



# AWQAF



Refereed Biannual Journal Specialized in Waqf & Charitable Activities

No 47 -24<sup>th</sup> Year, Jumada al-Akhirah 1446 / December 2024

## Editorial

- \* How Does the Waqf System Benefit from The Waqf?

## Research in English

- \* Maqdisi Endowments in the World and their Roles in Supporting the City of Al-Quds

(Dr. Sami Al-Salahat - Translated by: Prof. Abdennour Kharraki)

## Research in Arabic

- \* The Legal Justifications for the Endowment on Universities  
(Dr. Ahmed Musa Jaradat)
- \* Inferring Interest has an Impact on the Mawquf's Provision and Contemporary Applications  
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- \* The Role of Ottoman Archives Records in Preserving and Recovering Stolen Endowments (Al-Quds Endowments Model)  
(Dr. Issa Sufan Al-Qaddumi)

## Articles

- \* Study, Publication and Investigation of The Balance of The Library of The House of Readers of Nurbanu Sultan in Istanbul According to Its Endowment Document  
(Dr. Mohamed Ahmed Malaka)



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# AWQAF

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Abu Hurairah (may Allah be pleased with him) reported, The Messenger of Allah (peace be upon him) said: "When a man dies, his deeds come to an end except for three things: Sadaqah Jariyah (ongoing charity); a knowledge which is beneficial, or a virtuous descendant who prays for him (for the deceased)."

[Narrated by Muslim]



## Project of AWQAF journal

AWQAF Project is based on a conviction that Waqf — as a concept and an experience — has a great developmental potential which entitles it to contribute effectively to the Muslim communities and cope with the challenges which confront the Muslim nation. The history of Islamic world countries also reflects on Waqf rich experience in devising a societal involvement which encompasses almost all diverse walks of life and helps primarily in developing solutions for emerging human difficulties. During the decline of the Muslim nation, Waqf provided shelter and support for a significant share of the innovations that Islamic civilization was famed for and secured their passing from one generation to another.

Nowadays, the Islamic world is witnessing a governmental and popular orientation towards mobilizing its material competencies and investing its genuine perceptions that culture makers' cherish in a spirit of scholarly innovation to arrive at fully comprehensive developmental models deeply rooted into the values of righteousness, virtue and justice.

Based on this conviction, AWQAF Journal embarks upon achieving a mission that would enable Waqf to assume the real and befitting standing in the Arab and Islamic field of thought. It therefore seeks to emphasize Waqf as a discipline those remotely or greatly interested in Waqf to uphold a scientific trend towards developing Waqf literature and link it to comprehensive social development considerations.

Since the basic concept of waqf is related to volunteering, such a requirement cannot prosper unless Awqaf Journal becomes concerned with the social work which is directly related to community issues, social work, volunteering and other relevant issues which, when combined together, accept that reaction between the state and the society and the balanced partnership in making the future of the society and the role of the NGOs in this effort.

### AWQAF Journal Objectives

- Reviving the culture of Waqf through familiarizing the reader with its history, developmental role, jurisprudence, and achievements which Islamic civilization grew into until recent times.
- Intensifying the discussions on the scientific potentials of Waqf in modern societies through emphasis on its modern structures.
- Investing in current Waqf projects and transforming them into an intellectual and culture-based product for deliberation among specialists. This is hopefully expected to induce interaction among researchers and establish a linkage between theory and practice of the tradition of Waqf.
- Promoting reliance on the civilizational repertoire in terms of social potential resulting from a deeply rooted and inherent tendency towards charitable deeds at the individuals and nation's behavior levels.
- Strengthening ties between the Waqf school of thought, voluntary work and NGOs.
- Linking Waqf to other areas of social activities within an integrated framework to create a well-balanced society.
- Enriching the Arab library on this newly emerging topic, i.e. Waqf and Charitable Activities.

## **An Invitation to All Researchers and interested People**

AWQAF Journal would naturally aspire to accommodate all the topics that have a direct or indirect relationship to Waqf such as charitable activities, voluntary works, community and development organizations, and reaches out to researchers and those interested in general in interacting with it; in order to meet the challenges that obstruct the march of our societies and peoples.

The journal is pleased to invite writers and researchers to contribute in one of the three languages (Arabic, English and French) to the material related to the objectives of the journal and Waqf horizons in the different sections such as studies, book reviews, academic dissertations abstracts and coverage of seminars and deliberations the ideas published on.

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**AWQAF Editor in Chief,**  
**P.O.BOX 482 Safat, 13005 Kuwait**  
**Tel: (00965) 22065756 Fax: (00965) 22542526**  
**E-mail: [awqafjournal@awqaf.org](mailto:awqafjournal@awqaf.org)**  
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## Editorial



### **How Does the Waqf System Benefit from The Waqf?**

(1)

During their work, social institutions need to monitor the relationship between their practical aspects -their experience on the ground- on the one hand, and the intellectual vision that determines their orientations and elements of their movement on the other. This relationship represents one of the main measures that govern the development of effective institutions in society and enable them to foresee their future.

The endowment institutions have not departed from this equation, as the interaction between the scientific and practical experiences in the field of endowments has been confirmed since the dawn of Islam, through the interaction of the emerging Muslim community with the concepts of the Holy Quran on solidarity, cooperation and the charity of the middle nation, as well as with the directives and actions of the Prophet (peace be upon him) that show the importance of ongoing alms and urge them to do so. In the course of these interactions, waqf became -a concept and an experience- one of the pillars of the civilizational system established by Muslims, and spread over wide geographical and urban areas.

It was not surprising that jurists addressed the legitimate aspects that gave the Waqf its intellectual pillars, and enabled its institutions to adapt their relations with the rest of the social components in a disciplined manner and on the basis of solid scientific traditions that succeeded in preserving the essence of the concept with a continuous development of its practical experience. This trend is clearly evident with the establishment of the

first Waqf Diwan during the period of Hisham bin Abdul Malik (724AD - 743AD), under the supervision of Judge Tawba bin Nimr bin Hummel Al-Hadrami (d. 737AD)((1)), who responded to the social and economic renaissance that characterized the period of the Umayyad Caliphate and the emergence of the need to develop the management of endowments from their individual forms to benefit from the idea of collective systems((2)), but he defined the tasks of this Diwan based on the intellectual and legitimate foundations of the Waqf, which emphasize the importance of control and accountability for the failure of principals when they are negligent in the preservation and maintenance of endowments. According to this concept, the accumulated experiences of waqf institutions contributed to pushing scholars to consider the developments that the waqf movement actually leaves behind, through diligence, modernization and development, and understanding what is happening and what is changing.

## (2)

Muslims will wait for the middle of the third century AH to witness the emergence of works dedicated to waqf. During the second half of the third century AH, Hilal bin Yahya bin Muslim Al-Basri, nicknamed Hilal Al-Rai (d. 245 AH), writes “The Provisions of the Waqf”, followed by Ahmed bin Amr Abu Bakr, nicknamed Al-Khasaf (d. 261AH), with an author of the same title. Literature on the subject of waqf will continue to be included in the intellectual production of Muslims in the form of chapters or dedicated works on its subject. What the jurists wrote under “waqf Nawazil” is a clear example of the role of social, economic and political developments in pushing scholars to interact with developments, as the jurists define the waqf as “the new issue that requires diligence and a statement of judgment.” The Encyclopedia of Abu Al-Abbas Ahmed bin Yahya Al-Wansharisi -known as the localized standard-provides a model for interaction between what is emerging on the ground and what requires the specialist of legal and mental management to show the linkage of the descendant to the intellectual and value framework on which it is based

(1) Hassan, Lecture on the History of Egypt and Cairo, Jalal al-Din al-Suyuti, Investigation: Muhammad Abu al-Fadl Ibrahim, Cairo, First Edition, 1387AH/ 1967AD, p. 166.

(2) Hisham bin Abdul Malik (724 - 743 AD) during his reign was concerned with the organization of bureaus, agrarian reform, and the care of science and culture, and many works were translated during his reign.

and to be alert to any new matter, or a defect in the application towards the development of theoretical tools first, and rationalization of practical trends second. In this methodological context, Al-Wansharisi singles out the entire seventh part of his encyclopedia “For the descendants of Al-Ahbas(1)”, reviewing many practical issues that deserve consideration, understanding, and estimating their conformity with the pillars and conditions of the waqf, and diligence in weighting and clarifying the Sharia ruling. This is precisely what was done by Al-Wansharisi, who “was not only a fatwa collector but also a visionary critic who accepts and responds, preponderates and weakens”(2). Khair al-Din Pasha (1822-1890 AD) provides another example of the importance of mutual attribution between practical and scientific experience, as he built his reform plan for endowments in the Tunisian country when he took over its command in 1873AD on a double, simultaneous and interconnected reform. Therefore, he established the “Awqaf Association” to initiate and rearrange field waqf work and fight wide spread corruption among the principals, and to address the weak development of the Awqaf notables, but in the same context, he established the “Al-Ahbas Magazine”, as the scientific laboratory in which jurists and specialists review the “waqf woes” in order to solve their problems to accelerate his reform process for the waqf sector. Regardless of the endings of Khair al-Din’s reformist experience in Tunisia, this dual reformist approach enabled a positive upsurge in the Tunisian endowments within a short period of no more than four years (1873-1877).

The relationship between scientific and practical experiences in the field of endowments has been established in two parallel directions, so that science supports practical experience, which in turn acts as a driving force that creates facts and challenges to force the world and the specialist to look again and sustain the intellectual and creative effort. Talking about the interest in the development of waqf institutions should not be separated from the interest in the development of waqf sciences, and therefore the attribution of scientific aspects is in fact the attribution of practical experiences.

(1) See: “Al-Ma’id al-Mu’arab wa al-Jāmi’ al-Maghrib fī Fatwas of the People of Africa, Andalusia and Morocco”, Abū al-‘Abbās Aḥmad ibn Yaḥyá al-Wansharīsī (1981AD), published by the Ministry of Endowments and Islamic Affairs, Morocco, vols.: 1-13.

(2) Ibid., Abu Al-Abbas Ahmed bin Yahya Al-Wansharisi (1981AD), p. H, Volume 1

## (3)

We can say that bridging the relationship between the sciences of waqf and its scientific expertise requires a strategic vision that opens the door for waqf to enter as a strategic partner in the educational process in particular. There is much evidence of this, whether from our Islamic history, which witnessed the emergence of clerks, schools and endowment universities, or from contemporary models in countries that are the most advanced in their educational systems, led by the United States of America, in which universities that rely on sustainable donations represent 37% of the total number of their universities.

It is important to note that the main issue regarding educational institutions that adopt waqf formulas is not limited to providing quality education or supporting specific social segments (which are noble goals), but it is also a major tributary to the inclusion of waqf as a scientific topic in the academic agenda of higher education to graduate specialists in its various issues that go beyond its jurisprudence and history - despite their importance - to relate to its complex civilizational dimensions, in which law overlaps with economics, politics and society to produce a generation capable of addressing the task of scientific attribution of waqf work experiences. On the other hand, there are many university programs in the master's and doctoral stages on philanthropy, and we may not risk saying: Most American universities offer this specialization with its various scientific branches, and therefore we find that the members of the boards of directors of sustainable donation institutions in the West are often graduates of these programs, with practical experience that helps them to add and rationalize the work of this sector.

The strength of social systems is always linked to the fact that they have elements of self-protection and internal protection that help them to continue and face the challenges in a scientific and disciplined manner in accordance with their basic values. In the absence of these elements, it is easy for them to begin to weaken and decline, and for the external elements to master them. Perhaps what happened with the Awqaf in our recent Islamic history confirms this equation. We believe that the launch of a generation of educational institutions that adopt waqf formulas will

represent a solid lever for a long-term strategy that seeks to benefit waqf from waqf, while ensuring the continuation of the social tasks for which waqf institutions are established.

\*\*\*\*\*

The 47th issue of the magazine “Awqaf” includes a number of researches, initiated by Ahmed Musa Abdul Rahman Jaradat in his research entitled “ The Legal Justifications for the Endowment on Universities”, focusing on the statement of Sharia Objectives in the priority of waqf on universities, with the aim of consolidating waqf as an effective developmental Sharia formula in the institutional structure of society and universities, and activating the management of waqf resources; in order to achieve the legitimate purposes of waqfs, promote society and enhance the contemporary Islamic civilizational orientation.

