

# Benefactresses of Waqf and Good Deeds

## Charitable Women in Ottoman Jerusalem, 1703–1831

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Benevolent women from different cultures and different periods of the Ottoman Empire established *waqfs* (charitable endowments) in order to help the needy, sick, and unfortunate. In addition to the respect the women earned from society, *waqfs* gave women legal support and protection for their property, and allowed them to manage and benefit from their property while they were alive and to pass it on to designated heirs. On the other hand, shari‘a law and local traditions defined the areas of action for women concerning property rights and personal status, which brought a gender dimension to philanthropy. Women in philanthropy were not singled out for pressure; rather culture and law itself were gendered.<sup>1</sup>

This article focuses on women’s practices of charitable endowment in Ottoman Jerusalem during the eighteenth century to examine *waqf* practices in a context of discrimination against women in male-dominated society and society’s control mechanisms. To do so, it draws on endowment deeds (*waqfiyyas*) recorded in the registry (*sijill*) of the shari‘a court of Jerusalem and the decisions (*ahkam*) recorded among the Damascus *ahkam* registers. The first part of the article will discuss women’s ability to establish *waqfs* in terms of Islamic law and traditions, and to serve as these *waqfs*’ managers, foundation officers, and beneficiaries. The second part deals with women establishing *waqfs* in Jerusalem during this period. Lastly, women as administrators (*mutawallis*) of *waqfs* in Jerusalem will be examined in relation to their endowment deeds, concluding with an assessment of the role of shari‘a law and local tradition in shaping Jerusalem women’s practices of endowment.

## Women and Waqf Practices according to Islamic Law and Tradition

Islamic law secures certain rights for women regarding property: the right to control her own *mahr* (dowry), the right to inherit, the right to own property and to administer properties that she herself owns or that belong to others (for example, waqf), and the right to endow property as waqf. Women could hold jobs, lend money, and do business in Islamic societies in different regions and periods. Generally, Islamic law prohibits distinctions of status, rights, or obligations according to gender. However, one exception is the differentiation between men and women related to inheritance: according to shari‘a, daughters receive only half of the inheritance given to sons in the same family. This limited, but did not prevent the opportunity of women establishing waqfs.

If a woman had the necessary source of funds, then she could establish a waqf. There was no legal restriction preventing women from establishing waqfs; the examples of women who established waqfs show that they followed the same legal procedure as men.<sup>2</sup> Only financial factors could limit a woman’s ability to establish a waqf, since financial power determined the waqf’s largess; however, social and cultural standards do affect women’s ability to earn money and accumulate wealth.<sup>3</sup> Women gained properties through dowries, inheritance, gifts, and payments from men. In this regard, they resembled wealthy women from diverse places and periods in history who could choose to distribute as philanthropy the incomes that they had gained from men.

Charity work was the most important activity for respectable, wealthy women in the Ottoman Empire; by helping the destitute and needy, the sick and unfortunate of different cultures, the women could be considered generous and compassionate, and philanthropy was well appreciated.<sup>4</sup> These women were given titles such as *sâhibetü’l-vakf ve’l-hayrât* (Benefactress of Waqf and Charity) and *sâhibetü’l-hayrât ve’l-hasenât tâlibetü’s-sadakât ve’l-meberrât* (Benefactress of Charity and Good Deeds, Seeker of Alms and Philanthropy),<sup>5</sup> although it is not known to what extent these titles were accompanied by material benefit. Women living in villages seem not to have benefited from inheriting the right of usufruct of agricultural property. Town-dwelling women of the middle and upper artisan class, however, do appear in Middle East court registers as heirs, the administrators of property, endowers, and buyers and sellers of real estate.<sup>6</sup>

Philanthropy at the highest level of Ottoman society was probably determined by the sultan’s family and waqf founders who were members of this limited environment, with imperial waqfs reflecting the palace order of gender and status. In the Ottoman palace inner circle, women were provided with financial resources; they had land, were endowed with income, and given a salary and generous gifts. However, the sultan’s inheritance did not pass to the women upon his death. Their income source, apart from the new *valide sultan* (sultan’s mother), was restricted to the salary allocated to the members of the former palace. The female relatives (sisters and daughters) of the new sultan were provided with a generous salary, as were the sultan’s *câriyes* (concubines or female slaves).<sup>7</sup> Plunder gained from wars in the first 250 years of

the Ottoman Empire brought great wealth to the sultans and their armies, but women did not benefit directly.<sup>8</sup> Women could share in this fortune only as a salary, gift, inheritance, or dowry bestowed by the sultan or as heirs of the warriors.

