jerusalem and their role in the conflict between the Ottomans and Europeans from 1516 to 1916. First, it examines the historical and political circumstances in which Jerusalem was ruled by the Ottomans, the most important religious minorities at the time and the position



of the Ottoman state towards them. Secondly, the study looks at the activities and pursuits of the religious minorities and missionary schools practiced in cooperation with foreign countries and their consulates in Jerusalem, and at the role they played in the conflict between the Ottomans and the European powers from the beginning of the 18th century.

Shaath, Shawqi, *Al Quds Al Sharif, Dirassa tatanawal Al-Taarif bi Al-madina Al-islamiyah Al-Moqadassa wa Tarikhha wa Goghrafitha wa tataworha al iqtissadi wal ijtimai' min aqdam el ossor hata waqtna hatha* [Jerusalem, a study of the definition of the Islamic Holy city and its history and geography and its social and economic evolution since the beginning of time], Afaq Al-thaqafat Maqdasiyah (2009).

This study focuses on the Islamic aspects of Jerusalem. It presents the evolution of the city from the Muslim perspective highlighting the economic, social, historical and geographical aspects and the way Islamic culture has influenced and shaped the city.

Shaham, Ron, "Christian and Jewish 'Waqf' in Palestine during the Late Ottoman Period," *Bulletin of the School of Oriental and African Studies*, Vol. 54 (3), University of London (1991), pp. 460-472.

This article looks at how Palestinian Christians and Jews made use of the Islamic *waqf* during the Ottoman period, despite the existence of similar Jewish and Christian endowment institutions. It looks at the nature of the founders, the types of properties involved, the beneficiaries of the *waqf*, and the methods of administration. It goes on to analyze the reasoning that motivated minority religions to rely of the Muslim *waqf*. It concludes that Christians and Jews established *awqaf* due to "legal and administrative compulsion," as well as practical advantages.



Shalabi, Suheila, "At-tasjil al-majaaniu lil'awqaf al-islamiat fi fi-lastin 1363/64-1354 h – 1935-1944 AD" [The Free Registration of Islamic Waqfs in Palestine 1935-1944], *Jordan Journal of History and Archaeology*, Volume 4, No. 4 (2010), pp. 109-138.

This article examines the "law for the free registration of *awqaf*," issued by the Mandate Government of Palestine in 1935, which stipulated exemption of the *waqf* from paying registration fees. This was one of a series of laws in the same year in an attempt to block the establishment of a national homeland for Jews in Palestine and to enable them to acquire as much of the territory of Palestine as possible, including *waqf* lands due to their moral and historical value. The law could have been a golden opportunity to confirm Muslims' rights to their *awqaf*, but many difficulties and obstacles prevented that from happening. Those include the Mandate Government itself and the political conditions in the years 1936-1939, in addition to neglect by those in charge of the Islamic *waqf*, particularly after demise of the role of the Supreme Islamic Council following its dissolution in 1937. The article aims to show the limits and the problems of that law.

Shamieh, Fadi, "Al-Mumtalakat Wal-Awqaf Al-Masihiyah Fil-Quds" [Christian Properties and Endowments in Jerusalem], in *Dirasa Fit-Turath Ath-Thaqafi Li Madinat Al-Quds* [A Study of the Cultural Heritage of Jerusalem], edited by Muhsen Salah, Beirut: Az-Zaytouna Centre for Studies and Consultations (2010), pp. 247-268.

This article presents the different Christian properties and endowments in Jerusalem. The author presents in this article the history of the Christian presence in Jerusalem, then proceeds to present the different convents, churches, schools and other properties of the 13 different Christian churches in Jerusalem, inside the Old City and on its outskirts. Finally, it tackles the dif-



facilities and assaults against Christian properties and endowments in Jerusalem by the Israeli forces, especially in terms of land confiscation.

Al-Sharif, Maher, "Qadiyat Al-Quds, bain bodayha al dini wal-syassi" [The issue of Jerusalem between its religious and political dimension], *Afkar*, 348th edition (January 2018), pp. 40-45.

