

## Rehabilitation of Waqf Foundation in Jerusalem during the Third and Fourth Decade of the Seventeenth Century (1620-1640)

**Dr. Ibrahim Rabayeh**  
Al-Quds open University  
Tulkarm

**Dr. Mohammad Khateeb**  
An-Najah National University  
Nablus

### Abstract

*At the time were Judaization of Jerusalem targets all what express the history of this city materially or morally, it was necessary to disclose some historical facts on few Jerusalemite institutions and Foundations which reflects its civilized Arab roots, including but not limited to, the Waqf Foundation which has preserved life continuity in the city through long periods of time. Accordingly, this research aims at studying the real condition of Waqf (Religious endowment) in Jerusalem, at the first mid of the seventh century, being an expressive model of this foundation and its role during this Period. Upon perusing the archive resources, represented in the Ottoman Registers at the Sharia court of Jerusalem, it was obvious that they are abounding in information which describe the status which the Waqf Foundations have reached and therefore its impact on Jerusalem in general. In addition the research aims at revealing the significance of this Foundation at the time were Israel tries to control all its properties and to hinder its efforts to undermine it to become nonfunctioning, which make it easier to submit it to be under the Israeli control. Providing that undermining this Foundation means harming a large segment of Jerusalemites, particularly the poor and orphans, as well as the education process for which a considerable Waqf( endowment) was dedicated. In light of this, the research attempts to highlight the weaknesses and methods of reformation and rehabilitation used by Jerusalem governor for the advancement of foundations in Jerusalem, including reconstruction, renting and loans; In addition to the administrative organization under the wide spread of administrative flabbiness and chaos in Jerusalem particularly, and Levant in general, being the direct causes for undermining Waqfs. Moreover, the research highlighted the prominent achievements in patronage of Waqf; which shall be a rule model to be followed in this respect under the premeditated targeting by Israel.*

### Introduction

The research aim at identifying the general conditions in Jerusalem during the first half of the seventh century, through studying the status of Waqf Foundations in Jerusalem. focusing on this period of time came for several reasons, including: the significant of such reformation and reconstruction in terms of quantity and quality, as it is considered the most generous patronage to Waqfs in Jerusalem and its suburbs at that time; to disclose the factors which were behind undermining and sabotaging these foundations; to present the economic, social and topographic data following the developmental process of Waqf; to identify the methods used at that Period in patronizing and developing of Waqf (and apply it nowadays), and to record these achievements of this governor who is considered the most prominent personality to govern Jerusalem at this Period.

The major resource of data used in this research are provided from the Ottoman Register of Jerusalem court, which has documented all the information concerning the status of the city, as it included unique and important data about Jerusalem through which cognitive studies could be made regarding different political, cultural, social, and religious aspects in Jerusalem. Moreover, the significance of these registers lies in the fact they are the closest resource documenting and dating the standards of living inside the city and its surrounding. The competencies and authorities of the court during this Period were not limited in a specific field, as it included different authorities by virtue of the Ottoman law which has granted the judge wide political and social authorities involving monitoring governors and following up sultanic correspondences.

It is worth mentioning that the Ottoman Registers of Jerusalem court is the oldest archival resource in Levant; as the date of the first preserved Register goes back to the 14th of Shawwal, 936Hijri/ 11th of June, 1530 A.D., that is fourteen year after the ruling of Ottomans of the Arab countries. The records of Damascus come after and then Aleppo.

### - Methods for Renovating Waqf

During this Period, Waqf Foundations have witnessed noticeable advancement following the efforts dedicated by the governors of Jerusalem, throughout the administrative control and renovation of Waqf Foundations, including:

#### Reconstruction of Waqfs

Upon studying the geographical area to analyze its historical details at that Period, it is important to consider the economic, political and security conditions which the region was going through, and its direct impact on Waqf. Wherever you travel in Jerusalem and its districts you observe the various endowments (Waqfs) including the villages, farms and Kirab (ruined villages). Therefore it was necessary for each governor to understand that the core of his work represent in providing methods which guarantee the continuity of Wqaf work, through monitoring its administration on one hand, and spreading security and stability in the city and rural areas on the other hand.

The documents have recorded some damages, at this Period, to Waqf villages by previous governments of Jerusalem, resulting-mostly- in the destruction of these villages and the emigration of its population, some examples of these accidents are what have occurred in the neighborhood suburbs of Jerusalem, which were about to be fully ruined after being sabotaged by Mohammad<sup>i</sup> Bek Bin Furukh and his accomplices. The said governor, in his capacity as an officer<sup>ii</sup>, has ruled the city as well as Nablus District, for a period of a year and four months (Muharram, 1030H/ 11/1620 A.D.- Jumadah Al-Awla 1031H/3/1622A.D<sup>iii</sup>), a time sufficient to turn the area into hell.

When the new governor, Mohammad Basha, ruled the district he witnessed the disasters and plights which the area had gone through, as grievances began to be filed to him by the population. Providing that the for Instance administration of Wqafs in the district filed a suit case following the full destruction of Waqf villages<sup>iv</sup>.

The table below describes the status of these suburbs at that Period<sup>v</sup>:

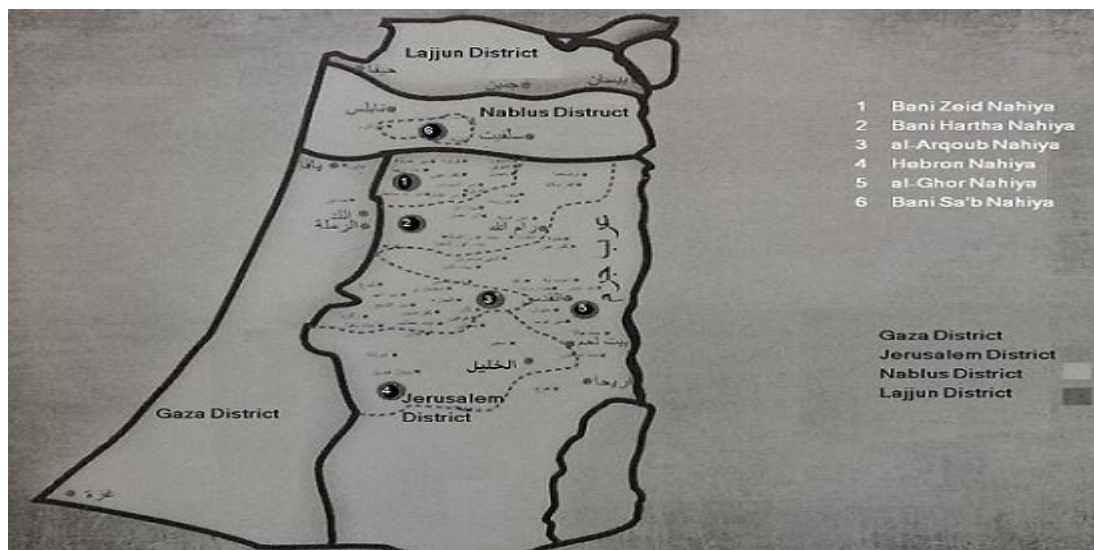
Nahiya(Sub-district)	Village	Type	Notes
Bani Haritha			15 Fully damaged villages
	Ein Arik <sup>vi</sup> , Dajania <sup>vii</sup>	AlAqsa Mosque Waqf	
	Dayr Ibzi <sup>viii</sup>	Salah Alldin Waqf	
	Kufur Ni'ma <sup>ix</sup> and Deir Ammar <sup>x</sup>	Tawosa daughter of Sultan Abu Said Al-Mamluki	
	Jammala <sup>xi</sup> , Beitlo <sup>xii</sup>	Belongs to Prince of Jerusalem	
	Mizra'at Abu Tas <sup>xiii</sup>	Timar	
	Ein Qinia <sup>xiv</sup>	Timar and Dates trees and Tankaziyah School Waqf <sup>xv</sup>	
	Kufur Raien <sup>xvi</sup> , Saffa <sup>xvii</sup>	Belongs to the Sultan	
	Bayt 'Ur al-Fawqa and Al-Tahta <sup>xviii</sup>	Tawosa daughter of Sultan Abu Said Al-Mamluki	
	Jifna <sup>xix</sup>	Belongs to the prince of Jerusalem	
	Beitunia <sup>xx</sup>	Al-Aqsa Mosque Waqf	3 men only
Bani Zaid			16 devastated village
	Al-Kharb village <sup>xxi</sup> , Jifna <sup>xxii</sup> , Atara <sup>xxiii</sup> , Ajoul <sup>xxiv</sup> , Ibwein <sup>xxv</sup> , Arora <sup>xxvii</sup>	Dome of the Rock Waqf and Almoa'yad King <sup>xxvi</sup> Waqf	
	Al-Mazar' village <sup>xxviii</sup> , Qarawa village <sup>xxix</sup> , Kufur Ein <sup>xxx</sup> , Deir Ghasana <sup>xxxi</sup> , Beit Rima <sup>xxxii</sup>	Al-Aqsa and Hebron Waqf	
	Deir Nizam <sup>xxxiii</sup> , Deir Al-sudan <sup>xxxiv</sup> , Kaubar <sup>xxxv</sup> , Ishwa <sup>xxxvi</sup> , Birzeit <sup>xxxvii</sup>	Dates trees	
Al-Arqoub			15 villages
	15 Carats from Kharaba village, which is known as Al-Jura village <sup>xxxviii</sup>	Al-Hujrah Al-Nabawiyah Waqf	Some trees had been cut down
	Beit Saqaya <sup>xxxix</sup>	Dome of the Rock and Hebron Waqf	Part of it had been burned