Research on imperial waqfs between the fourteenth and seventeenth centuries indicates no major discrimination by gender in the selection of the types of waqf.<sup>9</sup> Women in the Ottoman palace were not systematically prohibited from founding institutions with certain features. Courtly women endowed all forms of construction, whether used for religious purposes or not, including mosques, caravanserais, libraries, fountains, and forts. The first extensive waqf of Hürrem Sultan, the wife of Sultan Sulayman, in Istanbul was located in a district close to the Avrat Pazarı (women's bazaar). This may have been a conscious choice in order to legitimize the first sultanate complex built by a woman in Istanbul.<sup>10</sup> Kösem Sultan, the mother of sultans Murad IV (r. 1622–1640) and Ibrahim (r. 1640–1648), established a waqf to supply the dowry for poor girls.<sup>11</sup> In Jerusalem, Hürrem Sultan also founded a soup kitchen that was part of a complex of buildings that included a madrasa, a mosque, and a hospice.<sup>12</sup>

## Charitable Women in Ottoman Jerusalem

During the 1703–1831 period under study, women in Jerusalem used their rights within a family as a strategy providing them with influence and power. Muhammad ‘Ali al-‘Alami’s study of waqfs established by prominent families of Jerusalem during the entire Ottoman period found 142 waqfs created by the Husayni, Khalidi, ‘Alami, Jarallah, Nammar, and Imam families. Thirty of the waqfs were charitable while the rest were family waqfs. Men of the families established 124 waqfs, while women founded eighteen waqfs.<sup>13</sup> In the eighteenth and early nineteenth century, women waqf founders, too, were from prominent families of Jerusalem, though not necessarily those who were the focus of ‘Alami’s study.<sup>14</sup> For example, Safiyya Khatun daughter of ‘Abd al-Jawwad al-‘Asali, specified that her income from two endowed houses would be distributed to family members. Sharifa Khatun daughter of Salih al-‘Asali did the same for the houses that she endowed in Khatt Dawud (King David Street) in Jerusalem.<sup>15</sup> In another example, ‘Afifa Khatun daughter of Hibatallah Çelebi al-Namri, chief architect of Jerusalem, devoted the income of an endowed house to herself and, after her death, to her son Salih and his children and grandchildren, then to her brother’s children.<sup>16</sup> Five *qurush* (piasters) were allocated from the rental income to ‘Afifa Khatun’s four daughters with her husband ‘Abd al-Hayy al-Dajani – Saliha, Fatima, Nafisa, and Hasiba.

These examples and others show that women generally held higher status and gained autonomy and power historically when rule was centralized and households rather than states dominated official mechanisms and structures of bureaucracy.<sup>17</sup> Mary Ann Fay saw this situation as conspicuous across cultures, demonstrated not only by historians of Islamic society such as Leslie Pierce, but also historians studying European society, such as Sara Maza and Suzanne Wemple.<sup>18</sup>

Waqfs brought women legal support and protection in both proprietorship and management of property, and the opportunity to benefit from their property while they were alive. Most of the women establishing waqf in the eighteenth century set up family waqfs rather than charitable ones that provided direct benefits to religious institutions or distributed food to the poor. For the founder of family waqf, the advantage of such an arrangement was that for as long as she lived, she would receive waqf income, which she could also bequeath to her heirs after her death. Most waqf founders, including women, added stipulations to the endowment deed that ensured that as long as heirs survived, they could benefit from waqf income. Only after no further heirs remained would waqf income be left for religious purposes.<sup>19</sup> Amnon Cohen observed this phenomenon in his study of waqfs built by Jews in sixteenth-century Jerusalem, noting that this provision aimed to increase the power and protective position of the waqf, while remaining in accordance with Islamic law by maintaining that family waqfs would one day be turned into a public beneficent.<sup>20</sup>