This article concentrates on the question whether the struggle of Jerusalem is a political or a religious issue, and how Israel justifies its political actions through religion. One of the main points that the author concentrates on is the Al-Aqsa Mosque, the *awqaf* inside and around it and how Israel is trying to prove that those belong to the Jewish people.

Sharon, M., "A Waqf Inscription from Ramlah," *Arabica*, Vol. 13 (1) (1966), pp. 77-84.

This article examines a *waqf* inscription from Ramlah dating from 913 CE (301 AH). It is the earliest *waqf* inscription discovered. It outlines the rules surrounding the ownership of the property, and how it is to be treated legally.

Shawabkeh, Sahar Odeh, "'Ahamiyat 'awqaf madinat al-quds al-aiqtisadiat w al-aijtimaeiat w dawruha fi al-hifaz 'alaa huiat al-madina al-mualif" [The importance of the economic and social endowments of the city of Jerusalem and its role in preserving the identity of the city], *Studies*, Vol. 2019, No. 79 (July 2019), pp. 66-83.

This study examines the role played by the *awqaf* in social and economic development, especially in the Muslim community in Jerusalem, as well as in preserving the Islamic identity in the holy city.



Shtayyeh, Muhammad, Abdul Aziz Ad-Douri & Nael Musa, "Iqtisadiyat Al-Waqf Al-Islami fi Aradi As-Sulta Al-Wataniya Al-Filastiniyah: Dirasa Tahliliya" [Economics of the Islamic Waqf in Palestinian Authority Territories: An Analytical Study], The Palestinian Economic Council for Development and Reconstruction (PECDAR) (2000).

This study, funded by the PLO, analyzes the different *awqaf* of Jerusalem and the West Bank with a focus on their financial aspects. Based on records of the *Waqf* Department in Jerusalem and the West Bank, it presents data and statistical analysis on all *awqaf*. Focusing on charitable *awqaf*, it gives recommendations on how to activate the role of *waqf* properties in development and reconstruction throughout the Palestinian Authority areas.

Singer, Amy, "The Mülknāmes of Hürrem Sultan's Waqf in Jerusalem," *Muqarnas*, Vol. 14 (1997), pp. 96-102.

This paper discusses the *waqf* of the properties owned by Sultan Suleyman's wife, Hürrem Sultan, who used them to fund the *waqf* she had founded in Jerusalem. It describes the process of endowing a property, as well as the extent of Hürrem's *awqaf* in Jerusalem. It also focuses on the calligraphy decreeing Hürrem's ownership of the properties prior to her endowing them.

Singer, Amy, *Constructing Ottoman Beneficence: An Imperial Soup Kitchen in Jerusalem*, New York: University of New York Press, 2002, 257 p.

This study explains how Ottoman charitable *awqaf* constituted an enduring monument to imperial beneficence and were important instruments of policy. One type of endowment, the public soup kitchen (*imaret*) served travelers, scholars, pious mystics, and local indigents alike. The book examines the political, social, and cultural context for founding these public kitchens. It challenges long-held notions about the nature of endowments



and explores for the first time how Ottoman modes of beneficence provide an important paradigm for understanding universal questions about the nature of charitable giving. The study focuses on the well-documented example of the *imaret* of Haseki Hurrem Sultan, wife of Sultan Suleiman I, in Jerusalem, which operated at the confluence of imperial *waqf* practices and Ottoman food supply policies, while also exemplifying the role of imperial women as benefactors.

“Special Document File: Jerusalem 1967,” *Journal of Palestine Studies*, Vol. 37(1) (2007), pp. 88-110.

This article contains four documents from the period immediately following the Israeli occupation of Jerusalem, one of which relates directly to Jerusalem’s Muslim *awqaf*. It demonstrates how Israel embarked on a massive dismantling and replacement program, annexing territory in East Jerusalem and the West Bank as well as dissolving Jordanian institutions and laws. However, it also shows that Israel tried to co-opt and integrate existing administrative and religious establishments into the Israeli system wherever possible. It further looks at the extent of Palestinian non-violent, passive resistance through non-cooperation immediately following the occupation.