	Dayr Al-Shaykh <sup>xi</sup>		Destroyed and ruined
	Kufur Sour <sup>xli</sup>		Ruined
	Allar El-Fawqa <sup>xlii</sup>		Burned
	Allar Al-Sufla <sup>xliii</sup>	Hanafi School Waqf in Jerusalem	The village and it's mosque been burned
	Bayt Itab <sup>xliv</sup> Al-Fawqa		Burned
	Bayt Itab Al-Tahta <sup>xlv</sup> Wadi Fukin <sup>xlvi</sup>	Prophet Moses Waqf	
	Dayr Al-Hawa <sup>xlvii</sup> , Nahalin <sup>xlviii</sup> , Zakaria <sup>xlix</sup> , Al-Bakhtiari <sup>1</sup>	Timar	
	Shuika <sup>1</sup> / Hebron Nahiya(Sub-district)	Belongs to the Prince	

This table above reflects some important facts including the conspicuous appearance of Blocks and fanaticism. Upon perusing the given facts it is clear that Mohammed Fourokh and his accomplice were targeting certain districts while others were not only excluded, but also cooperated and involved in the crime, such as Hebron Nahiyah (sub-district of Hebron) and Al-Ghawr Nahiyah (sub-district of the Jordan Valley)<sup>lii</sup>. In support of that the documents referred to insurgency events made by chieftains of Jericho and Al-Ghawr (Jordan Valley) from Arab Jurum<sup>liii</sup> as well as chieftains of Jabal Al-Khalil too, during the ruling of Mohammad Basha who used to go for them himself<sup>liv</sup>. This status demonstrates the state of coalition among Mohammad Bin Furoukh and Jerusalem Nawahi (sub-districts), such coalition was not limited to Liwa'(district) of Nablus near Jerusalem, but it reached Al-Lajjun Liwa'<sup>lv</sup>. The Bedouins at these sub-districts have formed a force to undermine some sub-districts which refused to show loyalty to Mohammad Furukh and his actions. A deed has described the nature of that coalition, after the fleeing of the villagers to Al-Jama'ini Nahiya which locates in the north mountain of Nablus, they were attached by Mohammad bin Furukh supporters such as Sheikh Mohammad who is known as Aasi<sup>lvi</sup> the chieftain of Bani Sa'b Nahiya, consequently many villagers and dignitaries were killed such as some noblemen of Salfet Village, houses were destroyed, olive oil presses were burned, and some heads were hanged on the wall of Jerusalem<sup>57lvii</sup>.

Through this document, the political map of south Syria districts can be defined, as they are administratively, sectarian and tribally interfered and forked. It is noticeable that Gaza District was absent during these events, as the district was under the control of Ridwan Family, and Mohammad Pasha Bin Ahmad Bin Ridwan the ruler of the district. Such absence was ascribed to the limitation of his activities inside the district and his affinity with the ruler of Jerusalem<sup>lviii</sup>. Moreover, the ruler of Gaza was loyal to Jerusalem ruler except Abu Froukh.

**The Southern Districts of Palestine During the Ottoman Period**



In brief, this status was met with positive and quick reaction by Mohammad Pasha, who spared no effort to reconstruct these villages. Indeed after two months of reconstruction, he appeared before the judge, and in the presence of the chieftains and noblemen, in Jerusalem, and confirmed that he has reconstructed all the villages and they are inhabited now. His statement was verified and proved to be as described<sup>lix</sup>. The effort of Mohammad Pasha pays off due to the dedicated work and abundant money spent. Upon attempting to explain the factors behind the swift achievement of such works in a record time, we would refer that following reasons, including: the strong love of this ruler and his sincere belonging to this holy place, the solid relationship that bounded this ruler with the population whether they were Muslims or Christians, as well as the fact that he was at the top of his glory, endowment, wisdom and ruling powers during the year 1031H/1621A.D.

The accomplishment of such achievements in Jerusalem has received positive responds by the Topkapı Palace, as he was granted the leadership of Hajj, as well as the leadership of Nablus, after toppling Mohammad Bin Furoukh in the wake of the disasters he had committed. The said authorities were limited to other districts such as Gaza and Nablus. Furthermore, such achievements have consolidated his rule in Jerusalem for more than a decade<sup>lx</sup>.

Moreover, the information of the Shar'ia Registers indicated the deep rooted hostility by Mohammad Bin Furoukh towards these Nawahi (sub-districts), even during his second ruling to Jerusalem (1035H/1626A.D)<sup>lxi</sup>, he insisted on practicing atrocities against these sub-districts by ruining them and killing their people. The document demonstrated the scale of destruction caused by him, as it had counted 21 ruined villages<sup>lxii</sup>. It seems that there are other villages which were partially destroyed which indicates the deep hostility which characterized the relationship between Ibn Furoukh and Jerusalem District in general, and Bani Zaid and Bani Haritha villages in particular, as he took advantage of the fanaticism between the Qaysis and the Yemenis.

The table also introduces the types of land titles which were ruined, such as land Waqf in the treasure of the Ottoman sultan; and the lands seized to ruler of Jerusalem District, which is referred to as possessed by the prince of Jerusalem district; and the Timar lands<sup>lxiii</sup> which are endowed to the military nights of the district. Upon considering the above we realize that such ruin and destruction have affected most of the land types, but the Waqf foundation was the type with the most loses, as the number of Waqf villages was higher in comparison to the other one, which therefore has an adversary impact on the Waqf revenues in Jerusalem.

It is noticeable too that most of the said Waqf villages were made in Al-Aqsa Mosque and Hebron Mosque, which clearly indicate that malfunctioning and misrepresentation had occurred to the work process of these two foundations, considering the fact that the cut off revenues entails serious consequences including cutting down the sustenance and wages of custodians of these mosques, affecting therefore the work efficiency of these custodians, in addition to the deficiency in the amount of olive oil used to light up the holy places.

### **Loans**

The Registers states that Mohammad Pasha had offered loans to the Waqf villages, as he used to endow the land guardian what is needed to plant their lands during the growing seasons on the condition that he would recover it during the harvest season, based on the original amount provided at that time without any additional interests upon payment or receipt. The following table shows the loans endowed by Mohammad Pasha to these villages:

Village	Waqf	Loan	Source
Beit Iksa village <sup>lxiv</sup>	Imara al-'Amira	20 Mods of Jordan Valley Wheat, 50 kuruş.	Jerusalem Register 105, part2,13 <sup>th</sup> of Rabi' al-Awwal 1032H/15/1/1623 AD, pg715
Bethlehem(City)Village	Imara al-'Amira	30 Mods of Jordan Valley Wheat,75 kuruş.	Jerusalem Register 105, part3,3 <sup>rd</sup> of Rabi' al-Awwal 1032H/5/1/1623 AD, pg727
Aboud Village <sup>lxv</sup>	Two Holy Mosques Waqf(Jerusalem & Hebron) Gaza District, subject to lease by Mohammed Pasha	(Unspecified)	Jerusalem Register 115, part1,8 <sup>th</sup> of Jumada al-Thaniya 1038H/2/2/1629 AD, pg716
Majdel Fadel Village <sup>lxvi</sup> of Hebron	Jokandar Waqf, subject to lease by Al Pasha	30 Mods of Wheat, Hebron measurement <sup>lxvii</sup> ,90 kuruş, 30 Mods of Barely, Hebron measurement, 30 kuruş.	Jerusalem Register 105, part1,23 <sup>rd</sup> of Jumada al-Thaniya 1031H/5/5/1622 AD, pg189
Al-Issawaya Village	Imara al-'Amira	10 Mods of Jordan Valley Wheat,25 kuruş.	Jerusalem Register 105, part1,5 <sup>th</sup> of Rabi' Al-Awwal 1032H/7/1/1623 AD, pg718
Beit Liqyah <sup>lxviii</sup>	Imara al-'Amira	20 Mods of Jordan Valley Wheat,5 Mods of Barley, Barley is 1.5 kuruş, Wheat is 2.5 kuruş, 57.5 kuruş.	Jerusalem Register 105, part1, 3 <sup>rd</sup> of Rabi' Al-Awwal 1032H/5/1/1623 AD, pg 726.
Ein Arik Village	Al-Aqsa and the Dome of the Rock Waqf	5 Mods of Jordan Valley Wheat,5 Mods of Barley, 20 kuruş.	Jerusalem Register 105, part3,8 <sup>th</sup> of Rabi' Al-Awwal 1032H/10/1/1623 AD, pg744.
Allar El-Fawqa	Hanafi School Waqf	15 Mods of Jordan Valley Wheat, 37.5 kuruş.	Jerusalem Register 105, part1,14 <sup>th</sup> of Rabi' Al-Awwal 1032H/16/1/1623 AD, pg11.
Ibwein Village of Bani Zeid	Hebron Waqf	10 Mods of Jordan Valley Wheat, 25 kuruş.	Jerusalem Register 106, part2,15 <sup>th</sup> of Rabi' Al-Awwal 1032H/17/1/1623 AD, pg11.