According to Jerusalem court records, 300 waqfs were established in Jerusalem between the years of 1703–1831, 243 (81 percent) founded by men and 56 by women. (There was one waqf whose founder was unknown.) Fifty-one of the waqfs were established by one woman on her own, one by two sisters,<sup>21</sup> one by a mother and a daughter,<sup>22</sup> one by a mother and two daughters,<sup>23</sup> one by two sisters and a brother,<sup>24</sup> and one by a man and a woman not of the same family.<sup>25</sup> Most properties endowed by women were located in the city center. In general, waqfs founded by women in Jerusalem during this period were jointly owned properties. Houses generally composed of ground and upper floors, and often including shops and agricultural properties, were defined as urban *dur* (house, sing. *dar*). Among the properties were various shops and *tabaqat* (living units in apartment houses), *bayts* (rooms given for rent), mills, yards, gardens, coffeehouses, and fertile agricultural lands.<sup>26</sup> Thirty-nine of the fifty-six women who established waqfs in Jerusalem endowed *dur* of various sizes, as detailed in endowment deeds. Most women endowed one property, while some endowed several: one woman endowed two houses, three women endowed three or four houses, and one woman endowed seven houses.

1. house ( <i>dar</i> ).....	20	9. olive grove .....	1
2. jointly owned house.....	42	10. vegetable garden .....	4
3. Jointly owned <i>bayt</i> .....	1	11. jointly owned land .....	1
(rooms)		12. jointly owned mill.....	2
4. shop.....	3	13. salaries ( <i>nuqud</i> ).....	1
5. jointly owned shop.....	1	14. straw production .....	1
6. vegetable garden .....	1	15. Qur'an and other books .....	1
7. jointly owned .....	4	16. mihrab oil lamp.....	1
vegetable garden			
8. coffee house .....	1	<b>Total</b> .....	<b>85</b>

Table 1. Properties endowed by women in Jerusalem

Women in Jerusalem established more modest waqfs than those endowed by women in Egypt in the eighteenth century. Compared to the Egyptian women who invested their funds in *wakalas* and *khans* (storefront buildings with upper living quarters), *rab*'s (flats above *wakalas* that were rented to merchants), *hawasil* (warehouses) and shops, women of Jerusalem mostly endowed vegetable gardens, water wells, kitchens, and *murtafaq* (restrooms outside the house), as well as rooms and houses, including multi-storied houses and open courtyard houses with vegetable gardens and sometimes olive groves.<sup>27</sup>

To understand women's proprietorship in a wider economic context, it is necessary to examine women's economic activities in general and then compare women's wealth and investment decisions to those of men. Eighteenth-century Egypt was an intersection of trade routes stretching to Asia, Africa, and Europe. Wealth in Egypt was based first on long-distance trade of coffee and spices, followed by local fabric production – the most important artisan work – for export.<sup>28</sup> Economic activities in Jerusalem during the same period did not have many income sources from trade. Apart from taxes, the city's most important income stemmed from its religious status; visits from pilgrims of the three holy religions and tourists to the region revived the handicraft, souvenir, and commercial sector. Money that Jews outside Jerusalem sent their coreligionists in Jerusalem as a kind of alms (*zakat*) and financial support from European kingdoms to Christians were also key income sources for Jerusalem.<sup>29</sup> Despite the limited trade and economic life in Jerusalem compared to Egypt, it is meaningful that women invested their funds in places suitable for that period's economy geared to pilgrims and tourists, and also in terms of how men and women used their investment.