As for Dr. Ibrahim Ahmed Al-Zaghoul, in his research entitled “ Inferring Interest has an Impact on the Mawquf’s Provision and Contemporary Applications”, he deals with the approach of reasoning with interest in deducing the jurisprudence provisions related to the Mawquf and their contemporary applications, by clarifying what is meant by the approach of reasoning with interest, and indicating the extent to which it is authoritative to work in deducing and deciding judgments, then clarifying the nature of the interest in the waqf on which the judgment will be based, which is represented by the purpose of the waqf, and then clarifying the relationship between the waqf and the approach of reasoning with interest in particular, and then studying and analyzing some of the most prominent issues related to the detainees, which the jurists relied on the approach of reasoning with interest in deducing and deciding its judgments, and stipulated this in their books, and some of its most prominent contemporary applications.

As for Dr. Issa Soufan Al-Qaddoumi, through his research “The Role of Ottoman Archives Records in Preserving and Recovering Stolen Endowments (Al-Quds Endowments Model)”, he sheds light on the cultural value of the Ottoman Archive in its protective legal dimension of Is-

lamic endowments in the Islamic world, and even what currently emerges from it, and what used to belong to the Islamic world. The researcher confirms that this dimension is a real benefit that can be practically employed in protecting endowments, in recovering them, in activating all methods and forms of maintaining and defending them, and even immunizing them against future risks that threaten their assets. The protectionist experience itself can also be a guiding source for dealing with endowment legislation in the whole world, issuing, supervising and adapting. The researcher focuses on the Al-Quds Awqaf model for what it has faced – and still faces – of Zionist encroachments and ongoing Judaization projects, and what it must receive from special attention and in-depth historical, legal and political studies to situate the foundations of the use of the Ottoman archive; in defense and preservation of it in the open and multi-field battle with the Zionist occupation.

In the section of articles, Dr. Mohammed Ahmed Maleka “ Study, Publication and Investigation of The Balance of The Library of The House of Readers of Nurbanu Sultan in Istanbul According to Its Endowment Document”, The article reviewed three topics: The first topic dealt with a summary of the Ottoman endowments on education, and the second topic dealt with the descriptive study of the library under study, while the third topic entitled: The investigation of the books endowed in the library of the House of Readers by the endowment of Nurbano Sultan.

In the English section, a translation of Dr. Sami Al-Salahat, “ Maqdisi Endowments in the World and their Roles in Supporting the City of Al-Quds,” who monitors the transformation of the Waqf on Al-Quds in light of the events in Palestine, under the fire of the Zionist occupation that swallowed the entire city of Al-Quds, which practices policies of ethnic cleansing, Judaization of thought and culture, and the removal of all the belongings of Arab and Islamic culture in it, including the culture of the Waqf. The researcher analyzes the reality of the Al-Quds endowments in the world and their role in supporting the city of Al-Quds, by comparing the historical endowments established in the city itself with those that have been established within the countries of the Islamic world and some other countries. The researcher refers to the obstacles facing the development of

these endowments in terms of legal, procedural, and investment aspects.

Dr. Mohammed Al-Baghdadi presents the book “Research in Waqf Developments” by Mr. Dr. Osama Abdul Majeed Al-Ani, a collection of research prepared by the researcher at varying intervals. The presentation focused on the most important issues discussed in the book in terms of the importance of researching the consequences of the waqf, the “regulation of waqf in the tools of production,” the “establishment of waqf companies,” the “endowment of livestock,” and the “waqf and the Corona pandemic,” all of which - as Dr. Mohammed Al-Baghdadi - These are among the developments of the Waqf, and therefore they are models that deserve discussion and follow-up.

### **Editorial Staff.**

## Articles



### Maqdisi Endowments in the World and their Roles in Supporting the City of Al-Quds(1)\*

**Dr. Sami Al Salahat**

**Translated by**

**Prof. Abdennour Kharraki**

#### الملخص

تشكل الأوقاف المقدسية في العالم نموذجًا إيجابيًا -على الرغم من مشاكلها المعقدة- بدأ يتشعر في بلاد العرب والمسلمين في ظل الأحداث التي تشهدها مدينة القدس التي تزرع تحت وطأة الاحتلال الصهيوني، حيث ابتلع المدينة بأكملها، ويمارس سياسات التطهير العرقي، وتهويد الفكر والثقافة، وإزالة كل متعلقات الثقافة العربية والإسلامية فيها، ومن ضمنها ثقافة الوقف في مدينة القدس الشريف.

لقد عاشت مدينة القدس بعد الفتح الإسلامي في فترات متعددة تحت الاحتلال الغاشم، وقد بقيت المدينة محتلة من قبل الصليبيين فترة طويلة (492هـ/ 1099م - 583هـ/ 1187م)، لكن هذا لم يمنع المسلمين من الوقف لصالح المدينة المقدسة؛ فكانت الأوقاف تؤسس للقدس وهي تزرع تحت نير الاحتلال، وإذا زال الاحتلال عادت الأوقاف تؤسس لها من جديد في مواقع متنوعة من داخل القدس وخارجها.

ويزداد الأمر أهمية للمتعمعن والمتبحر في قطاع الأوقاف في عصرنا الحاضر، ليدرك وجود حركة وقفية متصاعدة في العالم الإسلامي، سواء أكانت أوقافًا عامة أم خاصة تتبع الأفراد أو العائلات أو الجامعات أو الهيئات المستقلة في العالم، وفي ظل هذه الحركة العملاقة التي تكشف عن هذا القطاع الضخم في بلاد المسلمين، بدأت الحركة تنشط خلال العقدين الماضيين للإسهام

\* مجلة أوقاف، العدد 39، 2020م، ص 95-134.



في دعم حاجات مدينة القدس على صعيد التعليم أو الصحة أو الإسكان أو محاربة الفقر، ومن خلال وقفيات مقدسية نشأت وما زالت تنمو في دول العالم دعمًا لمدينة القدس. هذه الأوقاف أو الوقفيات المقدسية أسهمت ابتداءً في رسم الجهود التي تبذل في تشكيل حالة عطاء ودعم إسلامي من خارج مدينة القدس أو فلسطين المحتلة، سواء أكانت أوقافًا عقارية أم منقولة أم نقدية، وسواء أكان المشرف عليها أوقافًا عامة أم خاصة، أم حتى مؤسسات خيرية أم اجتماعية.

لكن هذه الظاهرة الإيجابية في العالم تجاه القدس تعاني من بعض الصعوبات والعوائق التي تحد من تطورها، وتفعيل أصولها المالية وزيادة الربح المتوقع، فضلًا عن مشاكل قانونية واقتصادية واجتماعية وغيرها تحول دون تطور أدائها، لكن هذا لم يمنع القائمين على الأوقاف المقدسية من زيادة القدرات والبرامج لتعزيزها في المجتمعات الإسلامية، وسنعرض لهذا من خلال المبحثين الرئيسيين التاليين:

- المبحث الأول: قراءة لواقع أبرز الأوقاف المقدسية في العالم.
- المبحث الثاني: واقع الأوقاف المقدسية في العالم ودورها في دعم مدينة القدس.

## Abstract

The Maqdisi Endowments in the world constitute a positive model. Despite their complex problems which began to spread all over the Arab and Muslim communities in light of the events taking place in the city of Al-Quds suffering Zionist occupation. The latter has swallowed the entire city and is currently practising policies of ethnic cleansing Judaizing thought and culture, and removing all belongings of the Arab and Islamic culture reigning there, including the Waqf culture in the city of Al-Quds.

After the rise of Islam in the 7th century, Al-Quds faced various periods of occupation by invading armies, as was the case under the Crusader occupation between 492 AH / 1099 AD and 583 AH / 1187 CE. But this did not prevent Muslims from endowing endowments in favour of the Holy City; Endowments were established in Al-Quds while it was suffering from Zionist occupation. When the occupation comes to an end, endowments will be re-established in various locations inside and outside Al-Quds.

Things become increasingly important for those who deeply study the endowment sector in our present time realizing the existence of a growing endowment movement in the Islamic world, whether it is public or private endowments affiliated with individuals, families, universities, or independent bodies in the world. In light of this giant movement that reveals this huge sector in Muslim countries, a movement has begun to be active over the past two decades to contribute to supporting the needs of the city of Al-Quds in terms of education, health, housing, or fighting poverty, and through Maqdisi endowments that have arisen and are still growing in countries around the world in support of the city of Al-Quds.

These Maqdisi endowments initially contributed to shaping the efforts being made to form a state of Islamic support from outside the city of Al-Quds or occupied Palestine, whether they were real estate, movable, or monetary endowments, and whether they were supervised by public or private waqf institution, or even charitable or social institutions.

However, this positive phenomenon in the world towards Al-Quds suffers from some obstacles that limit its development, activation of its

financial assets and the increase in expected revenues, in addition to legal, economic, social and other problems that prevent the development of its performance. However, this did not prevent those in charge of the Maqdisi Endowments from consolidating the capabilities and programmes to strengthening them in Islamic societies. We deal with these issues following the two main sections:

- A reading of the reality of the most prominent Maqdisi endowments in the world
- Obstacles and prospects for developing Maqdisi Endowments in the world and their role in supporting the city of Al-Quds

## Foreword

Talking about the Maqdisi endowments in the world requires searching for the close relationship between holiness and blessing among Muslims, and their role throughout history in preserving their places and locations, especially the three mosques recommended by the Prophet, may Allah bless him and grant him peace. As mentioned in the Hadith of Abu Hurairah, may God be pleased with him that the Prophet may Allah's prayers and peace be upon him said, "Do not set out on a journey except for three Mosques, ie., Al-Masjid-Al-Haram, the Mosque of Allah's Messenger, may Allah's prayers and peace be upon him, and the Mosque of Al-Aqsa, (Mosque of Al-Quds)".<sup>(1)</sup>

From this Hadith and others, travelling to these places became a praiseworthy and desirable matter. Such a spiritual relationship was developed between all Muslims and these blessed places, and one of the blessings of this relationship is that Muslims visited these holy sites in a way that reflects the degree of their symbolism. They used to reside in these places for a period that may be indefinitely long, especially during the seasons of Hajj and Ramadan. Some of them would go after Hajj to visit Al-Aqsa Mosque in accordance with the aforementioned Hadith, especially Muslims who lived in far outskirts of the Hijaz and the Levant. During

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(1) Sahih al-Bukhari 1189 (Book 20, Hadith 2) #1144. See *Fath Al Bari*, (Explanation of Sahih Al-Boukhari) by Ibn Hajar al-Asqalani, 2000. See also Sahih Muslim: With the Full Commentary by Imam Nawawi, 2000. See also

Abla Al-Muhtadi (2000). Al Qods: Tarikh wa Hadarah, 3000 BC-1917 AD. Beirut: Dar Ni'mah li tteba'ah, 1st. ed. p.92.

their visit, some of them would establish endowments (*Habous* or *whaqf*) there, and appoint *Nuththar* (i.e., supervisors) to supervise them, from either the city itself or from those who accompany them during this visit.

We find out that when Muslims were unable to visit these places, they decided to endow what they could for the benefit of these mosques. Throughout Islamic history, we gradually gain endowments belonging to the Two Holy Mosques and Al-Aqsa Mosque.

These endowments can be seen in many Islamic countries; they are financial endowment assets with high market values in many Islamic cities. They constituted important sources to meet the needs of the three cities, as their proceeds were spent on what their visitors and residents needed.

However, what happened to Muslims during the period of wars, especially the period of Western colonialism, which overwhelmed many Islamic societies, and the subsequent clear encroachment on charitable and family endowments, especially those pertaining to the Two Holy Mosques and Al-Aqsa Mosque. These endowments became without effective management, in addition to the encroachment from weak souls.

