

CASH WAQFS AS FINANCIAL INSTITUTIONS:
ANALYSIS OF CASH VAQFS IN WESTERN THRACE AT THE OTTOMAN PERIOD

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YILDIRIM BEYAZIT UNIVERSITY

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ABSTRACT

I hereby declare that all information in this thesis has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work; otherwise I accept all legal responsibility.

Cem KORKUT

ABSTRACT

CASH WAQFS AS FINANCIAL INSTITUTIONS: ANALYSIS OF CASH VAQFS IN WESTERN THRACE AT THE OTTOMAN PERIOD

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Cash waqfs were widely used in the Ottoman Empire especially in the Balkans. This study will examine the cash waqfs in Western Thrace as financial institutions. The economic and social contributions of cash waqfs will be investigated. The Islamic financing methods also will be identified and present practices will be mentioned.

Keyword: Cash Waqfs, Islamic Finance and Banking, Ottoman Empire, Western Thrace

ÖZET

FİNANS KURUMLARI OLARAK PARA VAKIFLARI: OSMANLI DÖNEMİ BATI TRAKYA PARA (NUKUD) VAKIFLARININ ANALİZİ

Korkut, Cem

Yüksek Lisans, İktisat Bölümü

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Haziran 2014

Para vakıfları Osmanlı İmparatorluğu'nda özellikle de Balkanlarda yaygın bir şekilde uygulanmıştır. Bu çalışmada Batı Trakya'daki para vakıfları finansal kurumlar olarak incelenecektir. Para vakıflarının ekonomik ve sosyal katkıları soruşturulacaktır. İslami finans yöntemleri ayrıca tanımlanacak ve günümüzdeki uygulamalarından bahsedilecektir.

Anahtar Kelimeler: Para Vakıfları, İslami Finans ve Bankacılık, Osmanlı İmparatorluğu, Batı Trakya

to heirs of empire that starts to rise again

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* www.adam.org.tr

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INTRODUCTION

Ottoman society was characterized as a civilization of waqf. Ottoman Empire had been continuing the waqf tradition that belonged to its predecessor and had developed this tradition. In addition, waqf became an institution widely. One of the most important part of the financial system that was created by waqfs and these waqfs played a key role at financing institutional infrastructure of culture, education, health, reconstruction, religious and social services, moreover social security and charity works. One of basic features of waqfs was to transformed or transferred the savings and real estate properties of individuals through investments and worker classes (entrepreneurs, farmers, etc.).

These savings and real estate properties mostly included that ex. fields, shops, houses, bazaars, public baths, etc. in the basis of waqf system. Waqfs appreciated revenues and profits of devoted real estates in order to finance purposes of waqfs. Ottomans improved waqf institutions and diversified endowments in order to extend the waqf system. In this respect, the cash waqfs could be considered as an innovation and contribution to the Islamic civilization.

Cash waqfs were the waqf that some or entire capital consisted of cash. Core capital was maintained at cash waqfs and as a result of the income derived from the various operations forms of this capital was spent to provide finance services.

In this study, discussions on cash waqfs, some of cash waqf in Western Thrace and Islamic finance methods of cash waqfs will be examined. There are also not enough studies about Western Thrace waqfs and about cash waqfs. This study will be tried to examine cash waqfs and Islamic finance models under the waqf system.

The importance of this study comes from the transcriptions of waqfiyahs that are studied on primary sources at Archive of T.R. Prime Ministry Directorate General of Foundations. The numbers of endowment are specified like (*Book No:988, Page:245, Order:155; Registration date: 20 November 1884 G., 1 Safer 1302 H.*) at the footnotes.

In this study, 38 cash waqfs and waqfiyahs are transcribed in order to analyse waqf system and practices in 19th and 20th centuries. Alexandroupolis (Dedeğaç), Komotini

(Gümülcine) and Xanthi (İskeçe) are three cities of Western Thrace and waqfs of these cities will be examined. All cash waqfs of Alexandroupolis province are investigated. 7 cash waqfs waqfiyahs are transcribed for Xanthi. 25 cash waqfs and waqfiyahs of Komotini, which was the biggest city of Western Thrace, are transcribed.