The first of seven charitable waqfs founded by women in this period was established by al-Hajja Saliha daughter of al-Hajj Muhammad al-Rakad; her half-share of a house located in the Bab Hutta quarter was endowed to the workers of the *sabil* (public water fountain) made by 'Abd al-Hayy al-Dajani.<sup>30</sup> It was also stipulated that the income of the waqf should be spent for charitable activities. The second waqf was founded by Shams al-Din Khatun daughter of 'Abdallah al-Rumiyya, for one large and one small oil lamp to be burned in the mihrab of the Dome of the Rock.<sup>31</sup> Amina Khatun daughter of al-Sayyid Yahya, son of the qadi of Salt, established the third waqf, which stipulated in the endowment deed that a Qur'an was endowed to the Dome of the Rock.<sup>32</sup> Amina daughter of Muhammad Effendi, known as Ibn al-Hajja, established the fourth waqf, consisting of ten qurush for an oil lamp to be burned in the minaret of the Dome of the Rock.<sup>33</sup> Another endower, Fatima daughter of Muhammad, stipulated that each year, 360 *misri* (the *kese-i Misri*, or "Egyptian purse," being equivalent to 25,000 paras) from the income from a house in Abu Shamat Street containing three rooms, a vaulted hall, kitchen, and cistern, would be given to whomever read one section of the Qur'an in the Haram of Jerusalem. In addition, in return for repeating seven thousand times *kalimat al-tawhid* ("There is no god except Allah, and Muhammad is His Messenger"), ten *zolota* (Ottoman coins worth thirty paras) would be given by hand by the waqf trustee.<sup>34</sup> The deed of the waqf of the son of the spouse of Hasan Pasha endowed a mat to be used in front of the mihrab in al-Aqsa Mosque.<sup>35</sup> The final waqf was a Qur'an endowed for Shaykha al-Hamuriyya al-Ja'ba at the Dome of the Rock.<sup>36</sup>

In eighteenth-century Jerusalem, among the forty-nine family waqfs established by women, two were the largest in size and income. The first belonged to Mahbuba daughter of ‘Ali Bey al-Alaybey Zade, who endowed shares of: a house on Khatt Wadi al-Tawahin; a house in Bab al-‘Amud quarter; a mill (known as the mill of Murad Pasha) on Khatt Bab al-Qattanin; a large room (*bayt*) and a house in the Nasara quarter; two rooms (*baytayn*) in a shop front, two houses, and right of tenancy (*khuluw*) in a house from the waqf of Rahma daughter of Khalil ‘Askar in Bab al-Khidr; a shop in the direction of the qibla in Suq al-Tawahin; and a house in Ahmad Bey al-Turjman Square in the Sharaf quarter.<sup>37</sup> ‘A’isha bint Hasan Badawi, spouse of ‘Ali Tantash, established the second-largest waqf, consisting of: a house in Bab al-‘Amud quarter close to the Mevlevi *zawiya*; a house in Bab Hutta quarter; a joint venture vegetable garden close to Bab al-Khidr; sixteen shares of land near Bab al-Khidr; and a vacant vegetable garden adjacent to the waqf of Turgut Agha.<sup>38</sup> In addition to the houses and shops, other properties included an endowed vegetable garden, olive grove, mill, and coffeehouse.

It is clear that philanthropy during the Ottoman period had some gendered aspects. Palace women could establish waqfs according to their status; however, their ability to act depended on resources provided by the sultan himself. There were also restrictions on the choice of where and what to endow, which were decided upon according to dynastic investments and regulations. Changes occurred over time that increased women’s choices and reflected the dynamic nature of waqf.

## Women as Waqf Administrators in Ottoman Jerusalem

Gabriel Baer states that, in the long run, waqfs served to reactivate property, since property that passed into the hands of women through inheritance or other ways was transferred gradually to a beneficiary or male administrators. Thus, waqfs weakened women’s financial situation as a group.<sup>39</sup>