Still, the benevolence of this Ummah (i.e., nation) that persists until the Day of Resurrection, – “You are the best nation (ever) brought up for mankind”<sup>(1)</sup> – brought goodness back again among the Muslims, and endowments returned to the benefit of these three mosques. However, as researchers, we see that this phenomenon has new features that differ from what was spread before, which are put forward as follows:

- The amount of what was endowed for the Two Holy Mosques is many times greater than what was endowed for Al-Aqsa Mosque in the past. However, the negative image attached to the endowments of the Two Holy Mosques in Islamic countries was great, leading the donors to think of its futility in light of government administration weakness and then the policies of countries.
- The phenomenon of endowment for the three mosques was tinged with many negative aspects, the most important of which was

(1) (Surat Al 'Imran: 110)

the encroachment on these endowments due to the unfavourable circumstances that the Islamic nation went through, and the weakness of the public or governmental administration that supervised them, which encouraged the aggressors to openly steal these assets, knowing that some of them were in commercial areas with a high market value. Shakib Arslan says: “Up to the present time, there have been still countless endowments in Islamic countries in the two Holy Mosques. The governments of these countries, be they Islamic or foreign, should have improved their management and not withheld any of their proceeds to spend on other needs. Rather, they should direct them all to the two Holy Mosques according to the conditions of the donors”<sup>(1)</sup>.

- Today, the two Holy Mosques fall within the responsibility of the government of the Kingdom of Saudi Arabia, which has taken care of everything needed by the Meccan Mosque and the Civil Mosque. Thus the endowment they receive from the outside made no difference at all, while the Al-Aqsa Mosque is suffering from bitter Zionist occupation, imposing restrictions on its development despite the governmental supervision of the Hashemite Kingdom of Jordan.
- The continuous attacks on Al-Aqsa Mosque in light of the restrictions imposed by the occupation, as was the case when the Al-Aqsa Mosque was burned on August 21st, 1969<sup>(2)</sup>. This incident is one of several violations of the sanctity of the Mosque and its endowments. This led Muslims from all over the world to reduce the latter in favour of Al-Aqsa Mosque. Therefore, Al-Aqsa Mosque is now in dire need of support from all Muslims world-wide.
- We observe from this that the Islamic world orients all its effort to support Al-Aqsa Mosque in view of the urgent need of the residents of the Holy City. It is also noted that the government of the Kingdom of Saudi Arabia made a great effort to meet this need.

In this study, we seek to unveil the aspects of this phenomenon that

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(1) In Abdullah Al-Sadhan, *AlAwqaf wa Al Mujtama'* (i.e., Endowments and Society), (Riyadh, 1430 AH), p. 266.

(2) Saladin's pulpit was burned, and the Mosque's monumental dome made of pure silver was damaged by visiting Australian Michael Dennis Rohn (1941 - 1995).

has begun to grow in Islamic societies and countries in support of Al-Aqsa and the city of Al-Quds. We examine the mechanisms, through which the Al-Quds endowments are endowed, the obstacles that can be overcome, and the ambitions that we aspire to achieve to cover the huge needs of the city of Al-Quds.

## **1. A Reading of the Reality of the Most Prominent Maqdisi Endowments in the World**

In this topic, we introduce the concept of Maqdisi endowments, and then present statistics about their reality in the world. After that, we explain the phenomenon of endowments that have been allocated to Al-Aqsa Mosque or the city of Al-Quds since the history of Islam, and since it began to receive endowments from the Muslims of the world in intermittent periods. Although the city suffered from crises of occupation and war, the endowments did not disappear; they increased in times of peace and prosperity and weakened in times of war and hardship.

The concept of the Maqdisi endowments is an ancient and modern concept at the same time, as it is an ancient practice existing among Muslims themselves, carried out by individuals, groups and Islamic countries through the actions of their rulers. Then, in our present era, this practice of compassionate and symbiotic relationship between Muslims and the city of Al-Quds and its people has been revived, in accordance with the rule of cooperation and solidarity among Muslims. In this connection, Allah says, “And cooperate in righteousness and piety, but do not cooperate in sin and aggression”<sup>(1)</sup>. That is why, it is necessary to highlight the importance of clarifying this concept, so as to disambiguate the difference between the Maqdisi endowments in the world, and the Maqdisi endowments in the city of Al-Quds.

This is what we will clarify in what follows in detail:

### **1.1. Defining the concept of “Maqdisi Endowments”**

The concept of the Maqdisi Endowment(s) is a concept that was familiar in ancient times among Muslims. It is a concept based primarily on the noble Hadith narrated by Maymunah Bint Sa’d, the servant of the

(1) (Surat Al-Maidah: 2)

Prophet, may God bless him and grant him peace, when she asked him: “O Messenger of Allah, “O Messenger of Allah, tell us the legal injunction about (visiting) Bayt al-Muqaddas (the dome of the Rock at Al-Quds).” The Messenger of Allah Peace Be Upon Him said: Go and pray there. All the cities at that time were affected by war. If you cannot visit it and pray there, then send some oil to be used in the lamps<sup>(1)</sup>.

From this Hadith, there has become an existing trend in the hearts of Muslims towards Al-Aqsa Mosque in particular, and the city of Al-Quds in general. This is reflected in the endowments they grant to the banks of the mosque and the city of Al-Quds. Consequently, more financial assets are accumulated, allowing for more endowments inside this holy city.

Thus this concept will be defined through the two terms, “Waqf” and “Al-Maqdisi”.

#### ▪ **Endowment :**

According to linguists, it means “withholding” or “stopping” in general, whether physical or moral. It is derived from the verbs “waqafu, aqifu” meaning “I stopped”. The word also comes from “mawquf” which involves the meaning of imprisoning for example an animal if one imprisons (or ties it) it in its place or detaining people for a reckoning, hence the Arabs’ saying: “The abode is endowed for the poor if the endower endows it”<sup>(2)</sup>. The most prominent jurisprudential definition is the Hanbali definition: “endowing the asset (‘ayn) and granting the benefit”<sup>(3)</sup>. The endow-

(1) See *Sunan Abi Dawud*, Kitab Al-Salat (Prayer), Chapter: “About Having Torches In The Masjid” (163). See also *Musnad Ahmad*, Hadith of Maimuna bint Saad, may God be pleased with her, Sunan al-Bayhaqi, Kitab Al-Salat (Prayer), Chapter on Lighting Mosque.

(2) Ibn Manthur, *Lisan Al-Arab*, (Cairo: Dar al-Ma’arif, ed.), 6/4898; Muhammad Al-Zubaidi, *Taj Al-Arus min Jawahir Al-Qamus*, edited by: Mustafa Hijazi, (Kuwait: Kuwait Government Press, 1987) 24/467 et seq., Arabic Language Academy, *Al-Mu’jam Al-Wasit*, edited by: A group of editors, (Qatar: Islamic Heritage Revival Administration), 2/1051, Al-Mawsu’ah Al-Fiqhiyah, (Kuwait: Ministry of Awqaf and Islamic Affairs, 1996), 44/108.

(3) Hanafism defined endowment as “endowing the property according to the rule of Allah the Almighty, and distributing its benefit to the one he loves,” while the Malikis defined endowment as “granting the benefit of something for the duration of its existence, requiring that it should remain in the possession of the endower, even if it is only an estimate.” The Shafi’is stated endowment as “endowing money that can be used while maintaining the full benefit of its property without concessions”. See more extensively: Ibn Al-Hammam, *Sharh Fath al-Qadeer*, commented on by: Abd al-Razzaq al-Mahdi, (Beirut, Dar al-Kutub al-Ilmiyyah, 1st edition, 1995), 6/190; Al-Sarkhasi, *Al-Mabsut*, (Beirut, Dar al-Kutub al-Ilmiyyah, 1st edition, 1993), 12.

ment is divided, as is known to the Islamic jurists, into a charitable endowment, and a family endowment<sup>(1)</sup>. What concerns us in this study is the charitable endowment as it is the most prominent and most widely used.

▪ **Al-Quds:**

Ibn Faris and other Arabic scholars state that the qāf, dal, and sīn are correct origins, denoting the noon. This is an elaboration of the verb **qaddusa** from **qaddustu aqdisu**, coming from the noun **qadasatun**, which means purification or blessing, and the plural form is **aqdās**. From the latter, we get the word **qadusa** in examples like **qadusa al-‘abid** the worshiper is sanctified. It is also said **qaddasa, yuqaddisu, taqddisan** and **muqaddis** as the subject and **muqaddas** as the object. For example, Allah sanctified so-and-so, meaning he purified him and blessed him, or he glorified him and exalted him, and kept him free from what does not befit him. The word **qaddasa** also means “visited the Holy City”, and the Holy Spirit means Gabriel, peace be upon him; that is, the spirit of purity. Someone who lives in qudsin means he lives in purity and blessing. Al-Quds (Al-Quds) refers to the Holy City in central Palestine, a word which gives rise to taqdis (sanctification), meaning purification, taqaddasa, meaning purified, and the Holy Land meaning purified. The relation to the Holy City may be in the form of **maqdisi** (i.e., from **Al-Quds**) like the word **Majlisi**, or in the form of **muqaddasi** (i.e., a sanctified person), such as the word **Muhammadi**<sup>(2)</sup>.

What concerns us here is that the percentage of the endowment in countries that have endowments pertaining to Al-Quds is driven by a desire

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/27; Al-Nawawi, *Al-Majmu’ Sharh Al-Muhadhdhab*, (Damascus, Dar Al-Fikr, ed.), 15/325; Ibn Malfih Al-Hanbali, *Al-Mubdi’ fi Sharh Al-Muqni’*, (Beirut, Al-Maktab Al-Islami, ed.), 5/312; Ibn Abidin, *Radd al-Muhtar ‘ala Al-Durr al-Mukhtar. Sharh Tanwir al-Absar*, edited by: Adel Abd al-Mawjoud and Ali Moawad, (Beirut, Dar al-Kutub al-Ilmiyyah, 1st edition, 1994), 6/518; Al-Hattab 954 AH, *Mawahib al-Jalil by Sharkh Mukhtasar Khalil*, edited by: Zakaria Amirat, (Beirut, Dar Alam al-Kutub, 2003), 7/626. Al-Kharshi, *Sharh’ala Mukhtasar Sidi Khalil*, (Beirut, Dar Sader, ed.), 7/78; Wahbat Al-Zuhayli, *Al-Fiqh Al-Islami wa Adillatuh*, (Damascus, Dar Al-Fikr, 1st edition, 1984), 8/153.

- (1) Sami Al-Salahat, *Al-Waqf bayna Al-Asalah wa Al-Mu’asarah*. (Beirut, Arab House of Sciences, 1st edition, 2016), pp. 15 et seq.
- (2) For more extensive detail, see: Ibn Faris, *Mu’jam Maqayis Al-Lughah*, edited by: Abdul Salam Haroun, (Beirut: Dar Al-Jil, 1st edition, 1991), 5/63; Ibn Manthur, *Lisan Al-Arab*, (Beirut: Dar Sader, 1956), the word [Quds]; Al-Jawhari, *Al-Sihah fi Al-Lughah and Sihah Al-Arabiyyah*, edited by: Ahmed Attar, (There is no place or publishing house, 3rd edition, 1982), the word [Quds].



to gain blessing from this sacred spot. From the word *al-Quds* comes the participle *qaddasa* (i.e., he sanctified), that is, something blessed that inspires respect and awe for the place in one's soul, as is manifest in the Almighty's saying, "Indeed, I am your Lord, so remove your sandals. Indeed, you are in the sacred valley of Tuwa". (Surat Taha: 12).

#### ▪ Definition of Maqdisi endowments

The **Maqdisi waqfs** is the plural form of **Maqdisi waqf**. We have chosen the plural instead of the singular in accordance with the fact that there is not only one type of endowment worldwide, but rather there are various types of endowments, including real estate, cash, or movable endowments. This is clear for either Maqdisi endowments or other types of endowments.

If we want to define the Maqdisi endowments based on what has been stated linguistically and what has been realized practically, then we say that they mean: All endowments endowed for the Blessed Al-Aqsa Mosque or the Holy City of Al-Quds, be they real estate, movable or cash endowments—Inside or outside the city—shall be allocated to be spent on the mosque or the city. But we will focus on studying the endowments that are located outside the city of Al-Quds and Palestine, the Maqdisi endowments that exist in societies and countries in the world.