Sroor, Musa, “Arshifat Al-Quds Al-Islamiyah: Masader Li-Mas’alat Al-Waqf Fil-Fatra Al-Othmaniya” [The Islamic Jerusalem Archives: Sources on the Waqf Issue in the Ottoman Era], *Majalat Al-Dirasat Al-Filastiniati* (Institute of Palestine Studies), Vol. 16, No. 63 (Summer 2005), pp. 115-120.

This report describes several vital primary sources for the study of Ottoman Jerusalem. Those sources provide a wide range of information on the social, economic, cultural and political life of Ottoman Jerusalem. They are primarily contained in the records



of the *Shari'a* court of Jerusalem and in archived documents at the Jordanian Ministry of Jerusalem.

Sroor, Musa, "Jerusalem's Islamic Archives: Sources for the Question of the Waqf in the Ottoman Period," *Jerusalem Quarterly*, Issue 22/23 (2005), pp. 80-85.

This publication aims to showcase firsthand sources from the religious court registries and from the Jordanian Ministry of the *Waqf* relating to the Jerusalem *Waqf* during the Ottoman period. These documents are of great value to studying Ottoman Jerusalem and the history of religious endowments.

Sroor, Musa, "The Role of the Islamic Pious Foundations (Waqf) in Building the Old City of Jerusalem during the Islamic Periods (637-1917)," in *Nuts & Bolts of Construction History: Culture, Technology and Society*, edited by R. Carvais, A. Guillerme, V. Negre & J. Sakarovitch, Picard, Vol. 2, Paris (2012), pp. 229-237.

This research proposes that establishments supported by the *waqf* and their affiliated real estate played a crucial role in the building of Jerusalem and developing its architecture. Relying on documents such as court records (*sijil*) of the Ottoman Court of Jerusalem (*mahkama Shari'a*) and the archive of the Jerusalem *Waqf*, the paper traces construction dates of *waqf* property in order to identify the periods of building in Jerusalem and the architectural development of the city.

Sroor, Musa, "Dawr Al-Awqaf Al-Islamiyah Fi At-Tanmiya Al-Umraniyah Fi Al-Quds" [The Role of Islamic Waqfs in Urban Development in Jerusalem], *Hawliyyat Al-Quds*, Institute of Palestine Studies (2012), pp. 64-71.

The article tackles the important role that the *waqf* has played in the construction of urban cities and the way it has shaped the



city of Jerusalem. It focuses on the evolution of the *waqf* from a chronological perspective, starting with Omar Ibn Al-Khattab's first visit to Jerusalem in 637, how his visit placed the *waqf*'s first foundations in the city, and ending in 1917 with the dissolution of the Ottoman Empire, the last Islamic empire to rule the city. The article focuses on the development that *waqf* properties have witnessed in those 1,300 years of Islamic rule.

Sroor, Musa, "The Question of the Privatization of Jerusalem Waqf Land: The Land of Bethlehem and Beit Jala as a Case Study since 1950," *Filistin Arastirmalaei Dergisi-Bulletin of Palestine Studies*, Jerusalem Special Issue, Vol. 2 (Winter 2017), pp. 76-102.

This study tries to shed light on the conflict between the Islamic *Waqf* administration in Jerusalem and the Christian populations of Bethlehem and Beit Jala over land ownership in these two cities, which emerged in the mid-20th century. It examines the legal aspects of the conflict by tracing its historical roots up to the time when it was taken to the court and asks whether the dispute was a matter of personal, religious or material interest.

Sroor, Musa, "The Waqf and Building the Cities: The Old City of Jerusalem as a Case Study" in *Comparative Study of the Waqf from the East: Dynamism of Norm and Practices in Religious and Familial Donations*, Tokyo: Toyo Bunko, Oriental Library, Chapter II (2018), pp. 27-41.

Referring to judicial documents (court records of the Islamic Ottoman court of Jerusalem and the Jerusalem *waqf* archive, this book chapter suggests that establishments supported by *waqf* and their affiliated real estate – whether Muslim, Christian or Jewish - played a crucial role in the building of Jerusalem and developing its architecture.