No law prevented women from administering waqf. For example, power of appointment was given to Sultan Sulayman’s wife Hürrem, *haseki sultan*, to appoint administrators for her waqf.<sup>40</sup> Although she had a deputy in Jerusalem, she never relinquished administrative audit power or authority to make changes in the endowment deed.<sup>41</sup> Baer observed that male rather than female waqf founders were more likely to be the administrators of waqf in sixteenth-century Istanbul.<sup>42</sup> However, his sample did not include imperial waqfs. Margaret Meriwether, whose studies cover a later period, asserts that most waqf administrators were men; nevertheless, compared to Baer, she indicates the number of women to be higher.<sup>43</sup> When it comes to Jerusalem and its waqf endowment deeds, no woman was appointed as an administrator in any of the waqfs established by men. On the other hand, in nineteen waqfs set up by women, the right to inherit administration (*tawliya*) of the estate was stipulated for the endower’s children through *al-irshad* (directions for disposition) after her death.<sup>44</sup> However, only seven women endowers stipulated that, after them, their daughters would be the administrators; four endowers stipulated that their sons would serve in this role,<sup>45</sup> two handed this role

to a brother,<sup>46</sup> one to her husband,<sup>47</sup> and three endowers stipulated *tawliya* to men other than their children.<sup>48</sup>

In eighteenth-century Jerusalem, some waqfs had provisions that, after the endower died, his wife or daughters should remain in the endower's house.<sup>49</sup> Qasim Bey al-Turjman stipulated that his wives Safiyya daughter of Shahin, and Latifa daughter of 'Abdallah would remain in the house of the endower, and that Latifa would be allocated one hundred qurush from the income of the waqf.<sup>50</sup> Another waqf allocated some money from the waqf income to the wife of the founder, 'Abdallah bin al-Dawudi.<sup>51</sup> Muhammad bin Budayri and Khalidiyya daughter of Mahmud al-Khalidi also stipulated that from the waqf income, two shares would be given to her son and one share to her daughter in alignment with Islamic law (*li-l-dhakar mithl hazz al-unthayayn*).<sup>52</sup> On the other hand, it was stipulated that from the income of Isma'il son of Hibatallah al-Namri, no income would be given to the daughters.<sup>53</sup>

## Conclusion

The situation for women reflected to some extent the male-dominant character of the social structure in Ottoman Jerusalem. The comments of prominent imams and the rule of law were clear on the issue. Any conditions by the endower that violated Islam, including inheritance law, would be considered invalid. Some of the imams went even further and considered waqf non-authentic and invalid in these cases. Qadis decided if Islamic laws were being taken into consideration or not. According to Imam Abu Hanifa, it was permissible for an individual to establish a waqf (that is, a waqf produced in the form of a *wasiyya*, or will) with up to, but not more than, one-third of his or her property.<sup>54</sup>

There may be several reasons why men were chosen to administer waqf. First, imperial waqfs of the Ottoman Empire were usually huge institutions and their endowed properties were extensive. Potential administrators were selected from among high-ranking military or religious officers; all were men. Both administrators and officers were given on-the-job training to understand *külliye* (mosque building complexes), and were shuttled from one place to another to obtain experience in personnel administration and tax collection, as their job required. Women were not able to conduct these activities easily. Still, examples from Cairo in the Mamluk period show that when a ruler took over not through the dynastic order but through a struggle for the throne, women were considered to have performed their duty well and brought wealth and status to the ruler for other reasons.<sup>55</sup>

Since Mamluk women had longer lifespans, being rarely engaged in the violence that befell Mamluk men, women worked on an equal footing in large institutions as administrators; as a result, they protected these institutions and others that they supported.<sup>56</sup> In the soup kitchen of Jerusalem, the position of administrator was occupied by members of leading local families; however, no woman from these families was selected for this task.<sup>57</sup> When women were among the beneficiaries of imperial waqfs,

they occupied a less advantageous position compared to men. Women benefitted from fountains and bridges, and had a right to enter grand mosques, hospitals, soup kitchens, and Sufi lodges. However, they could not be salaried religious scholars in madrasas and only rarely did they benefit from the generosity of caravansaries. It is rare that women worked in these institutions in any capacity, whether in the Mamluk or in the Ottoman periods.