### 1.2. Setting the Differences between the Endowments in the City of Al-Quds and the Maqdisi Endowments outside it

For further clarification and identification of the study framework, we will determine the most important differences between the endowments that are located in the city of Al-Quds, and those that are outside it and yet they are allocated to Al-Aqsa Mosque and the city of Al-Quds, as displayed in the following table:

<b>Differences</b>	<b>Islamic Endowments in Al-Quds city</b>	<b>Maqdisi Endowments outside Al-Quds city</b>
1) The nature of Endowments	General Endowments and Family Endowments	Most of them are public charitable endowments
2) The type of endowments	Includes all types: real estate, cash, and movable	Includes all types: real estate, cash, and movable
3) Supervision	It is supervised by the Ministry of Endowments in the Kingdom of Jordan	It is supervised by multiple parties.
4) Type of Supervision	Governmental, Jordanian Ministry of Endowments	Most of it is private, supervised by institutions.
5) Registration	There is an inventory of endowments, but it requires field development for the inventory.	Endowments need a field inventory
6) Banks	It is most likely that exchange party is known	There is a difference in exchange subjects.
7) The size of endowments	There are limited estimates	There are preliminary estimates that need study.
8) Banks	Banks are diverse but limited	Banks are diverse and general
9) Difficulties	Internal obstacles in addition to the presence of the occupation	Subjective obstacles
10) Investments	Investments are limited due to the colonization.	Varied, but below the required level
11) Governance	A clear weakness in rational policies	A clear weakness in rational policies

### 1.3. A Reading of the Reality of the Most Prominent Maqdisi Endowments in the World

The call for granting endowment to the city of Al-Quds is an old one, enacted by the Messenger, may God bless him and grant him peace, and it is still a valid call in every time and place, “Go and pray there. All the cities at that time were effected by war. If you cannot visit it and pray there, then send some oil to be used in the lamps”<sup>(1)</sup>.

We can analyse the phenomenon of Maqdisi endowments in the world as a “practical investment in the emotional connection between Muslims through the development of joint endowments between various Islamic countries that strengthen the immunity of the nation, regardless of the political, geographical and economic characteristics of their countries...”<sup>(2)</sup>.

Muslims have been accustomed to this practice since the Umari conquest of Palestine in the year 15 AH/636 AD. This practice consists of real estate endowment assets, movable endowment assets, or monetary endowment assets, all of which have been directed towards the city of Al-Quds until it became what is known as the “Roman and Egyptian Surrah (bundle)”<sup>(3)</sup>. These are cash endowments sent to Al-Quds to be spent on the poor people and the needs of the city.

The Muslims directed their endowments and donations to the city of Al-Quds through two main areas that are still operating to this day. Each area had a role in supporting the city of Al-Quds, and what separated them was the circumstances that the city of Al-Quds was experiencing. If the city was in the hands of the Muslims, the first area clearly emerged. If the city was in the hands of the enemies, the other area emerged more clearly, and this can be explained as follows:

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- (1) See *Sunan Abi Dawud*, Kitab Al-Salat (Prayer), Chapter: “About Having Torches In The Masajid” (163). See also *Musnad Ahmad*, Hadith of Maimuna bint Saad, may God be pleased with her, Sunan al-Bayhaqi, Kitab Al-Salat (Prayer), Chapter on Lighting Mosque.
  - (2) Tariq Abdullah, ‘*awlamat al-sadaqah al-jariyah*’, quoted from *Al-Waqf wa Al’awlamah* (Kuwait Awaqf Public Foundation, 1st edition, 2010), p. 376.
  - (3) Sijillat Mahkamat Al-Quds Al-Shar’iyah, Al-Wathaiq Al-Waqfiyyah wa Al-Idariyyah Al-’aidah lilharam Al-Qudsi Al-Sharif. (Publications of the Royal Commission on Al-Quds Affairs, 2006), 1/11.

### 1.3.1. Muslim Endowments within the City of Al-Quds

This is the clearest area in the past – and as we mentioned, the city is in the hands of Muslims – until the Old City of Al-Quds, despite its small area, became one of “the richest cities in the world with existing antiquities, which today exceed (200) antiquities belonging to Islamic civilization, including 46 historical schools, and 39 Zawiyah or nook and turbes, 25 mosques, 22 pathways and baths, 35 domes, niches and doors, 18 sacred beliefs of Christians, 8 gates, and a large number of domes, hospices, porticoes and tombs.”<sup>(1)</sup>

### 1.3.2. Endowments of Al-Quds in Muslim Countries

For this reason, there became endowment assets for Muslims from outside the city of Al-Quds that flowed into its areas surrounding Al-Aqsa Mosque, starting from the era of the Companions, may God be pleased with them, passing through the Umayyad era (41-132 AH/662-750 AD), then the Abbasid era (132-656 AH/750-1258 AD).

This matter was strengthened after Salah al-Din al-Ayyubi liberated it in 583 AH/1187 AD, until Al-Quds turned into an endowment city *par excellence*, as “its endowment libraries increased to one hundred and seventy libraries affiliated to mosques, nooks, schools, and Qur’anic schools during the period of study.”<sup>(2)</sup>

In the Mamluk era (648-932 AH / 1250-1526 AD), attention was paid to endowments, and Al-Quds became one of the important cultural and scientific centres in the Islamic countries. There are “750 endowment documents stating that charitable people, including rulers, scholars, women, and people of worth, endowed money and real estate to religious institutions.” There are also 52 properties, for example, attached to the

(1) See Abhath, *Mu'tamar Falastine Al-Ddawli lil-Awqaf*. (Beirut, Dar Al-Ulum Al-Arabi, 1st edition, 2016), p. 115.

(2) Youssef Ghawanmeh, *Tarikh Bayt Al-Maqdis fi Al-'Asr Al-Mamlouki*, (Amman, Dar Al-Hayat, 1982), p. 44; Muhammad Adeeb Al-Amiri, *Al-Quds Al-Arabiyyah, Al-Haqaiq Al-Tarikhiah tujaha Al-Maza'im Al-suhyuniyah*. p. 13, quoted from Salama Muhammad Al-Balawi, *Tarikh Awqaf Madinat Al-Quds Namuthajan Li'adalat Al-Islam wa Al-Ta'ajush Bayna Al-Adyan*, (Cairo, Annals of Arts, Ain al-Shams, December 2006), p. 1217; Abla al-Muhtadi, Al-Quds, *Al-Quds Tarikh wa Hadarah*. 3000 BC - 1917 AD, p. 209.

Ashrafieh School”<sup>(1)</sup>.

The same thing applies to Sultan al-Zahir Baybars (620-676 AH), who took an interest in the architecture of Al-Quds by allocating five thousand dinars to Al-Aqsa Mosque, to work on managing urban and intellectual matters there<sup>(2)</sup>.

Likewise, Sultan Al-Malik Al-Ashraf Abu Al-Nasr Barsbay Al-Dakmaqi Al-Dhahiri (ruled in the year 825 AH) established the endowments within the city of Al-Quds, “developed them, and disbursed the fees. He even bought for the endowment—depending on the money he had saved—parts of the villages and shrines, and ordered that the fees be disbursed to those deserving them and allocated what remained to the interests of the Noble Rock in the year 836 AH”<sup>(3)</sup>.

There is also what is known as the “Mansuri Ribat”, which was located near Bab al-Nathir before the road leading to Al-Aqsa. It was established by King al-Mansur Qalawun in the year 681 AH/1282 AD, and he made it an endowment for the poor coming to Al-Quds<sup>(4)</sup>.

Several ancient endowments have been discovered including the oldest endowment record found in the city of Ramallah in Palestine. The record is a stone in which the basic conditions of the endowment are written. The date of compiling this record dates back to the year 299 AH/912 AD, by a Mamluk man named Faiq the servant Ibn Abdullah al-Saqilli. The endowment property in question was a ribat designated for merchants, travellers, and Sufis<sup>(5)</sup>.

(1) Salama Al-Balawi, *Tarikh Awqaf Madinat Al-Quds Namuthajan Li'adalat Al-Islam wa Al-Ta'ajush Bayna Al-Adyan*, paper presented to the Sharjah Conference of the Islamic Endowment and the International Community, April 25/27, 2005.

(2) Muhammad Farwaneh, Al-Makanah Al-Shar'iyah Liarad Falistin, quoted from the research papers of the Palestine International Conference for Islamic Endowments, p. 47.

(3) Awni Al-Alawi, “Al-Awqaf Al-Islamiyah fi Al-'Asr Al-Islami”, quoted from the *Research Papers of the Palestine International Conference for Islamic Endowments*, p. 69.

(4) Awni Al-Alawi, “Al-Awqaf Al-Islamiyah”, quoted from the research papers of the Palestine International Conference for Islamic Endowments, p. 69.

(5) Sahib Al-Athami, “Dirasah ‘an Awqaf Mouslimi Al-Hind fi Al-Quds”, quoted from the *Proceedings of the International Forum for Endowments in Al-Quds*, (Ankara, General Directorate of Endowments, 1st edition, 2018), p. 205.

Under the Ottomans (687-1343 AH / 1288-1924 AD), attention was paid to Al-Quds and its endowments, and many charitable endowments were added there that extended to different regions in Palestine, the proceeds of which would go to this holy city.

More attention has been given to Al-Quds, endowment and investment, as it is a holy city, a fact explained by the record of the Shari'a Court in Al-Quds, the oldest in the Arab world, which contained more than (100) thousand pages in (820) records, about the history of Al-Quds [936-1336 AH / 1530- 1917 AD]. This indicates the greatness of the endowments that were established thanks to the efforts of Muslims from outside Al-Quds.

This also reinforces the books of the Ottoman archive, which are known as the "Tabu Tahrir Daftar Liri"<sup>(1)</sup>, kept in the archives of the Prime Minister's Office in Istanbul, as well as the endowment documents preserved by the families of Al-Quds, as they are considered as the supervisors of charitable or family endowments.

This continuous support from Muslims from outside Palestine and Al-Quds towards Al-Aqsa Mosque required some of the owners of these endowments or their supervisors to reside within the city of Al-Quds to follow up on the affairs of their endowments. Over time, there emerged what became known to us as "al-Harat" endowments, which are quarters for Muslims coming from outside Palestine for settlement next to the Al-Aqsa Mosque. Such endowments and Hubus formed a geographical map of these Islamic countries within the Maqdisi community, and this can be demonstrated briefly in what follows:

- Al-Maghariba Quarter next to Al-Buraq Wall, which is the best endowment directed to the people of the Maghreb and Andalusia, especially those who waged jihad with Saladin Al-Ayyubi and resided in Hay Al-Maghariba. They had a mosque called "Al-Maghariba Mosque" in Al-Quds. This quarter is considered as one of the most prominent Muslim quarters in Al-Quds, as it has a large area, and the crops of its endowment used to be spent on Moroccans living in the

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(1) Cengiz Tomar, Collection of documents and records relating to Al-Quds located in the Ottoman Archives of the Turkish Prime Minister, quoted from the work of a group of researchers, *Al-Awqaf Al-Islamiyah wa Al-Masihiyah fi Al-Quds*. (Amman, Arab Thought Forum, 1st edition, 2015), p. 47, p. 66.

city<sup>(1)</sup> where most of them were gathered.