In the first chapter, the waqf system and Ottoman Empire are mentioned and the manner of working system will be analyzed. The importance of waqfs in Islamic societies also will be investigated. The main aim of this chapter is to understand the legality of cash waqfs in Islam. Thoughts of *mujtahid* imams and scholars are written in detail and discussions of scholars will be shown in this chapter.

In the second chapter, the manner of working methods and effects of cash waqfs will be examined under three main subjects as economy, banking and finance, charity in Ottoman finance system.

In the third chapter, Transcriptions of the cash waqfs and waqfiyahs that were founded in Western Thrace will be examined in detail. Furthermore, The Western Thrace will be mentioned and the main parts of waqfiyahs of cash waqfs that were founded in Alexandroupolis, Komotini and Xanthi cities are written in this part.

The economic analysis of cash waqfs will be made in forth chapter in Western Thrace. Rate of operations, wages, founded cash and manner of working methods that are written in waqfiyahs will be analyzed in this chapter.

In conclusion, the gaining of the cash waqf for today will be extracted and made predictions and suggestions to understand the manner of working methods of cash waqfs under today's era.

In appendix part, you can also see some of waqfiyahs (endowment charters) that are used for thesis.

CHAPTER 1

1. WAQF SYSTEM AND OTTOMAN EMPIRE

The history of waqfs is based on before Islam. That cannot be determined date of solidarity and assistance between people, but similar systems as waqfs could be seen in many societies. Waqf institution is one of important issue to examine the middle and new times of Turkish and Islamic world.¹

The religion of Islam has given extreme importance to charity works for social peace and solidarity. Waqfs are important in order to transfer wealth among society. Waqfs have continued their function and importance since the early years of history of Islam and have played a key role as an institution on behalf of satisfying social needs in almost every area of social life. Social assistance and solidarity was institutionalized with waqf system.

As it was known that the first waqf was founded by Prophet Mohammed. Prophet Mohammed allocated his own land to the benefits of the poor people. Following this example, a lot of Muslims established similar types of waqfs.

A *sahaba* from the Ansar named Temim Dari asked a part of unconquered the Palestinian territories from Prophet Mohammed. Prophet Mohammed gave him these unconquered parts of territory. There is a conflict about this issue on type of this land. Some scholars say that these lands are “ikta lands”, and others claim that these lands are waqf lands. These show also the existence of private property in Islam. It is written on *gazelle leather*² that these lands were given him for forever as a heritage and there was permit for his children after his death.³ In other words, it can be said that this condition is

¹ Köprülü, F. (1983). *İslam ve Türk Hukuk Tarihi Araştırmaları ve Vakıf Müessesesi*. Ötüken Neşriyat. İstanbul, p.311

² It was used for writing like papyrus.

³ Akgündüz, A. (1987). *Hız.Peygamberin Filistin’de Bir Vakfı ve Osmanlı Devleti’nin Vakıf ve Tapu-Kadastro Anlayışını Gösteren Bir Belge*. Türk Dünyası Tarih Dergisi. v.1 p.46-47

explained as unconditional private property before institutionalization of Europe in 17th century.⁴

Accordance with the rules, the first waqf was founded by The Umayyad Sultan, 1. Walid. He devoted many villages and fields to spend for the expenditures of The Umayyad Mosque in Damascus.⁵ This waqf is important in that was founded under the rules of Islamic fiqh with its waqfiyah and establishment permission.

In all Turkish-Islamic states, the foundation system developed very quickly and the waqf system reached its peak in the Ottoman Empire.⁶ Waqfs were not only aid institutions, but also became institutions that served all areas of social and economic life in Ottoman Empire. Waqfs had been a major power with central budget. In 16th century, evaluated data shows that the estimated weight of central treasure was 51%, weight of the timar system was 37% and weight of waqf system was 12% in the Ottoman financial system.⁷ The weight of waqf system could be up to 26,8% at some sources.⁸ There were various waqfs that had many purposes. So, the rate of weight is assumed normal. It can be said that the Ottoman Empire was a civilization of waqf.