In conclusion, women did establish waqfs in Jerusalem and, although few in number, they assigned themselves or their daughters as administrators, or appointed their daughters as beneficiaries after their death according to the right of usufruct. Generally speaking, women were not able to take advantage of these institutions, as they were not socially visible or granted the same freedom of movement in the same way as men. Gender differences in culture and in law thus appeared in these charitable activities, introducing a gendered dimension to philanthropy.

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#### Endnotes

- 1 Amy Singer, *Constructing Ottoman Beneficence: An Imperial Soup Kitchen in Jerusalem* (Albany: State University of New York Press, 2002), 83–117.
- 2 Ülkü Bates, “Women as Patrons of Architecture in Turkey,” in *Women in the Muslim World*, ed. Lois Beck and Nikki Keddie (Cambridge: Harvard University Press, 1978), 257; Margaret L. Meriwether, “Women and *Waqf* Revisited: The Case of Aleppo, 1770–1840,” in *Women in the Ottoman Empire: Middle Eastern Women in the Early Modern Era*, ed. Madeline C. Zilfi (Leiden: Brill, 1997), 128–152.
- 3 For further information about inheritance issue in Islamic law, see Joseph Schacht and Aharon Layish, “Mīrāth,” in *Encyclopedia of Islam*, 2nd ed., ed. Peri Bearman, Thierry Banquis, Clifford E. Bosworth, Emeri van Donzel, and Wolfhart P. Heinrichs (Leiden: Brill, 2012), online at dx.doi.org/10.1163/1573-3912\_islam\_COM\_0747 (accessed 7 November 2017).
- 4 Kathleen McCarthy, “Parallel Power Structures: Women and the Voluntary Space,” in *Lady Bountiful Revisited: Women Philanthropy and Power*, ed. Kathleen McCarthy (New Brunswick: Rutgers University Press, 1990), 1.
- 5 Other titles addressed to Haseki Sultan in the endowment deed include: “endower of glorious monuments, patroness of charitable and pious deeds; wielder of all kinds of good deeds, and favorer of eternal good works; forsaker of material goods in the mortal world; the pearl on the crown of the highest administrative and moral ranks; the most luminous countenance among the felicitous and prosperous; the most chaste among all Muslims, male and female; the fountainhead of womanly nobility and felicity; the nacre of the pearls in the imperial abode; the one with the purest of attributes and the most exalted personality; the cream of the elite and the pillar of the venerable; the giver of abundant offerings and favors, the dispenser of all kinds of kindnesses.” See Archive of General Directorate of Foundations (VGMA), 608-2: 235/178.
- 6 Mary Ann Fay, “Women and *Waqf*: Property, Power, and the Domain of Gender in Eighteenth-Century Egypt,” in *Women in the Ottoman Empire*, ed. Zilfi, 33.
- 7 Fay, “Women and *Waqf*,” 33–34.
- 8 Singer, *Constructing Ottoman Beneficence*, 109–110.
- 9 This information is not based on the detailed research of endowment deeds or other sources