- The Endowment of the Hasaki Sultan Tekke: The Ottomans entered Al-Quds (1516-1917 AD), that is, for nearly four centuries the city was under their control. The endowments of the Ottomans were numerous, but they were represented by the endowment of the Hasaki Sultan Tekke, which was endowed by the wife of Sultan Suleiman the Magnificent in the year (959 AH / 1551 AD). The latter was called the Custodian of the Two Holy Mosques, which means Al-Quds and Hebron. This endowment still exists to this day, and it is one of the largest Muslim endowments inside Al-Quds. Hospice endowments have spread across five sanjaks in the Levant, and the number of villages and farms entrusted to the hospice has reached 34 villages and farms<sup>(2)</sup>.
- The Kurdish Quarter: this is the area located to the east and is also called the Quarter of Honour. The villages of Tur Zita and Abu Dis were endowed to Abi al-Abbas al-Hukari and Abi al-Hasan al-Hukari and their descendants. Both of them were Kurdish sheikhs who fought with Saladin against the Franks in Palestine<sup>(3)</sup>.
- The Indian Quarter: Muslims of Indian origin endowed a quarter in Al-Quds located south of the Bab Al-Asbat (Lion Gate), east of the city, and it was called the Indian Zawiyah (Nook): Some studies mention that it is called the Faridiya or Indian Zawiyah. Its area amounts to 1.5 dunums, and it has become one of the main sites for Indian visitors who stay there when visiting Al-Quds<sup>(4)</sup>.

(1) The Iwan site inside the city of Al-Quds, close to the Buraq Wall, and the village of Ein Karem on the outskirts of Al-Quds were endowed to the eligible needy people. In the year of the occupation, 635 residents of this neighborhood were displaced, and 138 buildings were demolished, including the Al-Buraq Mosque and the "Al-Afdiya Mosque," at a cost of approximately two million Jordanian dinars during that period. See more extensively: *Al-Awqaf Al-Islamiyah fi Al-Quds*. p. 71.

(2) Karen Armstrong, Al-Quds, One City, Three Faiths, p. 573, quoted from: Salama Al-Balawi, *Tarikh Awqaf Madinat Al-Quds*; Abla Al-Muhtadi, *Al-Quds Tarikh wa Hadarah, 3000 BC - 1917 AD*, p. 330.

(3) Zuhair Ghanayem and Mahmoud Ashqar, *Waqf Al-Arabi ala Al-Afrad fi Falastine fi Al-Fatrah Al-Islamiyah Al-Thaniyah* 583-1333 AH, (Kuwait, Awqaf Magazine, Issue 27, November 2014), p. 71.

(4) In 1922, Haj Amin al-Husseini, who died in 1974, asked the leader of the Islamic Caliphate Movement in India, Maulana Muhammad Ali Jawhar, who died in 1931 to send someone to supervise this Zawiyah and take care of its administrative and financial affairs. In 1924, upon his request, Maulana Muhammad Ali Jawhar sent Khawaja Nazir Hassan Al-Ansari Al-Saharanpuri who became the ruler of this zawiyah and

- Al-Mashariqah Quarter or Bukhara, close to the Red Minaret Mosque. Muslims came from Bukhara, Samarkand, and eastern and central Persia and lived there.
- Al-Ghuriya Quarter: North of Bab Al-Asbat, where Muslims from Afghanistan resided<sup>(1)</sup>.
- Thus, a group of endowment quarters were formed within the city of Al-Quds due to the motivation of Muslims and their eagerness to establish endowments within the city of Al-Quds. These properties were managed by the supervisors of these countries for a period before the Zionist occupation in 1948. All of this confirms that Muslims from outside the city of Al-Quds contributed strongly to the development of the city and the consolidation of its high position, in case the city of Al-Quds was not at war.

This phenomenon of quarters is also reinforced by what the teaching of the four schools of thought observed in Al-Aqsa Mosque, where the Hanafi, Maliki, Shafi'i and Hanbali schools of thought were held in the courtyards of Al-Aqsa Mosque because the followers of the schools of thought from different countries resided in Al-Quds following their schools of jurisprudence. Some studies even indicate that there are approximately (70) Sufi groups or orders in Al-Quds, a fact that enhances the role of the endowments in serving these various sects and multiple orders.

This historical endowment of Muslims from outside and inside Al-Quds contributed to the development of endowments, and gradually affected the cities and villages near Al-Quds. Rather, all of Palestine became a place for endowment reception from abroad.

It can be inferred that Palestine's geographical and strategic location

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its affairs and died in 1951. Al-Ansari made several trips to his native India in order to collect money to rebuild the Indian Zawiyah again during the period between the two world wars. During the years 1931-1940, Al-Ansari was able to obtain sufficient funds from Nitham Hyderabad, Mir Osman Ali Khan, who died in 1948, and from the Nawabs of Rampur and the Nawabs of Bahawalpur. He restored the Zawiyah and constructed some new buildings including the main building, which he named it after Othman's house, the name of Nitham Hyderabad. See: *Proceedings of the International Forum of Al-Quds Endowments*, p. 56.

(1) Awni Al-Alawi, "Al-Awqaf Al-Islamiyah fi Al-'Asr Al-Islami", quoted from the *Research Papers of the Palestine International Conference for Islamic Endowments*, p. 107.



and its constant exposure to attacks from Muslim enemies contributed to the movement of Muslims from various regions towards Palestine to defend it, which made the sultans and rulers at the time endow real estate and assets to these Muslim fighters<sup>(1)</sup>.

The people of Palestine and the Levant also turned their attention to developing endowments within Al-Quds and the areas adjacent to it. As a result, endowment properties in Palestine became the highest in the Levant. Such an endowment became also dominant in Al-Quds, and the city of Akka, where endowment properties in the Old City constituted approximately 90%. Perhaps the reason for this is that the Muslims endowed assets to support the steadfastness of the people of Akka as it was a gateway to the Crusades against Palestine and Al-Quds.

Ottoman Turks who supervised Palestine until 1917, can be credited for they denied the right to foreigners to own property in the city of Al-Quds, which promoted the development of endowment properties and their abundant investment<sup>(2)</sup>.

The status quo had been constant until the occupation of Palestine in 1948, and then in 1967, which gradually affected the endowment sector negatively. However, historical studies and readings focus on the fact that Islamic endowment properties in Palestine range between “16% to 17% of the area of all Palestine”. If the area of Palestine is 27 thousand square kilometres, then the area of charitable endowment lands is 4,320 square kilometres distributed throughout Palestine. More clearly, one dunam out of 16 dunams of state property represents the property of the Islamic Endowment<sup>(3)</sup>.

In another reading, the total number of endowments in historic Palestine “constitutes one million and 680 thousand dunums, or 6.25% and 10% of the total arable land. There are also 340 villages that are considered as complete and partial endowments, such as the villages of Burin, Beit

(1) Zuhair Ghanayem and Mahmoud Ashkar, *Waqf Al-Arabi ‘ala Al-Afrad fi Falastine*, p. 95.

(2) Abdul Latif Al-Tibawi, *Al-Awqaf Al-Islamiyah Bijiwar Al-Masjid Al-Aqsa BilQuds: Asluha, wa tarikhoaha wa Ghtisab Israel laha*. Translated into Arabic by: Izzat Jaradat, (Amman: Ministry of Endowments and Islamic Affairs, 1981), p. 27.

(3) *Al-Awqaf Al-Islamiyah fi Muwajahat Tahaddiyat Al-Ihtilal Al-Israeli* (Beirut, Al-Zaytouna Centre for Strategic Studies, 1st edition, 2011), p. 34.

Furik, Shata, and Sa'sa. On the other hand, the endowments in Palestine in the 1948 regions constituted 16:1 during the Zionist occupation; that is, 7% of the land of Palestine that was occupied in 1948, could be estimated at 100.00 dunams<sup>(1)</sup>.

The endowment properties in Al-Quds constituted a model for all Palestinian cities and villages due to the presence of the Al-Aqsa Mosque there. Estimates agree that endowment properties amount to an average between 67% and 80% of the Old City of Al-Quds<sup>(2)</sup>. This geographical area was the most prominent and oldest endowment within the city of Al-Quds, but it disappeared after the Ottoman era due to the British Mandate (1918-1948), and then the Zionist occupation (1948-present), which was eradicating everything relative to endowments.

### 1.1.2 Endowments of Al-Quds in Muslim Countries

This is the second area of the relationship between Al-Quds and the Endowments. In case Muslims are not able to make endowments inside the city of Al-Quds, and this is what the concept of the hadith holds: "If you cannot visit it and pray there, then send some oil to be used in the lamps". This is the concept of Mukhalafah that Muslims understood, meaning that in case they are unable to send this oil [the endowment] to Al-Quds, they may make their own Ijtihad (assiduity); they can make endowments in their countries, and allocate their proceeds to the needs of the Holy City.

In other words, endowments of Muslims should normally be in the city of Al-Quds, that is, in the first area, but because the city of Al-Quds is colonized as was previously the case during the Crusader occupation or in our present era during the era of the Zionist occupation of the city, the Muslims gave priority to the second area; that is, endowing the Maqdisi endowment assets outside the city of Al-Quds.

That is why in the past there was what was known as the Roman Surrah (bundle) and the Egyptian Surrah, which is cash money sent—by order of the rulers—from outside Al-Quds and the Levant, and disbursed

(1) Sami Al Salahat, *Al-Awqaf Al-Islamiyah fi Falastine*, p. 35.

(2) Michael Dumper, *The Palestinian Waqf and the Struggle over Al-Quds, 1967-2000*, (Presented at Breaking with the Past: Pious Waqf Foundations in Post-Colonial Muslim Societies and the Eastern Christian Communities, 24-27th September, 2004), p. 5.

within the city of Al-Quds to the needy.

Through the survey, procedures and contacts that we supervised, we found out the existence of endowment assets, especially real estate endowments in some of these countries, and that there are active cash endowments in charitable institutions, as is displayed in the following table<sup>(1)</sup>:

Name of Endowment	Market value	Expected proceeds	Notes about the endowment
1. The Maqdisi Endowment Development Centre in Istanbul, Türkiye	10-15 million US dollars: total project value.	The project is being registered. The study begins afterwards	The project is an investment that will be officially registered in Istanbul as an endowment to serve the Maqdisi Endowments in the world. The General Directorate of Endowments of the Turkish government has been committed to providing an endowment property designated for the project, and its proceeds will be allocated to Al-Quds projects and initiatives to support the city of Al-Quds in the world.

(1) This preliminary estimated information was based on contacts held with these endowment institutions as part of a project we are supervising, which is an inventory of Maqdisi endowments in the world.

<p>2. Investment endowment in Johor Baru state, Malaysia: its proceeds support poor students in the city of Al-Quds.</p>	<p>22 million US dollars total project value. 8 million US dollars were collected from the party concerned with the project.</p>	<p>1.2 million US dollars annually</p>	<p>The need to finance the investment project: Larkin Sentral Transport Station and Market Ferry Terminal. The aim is to build a multi-storey parking complex, which involves a development cost of RM85 million. Profits from the endowment shares will be used as a charitable fund to assist selected tenants. The station accommodates 49 bus operating companies including long-distance buses traveling to cities in Malaysia, Singapore and Thailand. In addition, the market consists of a total of 143 shopping stores.</p>
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3. Luxury residential suites project for university students in Istanbul. Türkiye	An independent Turkish development institution serving Al-Quds and the Blessed Al-Aqsa Mosque, registered under No. 5735 dated 11/21/2013	The cost is \$1,700 million, the expected return is \$144,000 thousand, and the return rate is 8.5% annually.	The project is to develop student housing on land owned for endowment on an area estimated at 400 square meters to construct a building with a total area of 1,050 square meters with a construction rate of 54%. Upper floors + roof floor (in addition to floors), basement floor + ground floor + 3. The building contains 24 rooms, so the total housing capacity is 72 students.
4. Al-Quds Charitable Endowment, Malmö, Sweden.	2.5 million euros, total project value. 750 thousand euros were collected from the party concerned with the project.	184.8 thousand euros annually	The need to finance an Islamic centre project, which is a school and nursery for teaching Muslims in Sweden. Its proceeds will be allocated to students in Al-Quds.
5. Endowment of the Al-Quds Society in Britain	The endowment is worth 4.750 million Australian pounds. The amount available to the association to support the project: 350,000 pounds sterling. Amount required is: 4,400,000 British pounds	Annual income is 510,560 British pounds, i.e. 7.10%.	The building is a university student residence in the city of Leicester in Britain. The building is strategically located near De Montford University, which has 32,625 students. The building is divided into studios and apartments of different sizes, containing 77 rooms.