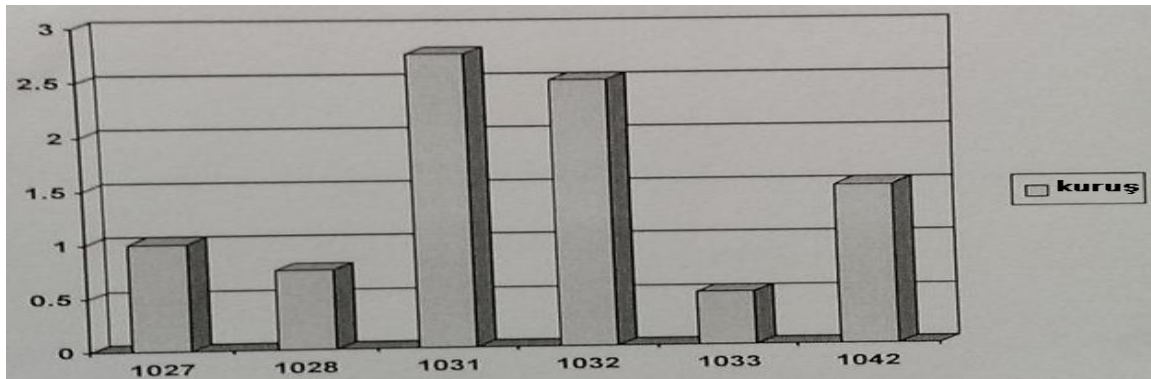
Based on the table, it is noticed that the loans were offered in general to the Waqf villages, whether they were under his disposal, possession or otherwise. Moreover, it is noticed that all these loans are in-kind from wheat and barley, which were the winter crops at these areas. Upon considering the terms and conditions of loans it is noticed that the type of wheat was limited to the Jordan Valley wheat, which means that there are many types of wheat and that this specific type is most convenient to be planted in Jerusalem districts. It was rare to provide cash loans, especially when it is related to taxes imposed on the Waqf villages, in case inability to fulfill these charges. An example on that, the case when Mohammad Basha offered to Bethlehem and Beit Jala villages a loan in the amount of 402 Kuruş (Turkish currency) to reimburse the taxes of 230 family, he aimed at achieving two goals: first to prevent people from emigration and second because these taxes are spend on Al-Aqsa Mosque and its services<sup>lxix</sup>.

The prices of the cereals were high at these times in comparison to the near previous and subsequent years, as it is commonly know that the price of a half bushel (Mod) of wheat under normal conditions was half a Kuruş<sup>lxx</sup>.

Upon pursuing the wheat prices during the period of this study, it appeared that they are varied and fluctuated, which would be ascribed to the drought which affected the region every now and then. The table and chart no.(3) below illustrates the fluctuation of the crop's prices during this Period:

Year	Crop production in Mods(1 Mod =100rotl )	Price in kuruş (1 kuruş =30 Egyptian coins)	Source
1027H/1618A.D	Wheat	1	Jerusalem Register 100, part1,pg125
6 <sup>th</sup> of Muharram 1028H/24/12/1618A.D	Wheat	$\frac{3}{4}$	Jerusalem Register 101, part3,pg191
1031H/1621A.D	Wheat <sup>lxxi</sup>	2 and $\frac{3}{4}$	Jerusalem Register 105, part2,pg146
5 <sup>th</sup> of Rabi' Al-Awwal 1032H/7/1/1623A.D	Wheat	Jerusalem Mods=2,5 Hebron Mod=3	Jerusalem Register 105, part2,pg708, part1,pg189
20 <sup>th</sup> of Dhu al-Hijja 1032H/15/10/1623A.D	Wheat	Jerusalem Mods=1/2 Hebron Mod=3/4=22 Egyptian coins	Jerusalem Register 100, part1,pg125
8 <sup>th</sup> of Sha'ban 1042H/18/2/1633A.D	Wheat and Barely	Wheat:1,5 Barley:1	Jerusalem Register 120, part1,pg296

### *The Prices of Wheat in Hijri Calendar*



### *Collection of Waqf's money and its Investment*

According to these documents, and during the study period, a considerable problem emerged concerning the revenues of Waqf and its collection, as it became difficult to the Waqf collector to easily reach the Waqf crops, and distribute it in the specific targets, which gradually led to the destruction of Waqf and the loss of its beneficiaries. The appearance of such problems during this period would be ascribed to the accumulation of many factors including the poor management of Waqf in collecting the money from land guardians; the ruin of Waqf lands as a result of human and environmental problems represented in the successive years of barren on one hand, and the arbitrariness of the administrative officials against land guardians, due to the excessive use of force; the poor economic capacities of land guardians, and thus they became unable to utilize their lands, taking the valleys and mountains' tops dwellings for them and their families as a temporary solution for their crises at that time. In addition, to the fact that people got used to evade paying taxes and charges even if there living in affluence.

This was the overall situation as described by the documents and Shar'ia Deeds, in light of this, Mohammad Pasha started to solve these problems which have impacted Waqf foundations in Jerusalem, it seems that he tried to use all the correct beneficial methods to renovate Waqf and invest its money, in accordance with the terms and conditions of Waqf from one side and by not jeopardizing its money on the other side.

These methods were limited in land seizure, substitute, lease, sale, and purchase as following:

#### **Land Seizure (*Muqata'a*)**

It is noticeable that the land seizure contracts entered by Mohammed Pasha, ruler of Jerusalem, were all made on Waqf villages, farms and ruins. Moreover, it is clear, as per stated in the documents and deeds, that the main objective of land seizure by Mohammad Pasha was for the benefit of public interest, a procedure which he adopted after witnessing stoppage in Waqf revenues caused by people evasion of paying taxes.

Accordingly he realized that revenue collection needs a powerful tax collector, under such circumstances the tax collector should obtain the approval of Jerusalem judge to conduct land seizure, after proving that it was impossible for him to levy the crops through traditional methods. An example on such matter is the case of Mohammad Al-Dawidy the principal of Hanfi School Waqf who justified such request in the fact that revenue collection of Waqf became obstinate in Battir village<sup>lxxii</sup>, therefore the judge allowed the Mustafa Bek Bin Mohammad Pasha<sup>lxxiii</sup> to seize land in lieu for the unpaid taxes and charges.

Furthermore, a similar order was issued regarding revenue collection of five carats<sup>lxxiv</sup>, from Beit Saqaya<sup>lxxv</sup> and a crop of 120 olive trees from Lifta village; both are Waqf from Ali Al-khilwati, as land guardians refrain paying the crops tax for more than five years, upon informing Mohammad Pasha about the case he seized land in lieu of the unpaid taxes<sup>lxxvi</sup>. It is worth indicating her that Mohammad Pasha tried to use the policy of carrot not stick policy, whereas the prevailing policies in tax levy at that time restored to use force and violence against people, while Mohammad Pasha sent delegates and gifts to the village chieftains and lent them 75 Kuruş, the price of five olive oil jars on the condition that they should pay it back during the season<sup>lxxvii</sup>.

#### **Land Lease ( *Al-Hikr* )**

It means renting<sup>lxxviii</sup> a Waqf land and to work on plowing it, tending its plants, and reclamation of uncultivated lands by planting it with winter and summer crops. The documents stated that Mohammad Pasha has aimed through this policy at targeting those Waqfs which have a strong presence in Jerusalem on one hand, and targeting Waqf lands of various beneficial uses such as Bayr Ayoub which located at Al-Bustan Land in Silwan village and all are Waqf at Salaheya School<sup>lxxix</sup>.

Seemingly, Mohammad Pasha has noticed that land lease was informal; in that there is no Waqf reclamation, and that lands became fallow lands, consequently, this status has forced Mohammad Pasha to handle such situation through new Lease contracts.

**Table No (5): Below Presents These Contracts Which Were Concluded By Mohammad Pasha on Waqfs**

Waqf	Lessor	Lessee	Contract Duration	Rent
Khanqah of Salah Alddin Waqf, unplanted land in Al-Baq'a	Land Lease contract assigned by Shams Ad-Deen Al-Einabousi	Mohammed Pasha	Undetermined	received 60 kuruş <sup>lxxx</sup>
Khanqah of Salah Alddin Waqf, unplanted land.	Assignment of Sheikh Al-Islam Afif Ad-Deen Bin Jama'a judge Mohammed Bin Badir Ad-Deen Hasan (well known as Ash-Shaf'i Al-Kinani)	Mohammed Pasha	Undetermined	75 kuruş <sup>lxxxi</sup>
Khanqah Waqf, fallow land. <sup>lxxxii</sup>	Waqf overseer Qutb Al-Aqtab Abi Abdallah Mohammed Bin Al-Alami	Mohammed Pasha	90 years	180 kuruş
Khanqah of Salah Alddin Waqf in Al-Baq'a, it is fallow land	The Land Lease contract was assigned by Mr. Karim Ad-Deen Chief of notables in Jerusalem and Khawajah Yihya Bin Al-Einabousi	Mohammed Pasha	90 years	Received in lieu of Lease 120 kuruş <sup>lxxxiii</sup>
Salaheya School, Al-Bustan Land, and Bayr Ayoub in Silwan village <sup>lxxxiv</sup>	Sheikh Ishaq bin Omar Siraj Ad-Deen the Shaf'i Mufti of Jerusalem and the overseer of Salaheya Waqf rent the land from the overseer, with running seedlings in sharecropper contract(Lease contract), which was almost fallow, the land also had water spring and pool in which water was being put in order to irrigate seedlings from Bayr Ayoub	Mohammed Pasha	90 years	180 kuruş, every year rent is to be paid at the end of year, according to 30 contracts, the duration of each contract is 3 years
Alluya Waqf, destroyed castle in the land of Silwan orchard, Salaheya Waqf, including the land on Bayr Ayoub, and sharecropping on Fig, Almond, olive, jujube, and bitter orange	Shiekh Fakhir Ad-Deen Bin Shiekh Zakariya Afandi Jerusalem Hanafis Mufti, the attorney of Fatima Bint Abdelkareem Alluya, she was the overseer of her grand grandfather Waqf on the Alluya Waqf <sup>lxxxv</sup>	Mohammed Pasha	90 years	Rent: 180 kuruş, Sharecropping: sixth of Fruits, about 8 kuruş annually
As-Salahi hospital Waqf, vegetable field in Al-Ghawanmah sub-district(Mahillah)	Waqf collector Sifi A'aqha	Mohammed Pasha	90 years <sup>lxxxvi</sup>	5 kuruş
Salah Ad-Deen Waqf on Sheikh Ali and Shiekh Ahmed Al-Hakariya, Fallow land in Tor Zeita mountain. <sup>lxxxvii</sup>	Sheikh Abdelghaffar Al-Ajami Motwali	Sheikh Mohammed Al-Alamy collector of Mohammed Pasha Waqf	30years	75 kuruş, every year rent is to be paid at the end of year