Sroor, Musa, "Ottoman Foreign Policy Towards Jerusalem Waqfs During the Nineteenth Century," *Al-Naciriya, Revue des Recherches Sociologiques et Historiques*, Vol. 11, No. 1 (June 2020), pp. 6-50.

This study investigates the importance of Jerusalem *waqfs* in the Ottoman State's foreign relations and how they became the basis of competition between superpowers. It examines the efforts that these superpowers invested in controlling those endowments, taking advantage of their relations with the Ottomans, and attempts to answer the following questions: What was the rule of those *waqfs* in the Ottoman foreign policy with the European states in the 19th century? How did this policy affect the Jerusalem *awqaf*, their historical symbols and sanctity? And how has Ottoman foreign policy contributed to the transfer of important *awqaf* to foreign ownership?

Sroor, Musa, "Naho ru'ya lel khorouj min "al-micro-tarikh" ela "al-macro-tarikh" Wathaeq awqaf al-Quds biwasfiha masdaran tarikhian anamothajan" [Towards an Exit Plan from Micro- to Macro-History: The Documents of the Jerusalem Waqf as a Historical Source], *Ostour - Bi-annual Peer-reviewed Journal for Historical Studies*, Issue 12 (July 2020), pp. 214-232.

This research tries to identify the different types of Islamic *waqf* documents as historical sources and their usefulness for dating cities and local communities – with Jerusalem as a case study. The genealogy of the *waqf* concepts and the ontological interpretations explain the ancient roots of this type of concept (*waqf*) in jurisprudential and ideological heritage as well as the metaphysical transformations and developments the concepts went through, revealing their importance for historians as a source. These *waqf*-related sources include the following: Islamic court records (*Sijill*), traveler literature, foreign archives, biographies, memoirs and dairies, oral histories, journalistic accounts, books, historical manuscripts as well as classical histori-



cal sources. The study also assesses the advantages and problems of these documents as historical sources compared with other sources and suggests that historians need to analyze these resources for the writing of macrohistories, not only microhistories, related to *waqf*-issues.

Sroor, Musa, "Al-Quds Fi Al-Archivat al-Faranssiyah" [Jerusalem in the French archives], *Fosha E-Magazine*, www.wrab48.com, (12 October 2020).

This article presents the French archival resources that relate to Jerusalem and have been gathered and kept in French research centers that. It focuses on the archives covering the period from 1844 to 1917, the year the first French embassy opened in Jerusalem, which marked the first French presence in the city since the Crusaders wars and Napoleon's defeat in 1798. The documents, which contain reports from the French Consulate in Jerusalem on French religious, health and educational institutions, are very useful for the detection of the hidden history of Jerusalem, dealing with the outsourcing of properties in Jerusalem, including *waqf* properties.

Sroor, Musa, "Ishkaliyat al-dini wal siyasi fi al-elaqa bain al-dawla al-sultaniya wal awqaf al-masihya fi al-Quds," [The Problematic Religious and Political Relationship between the Sultanate and the Christian Awqāf (Endowments) in Ottoman Jerusalem], *Ostour - Bi-annual Peer-reviewed Journal for Historical Studies*, Issue 14 (July 2021), pp. 48-67.

The Ottoman Sultanate inherited and adopted Islamic law in dealing with *awqaf* in its provinces. However, during the Tanzimat era (1839-1878), it adopted a new "hostile" policy towards this law, especially with regard to Islamic charitable *awqaf*, complying with this law regarding Christian *awqaf*. The study explores the reasons behind this double standard, clarifying the problematic religious and political relationship between the Sultanate and the



Christian endowments in Ottoman Jerusalem. It advances the assumption that the Christian *endowments*, in the Ottoman Empire and particularly in Jerusalem were safeguarded from the “hostile” policy affecting the Islamic charitable endowments. Instead, Tanzimat era legislations served as a shield, providing immunity to the Christian endowments from the new state policies.

The Status of the Status Quo at Jerusalem’s Holy Esplanade, International Crisis Group, Middle East Report No. 159 (30 June 2015).