- but relied on the work of Uluçay's *Padişahların Kadınları ve Kızları* and other notes about the waqfs in the Ottoman Empire. See M. Çağatay Uluçay, *Padişahların Kadınları ve Kızları* [Women and Daughters of the Sultan] (Ankara: Turkish Historical Society Publications, 1980). Additionally, Singer and Van Leeuwen stated that there is no compiled list of waqfs which covers all the waqfs in Ottoman Empire set up by dynasty members. Singer, *Constructing Ottoman Beneficence*, 83–117; Richard van Leeuwen, *Waqfs and Urban Structures: The Case of Ottoman Damascus* (Leiden: Brill, 1999), 114.
- 10 VGMA, 608-2: 222/177.
  - 11 Leslie P. Pierce, "Changing Perceptions of the Ottoman Empire: The Early Centuries," *Mediterranean Historical Review* 19, no. 1 (2004): 202.
  - 12 For example, for the waqf that Haseki Hürrem Sultan's property and donations found in Istanbul, see VGMA, 608-2: 222/177.
  - 13 For further information, see Muhammad Ali al-'Alami, "The Waqfs of the Traditional Families of Jerusalem during the Ottoman Period," in *Ottoman Jerusalem: The Living City, 1517–1917*, ed. Sylvia Auld and Robert Hillenbrand (London: Altajir World of Islam Trust, 2000), 152.
  - 14 For detailed information see Şerife Eroğlu Memiş, "Osmanlı Taşra Toplum ve Vakıf Kurumu: Kudüs, 1703–1831," [Ottoman Provincial Society and the *Waqf*: Jerusalem, 1703–1831] (PhD diss., Hacettepe University, 2016), Appendix 20.
  - 15 Jerusalem Sijil (JS) 207, s. 144; JS 243, s. 183–83.
  - 16 JS 223, s. 107.
  - 17 Fay, "Women and *Waqf*," 33.
  - 18 Fay, "Women and *Waqf*," 33. On the other hand, Beshara Doumani has written about the exclusion of women from household affairs in Nablus, where local families exercised relative power compared to the Ottoman authorities. See Beshara Doumani, *Rediscovering Palestine: Merchants and Peasants in Jabal Nablus, 1700–1900* (Berkeley: University of California Press, 1995), 154–55.
  - 19 For example, the endowment deed of Fatima daughter of Muhammad, which dates to 1124 H. (1712 CE), stipulates that her endowed house's income in Wadi al-Tawahin would be given to her husband, then to her brother's son, Muhammad son of Hamdan Khayrallah al-Hilwani, and Muhammad son of 'Abd al-Rahman al-Duwayk, then to their sons and descendants (*a'qab*), and then, if their line should come to an end, to the Dome of the Rock, and finally, if none of these possibilities remained, to the poor. See JS 207, s. 340. In another endowment deed dated to 1136 H. (1724 CE), Amina Khatun daughter of al-Sayyid Yahya, known as the son of the qadi of al-Salt, left the income of a new shop in Batrik bath on Barakat Road in the Nasara Quarter and twelve of twenty-four shares of a shop in Nasara Quarter in front of the Kamîm bath to herself when she was alive, then, after her death, to her sons. After the end of this male line, the income was left to the descendants of Abu al-Fadl, then to the descendants of his son 'Abd al-Ghani and when his line ended, to the Salihyya khanqah. JS 218, s. 346–47.
  - 20 Amnon Cohen, *Jewish Life Under Islam: Jerusalem in the Sixteenth Century* (Cambridge: Harvard University Press, 1984), 211.
  - 21 The endowment deed of Nasiha Khatun and Raji'a Khatun, daughters of Muhammad Agha Samum, is dated 1135 H. (1725 CE). JS 218, s. 147.
  - 22 For the endowment deed of 'A'isha bint Yusuf Zalatayma and her daughter Khadija daughter of al-Hajj Hasan, see JS 249, s. 31.
  - 23 For the endowment deed of Mu'ayyida daughter of Husayn al-Tawwabini, her daughters Sa'da, 'Arifa, and Saliha, and her two sons, 'Abid Rabbih and 'Ali bin Yusuf, see JS 227, s. 192.
  - 24 Al-Hajj 'Isa and 'A'isha and Zarifa, children of Muhammad al-Tanbagha, see JS 242, s. 146.
  - 25 Al-Hajj Muhammad San'allah son of al-Shaykh Muhammad San'allah al-Diri al-'Abisi al-Khalidi and Turfana Khatun daughter of al-Shaykh Najm al-Din al-Khayri, mufti of Jerusalem, see JS 267, s. 151–53.
  - 26 The term *maskan* is defined as a kind of settlement or residence by Raymond. See André Raymond, *Artisans et commerçants au Caire au XVIII<sup>e</sup> siècle* (Damascus: Institut Français de Damas, 1974), vol. 1, 251–54. In Jerusalem waqf records, *dar* (pl. *dur*) were composed of upstairs and downstairs *bayts* (rooms) and included an *iwan* or *qa'a* (where guests were received), courtyard, kitchen, *dehliz* (corridors), *sahrij al-abar* (draw well cistern for collecting rainwater, *hamam* (bath), *taqa* (window), *istabl* (barn), *bayka* (storeroom for cereals and olive oil), and *adabkhane* (referred to as *murtafaq* in some records). A cistern to collect rainwater is found in almost every house. There are some endowed houses having a pool and a hall. Additionally, houses had walled gardens with