.6 The Sudanese president stood in favor of the city of Al-Quds.	5 million US dollars: is the value of the endowment land in the middle of the capital, Khartoum, commercial land of approximately 5000 square meters.	It is currently rented to popular markets for a price of 120 thousand US dollars	The project is ongoing, and the idea is to cancel these old rents and create an investment project with large profits.
7. Algerian endowment to support the city of Al-Quds.	The Maqdisi Popular Endowment in Algiers: the value of the project completion was \$3 million in 2007, the value of the endowment now in the real estate market is \$10 million.	100 thousand US dollars	The building is completely ready and is currently exploited, with a total area of 2,220 square metres. The complex consists of seven floors of offices, a kitchen, a restaurant, a prayer hall, training halls, a lecture hall, and mausoleums. It is now used as a complex for many institutions and bodies, with annual revenues of \$100,000 that develop projects in Al-Quds.
8. The King's Endowment for Al-Quds Al-Sharif, Manama, Bahrain	6-8 million US dollars: the value of the endowment land in the middle of the Bahraini capital, commercial land approximately 5000 square meters.	Study to establish an investment project is underway	Following up process of this project with the owner and Al-Nather of the endowment is under way.

That is, we notice that this second area was partially implemented in the past because the first area was available as Muslims used to visit Al-Quds with ease and store their endowments inside it. The first area,

however, began to lose ground after the end of the Ottoman Empire, and the beginning of the British Mandate and the Zionist occupation. Therefore, it became difficult to invest in it due to the Zionist occupation which prevented the establishment of endowments for Muslims from outside Palestine, especially within the city of Al-Quds. Muslims began to grant endowments for the benefit of Al-Quds in their countries, the proceeds of which aimed at meeting the needs of the city of Al-Quds.

#### **1.4. An Estimated Reading of the Size of Maqdisi Endowments in the World**

There are no statistics for an accurate study of the reality and size of Maqdisi endowments in the world, and the reasons for this are objective and acceptable which can be summarized as follows:

- The phenomenon of Maqdisi endowments is ancient and modern, but due to the obstacles—which we will address later—it is difficult to control their size and know their precise details.
- These endowments have their own problems, including the problem of registering the endowments and inventorying their assets. These intrinsic problems hinder their registration and confirmation of assets and revenues.
- Supervising these endowments due to their diversity and different locations and administrative levels makes their detection difficult for the investigator, since there is especially no international institution concerned with these endowments.
- Difficulty in obtaining information about these endowments due to the reluctance of some to provide clear information about the endowments, or the failure of some of them to be subject to governance and transparency in their reports.
- These assets of the Maqdisi endowments in the world are diverse and differ from one country to another. In some countries, such endowments could be real estate with a market value, whereas in others there are cash endowments where projects of a cash nature are active, and supervised by charitable and relief institutions that

provide projects of a similar nature. Cash Endowment here is the most common, and therefore it is difficult to limit these diverse and disparate endowments in countries that are different geographically.

- The Maqdisi endowments are different in performance. There are some which have been established and are active, whereas others are still based on endowment evidence, and have not been established for several factors, most notably of which are legal or financial factors. This means that we are faced with a dilemma in praising the wealth that results from these endowments while encouraging the endowments that still exist in the endowment evidence without being activated yet.
- However, these existing assets can be estimated based on the field visits that the researcher made to some of these Maqdisi endowments, along with the periodic meetings that were held place with some of their officials. We can also consider studies that dealt with some of these endowments as analytical studies or feasibility studies.

The following table indicates a preliminary estimate of the size of the most prominent Maqdisi endowments in the world<sup>(1)</sup>.

Country	Market value in dollars	Notes about the endowment
Bahrain	6-8 million	An endowment property that has not yet been invested.
Sudan	5 million	An endowment property with a temporary project that has been generating low revenues since 2011. There are also some endowment properties, some of which are registered for Al-Quds, but they have not been determined yet.

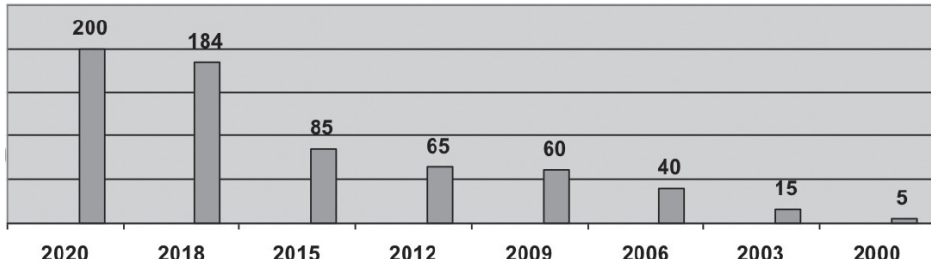
(1) I could get this estimated information myself; it is based on fieldwork studies and periodic meetings with persons responsible for these endowments. These are considered as the most prominent Maqdisi endowments declared for the benefit of Al-Quds, and can be relied upon in a study related to the Maqdisi endowments. Regarding the alleged Maqdisi endowments in Kuwait, Saudi Arabia, Jordan and Morocco, they require further research and tracking, a fact that can be proven later.



Algeria	13 million	Two main endowments within the Republic of Algeria began in 2006.
Turkey	20 million	Several endowments inside Turkey, including old and new ones began after 2012.
South Africa	3 million	An endowment for a museum for Palestine and Al-Quds, but it is not an investment.
Sweden	2 million	An endowment project, but it was not completed, although its economic feasibility is acceptable.
Great Britain	1 million	An endowment project for a charitable organization
Qatar	8-10 million	A commercially distinguished endowment property, but inactive. In addition to dispersed endowment assets.
Kuwait	00	Various endowment projects need guidance.
Saudi Arabia	00	Several projects and charitable endowment initiatives.
Jordan	00	Several projects and charitable endowment initiatives.
Morocco	00	Several projects and charitable endowment initiatives.
Malaysia	22 million	A huge endowment project aiming at allocating a portion of its proceeds to the city of Al-Quds.
Lebanon	Three hundred thousand	A cash endowment project has not yet been completed. It began with a campaign to collect cash endowments in 2011.
Gaza City	Search in progress	An endowment investment project with an area of 1203 square meters, which is a hotel, the proceeds of which go to the city of Al-Quds.

Al-Quds Endowment	100 million	Endowment Fund in the form of a partnership between the Solidarity Fund and a group of Palestinian businessmen <sup>(1)</sup> .
<b>Total</b>	<b>184.300.000</b>	<b>This is a preliminary and estimated reading of the size of Maqdisi endowments in the world.</b>

We could get the sizes of Maqdisi endowments based on the information we obtained through our prospective fieldwork study which began in 2000. They were estimated at (20) million US dollars, and expected to reach (200) million US dollars in 2020 as is demonstrated. It is estimated as in the following graph:



### 1. Obstacles and prospects for developing Maqdisi Endowments in the world and their role in supporting the city of Al-Quds

Muslims in general were and still are endowing endowments for charitable works outside their countries, including the endowments of the Two Holy Mosques, the Maqdisi Endowments, and others. The size of the Maqdisi endowments was less than the endowments allocated to the Two Holy Mosques in the Islamic world historically.

However, the size of the Maqdisi endowments began to increase while many others that were allocated to The Two Holy Mosques were lost due to attacks against the endowments of the three mosques in general. However, the Maqdisi endowments were becoming active due to the Zionist occupation, the continuous attacks on the city of Al-Quds and the lack of funding allocated to them. It is also owing to the financial care of

(1) I attended the foundation of this endowment signed on April 5th, 2018 in the Republic of Tunisia.

the Two Holy Mosques by the government of the Kingdom of Saudi Arabia, which reduced the interest of Muslims in making endowments to the Two Holy Mosques in their countries. Another hidden matter behind all that is that most of the endowments allocated to the Two Holy Mosques in Muslim countries were attacked, as is the case with other charitable endowments. This fact obliged Muslims to care about those in dire need through endowment and charitable work including granting endowments to the city of Al-Quds.

The Maqdisi endowments have grown extensively in the world in response to the serious events which the city of Al-Quds witnessed since its occupation in 1948, then its complete occupation in 1967, along with the ensuing aggressive practices against Al-Aqsa Mosque. These attacks on Al-Aqsa Mosque were accompanied by obstacles and difficulties that restrained the ability of the Maqdisi Endowments to double the revenues allocated to the city of Al-Quds or Al-Aqsa Mosque. Such obstacles or difficulties may be internal within the Endowment itself, or external that negatively affect the development of these endowments. We deal with such obstacles briefly as follows:

### **1.1. Obstacles to the Development of the Maqdisi endowments in the world**

The obstacles and challenges facing the development of the Maqdisi endowments in the Islamic world are many and varied including all areas of life, especially legal, cultural, social, economic and political. More than one endowment may share more than one obstacle or difficulty, which may have some repercussions and effects in some countries. we summarize them in what follows:

#### **- The Legal Difficulties in the Maqdisi Endowments**

One of the obstacles facing the Maqdisi Endowments in the world is related to the legal aspect of endowment, especially if it is found in countries that exert legal pressure on charitable or endowment activity despite the proclivity of the people of these countries for donation and endowment to Al-Quds. Legal difficulties may sometimes have political, social, or economic repercussions that hinder interest in this endowment or organization

of its role. Having said that, the same thing can be applied to the Maqdisi Endowment in the State of Qatar.

The Al-Quds Endowment in Qatar is an endowment investment project called “Al-Quds Tower” in the Qatari capital, Doha. Its height reaches 101 floors, with direct funding coming from the former Emir of Qatar, Sheikh Hamad bin Khalifa Al Thani. But, due to legal difficulties, the project is still on hold up to this moment.

The same thing can be applied to the foundation of an endowment in a given country, the proceeds of which are allocated to what is outside this country as is the case in the Maqdisi Endowments. This is done through the foundation of a charitable endowment in a country, the proceeds of which are allocated to the people of Al-Quds, and most Islamic countries such as Algeria, Qatar, Bahrain, Kuwait, and others. Most of these countries do not maintain diplomatic relations with the Zionist entity, which makes it difficult to transfer money and revenues to the city of Al-Quds under the authority of the Zionist occupier.

#### - **Registration of Maqdisi Endowments and their Loss**

We found out that there are Maqdisi endowments in some Arab or Islamic countries, but they have not been registered as endowments designated for the Al-Aqsa Mosque or the city of Al-Quds. The issue has not been addressed due to lack of funding in some cases, or lack of registration as some governments set restrictions on endowments in general including Maqdisi Endowments.

The difficulty of registering or losing endowments due to their lack of inventory does not only concern Maqdisi endowments. Rather, it is a major catastrophe that many endowment institutions in the world suffer from. Indeed, it is not an exaggeration to say that the problem of endowments in our present era lies in the lack of inventory or registration. In light of this problematic issue, many endowments were lost, including what was allocated as endowments for the Two Holy Mosques or for Al-Quds.

Having said that, we can give an example illustrating this fact. We consider the Al-Quds Endowment in Yemen where an investment endowment was allocated to the city of Al-Quds in the industrial zone in the Aden Free

Zone, on December 13, 200. Failure to follow up on such an endowment investment was not officially registered, going, therefore, entirely down the drain .

This requires the official authorities in Islamic countries to work on revealing the nature of these Maqdisi endowments, the reasons why they have not been registered and the endowment evidence and old documents for lands and properties. This can be done through an examination of Ottoman records and books, because these endowments were endowed by their owners for the benefit of Al-Aqsa Mosque and the city of Al-Quds. The right is not subject to the statute of limitations.

- **Complex and bureaucratic procedures in government dealings**

Some bureaucratic procedures in some countries may be an obstacle and prevent the endowment procedures from being completed. It has become clear to us that there are Maqdisi endowments in some Arab or Islamic countries that are hindered due to the nature of governmental or local procedures in facilitating endowment transactions. We found it difficult to register an endowment for the Maqdisi Endowments Development Center in Turkey for reasons related to bureaucracy and government procedures, the nature of the laws, and disbursement mechanisms, among others.

The issue is not related to endowments in Turkey, but rather to the fact that most Arab and Islamic countries suffer from government bureaucracy and its role in delaying transactions, especially if these transactions are carried out in more than one government agency and department. This hinders the development of public or government endowments, while private endowments are more flexible.