This report discusses the changing *status quo* of the Al-Aqsa Mosque compound and the corresponding role, responsibilities and extent of control of the Jerusalem *Waqf* Council, especially since 1967. It describes the first fractures in the relatively stable *status quo* that occurred during the 1992-2000 period of the Oslo Accords, and how it diverged further after the 2000 Camp David summit and the provocative visit to the site by then-opposition head Ariel Sharon. This not only sparked the second intifada, which but also came at a time of social and religious changes within Israel with increasing calls for Jewish ascension to the “Temple Mount”, both of which led in a series of changes in access control and administration of the Al-Aqsa Mosque compound to the detriment of the *waqf*.

Suleiman, Haitham, “Conflict over Waqf property in Jerusalem: Disputed jurisdictions between civil and *Shari’a* courts,” *Electronic Journal of Islamic and Middle Eastern Law (EJIMEL)*, Vol. 3 (2015), pp. 97-110.

This paper looks at the revival of *waqf*, as well as how Israel has used ‘various modalities and mechanisms’ to confiscate Palestinian (and particularly *waqf*) lands, as well as how Israel has altered and replaced the *Shari’a* courts in Jerusalem. It goes on to



show how *mutawalliyah* need to 'forum shop' in order to find a court to enforce a favorable judgement regarding reclaiming *waqf* properties. It demonstrates that Palestinians no longer have legal authority over the administration of the *waqf* system.

Suleiman, Haitham, "The Islamic Trust *Waqf*: A Stagnant or Reviving Legal Institution?", *Electronic Journal of Islamic and Middle Eastern Law (EJIMEL)*, Vol. 4 (2016), pp. 27-43.

This article examines the role that the *waqf* has in Islamic society, its grounds for success and the reason for its decline throughout the Islamic world. It looks at the foundational structure, legal doctrine and how it fits within the Islamic legal system.

Suleiman, Haitham, *Al Waqf Fi-Al Quds ... Al Makana Wat-Tahdiyat Al-Qanouniyah* [The Waqf in Jerusalem ... Its Status and Legal Challenges], (September 2020).

This article discusses the issue of Palestinian properties that were subject to large-scale takeover and were transferred to Jewish control since the establishment of Israel in 1948. It presents the role of successive "absentee property" laws in this confiscation, explaining that the law derives from Ottoman land tenure laws and was amended during the British Mandate of Palestine. The article presents the various methods and mechanisms that the Israeli legal system has used for the confiscation of Palestinian land in general, and more specifically property in Jerusalem. With the re-establishment of the Israeli legal courts and the replacement of the Jerusalem "*Shari'a* Court of Appeal," for example, new legal structures have placed Palestinians in Jerusalem without legal authority, with the Israeli "Absentee Property Act" of 1950 being the main legislation affecting property and resulting in the confiscation of most property under the Israeli occupation's sovereignty.



Suleiman, Haitham, *The Islamic Waqf in Jerusalem: Status, Legal Challenges and Possibilities for Revival*, Jerusalem: PASSIA, 2022.

This book explores the conflict over *Waqf* properties in Jerusalem within a context of postcolonial legal pluralism. This study is not concerned with the essence of the criticism of post-colonial legal theory as much as it focuses on the effects of this theory on a specific area, which is Jerusalem, and within the framework of a specific topic, which is property's confiscation by the Israeli regime. This confiscation and appropriation in their legal context are practiced as "legitimizing the illegal," or "property laundering," and are legal fiction. The Israeli legal system has devised and utilized various modalities and mechanisms to systematically confiscate Palestinian land in general and more specifically *waqf* land, while also re-establishing *Shari'a* courts and replacing the *Shari'a* Court of Appeal in Jerusalem. *Mutawalliyah* have to undertake 'forum shopping' in search for the most suitable court (between Israeli civil and *Shari'a* courts and the Palestinian *Shari'a* court) to get and enforce a favorable judgment, but the new structures leave Palestinians with no legal authority over the administration of the *waqf* system. Recent legal disputes over the status of certain mosques and cemeteries (as *waqf* properties), and the special situation of *waqf* property in Jerusalem are examined as sites of Palestinian resistance.

