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 capsulize 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 hegiræ, i.e., Hijri Year (Islamic calendar). The first year AH corresponds to 622 CE.

Awqaf  Plural for waqf

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 12th and 13th 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 waqf, 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.

<table>
<thead>
<tr>
<th>Terms</th>
<th>Description</th>
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<tbody>
<tr>
<td>Endower’s wishes</td>
<td>Terms laid down by the endower of the <em>waqf</em> 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.</td>
</tr>
<tr>
<td>Fiqh</td>
<td>Islamic jurisprudence</td>
</tr>
<tr>
<td>Fuqaha</td>
<td>Jurist(s)</td>
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<tr>
<td>Hadith</td>
<td>Sayings of the Prophet Muhammad</td>
</tr>
<tr>
<td>Haseki sultan (sometimes Khasseki)</td>
<td>Title given to concubine of the Ottoman sultan who gave birth to his son, thus meaning mother of a prince.</td>
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<tr>
<td>Ijma’</td>
<td>Consensus (<em>of fuqaha</em>)</td>
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<tr>
<td>Imaret</td>
<td>An inn or hostel for pilgrims, also name for public soup kitchens built throughout the Ottoman Empire</td>
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<tr>
<td>Infaq</td>
<td>Expenditure, spending</td>
</tr>
<tr>
<td>Al-Isra’ w-al-Miraj</td>
<td>Prophet Muhammad’s journey from Mecca to Jerusalem and his ascension to heaven.</td>
</tr>
<tr>
<td>Jizya or jizyah</td>
<td>Per capita annual taxation historically levied in the form of financial charge on permanent</td>
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</table>
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 *waqf* 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/mutawaliyah**

Manager or director of the *waqf*

**Nazir**

*Waqf* 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 15th and 16th 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 *Shari'a* 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 waqf 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 *waqf* 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 *Sufism*, 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, *tekke*).
<table>
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<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>Trust Fund or</td>
<td>Terms often used in English for “waqf”</td>
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<tr>
<td>property</td>
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<tr>
<td>‘Ulama’</td>
<td>Muslim religious scholars; literally: those who possess knowledge, mainly</td>
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<tr>
<td></td>
<td>of Islam.</td>
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<tr>
<td>Umayyad</td>
<td>The Umayyads were the first great (Sunni) Muslim dynasty to rule the Empire</td>
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<tr>
<td></td>
<td>of the Caliphate (661-750 AH) after the death of Prophet Muhammad. It was</td>
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<td></td>
<td>the only Muslim dynasty ever to control the whole of the Islamic-conquered</td>
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<td></td>
<td>world. Umayyad rule was divided between two branches of the family: the</td>
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<td></td>
<td>Sufyanid (661-684 AH), descendants of Abu Sufyan, and the Marwanid (reigned</td>
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<tr>
<td></td>
<td>684-750 AH), Marwan I and his successors. In Jerusalem, the Umayyads built</td>
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<tr>
<td></td>
<td>the Dome of the Rock on the highest place at Al-Aqsa Mosque.</td>
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<tr>
<td>Waqf</td>
<td>In Arabic, literally, hold, confinement or prohibition. The Shari’a meaning</td>
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<td></td>
<td>is to transfer the ownership of a portion of one’s wealth, in cash or kind,</td>
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<td></td>
<td>to Allah as a dedication for any Shari’a compliant purpose.</td>
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<td></td>
<td>- Charitable endowment holding a certain property and preserving it for the</td>
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<td></td>
<td>sole benefit of a certain philanthropy and prohibiting any other use or</td>
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<td></td>
<td>disposition of the property. Applies to non-perishable properties whose</td>
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<td></td>
<td>benefits and usufructs can be extracted without consuming the property itself.</td>
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<td></td>
<td>- Mortmain property and the disbursement of its proceeds.</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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<td>-------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
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<tr>
<td><strong>Waqf ahli or thurri or lil-awlaad</strong></td>
<td>A <em>waqf</em> dedicated to family or one’s children for a time period which reverts to <em>waqf lillah</em></td>
</tr>
<tr>
<td><strong>Waqf capital</strong></td>
<td>The corpus of the <em>waqf</em>. <em>Waqf</em> by its nature is a capital asset. <em>Waqf</em> capital is pooled into a <em>waqf</em> fund.</td>
</tr>
<tr>
<td><strong>Waqf fund</strong></td>
<td>The pooled <em>waqf</em> capital that is donated by donors.</td>
</tr>
<tr>
<td><strong>Waqf investments</strong></td>
<td><em>Waqf</em> 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.</td>
</tr>
<tr>
<td><strong>Waqf lillah</strong></td>
<td>All <em>awqaf</em> are in the way of Allah - whether <em>ahli/lil-awlaad/thurri, khaiyri</em>, or <em>mushtarak</em>.</td>
</tr>
<tr>
<td><strong>Waqf khaiyri</strong></td>
<td>A <em>waqf</em> dedicated to public charitable purposes and causes.</td>
</tr>
<tr>
<td><strong>Waqf mushtarak</strong></td>
<td>A combination of <em>waqf ahli/thurri</em> and <em>waqf khaiyri</em>. A percentage may be dedicated to family/progeny and a percentage for public charitable purposes and causes.</td>
</tr>
<tr>
<td><strong>Waqf al-nuqud</strong></td>
<td>Cash endowments</td>
</tr>
<tr>
<td><strong>Waqif/Waqifah (pl.: Waqifun)</strong></td>
<td>Person making a <em>waqf</em>, i.e., the donor of a fund or assets in the form of <em>waqf</em>.</td>
</tr>
<tr>
<td><strong>Waqliyyeh (pl.: waqliyyat)</strong></td>
<td>Endowment deed(s) - written deed, document, or charter setting out in detail the <em>waqf</em> that has been made, its purpose, and the</td>
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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. zamak)**