- **Lack of endowment investment in an optimal way**

Proper investment of endowments is considered one of the most important main operations. If the endowment is invested in a sound and risk-free manner, it achieves satisfactory and reasonable results allowing consolidation and sustainability of its assets.

In this regard, we draw attention to the fact that some endowments may be huge and have a large market value, but their revenues are very

low and do not reflect the size and value of the endowment. For example, the market value of Al-Quds Charitable Endowment in Sudan reaches five million US dollars, and its area is [4,839] square metres, but its revenues do not exceed (120) thousand US dollars, which constitutes a clear decline in the investment performance of the endowment, and confirms the lack of the optimal.

Additionally, the Al-Quds Charitable Endowment is managed by a real estate development company that has rented the endowment property (popular shops) and got money from it as an annual rent. But only 40% of the proceeds were collected, which means that what reaches the city of Al-Quds is nothing more than crumbs

There may exist endowments with revenues, but they do not fit the size of the available endowments, as the aforementioned example of Sudan demonstrated or even that of Algeria. Their areas are approximately [9,000] square meters including the construction of a business centre and apartments, with a total of eight buildings, 74 residences, and 28 commercial stores. their values are about ten million US dollars . They may also be real estate endowments with a high market value but have not been invested yet, which leads to a delay in investment and revenue in favour of the city of Al-Quds, as is the case with the Al-Quds endowment in Bahrain.

#### **- Difficulty in Financing and Loaning**

One of the obstacles that affect the role of the Maqdisi Endowments in the world in favour of the city of Al-Quds is the need for these Endowments for the financial support and necessary funding to activate them. This helps carry out their role towards satisfying the needs of the city of Al-Quds through the bank to which they are directed.

During the process of researching and exploring these Maqdisi endowments, I found that there are endowments that may be almost ready to operate, but the problem arises in the inability to rely on self-funding, or their need for loans and the difficulty of their availability as is the case with these endowments which are as follows

**a. Johor Baru Endowment, Malaysia**

The value of this endowment exceeds 22 million US dollars. It is an endowment affiliated with the Malaysian Al-Nour Endowment which works in the field of investments. It has tended to allocate this project to the needs of the city of Al-Quds, but the difficulty lies in completing the amount of the project before starting it.

**b. Al-Quds Charitable Endowment in Sweden**

It is an endowment allocated for the benefit of education. It is a project aiming at purchasing commercial buildings in Malmö, Sweden, and then turning them into endowments. The party that wants to grant this endowment has collected a third of the required amount, with the hope that the rest of it will be collected either as a donation or a good loan.

**c. Al-Quds Endowment in the Lebanese Republic**

It is the Al-Quds Endowment which was registered with the Lebanese Scholars Association, affiliated with the Fatwa House in the Republic. An amount worth (300) thousand US dollars was collected, but it was invested in limited investment projects for the benefit of the city of Al-Quds. For this reason, they were unable to establish a full investment endowment in the Republic due to the limited amount of money donated.

**d. Endowment of the Rock House Association in Britain**

It is a proposed endowment for Al-Quds supervised by the Bayt al-Maqdis Association. This association seeks to establish this endowment with the contribution of British Muslims to satisfy the main needs of the city. However, the problem facing the association is that the amount does not exceed half a million US dollars, which requires more time to collect the rest to establish the endowment.

**e. Endowment of the Palestinian Museum in South Africa**

The Palestinian Museum Endowment which is an endowment property with a project to introduce the suffering of the Palestinian people. But, the founder of this endowment—a Muslim businessman—faced several political and financial difficulties. He then was able to create his idea with the contribution of his family. However, the endowment suffers

from the lack of an investment plan that enhances the value of this endowment and the possibility of self-financing from its proceeds.

**f. Lack of a Strategic Plan for an Optimal Investment**

One of the issues I noticed during my visits to some of the Maqdisi endowments in the world is the lack of an investment plan for some endowments despite their existence. This can be activated by establishing an investment project on it.

The endower or Al-Nather of the Maqdisi Endowments may have their own internal reasons. But, I noticed that this delay negatively influences the support for the city of Al-Quds. I also found this in the Al-Quds Charitable Endowment in the Kingdom of Bahrain , as the endowment exceeds the amount of (6) million US dollars as endowment property. But, it has not been invested so far. There may be other objective internal reasons that may hinder this, though our mission is to be confined to assessing actions outwardly.

The same situation can be said about the Maqdisi endowment in the State of Qatar, as it is still an endowment property without any existing investment. In this regard, we can say that there are Maqdisi endowments in a specific country, but they are diverse: real estate endowments, movable endowments, or cash endowments, belonging to several parties. Instead of coordinating efforts, these parties work individually, which makes investing in such endowments difficult due to the limited allocated assets and amounts of money. But, if a board of directors had been constituted for all of these endowments, and an investment institution had been formed to manage these endowments, it would have been better and more effective for the Maqdisi endowments in this country.

**g. Lack of Awareness of the Importance of Endowment Investment for the Benefit of the City of Al-Quds**

One of the obstacles observed in this area is the tendency of donors towards Maqdisi works through charitable work and direct donation in the form of charity, although sometimes the amounts of money donated can create an endowment investment project that can generate continuous revenues for the benefit of Al-Quds.



Perhaps this obstacle began to gradually disappear after several charitable institutions realized that the endowment system constitutes financial sustainability for them and their charitable projects. They also see the obligation for endowment financial assets to be established in Islamic countries to form continuous financial outlets to support the city of Al-Quds in the countries of the Islamic world.

#### **h. Dispersion of Charitable and Endowment work within one Country**

It has become clear that there are active countries in charitable and endowment work, especially that which is related to the city of Al-Quds, or Palestine as a whole. But it has also become clear that this activity is not centred on a main endowment within the country that is allocated to the city of Al-Quds, knowing that the funds donated for Al-Quds are huge and may give rise to several endowments that have a clear impact in supporting Al-Quds.

An example of this great effort can be observed in the State of Kuwait, as charitable work there is considered as one of the first charitable works directed towards Al-Quds. But, we have not witnessed a major investment endowment for the city of Al-Quds yet.

### **9. Developing Human Resources Working in the Maqdisi Endowments**

One of the issues that must be taken care of as we wish to develop the assets and revenues of the Maqdisi endowments is their human resources. We must focus on specialization and professionalism in institutional performance, especially in aspects relative to comprehending the nature of the endowment and its sustainability. Endowments are by no means a charitable act, but rather assets that must be maximized with an increase in their yields. I have noticed that some Maqdisi endowments in some countries rely on charitable work and donations collection to cover the shortfall in their budgets. But, they ignore the importance of investing in the assets of the endowments, because investment is a major process of the institutional processes of the endowment.

Therefore, attention must be paid to the staff responsible for organizing these holy endowments; they must be qualified as much as possible to

be able to manage these assets and invest them in the best way.

**i. Implementing Governance and Sound Policies in Maqdisi Endowments**

One of the obstacles that may limit the development of Maqdisi endowment assets is the absence of governance systems, transparency and sound policies, which negatively affects their development and encourages the phenomenon of corruption to enter their corridors. It became clear that the reality of some Maqdisi endowments—upon field visits—requires governance and reports review, as some of these endowments lack financial records and reports that can be obtained at any time. This can be explained by the fact that the phenomenon of governance has not taken interest in the endowment sector as a whole, although some endowment institutions in some countries have practised governance for years and have represented a model in this regard.

**j. Prospects for the Development of the Maqdisi Endowments and their Role in Supporting the City of Al-Quds**

Despite the obstacles and difficulties that have been encountered, we find that some prospects and ambitions can be taken care of and built upon in order to develop this growing phenomenon attitude among Islamic societies and countries towards the holy city of Al-Quds. Alongside that, it is important to form a global financial and investment development framework that can be of great assistance to the Islamic nation to support the steadfastness of the people of Al-Quds as they groan under the yoke of the Zionist occupation. Among these prospects and ambitions, we cite what follows:

**k. The Trend towards Endowment for the Benefit of Al-Aqsa Mosque**

Benefiting from the increasing interest of Muslims in Al-Quds and the city of Al-Quds due to their religious affiliation with the holy sites in general, and Al-Aqsa Mosque in particular, especially in light of the revolution and the growing endowment movement in the Islamic world during the past two decades. This encouraged those in charge of charitable projects to allocate endowment assets in Islamic countries and societies that contribute to supporting the Holy City on an ongoing basis.

The Jordanian government has guardianship over Al-Aqsa Mosque and is concerned with its financial care spending more than (15) million dollars annually to cover the endowment employees (approximately 800) working in the city of Al-Quds. However, we believe that the rest of the Muslims must contribute to the needs of Al-Aqsa Mosque providing endowments that support the development of the reality of the mosque on a permanent and continuous basis.

#### **l. Waqf is the best system for sustainable development**

Enhancing sustainable development through endowment projects in light of the financial need that the institutions supporting the city of Al-Quds suffered from. It has become clear that endowment is nothing but a financial sustainability system in reality, and that if endowment is dealt with in a sound investment manner, it can constitute financial sustainability in supporting the Al-Quds Bank.

This is precisely what Salah al-Din al-Ayyubi the victorious did, as he relied on establishing institutional endowments that covered the basic needs of the population, especially after the end of the war. He founded endowment schools, endowment hospitals, endowment bonds, and others for the purpose of sustainable development within the city that has lasted for several centuries.

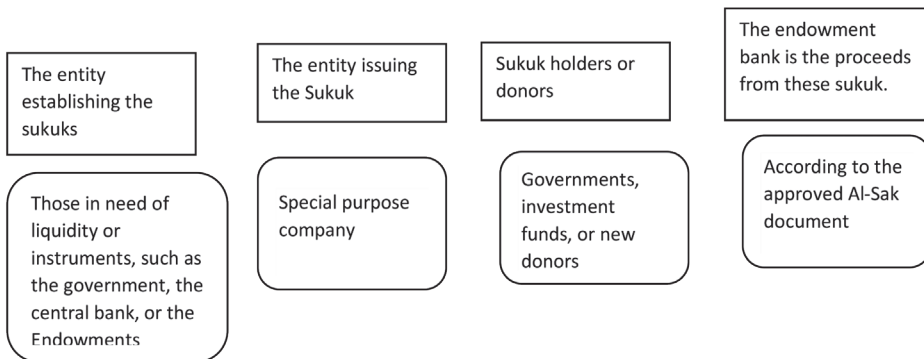
#### **m. Benefiting from the abundance of endowment properties in the Islamic world**

Endowment properties belonging to governmental or public endowment institutions abound. They constitute sites from which developmental investment endowment projects can be launched and hence can be important sources of support for the steadfastness of the people of Al-Quds. A partnership can be established between governmental endowments and charitable or private endowment institutions or businessmen to exploit these endowment properties for the benefit of projects generating income for the city of Al-Quds.

The state of Selangor in Malaysia can be an example of this connection where untapped endowment properties constitute 95% of the total endowment properties in the state

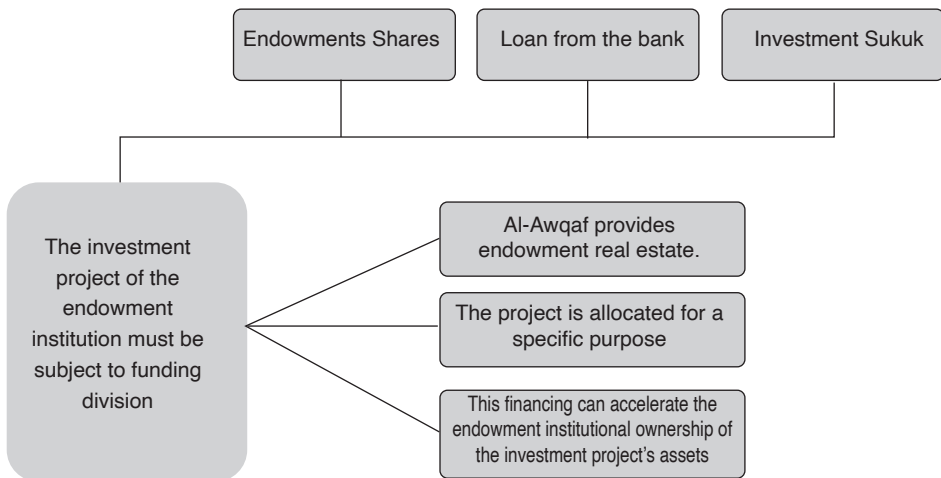
· which encourages donors or investors to benefit from the latter in partnership with the state of Selangor.