Based on the table above, we conclude that all the lease contracts were for Waqf of Salah Alddin Al-Ayoubi. Upon considering the contents of the deeds it appears that most of the Waqf lands in Salah Alddin Waqf had become under his disposal, which draw us to the conclusion that the said Waqf was about to ruin, and that Mohammad Pasha had noticed a significant negligence and remissness by Waqf officials. It is worth mentioning that Salah Alddin Waqf is one of the most important endowments in Jerusalem, as its institutions are of religious, social and scientific dimensions (schools, Bimaristns (hospitals), khanqah and charitable Waqf) which have a significant role in developing the public life in Jerusalem through different Periods.

Among the problems which encountered Mohammad Pasha efforts to reconstruct these Waqfs are: how to possess these Waqfs, considering their divers types of possession (owned, leased, sharecropper<sup>lxxxviii</sup>, and etc.), but it seems that Mohammad Pasha was able to handle these cases successfully, he rented some from administration of Waqf, and others from lessors, pursuant to several contracts referred to in the documents as Leasing and trade Contracts, which means to seize the land from the lessor by virtue of a second seizure contract, providing that the he should pay to the first lessee the rental amount in lieu of vacancy, on the condition to comply with the original seizure contract in respect of crop-share. Other way of possession was through purchase contracts of the new seedlings in the Waqf land, while leasing the seedlings which the owners refused to sell, such as the contract of Ali Bin Al-lawiyah .

It was credited to Mohammad Pasha the qualitative reconstruction of Salah Alddin Waqf in Jerusalem, represented in the rehabilitation of Bayr Ayoub (Ayoub Well)<sup>lxxxix</sup> which has previously supplied the area with water. The Well is a deep water spring which was previously attached to a wheel for animals. The documents state that in his pursue for finding new water resources for the purpose of irrigation and drinking, Mohammad Pasha was advised by knowledgeable people to reconstruct the well. The well was a resource for water, but it had been ruined a long time ago.

Upon his knowledge of the well status, Mohammad Pasha commenced reconstructing this water spring, through the following steps:

**Step one:** it was explorative, through employing a group of workers, purchasing ropes and necessary tools to clean the well from stones and impurities. The workers kept digging till water start gushing and gradually collecting till it became useable. Then he hired some workers to pull up the water with the ropes to ensure water continuous flow. The water was unconditionally available for all people, as well as animals and plants irrigation.

**Step two:** He leased all the lands surrounding the Well, including the well, seedlings and plants from their owners. The land is a Waqf from Sultan Salah Alddin endowed to Salaheya School, and is known as Al-Bustan Land (the Orchard), the new seedlings and constructions are either Waqf or owned<sup>xc</sup>. According to the documents, he had overcome all the difficulties on this stage till he fully controlled the whole area and put it under his legal and Shar'i authority.

**Step three:** He started to construct a water-wheel, so he made available all the needed woods and animals and hired permanent workers, this great effort had come out with the following achievements: providing Jerusalem with a water resource; and reclamation of Waqf lands of Salaheya School through supplying it with the necessary water to plant fallow lands and irrigate crops, which had tremendously contribute in the renovation of Waqfs in general and the Waqf of Salaheya School in particular.

Inside the city, Mohammad Pasha focused on leasing Waqf real estates to renovate them again, including oil Presses, bakeries, mills and houses in general, and Waqfs which are ruined or about to ruin in particular. The documents reflects his dedicated efforts in achieving this. Considering the various types of possessions for each single Waqf, namely the bakery of Wajeehi School<sup>xcii</sup>, which is located at Al-qtanin. At first he made a long term leasing contract to the bakery basement which is endowed for a period of 90 years, then he bought five carats of the bakery which is located at the said basement from Khawaja Noor Alddin Bin Abi Al-yoursr Al-masri and Khawajah Noor Alddin Bin Jamal Alddin Al-masri, thus the bakery and the building became in whole under the possession of Mohammad Pasha<sup>xciii</sup>. by doing he reconstructed an economical institution and renovated the funds of Waqf through new funds.

Other contracts is the lease contract of some real estates of Alaa' Alddin Albasir Waqf, including a motel located on the line of Al-tawahen valley, which was about to ruin as per described by the document, the duration of the contract was 90 years<sup>xciiii</sup>.

In addition to a house and a basement, or the period of 90 years, and rent amount of 540 kurus, providing that he should pay half of the annual rent the amount of which is 3 kurus, while the other half will be refunded to the Pasha in return for the reconstruction costs<sup>xciv</sup>. This system is known as Al-marsad (the Observer); and it is an agreement between Waqf administration and the lessee, who should ensure reclamation and reconstruction of the land, the expenditures of such reclamation and reconstruction shall be a debt on the Waqf to be refunded to the lessee from the production, then the rent which the parties have agreed upon should be paid to the Waqf<sup>xcv</sup>.

Moreover, the lease of the basement of Al-Karimi School<sup>xcvi</sup>, which locates on Dawoud line as per the long term lease contract the duration of which is 90 years. It is noticed that the contract had considered all the related Shar'i matters, without violating the conditions of Waqf. an example of such case is what had been stated in a deed, that leasing is permissible and legal upon the presence of competent and knowledgeable witnesses including Abdullah Bin Abdullah, Mohammad Bin Qasim Al-Hlabi, and Musa Bin Saad Alddin, they all are from Al-mi'mariah in Jerusalem, as well as Mohammad Bin Nasir Al- Raiys Sheikh of wheat millers in Jerusalem, Haji Sari Ad-Deen Bin Yousif At-Trapolsi, Saleh Bin Mohammed Bin Sabhah, Mohammed Bin Abdelaljawwd Al-Ghabazi, and Mohammed Bin Abdelhai, he also verified that to the Shaf'i governor through the testimony of judge Mustafa Afandi Al-Huseini, Sheikh Fakhir Ad-Deen Bin Shiekh Zakariya Al-Masri and Sheikh Abu Al-fadel the Waqf collector<sup>xcvii</sup>.

An example of this type of contracts is the purchase of twelve carats of cooper cauldron which was used to cook soap at a soap factory in a slaughter house in Jerusalem, at the Waqf of Sheikh Najm Alddin Al-hanbali<sup>xcviii</sup>.

According to a sharecropper and lease contract, he rented a land parcel near Hebron Gate which involves a red berry tree in Sinnan Agha Waqf, for a period of 90 years, from the Waqf official Mohammad Agha Dizdar, Jerusalem castle<sup>xcix</sup>.

By one contract he purchased, sharecropped and leased seedlings and a land from the Waqf of judge Sharaf Alddin Al-esaily, which locates on the sub-district of Christians, near the northern wall of the city, from sheikh Sharaf Alddin Al-esaily the owner of the seedlings and overseer of the Waqf which belongs to judge Sharaf Alddin his grandfather from his mother's side, for a period of 90 years<sup>c</sup>.

Furthermore, he rented a basement in the Waqf of Sultan Mohammad Bin Quloun; which is located in the Christians sub-district near Deir Al-Firanj and a vegetable field of the Pasha; from the overseer of Hassan Bin Mohammad Al-sultani's Waqf, the lease period was for 90 years<sup>ci</sup>.

### ***Substitution***

The Waqf transactions of the Pasha have included contracts to substitute the fund of Waqf with cash; among such substitution contracts is the bakery of Wujohi School. It is noticed that he paid cash in substitute for a ruin Waqf which supports the fact that such targeting of Waqfs was for developmental purpose. Moreover, he substituted twelve carats from Peram Jawish soap factory<sup>cii</sup>, which locates in Mahiyala Bab Al-amud (Damascus Gate)<sup>ciii</sup>. He also substituted fig, almond and olive trees of Fateh Al-Fakhuri Waqf in Tur Zeita for the amount of 100 kurus<sup>civ</sup>.

The Pasha substituted also twelve carats from a soap factory in Mahiyala Bab Al-amud from the Wqqf of Peram Jawish, as he paid in cash the amount of 140kurus, taking into consideration that the second half of the Waqf is also owned by the Pasha<sup>cv</sup>.