The first Ottoman Sultan who established a waqf is Orhan (1324-1326). He founded a *madrassa* and the first scholar of this *madrassa* was “Davud-ı Kayseri (b:1261-d:1351)”. This *madrassa* was founded in Iznik. Orhan Gazi also dedicated many real estate for cover the costs of this *madrassa*.⁹ This *madrassa* is important, because it is accepted to be first Ottoman *madrassa*. Davud-ı Kayseri was appointed as head-lecturer¹⁰ with 30 akces wage.¹¹

The theories of orientalist claim that the disintegration of Ottoman started with the degradation of waqf system. On the other hand, the waqfs performed lots of service in classical Ottoman society. The waqfs did not service only at the big cities or the center of

⁴ Çiftçi, M. (2011). *Osmanlı İmparatorluğu Döneminde Özel Mülkiyet ve Yapısal Özellikleri*. Turkish Studies – International Periodical for the Languages, Literature and History of Turkish or Turkic. v.6/3 pp.623-644. p.631

⁵ Ural, E. (1977). *Vakıflar*. Türkiye Kalkınma Vakfı Yayınları. İstanbul. p.21

⁶ Halaçoğlu, Y. (1995). *XIV-XVII. Yüzyıllarda Osmanlılarda Devlet Teşkilâtı ve Sosyal Yapı*. Ankara, p. 155.

⁷ Özcan, T. (2008). *Ekonomik Kalkınma ve Vakıflar*. (Ekonomik Kalkınma ve Değerler. Edt. Şentürk, R.). Uluslararası Teknolojik Ekonomik ve Sosyal Araştırmalar Vakfı. p. 143.

⁸ Yediyıldız, B. (1984). *18. Asır Türk Vakıflarının İktisadi Boyutu*. Vakıflar Dergisi. n.18. pp.5-41.

⁹ Berki, A. H. (1962). *Vakıf Kuran İlk Osmanlı Padişahu*. Vakıflar Dergisi. v.8. n.5. p.127-128

¹⁰ Baş-müderis

¹¹ Bayraktar, M. (1994). *Dâvûd el-Kayserî*. TDV İslam Ansiklopedisi. v.9. İstanbul. pp: 32-35

the state but also almost entire provinces. There were a lot of waqfs miles away from the capital city of state.¹²

1.1 Economic and Social Dimension of the Waqf

Districts developed around a religious structure or market places in classical Ottoman cities.¹³ These religious buildings and market places were financed by waqfs and this shows that waqfs had a key role to position of the settlements. Waqfs took an active role to construct infrastructure and reconstruction of cities. Many of waqfs founded to finance the construction and expenses of mosque, masjid, school, hospital, library, fountains, roads, sidewalks, bridges, and waterways etc. In this way, infrastructure that needed for cities and towns were created and the income was socialized with waqf system.¹⁴

The number of the waqfs increased and fields of services diversified over time. Mosques and masjids, institutions as libraries and dervish lodged could be financed and continued activities with endowments and revenues. Waqfs also had an important effect on education services. Waqfs provided supports to schools, madrasahs, etc., smallest to biggest. Owing to these reasons, Ottoman Empire did not have to create a specific budget for education and other services. Moreover, inns, bazaars, shops, manufacturing facilities brought income to the waqfs and met needs of individuals. For instance, hospitals also provide services to patients through foundations.

In general, waqfs had a significant place in Ottoman society and took a place after central treasure and timar system. Waqfs that served a wide variety had come to very important place in management with the amounts of assets.¹⁵ There were free treatment and medicine for poor patients at waqfs. Some of waqfs also serviced as social security

¹² Özger, Y. (2009). *19. Yüzyıl Ortalarında İspir Kazasında Vakıflar (Evkâf Nezâreti Defterlerine Göre)*. Karadeniz Araştırmaları c.21. n.21. pp.31-47. p.42-43

¹³ Ergenç, Ö. (1980). *Osmanlı Şehrinde Esnaf Örgütlerinin Fiziki Yapıya Etkileri*. (Türkiye'nin Sosyal ve Ekonomik Tarihi (1071-1920). Edt. Okyar, O., İnalçık, H.). Ankara. Hacettepe. p.103.