Suleiman, Haitham & Home, Robert, "God is an Absentee Too': The Treatment of Waqf (Islamic Trust) Land in Israel/Palestine, *Journal of Legal Pluralism*," Vol. 59 (2009), pp. 49-67.

This article looks at the large-scale transfer of *waqf* land to Jewish control since 1948. It examines the legal mechanisms utilized, as well as the legal disputes arising over the status of certain mosques and cemeteries, using relevant court documents and Hebrew, Arabic and English-language texts.



Tamari, Salim, "Waqf Endowments in the Old City of Jerusalem: Changing Status and Archival Sources," *Ordinary Jerusalem, 1840-1940: Opening New Archives, Revisiting a Global City*, edited by Angelos Dalachanis & Vincent Lemire, Boston: Brill (2018), pp. 490-509.

Using new archival sources, including tax registries, aerial photography and architectural surveys, this chapter recounts the purpose of the Jerusalem *waqf* and the role it plays in the Old City, analyzing the difficulties in studying the *waqf* due to its complicated nature and the lack of (or inaccessibility of) records regarding property ownership and leases. It also shows the Israeli efforts since 1967 to take over *waqf* properties.

Tarif, George, "Makanat Al-Quds fi Al-diyana Al-Massihyah" [Jerusalem's status in the Christian religion], *Afkar*, 348th Edition, January (2018), pp.30-39.

This article focuses on the importance of the city of Jerusalem in the Christian religion since most of Jesus's miracles, his life events, his death, his tomb and his ascension were all in Jerusalem. Jerusalem was also the center of some denominations of the Christian faith after Jesus's death. The author illustrates this through different landmarks in Jerusalem and by focusing on some of the Christian *awqaf* in the city.

***Third International conference on the Levant history: Palestine Jordan*, Irbid University, Irbid (1983).**

This conference dealt *inter alia* with Palestine during the Islamic rule, describing its infrastructure and buildings, including numerous *awqaf*, and the development of the life of Jews in Palestine at the time. It further discusses the role of Hajj Amin Al-Husseini as political leader and Zionist immigration to Palestine during the Ottoman Empire.



Tibawi, Abdul Latif, *Al-Awqaf Al-Islamiyah Bi-Jiwar Al-Masjed Al-Aqsa Bil-Quds: Asluha wa Tarikhuha wa Ightisab Israel Laha* [The Islamic Waqf Next to Al-Aqsa Mosque in Jerusalem: Its Origin, History and Seizure by Israel], Amman: Ministry of Awqaf and Islamic Affairs and Holy Places (1981).

This study discusses the confiscation and seizure of land, excavations beneath and around Al-Aqsa Mosque, the destruction of Islamic and Christian monuments, the demolition of homes and deportation of their residents under the pretext of lack of building permits, and people's suffering due to the separation barrier.

Tibawi, Abdul Latif, *The Islamic Pious Foundations in Jerusalem: Origins, History and Usurpation by Israel*, London: The Islamic Cultural Centre (1985).

This book provides a comprehensive overview on the history and state of the Islamic institutions in Jerusalem and the Israeli attempts to seize them. It includes maps, illustrations and original Arabic documents.

Toone, Jordan, "Legitimacy and Notables in Ottoman Jerusalem: A Case Study of Bayt Al-Dajani Using Waqfs and Marriage Records," *Social Science Research Network* (available at: <https://ssrn.com/abstract=2150623>) (2004).

This paper uses *awqaf* and marriage records to trace the socio-economic and political ascent of a prominent Jerusalem family to reveal patterns of legitimacy and notables in Jerusalem. *Waqf* records reveal that the Dajani family inherited prominent endowments from the Ottoman government and subsequently maintained and expanded these inheritances. Politically speaking, the Ottomans raised the Dajani clan to elite status and so enabled it to become one of several notable families which legitimized Ottoman rule over Jerusalem. The Dajani's value to the



Ottomans increased as members of its subsequent generations branched out into educational, legal and administrative roles. With that development, marriage records reveal that the Dajani family intermarried with other prominent clans, thereby contributing to their overall social ascent. The ascent of Bayt ad-Dajani into Jerusalem's elite circles attests to a politics of notables in Jerusalem and reveals a unique perspective into the political economy of Jerusalem during the Ottoman era.