### ***Controlling the Charges of Nativity Church***

The problem of charge payment appeared during the ruling period of Mohammad Pash, as these charges should be collected from pilgrims visiting the church, and as it is known these charges are Waqf of sultan Sulieman Al-qanuni which was mortmain to scholars of Aqsa Mousque and Dome of the Rock, the emerging of such issue at such times could be for the following reasons:

**First:** different qualitative and quantitative developments had occurred to Waqf funds, particularly the coins used in levy; as a period of one hundred year would be sufficient to change the purchase value of the coins used in collection, making it urgent to issue an amendment or a confirmation following the conflict and variation that took place upon the collection of these charges.

**Second:** the occurrence of manipulation in respect of Waqf expenses and charges' amounts during that Period, such practices became common gradually, and people dealt with it as part of Waqf.

This was associated with the absence of questioning or correct investigation by Jerusalem rules. Such manipulation came to surface after the aggravation of the conflicts between the Christian denominations in Jerusalem on one hand; and the collector of Al-Aqsa Mosque Waqf and Khaski sultan Waqf on the other hand concerning the type of coins to be paid by the Church of Nativity, which made it necessary to held a Shar'i council to peruse the case.

In this regard, I will clarify the charges of the Nativity Church as per decided by Jerusalem Nama Law; through which the Ottoman State had regulated its affairs upon the predomination and ruling the Arab countries. The said law states that pilgrims who arrive from foreign countries should pay 7 florins, and before entering into Nativity Church should pay fifty Aqja<sup>cvii</sup>, an 45 Aqja as entrance charges, whereas the visitors from Turkey they had to pay an extra 3 Qaytbai gold coins, and the previous entrance charges, for those who came from Aleppo a gold Dinar is to be paid, lastly who came from Ar-Ramla, Salt, Ajlun, and Gaza they paid 25 Aqja.<sup>cvii</sup>

Upon comparing the charges stated in the Nama Law and those mentioned in the presented case, we will find clear difference in some aspects which could be ascribed to the political and economic changes. To accurately understand the context of the deed we will look into some related details. The court council was held at the presence of Jerusalem judge and ruler Mohammad Pasha, and after filing a suitcase by Mohammad Agha collector of Al-Aqsa Mosque Waqf and Khaski sultan Waqf in Jerusalem, against the heads of the Christian denomination in Jerusalem, namely Karkur son of Markar the bishop of Armenians in Jerusalem, and Antonio son of Cristino, attorney of Dekor son of Yousuf the head of Franks denomination in Jerusalem, and Yathus son of Bolus Al-shamas the attorney of Nuvani son of Nicola patriarch of Roman denomination in Jerusalem. Mohammad Al-Agha had accused them of paying illegal charges by paying the golden Dinars instead, the plaintiff demanded to oblige them to pay using they determined type of coins, and that such payment should be as following: Romans and Armenian coming from beyond the River Maradori, each person should pay 4 Sultani<sup>cviii</sup>, and those from the river's countries should pay 3 Sultani, while Franks should pay 9 golden Sultani.

The Plaintiff responded by saying that the above denominations used to pay at the beginning the 40 Egyptian coins for each one Sultani, then it turns to one and a half Kurus, then one and one third Kurus. He also indicated that there isn't any article in the Ottoman Law which obliged them to pay in the Sultanic Dinars. Consequently the Judge decided to keep the charges as is it<sup>cix</sup>.

The above definition has indicated the amount of charges and the type of coins paid by the Christian visitors to Jerusalem, as well as the purchase value during that Period. If we attempt to know the reason behind the appearance of such case at that specific time, we would find that Mohammad agha, the collector of Waqf, had provoked it. Upon reviewing his biography, we found that Mohammad Agha was not of a good conduct and attitude in respect of injustice, aggression, unlawful taking of money from the caretakers of Waqf<sup>cx</sup>. Despite the fact that the case dimension is personal, yet the presence of such case at that time and in such location has significant importance in identifying the general aspects in Jerusalem, particularly these related to the Christian denominations.

In spite of solving the case, the situation is still instable in respect of the Nativity Church's charges. The presented of many such cases during the time of Mohammad Pasha reflects the corruption of the administrative body in-charge of collecting the Church's charges, and the manipulating in waqf revenues, which made the leakage of Waqf funds an easy matter, which therefore had significant impacted on Al-Aqsa Mosque Waqf. The deeds have revealed the methods of leakage in waqf funds, among which are: the Waqf beneficial used to give visitors nonofficial tickets (secretly), which make money reduction inevitable, as result of that the wages of Quran reciters were cut in some years, or part of their allowances were cut to the half or less. The judge decided to appoint sheikh Ali Afandi Bin Hussein Bek as the overseer of the Waqf, to manage its affairs, follow up the collector and control the charges levied<sup>cxii</sup>.

Another deed came with further beneficial information describing the situation at the time of Sultan Suleiman. For its significance we will illustrate its content. After the presence of Mohammad Mustafa Bek Ali Bek Bin Mohammad Pasha the attorney on behalf of Mohammad Agha, the collector of Sultan Khasqi Waqf and collector of the Nativity Church charges; accompanied with Azer son of Hirmz and his three children and his wife, and they all from Al-Nasatira denomination who had arrived from A'amed City<sup>cxiii</sup>, the aforementioned Mustafa said that the charges per person is 7 kurus, indicating that they entered to the church secretly without paying any charges.

While Azer said that he had given a red cotton fabric to the gatekeeper of the church, Yousuf Bin Jamal Bin Nusiba, who was also presented in the council, and asked him to give the fabric to Qurat Hasan Al-Sirafi who usually receives the money. Accordingly it was decided to isolate Yousuf Bin Nusiba and Qurat Hassan in the accusation of treason. Moreover it was decided that each of the said Christians should pay the charges of the church accordingly and as per the law. This deed was clear and practical evidence which described the situation of charges levy at that time<sup>cxiii</sup>.

These practices were sufficient reasons for Mohammad Pasha and Mohammad Afandi, the Judge of Jerusalem, to return Waqf to its previous status. The following deed lists the procedures which have stopped those who maltreated their authorities, and obliged all parties to do what is required.

First of all, we should mention that among those who file lawsuits are the beneficiaries from the charges of the church, such as the reciters at Waqf of Sultan Sulieman Al-qanoni. The deed indicated that the number of official reciters in that Waq are 30 people who recite 91 parts of the Quran at the Dome of the Rock. It is obvious that the problem layout in the fact that previously reciters used to recite the parts correctly during all the four seasons, and receives their wages from the charges imposed on the visitors of the Nativity Church. But nowadays, things changed, as these reciters became no longer committed to their obligations due to cut off wages, as a result of hiring new untrustworthy people. furthermore, at the holiday seasons, the collector refrain from checking the visitors arriving to the church due to the absence of an official in-charge at the gate to collect the due charges, therefore it was necessary to appoint and overseer at the Waqf to control the whole process. It seems that the problem had aggravated after the overloading the Waqf, through the excessive appointment of new employees, such as reciters, which were describe by the deed as new positions<sup>cxiv</sup>.

Upon considering the deterioration in the Waqf status; the in-charge authorities decided to assign to the overseer the liabilities of accounting on Waqf, as he will be is in-charge of distributing the funds among the origins<sup>cxv</sup> first and then among the branches<sup>cxvi</sup>, and to keep the branches at their jobs and to register them in the preserved register, on the condition that they could not receive their wages unless the origin receipt the same first. Furthermore, no new appointed employee should be registered in the Daftar, and the judge warn the reciters that they should be committed to their appointments, and if any reciter did not attend for three consecutive days then the judge of Jerusalem will be entitled to appoint a new reciter, the judge also warned the tax collectors, the clerks, keykeeper, treasurer, money changer and doorkeepers) to be present upon the arrival of visitors to the church, Moreover the judge warned the head of Christian denomination; namely Karkur the bishop of Armenians, Nuvani son of Nicola patriarch of Roman denomination, Tawlus son of Jann Busteasta head of Franks in Jerusalem ... (defaced in the original deed) Serbian Christians and their spokesmen, yousuf son of Hadeed spokesman of Serian denominations ; Khamis son of Nasir the spokesmen of the Al-Nasatira denomination, and Gerorgs son of Michal the spokesmen of Coptic denomination; that they should inform the charge collector and his servants upon the arrival of any of their denominations, so that to collect the due charges, and that he would severely punish whosoever violates that<sup>1cxvii</sup>. Based on that, we find that the administration of Jerusalem did not spare any efforts towards restructuring Waqf system in Jerusalem, and that it had managed its affairs after vanquishing corruption.

### **Conclusion**

The study has revealed the general conditions of Waqf in Jerusalem district in light of the noticeable care which Mohammas Pasha had devoted to Waqf affairs and the dedicated efforts to renovate waqf and develop its funds, which were positively reflected on the status of Waqf.

- The renovation process involved various Jerusalemite endowments, particularly the prominent ones such as the Waqf of the two holly mosques, Al-Imara al-'amira, Salah Alddin Waqfs. Mohammad Pasha has mainly concentrated his efforts to solve the problems which negatively impacted the Waqf and its beneficent, represented in bad administration on one hand and environmental disasters on the other hand.
- Mohammad Pasha was committed to the shar'i restrains as he applied and was complied with its contents upon considering renovation of ruined villages and investment of its money, in that he took into account all the terms and conditions of Waqf, did not jeopardize its funds, documented and registered Waqf contracts and transactions to ensure transparent and integrate performance, and sought

- The reconstruction of Waqf had a satisfactory impact in increasing its revenues, which significantly affected the conditions of the Waqf foundations, as Jerusalem became a center for religious and scientific attraction at that Period.