Getting real estate endowments from Islamic countries could pave the way for establishing and issuing investment endowment *Sukuk* for the benefit of Al-Aqsa Mosque, with the understanding that these endowment properties have a significant market value. This can only be done through a financial institution with credibility in the Islamic world. This model could be suitable for the work of the Islamic Development Bank in Jeddah in issuing endowment *Sukuk* for the benefit of Al-Aqsa Mosque or the city of Al-Quds, especially since it manages the Al-Aqsa Fund designated for this purpose.



In order to issue investment *Sukuk* for the benefit of endowment projects in countries that have Maqdisi endowments, the investment project and its specific bank in a country must be identified. Then investment *Sukuk* must be issued from within or outside that country based on the guarantee of the real estate assets of the existing Maqdisi endowments in the countries which are initially estimated at 184 million US dollars. Therefore, the financing for this project is divided – as shown in the diagram – through the following:

- **The existing endowment property:** represents an existing financial asset and has a market value that can be considered in this project.
- **A loan from any Islamic bank:** [taking into account that some of the Maqdisi endowments are registered and included in the accounts of some usurious banks. This is not valid according to Shari’a because the endowment as a whole is a legitimate act of worship].
- **Investors who wish to get involved in investment endowment projects,** then withdraw with the capital and net profits.
- **Donors of their cash:** [cash endowment], this type allows all Muslims to participate in any endowment project within what is permitted in the Islamic Fiqh Council as “collective endowment” which is expressed in institutional endowment work as “endowment shares”.



**n. Monitoring Institutional Interest in Maqdisi Endowments**

There is an active participation of endowment bodies in conferences and seminars specializing in Maqdisi endowments. Four specialized inter-

national forums were held on Maqdisi endowments under the title “The International Forum for Al-Quds Endowments”, through which many of these endowments were monitored, the clear tendency among Muslims to make endowments in favour of the city of Al-Quds in their countries and communities was determined, and the obstacles which these endowments face through workshops were elaborated. Evidently enough, there is institutional interest – on the part of Islamic countries and places where Muslim minorities are present worldwide – in endowing assets for the benefit of the Holy City, but their efforts need international institutional guidance.

**o. The dynamics of the Maqdisi endowments through its institutional work within societies**

These Maqdisi endowments move horizontally and vertically at the same time. On the one hand, they enhance the reality of the endowment and develop it. On the other hand, they practice the operations of collecting cash donations or cash endowments through renewed charitable projects. Thus the Maqdisi endowments are an integrated endowment institution in Islamic societies, which gives them more dynamism and better movement in society.

This is the truth of the endowment if its main operations are institutionally taken care of since its attraction, inventory, maintenance, financial support, and its investment are at a final stage. Such an endowment will eventually constitute a generative Waqf institution, through which new endowment assets can be produced. This dynamic also means the importance of creating new tools and methods in financing endowment projects and attracting donations and alms in the form of a [cash endowment] for self-funding purposes, for the globalization of the endowment bank allocated to Al-Quds, and for the benefit from advanced technological development such as donations via the information network, Visa Card, and other modern methods of collecting donations.

**p. Increasing the Activity of Cash Endowments in Maqdisi Endowments**

Focusing on cash endowments among other types of endowments: that is real estate endowments and movable endowments. Involving all catego-

ries of donors in Islamic societies in endowment projects and initiatives related to Al-Aqsa Mosque which the Islamic Jurisprudence Assembly has termed “collective endowments” Is required.

Although cash endowments have been disputed in the past, they are the most widespread within endowment institutions. The city of Al-Quds enjoyed a great deal of this type of endowment during the Ottoman Era, especially those endowments that came from outside Al-Quds, the Roman and Egyptian Surrah (bundle or capitals). This phenomenon increased during the Era of Sultan Suleiman the Magnificent (1520-1566 AD). Cash endowments constituted approximately 50% of the charitable endowments established in Al-Quds during the first two centuries of Ottoman rule<sup>(1)</sup>.

Through this type of endowment, donations and alms directed towards endowment projects can be increased, people’s awareness of the importance of cash endowments can be enhanced if the idea is correctly marketed. For example, residential endowment apartments can be established by involving a group of donors in endowing an apartment for a residential project within the city of Al-Quds. This can only be done through Muslim’s cash endowments from outside Al-Quds and Palestine. Projects in this regard are many and more effective.

#### q. Searching for unregistered Maqdisi endowments

Trying to find a binding law for the Islamic countries under the Organization of the Islamic Conference to uncover the submerged Maqdisi endowments that were lost or attacked, especially at the end of the Ottoman Empire’s rule, and after the Crimean War (1853-1856 AD) and the Russian War (1877-1878 AD), which greatly weakened the state and made it easier for foreigners to own state assets, including the properties of the endowments. When the Era of the British Mandate over Palestine came in particular, the endowments were exposed in a fundamental way, which encouraged the Zionist occupier to annex all these financial assets.

On the other hand, there are endowments for Al-Quds in Arab and Islamic countries that are still suffering from mismanagement or loss of records, which reinforces the importance of returning these assets once

(1) Rafiq Al-Halimi, “Taf’il Al-Waqf Al-Islami Ifi Al-Quds AlSharif”, *Research Papers of the Palestine International Conference on Islamic Endowments*, p. 803.

again, especially in light of the catastrophic conditions that the city of Al-Quds is experiencing.

Some Islamic countries have succeeded in recovering parts of the endowments that were usurped or that were not registered, such as Saudi Arabia, Malaysia and Kuwait. Successful experiences can be generalized to all countries that are still suffering in this regard.

#### **r. Establishing Joint Endowment Funds**

Involving countries that have Maqdisi endowments to establish joint endowment funds in specific areas, through which the needs of the city can be supported with an endowment fund specialized in education, for example, health, housing, and so on within a strategic plan agreed upon by these countries. The endowment fund is a form of contemporary endowment investment which is the collection of various endowment assets, such as real estate, cash, and movable money in a fund to choose the safest and most profitable methods. Then, they are spent in a specific endowment bank. The endowment fund is one of the modern methods that endeavour to ensure more endowment flow and the continuation of its work without being exposed to high risks that may take away its assets as well as its revenue. The endowment fund enhances the expected return from the investment and the risks of the investment itself.

The idea of establishing an endowment fund for Maqdisi endowments means involving large sectors of the world towards a small spot that represents the heart of the Islamic world. These huge sectors represented by the ministries of endowments and private endowment institutions in addition to charitable and relief institutions, and businessmen and women, to reach all those who are liable (close to two billion), can contribute to establishing a state of real communication with the city of Al-Quds, and a real supporter that transcends borders and distances.<sup>(1)</sup>

#### **s. The possibility of Developing the Axes of Management, Financing and Investment in the Maqdisi endowments**

Through fieldwork visits to many of these Maqdisi endowments, it became

(1) Tariq Abdullah, 'awlamat Al-Sadaqah Al-Jariyah, quoted from Al-Waqf wa Al'awlamah, p. 356.



clear that there is a great possibility of developing the endowment assets by focusing on the dimensions of management, financing and investment which are key dimensions for any endowment that can be developed later.

If the reading we obtained is modest for the vast majority of these endowments, which does not exceed 40-50% of the administrative, financial and investment performance, we see the importance of having a higher coordination committee for these endowments in order to develop these three main axes for the Maqdisi endowments sector.

### - Comparison Table for the Main Dimensions of the Maqdisi Endowments Sector

	Dimensions	Areas	Elements of comparisons	Maqdisi Endowments in the World			Re- marks	
				weak	average	Excel- lent		
administration	Strategy				x			
		Vision and mission			x			
		Objectives			x			
	Authorities and Management levels	Trustee Board		X				
		Board of Directors			x			
		Executive management			x			
		Transparency, accountability and incentives		x				
	Regulation and Supervision	Organizational Chart			x			
		Policies and organizational regulations		x				
		Supervisory authorities		x				
		Qualitative efficiency			x			

<b>Financing</b>	<b>Direct sources of financing</b>	Government support		x		
		Individual donations		x		
		Grants and donations	x			
		Support endowments	x			
	<b>Indirect sources of financing</b>	Research services	x			
		Support Services	x			
		Community partnership	x			
		Business contributions		x		
	<b>Administration</b>	Its philosophy type)(		x		
		Board of Directors		x		
Organizational Chart		x				
<b>Investment</b>	<b>Investment (financial resource development)</b>	Investment methods and areas		x		
		Endowment investment		x		
		Financial returns ((profits		x		
		Financial control (quantitative efficiency)		x		
		Risk Management		x		

## Practical recommendations

After briefly reviewing the most important features of the Maqdisi endowments in the world, especially in the Islamic and Arab world, and their role in shaping a phenomenon that began to grow in light of the contemporary endowment movement, we now embark on the most important results and recommendations, which are introduced as follows:

- 1) Calling on the Organization of Islamic Cooperation and the governments of Islamic countries to work on uncovering the rights of the city of Al-Quds through its endowments and endowments in Islamic countries, and to search old and existing records to discover any Al-Qudsite endowment that has not been registered or that has been violated, so that it can be restored once again.
- 2) Calling on Muslims to demand their rights and the rights of their fathers and grandfathers in the city of Al-Quds where the Zionist occupier seized many of the Muslim endowments. The latter belonged to Muslims who flocked to Al-Quds to establish endowments that serve the city. Unfortunately, they were robbed and attacked. That is why the mission of the Muslims now is getting these endowments and Habous.
- 3) Various Maqdisi endowments must be established including all sites and needs within the city of Al-Quds in the field of holy sites, education, legal rights, knowledge, financial sustainability, health and medical prevention, maintenance of heritage real estates in Al-Quds, endowments for the development of Maqdisi youth and women, and others.
- 4) Al-Quds and its endowments must be a priority in OIC projects, and partnerships must be established between endowments in Al-Quds and outside it and endowments in the governmental and private sectors in the Islamic world.
- 5) Given the multiplicity and diversity of Maqdisi endowments in one country, they can be collected using an investment accounting method to get greater revenues, since there are Maqdisi endowments of low value and remote locations that cannot be invested. Thus, if the supervisory body and Al-Nather are the same, it is possible to benefit from the diversity of the endowments in forming a Maqdisi endowment

with market value.

- 6) Establish self-financed ongoing Maqdisi endowments which do not depend on external donations.
- 7) Making a comprehensive inventory of the Maqdisi endowments within an investment methodology that links the details of these endowments in the Islamic world to the needs of the Holy City. They should be subject to rational governance and policies.
- 8) Innovating methods and tools in the field of endowment initiatives, projects, products, and services for the benefit of the city of Al-Quds. They should present leverage of the reality of the existing Maqdisi endowment assets in countries worldwide.
- 9) Adoption of Financial institutions in the Islamic world these endowment assets and activating them in their places and regions to form a real bond to support the needs of the city of Al-Quds.

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**Fieldwork Visits and Institutional Meetings**

1) A meeting with the entity that invests in the Al-Quds Charitable Endowment in Sweden, May 8, 2017 in Istanbul.
2) A meeting with the entity that supervises the Al-Quds Association in Britain, May 8, 2017 in Istanbul.
3) A field visit to the General Directorate of Turkish Endowments, Turkish Government, Istanbul, March 2, 2018.
4) A field visit to the Al-Quds Charitable Endowment in Sudan, March 15, 2016.
5) A field visit to the Al-Quds Charitable Endowment, Kingdom of Bahrain, September 10, 2016.
6) A field visit to the Palestinian Museum Endowment in Cape Town, Republic of South Africa, June 2013.
7) A field visit to the Johor Baru Endowment, Malaysia, October 2017.
8) A field visit to the Religious Council in Selangor State, Malaysia, November 2016.