Al-Uzbeki, Yusuf, *Maalem Al-Masjed Al-Aqsa Al-Mubarak fi daw' al-Turath Al-Islami Al-Makhtoot* [The landmarks of the Holy Al-Aqsa Mosque in light of the written Islamic heritage], Amman (2021).

The research studies the manuscripts preserved in the Al-Aqsa Mosque library. It includes nearly 150 manuscripts, 19 of them being of the Al-Aqsa Mosque.

White, Andrew, "Breathing New Life into the Contemporary Islamic Waqf: What Reforms can *Fiqh* Regarding *Awqaf* Adopt from the Common Law of Trusts Without Violating Shari'ah?" *Real Property, Probate and Trust Journal*, Vol. 41 (3) (Fall 2006), pp. 497-527.

This article examines the difference between *waqf* trusts and common law trusts. It analyses the theory that common law trusts adapted and adopted *waqf* principles. It looks at why common law trusts have increased in popularity at the expense of *waqf* trusts, and considers that *awqaf* may be able to take elements from common law trusts without violating Islamic *Shari'a* law.



Yazbak, Mahmoud, "The Islamic *Waqf* in Yaffa and the Urban Space: From the Ottoman State to the State of Israel," *Makan, Vol. 2: The Right to a Spatial Narrative* (2010), pp. 23-46.

This paper outlines the role and running of the Islamic *Waqf* in Palestine under the Ottoman State, and how the *Waqf* became a tool of the administration after coming under a centralized authority in the mid-19th century. However, under the British Mandate, the *Waqf* regained some autonomy, and this aided the Higher Islamic Council (responsible for the *Waqf*) to gain a pioneering position in the development of the Palestinian national movement. It goes on to describe how everything changed with the formation of the State of Israel, where a concerted effort took place to strip all Arab and Islamic symbols from Israel.

Yazbak, Mahmoud, "The *Waqf* as a Tool for Enrichment/Impoverishment: Nablus 1650-1700," in *Poverty and Richness in the Mediterranean Muslim World*, edited by Jean-Paul Pascual and Randi Deguilhem, Aix-en-Provence: Institut de Recherches et d'Etudes sur le Monde Arab et Musulman (n.d.).

This study shows, with 17th century Nablus as a case study, how the unequal distribution of resources in favor of the cities and at the expense of the rural population promoted the creation of an unequal and partially dependent society with hierarchical relations, not least because most of the founders and administrators of the *waqf* were drawn from the economic and political elites. Thus, the *waqf* was not only a drive for charitable works, but also an instrument of social power. While on the one hand the *Waqf* has provided many common goods (e.g., schools, mosques), on the other hand it has contributed to exploitation and abuse of the less privileged.



Youssef, Mohammad Ahmed, *Al-waqf al-islamiu fi filastin min awakhir al-eahd al-uthmanii hataa yawmina hadha: al-juz' al-awal wa-l-thaani* [The Islamic Endowment in Palestine from the Late Ottoman Era to the Present Day: Part 1 and 2], Jerusalem: Foundation for the Revival of Heritage and Islamic Research, 2010.

This book looks at the history and evolution of the *waqf* in Palestine since the late Ottoman period until 2010.

Az-Zamli, Fayez, "Al-Awqaf Fi-Filastin Fi Ahd Al-Mamaleek 1250-1517/648-922 AH" [Endowments in Palestine during the Mamluk Era 1250-1517/ 648-922 AH], Master Thesis submitted at the Islamic University of Gaza, History and Archeology Department (2010).

This paper discusses the *awqaf* in Palestine during the Mamluk era. It presents their different aspects such as the basis and conditions of the *awqaf* and Mamluk sultans' interests in contributing to them. It also presents the *awqaf's* role in the religious, cultural and scientific aspects of life and in the welfare of the society.