In conclusion, Mohammad Pasha is considered a pioneer and a role model for those following his steps nowadays in reconstruction of waqf. As the reconstruction made by him has an influential effect during the following stages in the history of Jerusalem, making these works immortal and rememberable for being comprehensive and beneficial.

<sup>i</sup> Mohammad Al-Furukh has received the ruling of Nablus from his father, he ruled Jerusalem District several times, Moreover he was in- charge of the Hajj caravan for many years. In a legal deed it was indicated that he ruled Jerusalem three times, see Jerusalem register No 147, 20th of Rajab, 1060H/19th of July, pg.410. Al-Muhiby, Mohammed AminAldeen( 111H/1699A.D) Khulasatul Athar Fi A'yan Al-qarn Al-hadi Ashar(Summary about the dignitaries of the 11th century), part4, Islamic Book House , Cairo, part4, pg. 108.

<sup>ii</sup> Officer: administrative terminology commonly used at that time, whereas the officer shall be in charge of the District during the time following the termination of a previous ruling till the appointment of a new governor, according to the documents such position was assigned to any governor of the district neighboring to Jerusalem, or to Senior military commanders of Agha and Bek ranks, see: Jerusalem register 107, Jerusalem Register 107, part1, 20<sup>th</sup> of Rabi' Al-awwal 1033H/11/1/1624 A.D, Pg. 248, Jerusalem Register112, part1,pg. 275, part1,Pg.469.

<sup>iii</sup> Jerusalem Register 104, part2, pg.26

<sup>iv</sup> See the reports submitted by Mohammed Agha Mutwali , Al-Aqsa Mosque endowment and Mohammad Agha Mishmish Mutwali Hebron endowment, regarding what has occurred to the village of endowments, Jerusalem Register105, part1, 20<sup>th</sup> of Rajab1031H/31/05/1622A.D, pg221, part1+2, Mid of Rajab1031H/26/05/1622A.D/pg.244.

<sup>v</sup> Jerusalem Register 105, Part1, mid of Jumada Al-Awla 1031H/14/03/1622A.D, pg112, part1, pg115.

<sup>vi</sup> Ein Arik, it is located west of Ramallah, Abu Hammoud, Dictionary of the Geographical locations of Palestine "Mu'jam Asmaa' Al-Mawaqi'", pg151.

<sup>vii</sup> Dajania village, there is no village with such name in the current resources, the village of the same location is called Janiya, Northwest Jerusalem, it seems that with the passage of time the name was perverted, Mustafa Murad Al-Dabbagh, Our Country Palestine encyclopedia, part10, University Graduates Union, University of Hebron, 1974A.D. part8,pg348.

<sup>viii</sup> Dayr Ibbi ' : It located north Jerusalem, it might be Salah Alddin endowment but there is no clear references in this regard, yet part of it is endowed to Royal School in Jerusalem. Jerusalem Register 110, part3, 1034H/1624A.D. pg16. Jerusalem Register 149, part2, 22<sup>nd</sup> of Rabi' Al-Thani1654A.D. pg139, part1, pg265, Al-Dabbagh, Our Country Palestine, part2, pg359, Ibrahim Rabaiya, documents of the old endowments in Jerusalem Shar'ia Court registers, 7<sup>th</sup> conference on the history of Levant under the title Endowments(Waqf) in Levant, part3, pg93-109.

<sup>ix</sup> Kufur Ni'ma: located in northwest Jerusalem, part of which was Timar, Jerusalem Register107, part2, 20<sup>th</sup> Rabi' Al-Thani,1033H/10/02/1624A.D. pg433, Jerusalem Register 155, 3<sup>rd</sup> of Sha'ban1068H/02/05/1658A.D., pg217, pg375, Al-Dabbagh, Our Country Palestine, part8, pg358.

<sup>x</sup> Deir Ammar: endowment of his majestic king Issa Bin Mohammed (The Fair King) Bin Ayoub(576H/1180A.D), Jerusalem District, Tahrir Defter (T.D.131) (932H/1525A.D-938H/1532A.D), Analytical Study of the Ottoman Script and its Translation into Arabic as well as the detailed Explanations by Mohammad Adnan Al-Bakheet and Nufan Raja Al-Swariya, Al-Furqan Foundation for Islamic Heritage –London, Amman1428H/2007A.D., pg274, as stated in Jerusalem Register 107, Mechanisms of spending Waqf revenues, and it was as follows: financial charges on Miri, tithe of feudality, upper class: Sheik Hafez Alddin, Sheikh Majd Alddin, and Abu Saad Al-Fakhuri, Lower class Abdulrahman Al-fakhuri, Ra'iy Alddin and Alaa Al-deen, prince Musa and Prince Saif Alddin.part2, 6<sup>th</sup> of Jumada Al-Awla1033H/ 25/02/1624A.D.pg389.

<sup>xi</sup> Jammala: It is located west Ramallah, near Deir Ammar village, Al-Dabbagh, Our Country Palestine, part8, section2, pg311.

<sup>xii</sup> Beitlo: It is located northwest Ramallah, Al-Dabbagh, Our Country Palestine, part2, section2, pg312.

<sup>xiii</sup> Mizra'at Abu Tasa: a village of Bani Haritha, see Jerusalem Register 121, part11, 1<sup>st</sup> of Muharram1041H, 8<sup>th</sup> of July1633, pg213.

<sup>xiv</sup> Ein Qinia: It is located northwest Jerusalem, Al-Dabbagh, Our Country Palestine, part8, pg347.

<sup>xv</sup> Regarding the endowment of the Tankaziyah School see Jerusalem Register 149, part3, 5<sup>th</sup> of Safar1064H/26/12/1654A.D, pg.75, Register156, part1, 21<sup>st</sup> of Rabi' Al-awwal1069H/17/12/1658A.D. pg175; Mohammed Ghoushieh, Islamic Waqf in Jerusalem, part2, Istanbul 2009A.D., part1, pg204.

<sup>xvi</sup> Kufur Raien: It is located north Ramallah, see Tahrir Defter (T.D131), pg239.

<sup>xvii</sup> Saffa village: It is located west Ramallah, Al-Dabbagh, Our Country Palestine, part8, pg363.