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

**Zawiya(h), zawiya 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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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.


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.

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*.


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.


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 Ramlah and Jerusalem.


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.


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.

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.


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.


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.


This study deals with the Sabil Canal, which was the water life-line 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.


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.

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.


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.

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.


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.

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.


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.


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’been* [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.


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.

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.


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.


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.


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.


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.


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.


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.

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.


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.


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.

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.


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.


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.


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.


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.

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.

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.

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.


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.


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.

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.

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.

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.

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.

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.


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.


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.


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.

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.


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.


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.


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 awqaf since its occupation, and how Israel managed to control their resources.


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.


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.


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.


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-dowal 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.


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.

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.


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.


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.

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.

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 mutawaliyyah, 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 mutawaliyyah 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 (Maghribiis), waqf mutawaliyyah, local qadis, the central Ottoman administration and the sultan.


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-
icities 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.


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.


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.

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.


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


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


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.


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.


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 Tarikhīyya 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’Égypte 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 Ahamiyatuhu 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.

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.


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.


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.


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.


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.
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.


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.


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.


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.


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.

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.


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*.


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.


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.


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.
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.

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.

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.


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.


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, waqf 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.


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.

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.


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.

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.


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.


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.

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.


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.


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, “Waqufiaat al-kutub w al-maktabat al-fi-
lastiniat ‘iishea’atan hadariatan fi al-‘ahd al-‘uthmanii: waqu-
fiat bayt al-maqdas” [The Waqfs of Palestinian Books and Li-
braries: A Civilization Radiation in the Ottoman Era: The Waqfs
of Beit Al-Maqdis as a Model], Arabic 3000, Vol. 3, No. 2 (June

This research aims to shed light on the phenomenon of endow-
ing 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 coun-
try, and the possibility of losing books from it.

Al-Khalili, Noura, “Protection from Below: On Waqf between
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 administra-
tion 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-islamiat fi mintaqat janub fi-
lastin, 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 cemeter-
ies - within Israel proper with the aim to rehabilitate them and
put them back into action.

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.


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.

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 al-thaani 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.

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.


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.


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.


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

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.


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.


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 Jiwariha 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 Jiwariha 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.


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.


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.


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

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.


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.


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.

This study deals with Israel’s hostile campaign against awqaf 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 Ramlah, 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 awqaf 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 awqaf in Palestine that was lost during the Nakba.


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.

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.


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.


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 Sultanic 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.

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.


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.


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.”

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.

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.

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.


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 Roxeline, the wife of 16th century Ottoman Sultan Suleiman al-Qanuni and is the largest charitable institution in Palestine.


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.


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.

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.

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.

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.


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.


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.


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.


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.


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-Waqq al-Islami, tatavorah, idaratoth, tanmiyatoth* [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.

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.

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.


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.

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


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.


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

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.


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.

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.


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.


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.

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.

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.

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.

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.

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.

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.


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.

This study deals with a specific type of *waqf* governance during the Ottoman era, i.e., the *waqf* 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.


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.


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*. 

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.


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.


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.


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.


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.


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.


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 Goghrafittha 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.


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.

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.


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


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.


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.


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.

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.


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.


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.


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.


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.


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.


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.
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?

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-
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.


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.


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.


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.


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.


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’á 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.

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.


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.


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.

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.


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.


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.


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.


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.

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.


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.

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