- fruit and other trees. In some endowment deeds, there were houses with backyards. The status of the houses at the time of their endowment – for example, whether they were arched or ruined, or any right of *khuluw* (continuous tenancy) – is also presented.
- 27 *Wakalas* and *khans* are buildings composed of warehouses (*hawasil*), shops at the entrance and *tabaqat* on the top floor, where the tradesmen live. Raymond traced the term *wakala* from the medieval period and found it used more often than *khan*; it replaced the older terms of *funduq* and *qaysariyya* in eighteenth-century Cairo and seems to have the same meaning. See Raymond, *Artisans et commerçants*, 251–54.
- 28 Fay, “Women and *Waqf*,” 37.
- 29 Kamil Jamil al-‘Asali, “Kudüs (Osmanlı Dönemi ve Sonrası),” [Jerusalem (Ottoman Period and its Aftermath)] *DİA* [Türkiye Diyanet Vakfı İslam Ansiklopedisi/Turkish Religious Foundation Encyclopedia of Islam], vol. 26, (Istanbul 2002), 334–338.
- 30 JS 209, s. 253.
- 31 JS 232, s. 532.
- 32 JS 254, s. 1.
- 33 JS 254, s. 161.
- 34 JS 255, s. 53–54.
- 35 JS 290, s. 4.
- 36 JS 290, s. 1.
- 37 JS 276, s. 141.
- 38 JS 299, s. 21.
- 39 Gabriel Baer, “Women and *Waqf*: An Analysis of the Istanbul Tahrir of 1546,” *Asian and African Studies* 17 (1983): 9–27.
- 40 VGMA, 608-2: 222/177.
- 41 VGMA, 608-2: 235/178.
- 42 Baer, “Women and *Waqf*,” 13.
- 43 Margaret L. Meriwether, “Women and *Waqf* Revisited: The Case of Aleppo, 1770–1840,” in *Women in the Ottoman Empire*, ed. Zilfi, 128–152; Fay, “Women and *Waqf*,” 28–48.
- 44 Ömer Hilmi Efendi, *İthaf-ül-ahlâf fî ahkâm-il-evkaf* [A Treatise on the Laws of *Waqfs*] (Ankara: Vakıflar Genel Müdürlüğü Yayınları, 1977 [1889–1890]), 86–87.
- 45 JS 227, s. 391; JS 232, s. 87; JS 253, s. 253; JS 252, s. 141–42; JS 276, s. 88.
- 46 JS 247, s. 80–81; JS 242, s. 186.
- 47 JS 241, s. 123.
- 48 JS 243, s. 183–84; JS 209, s. 253; JS 255, s. 53–54.
- 49 JS 202, s. 12–13; JS 202, s. 186.
- 50 JS 213, s. 93–96.
- 51 JS 244, s. 182.
- 52 JS 272, s. 147 and JS 313, s. 199.
- 53 JS 221, s. 410.
- 54 ‘Alami, “*Waqfs* of the Traditional Families,” 156.
- 55 Fay, “Women and *Waqf*,” 31.
- 56 Fay, “Women and *Waqf*,” 31; Carl F. Petry, *Protectors or Praetorians? The Last Mamluk Sultans and Egypt’s Waning as a Great Power* (Albany: State University of New York Press, 1994), 200–201.
- 57 Although Kamil Jamil al-‘Asali states that there is an appointment deed (*berat*) indicating a woman administrator, no such record is found in the collection of ‘*atiq* (old) records of the *waqf* of Haseki Sultan, which include appointment records and their explanations between 1118–1255 H. (1706–1839 CE). For further information see Kamil Jamil al-‘Asali, *Watha’iq maqdisiyya tarikhiiyya* [Historical Documents of Jerusalem] (Amman: al-Jami‘a al-Urduniyya, 1983), 311–12; VGMA, 523–24.