- <sup>xviii</sup> Bayt-‘Ur: It is located west Ramallah, Constantine Khimar, Names of locations, natural, human, geographical sights in Palestine till the year 1948A.D. Beirut, 2<sup>nd</sup> publication, 1980A.D, pg34.
- <sup>xix</sup> Jifna: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, pg363.
- <sup>xx</sup> Beitunia: It is located southwest Ramallah and currently suburb of Ramallah city, Al-Dabbagh, Our Country Palestine, part8, pg370.
- <sup>xxi</sup> Al-Kharb village it seems to be a Kherba located north Ramallah, since there is no village carry this name now in that prescribed location, Tahrir Defter (T.D427) mentioned that it is Qemaz Bin Abdallah an-Najmi's Waqf(died in 596H/1200A.D), Family Waqf( Waqf Durri) then after them, Waqf for Al-Aqsa Mosque, Jerusalem District from a detail Defter of Safad, Gaza, and Holy Jerusalem Districts, from Tahrir Defter(T.D427), Analytical Study of the Ottoman Scripts and it's translation into Arabic with the as well as the detailed explanations by Mohammad Adnan Al-Bakheet and Nufan Raja Al-Swariya, Amman1426H/2005A.D, pg215.
- <sup>xxii</sup> Jifna: the Deed indicated that it is one of Bani Harithas villages then the Deed list it in Bani Zeid villages, yet the correct classification is that it is one of Bani Harithahs villages according to the modern resources, Jerusalem Register 152, part1, pg 508
- <sup>xxiii</sup> Atara: It is located south Ramallah, Al-Dabbagh, Our Country Palestine, part8, pg211.
- <sup>xxiv</sup> Ajoul: three Carats of its land is also for Ibn Qatebah Al-Ansary Waqf, Jerusalem Register 155, 12<sup>th</sup> of Dhu al-Qi'dah1068H/31/7/1658A.D, pg314.
- <sup>xxv</sup> Ibwein: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg277.
- <sup>xxvi</sup> Almo'ayad King Abu-Annaser Shikh Almahmodiyah Althaher Albarquqy Aljarkasy(died in 824H/1421A.D), Al-Karmy, Mohammed Bin Yousif(died in 1033H/1623A.D),Nozhat An-Natherine fee man Waliya Misr men Alkholaf'a wa Al-Salateen, verified by Ameer Dababseh, Master Thesis (unpublished), An-Najah University, 2000A.D, pg211.
- <sup>xxvii</sup> Arora: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg271.
- <sup>xxviii</sup> Al-Mazar' village: It is known as Mazra'at Bani Zeid, it is located north Ramallah, and it is considered as one of Bani Zeid villages, Al-Dabbagh, Our Country Palestine, part2, section2,pg273.
- <sup>xxix</sup> Qarawa Bani Zeid village: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg271.
- <sup>xxx</sup> Kufur Ein: It is located north Ramallah near Qarwa Bani Zeid, Al-Dabbagh, Our Country Palestine, part8, section2,pg271.
- <sup>xxxi</sup> Deir Ghasana: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg266.
- <sup>xxxii</sup> Beit Rima: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg289.
- <sup>xxxiii</sup> Deir Nizam: It is located north west Ramallah, Abu Hammoud, Dictionary of the Geographical locations of Palestine "Mu'jam Asmaa' Al-Mawaqi'", pg91.
- <sup>xxxiv</sup> Deir Al-sudan: It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg292.
- <sup>xxxv</sup> about this village Timar see Tahrir Defter(T.D131), pg207,pg 258.
- <sup>xxxvi</sup> Ishwa' or Kufur Ishwa': It is located north Ramallah, Al-Dabbagh, Our Country Palestine, part8, section2,pg204.
- <sup>xxxvii</sup> Birzeit: It is located north Ramallah, Abu Hammoud, Dictionary of the Geographical locations of Palestine "Mu'jam Asmaa' Al-Mawaqi'", pg39.
- <sup>xxxviii</sup> Al-Jura: It is located west Jerusalem, part of which was possessed by Leadership(Za'amat), Al-Dabbagh, Our Country Palestine, part8, pg167, Jerusalem Register 149, 2, 26<sup>th</sup> of Jumada Al-Awla 1064H/14/4/1654A.D, pg123, Jerusalem Register 152, part1,13<sup>th</sup> of Shawwal 1067H/25/7/1657A.D, pg423.
- <sup>xxxix</sup> Beit Saqaya: it is mentioned in tme modern resources, it is seemed to be obliterated , it is considered as an archeological ruins, and according to deeds it is located west Jerusalem, there is 14 carats in the running waqf of Al-Aqsa and Hebron, Tahrir Defter(T.D 131), part1,pg173;(T.D427), pg248; Jerusalem Register 112, part 4, 15<sup>th</sup> of Safar 1037H/,pg200; Tahrir Defter(T.D 427), pg 284 mid of Jumada Al- Thani 1099H/25<sup>th</sup> of May/1679A.D, pg 96.
- <sup>xl</sup> Dayr Al-Shaykh village: it is located 16 km south west Jerusalem, 475 meters above sea level, the area of its territories 6781 Dunums, it is surrounded by villages of: Bayt Itab, Dayr Al-Hawa, and Ras Abu-Ammar, in the year 1922 the population was estimated to (99) people, and in 1945 the number increased to (220)people, on 21/10/1948 the armed Zionist organizations destroyed the village and displaced its(255)people, few buildings remained at the village including the shrine of Shiekh Sultan Bader, which became an Israeli tourist site these days, indicating that the number of refugees from this village is estimated to (1567) people in 1998, Al-Dabbagh, Our Country Palestine, part8, pg179. <http://www.alalbait.ps/palestine2.php?id=39>.
- <sup>xli</sup> Kufur Sour or Soum: a village of Jerusalem District, Tahrir Defter(T.D 131), pg63.
- <sup>xlii</sup> Allar: it is located south west Jerusalem, Abu Hammoud, Dictionary of the Geographical locations of Palestine "Mu'jam Asmaa' Al-Mawaqi'", pg146.
- <sup>xliiii</sup> it is mentioned in Ottoman Defters that Allar El-Fawqa and Allar Al-Sufla were considered as running Waqf in Hanafi School, Tahrir Defter(T.D 427), pg 284; Tahrir Defter(T.D 131), pg 310, Jerusalem Register 112, part 2,pg 40.
- <sup>xliiv</sup> Bayt Itab: it is located south west Jerusalem, Al-Dabbagh, Our Country Palestine, part8, pg186.
- <sup>xlv</sup> Bayt Itab El-Fawqa and Bayt Itab Al-Tahta were running in Waqf of Prophet Moses Shrine, and also in Fakhri School Waqf, Tahrir Defter(T.D 427), pg 316-317.
- <sup>xlvi</sup> Tahrir Defter 522, pg28.

- <sup>xlvii</sup> Dayr Al-Hawa: it is located 12 km south west Jerusalem, it is 650 meters above sea level, in 1948 Zionists destroyed the village, and built Hareem settlement over its ruins, Al-Dabbagh, Our Country Palestine, part8, pg181.
- <sup>xlviii</sup> Jerusalem Register 156, Part1, 10<sup>th</sup> of Jumada Al-Awla 1031H/14/03/1622A.D, pg112, part1, pg115.
- <sup>xlx</sup> Zakaria(Al-Battekh "watermelon"): it is located south west Jerusalem, Hutter, Wolf-Dieter, Abdulfattah, Kama, Historical geography of Palestine, Transjordan and Southern Syria in the late 16<sup>th</sup> [sixteenth]century 1977, pg 113.
- <sup>l</sup> Al-Bakhtiari: It is located west Jerusalem, near Staf Village which had been destroyed by Zionists, the location of the village was known through the existence of the shrine of Shiekh Al-Bakhtiari in the east of the village, the shrine consisted of three connected rooms, two graves, an a Mehrab, around this shrine there are archeological ruins, graves, olive oil press, these ruins including the shrine of Shiekh Al-Bakhtiari are considered to be part of Khirbat-Al-Lawz and its lands, <http://www.palestineremembered.com/Jerusalem/al-Laws,Khirbat/Story16006.html>.
- <sup>li</sup> Shuika, part of which is also a running Waqf in Hebron Waqf, Jerusalem Register 107, Part1,7<sup>th</sup> of Rabi' Al-Awwal 1033H/29/12/1623A.D, pg220.
- <sup>lii</sup> on 15<sup>th</sup> of Muharram1030H/5/12/1620A.D, Mohammed Pasha imprisoned Saif Bin Mohanna the Sheikh of Jurm tribe, after being condemned, but when Mohammed Bin Furokh became the ruler of Jerusalem District he released him from Al-Qala' prison, see: Jerusalem Register 104, Part2, 22<sup>nd</sup> of Safar 1030H/16/1/1621A.D, pg32.
- <sup>liii</sup> Jurm Tribe: big Bedouin tribe in Al-Ghor Nahiya one of Jerusalem Sub-districts, Jerusalem Register 103, Part1,15<sup>th</sup> of Muharram 1030H/10<sup>th</sup> of December/1620A.D, pg466; Mustafa Murad Al-Dabbagh, Arab Tribes in Our Country Palestine, The Arab Establishment for Studies and Publications, 1986A.D, Fadel Bayyat, Studies in Arab History during the Ottoman Period, Beirut, 2003A.D, pg138.
- <sup>liv</sup> Jerusalem Register 105, Part1, 13<sup>th</sup> of Jumada Al-Awla 1031H/26/3/1622A.D, pg116.
- <sup>lv</sup> for more information about Al-Lajjun District in the Ottoman Period, see: Detailed Defter about Bani Amer Nahiya and its Surroundings which was under the ruling of Prince Tarabai 945H/1538A.D, Translation and Study by Mohammed Adnan Al-Bakheet and Nofan Raja Al-Hmoud, University of Jordan, Amman, 2010A.D; Mohammed Adnan Al-Bakheet, Studies in the History of Levant (Palestine), Amman,2010A.D, pg-51-92.
- <sup>lvi</sup> he had an affinity and coalition relationship with Ahmed Bin Tarabai, since he get married to Tarabais sister, Ash-Shehabee Biography, pg683.
- <sup>lvii</sup> Jerusalem Register 105, Part1, 13<sup>th</sup> of Jumada Al-Thaniya 1031H/25/4/1622A.D, pg173.
- <sup>lviii</sup> Jerusalem Register 122, Part1, 10<sup>th</sup> of Jumada Al-Awla 1043H/12/11/1633A.D, pg122, Part1, 5<sup>th</sup> of Jumada Al-Awla 1043H/7/11/1633A.D, pg125.
- <sup>lix</sup> Jerusalem Register 105, part 1, mid of Rajab 1031H/26/5/1622A.D,pg 270.
- <sup>lx</sup> Jerusalem Register 113, part 12, Dhu al-Qi'dah 1037H/3/7/1628A.D, pg800.
- <sup>lxi</sup> Jerusalem Register reveals that Mohammed Bin Froukh had been isolated from Jerusalem in the 16<sup>th</sup> of Safar 1036/6/11/1626 A.D, and Jerusalem been transferred to the ruling of Hasan Pasha Bin Ridwan as it officer till another person been in charge, and Jerusalem back again to Mohammed Pasha in Rajab 1036 H/3/1627 A.D, see: Jerusalem Register 112, part 1,pg275, part1,pg469.
- <sup>lxii</sup> Jerusalem Register 112, part 1, 3<sup>rd</sup> of Sha'aban 1036H/19/4/1627A.D,pg 286.
- <sup>lxiii</sup> For more information about Timar and military knights see: Ibrahim Raba'ia, Military Knights in Countryside of Jerusalem District, An-Najjah National University Magazine,volume21, number13,2007A.D, pg838-864.
- <sup>lxiv</sup> Beit Iksa: It is located in south west Jerusalem,Al-Dabbagh, Our Country Palestine, part 8, pg104.
- <sup>lxv</sup> About: It is located in south west Rammallah, Abu Hmoud, Asma'a Almwak'e Dictionary,pg137
- <sup>lxvi</sup> Majdel Fadel: not mentioned in the modern resources, register(D.T427),pg339.
- <sup>lxvii</sup> It is noticeable that the Hebron measurement is larger than the Jerusalem measurement, because the price of Jerusalem Mod is 2,5 kuruş, whereas the Hebron Mod in 3 kuruş, while the sand measurement is bigger if its common price is 3 kuruş, but under draft conditions it is 4 kuruş, Jerusalem Register 105, part2, beginning of Safar 1032H/5/12/1622 A.D,pg652.
- <sup>lxviii</sup> Beit Liqyah: It is located west Jerusalem on the road between Jerusalem Al-Ramla, Al-Dabbagh, Our Country Palestine, part 8, pg278.
- <sup>lxix</sup> Jerusalem Register 99, part 1, 14<sup>th</sup> of Dhu al-Qi'dah 1025H/23/11/1616 A.D,pg23.
- <sup>lxx</sup> Prince Ahmed Ash-Shehabee Biography, pg677.
- <sup>lxxi</sup> it was mentioned in Ash-Shehabee Biography that the price of Wheat Mod reached 3 kuruş in Damascus and Tripoli in this year, Ash-Shehabee Biography, pg677.
- <sup>lxxii</sup> Battir: It is located in south Jerusalem, mentioned in register(D.T131), separated as leadership land, pg169.
- <sup>lxxiii</sup> Jerusalem Register 105, part 1, late of Jummada al-Thanya 1031H/11/5/1622 A.D,pg219.
- <sup>lxxiv</sup> And there is also 2 carats running in Waqf of Naser Ad-Deen Mohammed Bin Shihab Ad-Deen Ahmed Al-Radee(915H/1509A.D )And 14 carats in Al-Aqsa Mosque Waqf, Waqfs of Jerusalem, Nablus, Safad, Gaza, and Ajlun Districts in the 10th Hijiri century, verified by Mohammed Eshrley and Mohammed Daoud At-Tamimi, Istanbul, 1402H/1982A.D, pg28; Jerusalem Register 112, part4, 15<sup>th</sup> of Safar 1037H/26/10/1627 A.D,pg200.
- <sup>lxxv</sup> What is been mentioned about Beit Saqaya that there was 5 carats for Waqf of judge Jamal ad-Deen Bin Mohammed Bin Jama'a Al-Kinani(deid in 865H/1460A.D), this is indicate that the Waqf of Jamal ad-Deen was to the Red Zawiya ascribed for Sheikh Ali Al-khilwati, Tahrir Defter(T.D131), pg 280.

- lxxvi Jerusalem Register 102, part 1, 24<sup>th</sup> of Dhu al-Qi'dah 1028H/2/11/1619 A.D, pg 285,pg291,part2.
- lxxvii Jerusalem Register 102, part 2, 14<sup>th</sup> of Dhu al-Qi'dah 1028H/23/10/1619 A.D, pg311, part 2, pg 31, part1, , 24<sup>th</sup> of Dhu al-Hijja 1028 H/2/12/1619 A.D, pg311.
- lxxviii Nitham, Indian Fatwa, verified by Abed Allatef Hasan Abed AlRahman, 1421H//2000 A.D, part2, pg419.
- lxxix Jerusalem Register 105, part 1, end of Dhu al-Hijja 1031H/5/11/1622 A.D, part 1, beginning of Dhu al-Hijja 1031H/7/10/1622 A.D, pg335, part 1, beginning of Muharram 1032H/5/11/1622 A.D, pg573.
- lxxx Jerusalem Register 105, part 1, 15<sup>th</sup> of Dhu al-Qi'dah 1031H/21/9/1622 A.D, pg480.
- lxxxi Jerusalem Register 105, part 1, 22<sup>nd</sup> of Dhu al-Qi'dah 1031H/28/9/1622 A.D, pg481.
- lxxxii Jerusalem Register 105, part 1, 10<sup>th</sup> of Dhu al-Qi'dah 1031H/16/9/1622 A.D, pg493.
- lxxxiii Jerusalem Register 105, part 2, 19<sup>th</sup> of Safar 1032H/23/12/1622 A.D, pg689.
- lxxxiv Jerusalem Register 105, part 1, beginning of Dhu al-Hijja 1031H/7/10/1622 A.D, pg535
- lxxxv Jerusalem Register 105, part 1, beginning of Muharram 1032H/5/11/1622 A.D, pg573.
- lxxxvi Jerusalem Register 120, part 1, beginning of Jummada al-Awla 1042H/14/11/1632 A.D, pg69.
- lxxxvii Jerusalem Register 105, part 1, beginning of Shawwal 1031H/9/8/1622 A.D, pg410.
- lxxxviii about that see: Mulla Khisro , Addorar Alhesan fee sharh Ghorrar Alahkam, part5,pg174, Mansour Bin Younis Albahotee, and Sharh Muntaha Aleradat, part7, 2000 A.D, part2, pg343.
- lxxxix Bayr Ayoub: located in Gahannam Valley near Silwan Village, it is Assalahiyah School Waqf, runs annually in Winter, Alolaimee, Alons Aljaleel, part 2, pg58-59.
- xc Jerusalem Register 105, part 1, beginning of Dhu al-Hijja 1031H/7/10/1622 A.D, pg335, part 1, beginning of Muharram 1032H/5/11/1622 A.D, pg573, and he also bought olive and fig seedlings in Albostan Land in Silwan near Ber Ayoub Assalahiyah Waqf from Ali Bin AbeAlfateh Bin Alloyah, part1, end of Dhu al-Hijja 1031H/5/11/1622 A.D, pg533.
- xcI Wajeheh School: located near Al-Ghawanmeh gate south eastern to Al-Aqsa Mosque, it took it name from it's founder:Wajeheh Al-Ddeen Mohammed Bin Al-Monja (701 H/1301 A.D), Mr. Hasan Bin Al-Sayyed Mohammed Al-Hanbali was one of those who were responsible of that Waqf, Al-Asalee ,Science Institutions, pg220; Hamad Yousef, from our Arabic and Islamic Remains in Jerusalem, pg130; Al-Olaimey, Al-Ons, part2, pg91.
- xcii Jerusalem Register 119, part 1, 10<sup>th</sup> of Safar 1042H/27/8/1632 A.D, pg418, pg419, pg421-424.
- xciii Jerusalem Register 99, mid of Dhu al-Hijja 1025H/24/12/1616 A.D, pg63.
- xciv Jerusalem Register 116, part 1, beginning of Rabi'a Al-Tahny 1039H/18/11/1629 A.D, pg22-23.
- xcv Ahmed Bin Abed Al-Halem Bin Taymiyah, Fatawa Shihk Al-Islam Bin Taymiyah, part37, Al-Wafa'a publisher, part 31, pg224.
- xcvi Al-kareemyah School: it is located southern to Al-Aqsa Mosque in Hottah Gate, been made as a Waqf by Al-Saheb Kareem Al-Deen Bin Al-Mo'alem Hibatollah the principle of Al-Khawas Al-Shareefah in the Egyptian Lands in (718H/1318 A.D), Al-Olaimee, Al-Ons, part2, pg85.
- xcvii Jerusalem Register 119, part 1, 20<sup>th</sup> of Safar 1042H/6/9/1632 A.D, pg430.
- xcviii Jerusalem Register 102, part 1, beginning of Ramadan 1028H/12/8/1619 A.D, pg170.
- xcix Jerusalem Register 116, part 1, 21<sup>st</sup> of Rabi'a Al-Tahny 1039H/8/12/1629 A.D, pg62.
- c Jerusalem Register 116, part 1, Jumadah Al-Awla 1039H/12/1629 A.D, pg152.
- ci Jerusalem Register 116, part 1, 14<sup>th</sup> of Shawwal 1039H/27/5/1630 A.D, pg326.
- cii Peram Bin Mustafa Al-Sibahee, one of Ottomans Senior military chiefs in Jerusalem during the 16<sup>th</sup> century, he was responsible of Khaski Building and building of Jerusalem Wall, more about his Waffs see, Ghosheh, Islamic Waqfs, part2, pg404-407.
- ciii Jerusalem Register 101, part 1, mid of Rabi'a Al-Tahny 1028H/1/4/1619 A.D, pg382.
- civ Jerusalem Register 101, part 1, 10<sup>th</sup> of Safar 1028H/27/1/1619 A.D, pg263.
- cv Jerusalem Register 101, part 1, mid of Rabi'a Al-Tahny 1028H/1/4/1619 A.D, pg382.
- cvI Al-Aqja: Turkish term mean the white coin , it's origin goes back to Mongolia language, which mean white coin, it is a little coin made out of Silver, firstly minted at the time of Sultan Orkhan, Suhail Saban, Encyclopedia of Ancient Ottoman Terms, Riyadh, 1421H/2000A.D, pg20.
- cvii Tahrir Defter (D.T427), pg104.
- cviii It could refer to Russians.
- cix Jerusalem Register 116, part 1, 10<sup>th</sup> of Shawwal 1039H/23/5/1630 A.D, pg316.
- cx Jerusalem Register 116, part 1, 14<sup>th</sup> of Shawwal 1039H/14/5/1630 A.D, pg310, part1, 4<sup>th</sup> of Shawwal 1039H/17/5/1630 A.D, pg311-312.
- cxI Jerusalem Register 119, part 2, beginning of Muharam 1042H/19/7/1632 A.D, pg412.
- cxii A'amed: It is located eastern Turkey, and it is the capital of Diyar Bakir region, Jerusalem Register 119, part1,pg475.
- cxiii Jerusalem Register 119, part 1,pg475.
- cxiv Jerusalem Register 119, part1, pg475-477.
- cxv The Origins: the thirty reciters and their Shihk whom been listed in Waqf Book.
- cxvi The Branches: refers to new employees who are appointed due to sudden events or given additional tasks other that what is stated on their contract.
- cxvii Jerusalem Register 119, part 1,pg475-477.



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