¹⁴ Özcan, T. (2010). *Vakıf Medeniyeti ve Para Vakıfları*. Türkiye Finans Katılım Bankası Yayınları No:2. İstanbul. p.46

¹⁵ Özcan, T. (2008). *Ekonomik Kalkınma ve Vakıflar*. (Ekonomik Kalkınma ve Değerler. Edt. Şentürk, R.). Uluslararası Teknolojik Ekonomik ve Sosyal Araştırmalar Vakfı. İstanbul. p. 143.

system. Some records show that the waqfs gave also unemployment benefits. There were also all of benefits of waqfs as distributing free food, meeting the needs of students etc.¹⁶

Ömer Lütfi Barkan's works shows that the income of waqfs in total government revenue reached 17% in Anatolian province and 5,4% in Rumelia province. Specifically in around Istanbul, Eastern and Western Thrace, South Bulgaria, Macedonia, this rate reached 32%.¹⁷ It is thought that there were unrecorded waqfs in the social and economic life of Ottoman society. This situation also shows that waqfs had a key role in Ottoman social and economic life.

1.2 Cash Waqfs

Applications in the field of economics and moral values of a society are part of the culture of Islamic society. One of these applications was cash waqfs. Cash waqfs were the institutions that founded in the early 15th century and evolved significantly in Anatolia and the Balkans at end of the 16th century. Cash waqfs are waqfs that entire or some of initial capital consist of cash. According to the way of working of cash waqfs, core capital is maintained as initial amount and waqfs get income with various operations of this money. Those incomes were used in order to meet needs of the waqf.

Cash waqfs so advanced that it can be named as "Waqf Banks".¹⁸ In this historical process entrepreneurs could use credit or provide cash from cash waqfs- who were big merchants who went to distance countries and made lucrative trade. Entrepreneurs gave shares to cash waqfs from profits that earned from commercial.¹⁹

These waqfs can be defined under "*Müstegillât Waqfs*". These waqfs did not bring income with itself, but had income from rents or operations. For instance, devoting a shop or cash for a school. In this case, the shop could be rented, or the cash would be operated

¹⁶ Özcan, T. (2003). *Osmanlı Para Vakıfları Kanûni Dönemi Üsküdar Örneği*. Türk Tarih Kurumu Yayınları VII Dizi – Sayı 199. Ankara. p.8

¹⁷ Barkan, Ö.L. (1962-1963). "*Şehirlerin Teşekkül ve İnkişafı Tarihi Bakımından Osmanlı İmparatorluğunda İmâret Sitelerinin Kuruluş ve İşleyiş Tarzına Ait Araştırmalar*". İstanbul Üniversitesi İktisat Fakültesi Mecmuası. XXIII. 1-2. İstanbul. p.242

¹⁸ Döndüren, H. (2008). *Osmanlı Tarihinde Bazı Faizsiz Kredi Uygulamaları ve Modern Türkiye'de Faizsiz Bankacılık Tecrübesi*. Uludağ Üniversitesi İlahiyat Fakültesi Dergisi. v.17. n.1. pp.1-24. p.4.

¹⁹ İnalcık, H. (1973). *The Ottoman Empire, The Classical Age 1300-1600*. London. p.162.319.

and the income from rent or profit (ribh) spent for the expenditures of this school. Cash or real estate, this waqf was called as “*Müstegalle*”²⁰ The plural form is “*Müstegillat*”.²¹

A typical waqf register contains following informations:

- a. The name of the waqf and the purpose for which it was established
- b. The name of the district (mahalle); in which the endowment was registered
- c. The name of the trustee
- d. The time period covered by the census
- e. Original capital of the waqf
- f. Later additions to the capital of the waqf either by individuals or by other waqfs
- g. The balance of the new capital thus formed
- h. The return obtained from the investment of the endowed capital at the end of the year
- i. The purpose for which the annual return was designated ie. The expenditure or almasarif. Finally in the section known as the zimem, information about borrowers of the endowment capital was given
- j. The names of the borrowers
- k. The amount of capital they borrowed
- l. The district (mahalle) where the borrowers lived
- m. The religious denomination of the borrowers and,
- n. Their gender

The invaluable wealth of information contained in the waqf census registers stems from the standardized entry of data kept on hundreds of endowments across a time span of nearly three hundred years.²²

The cash waqfs maintained importance until the late Ottoman period. Indeed, Yediyıldız claimed that the rate of cash waqfs in all waqfs was 31,7% in 18th century and 56,8 in 19th century.²³

1.3 Establishment and Structure of Cash Waqfs

Waqfiyahs and Sharia Court Records give us clues about the establishment of cash waqfs. Person, who wanted to establish a cash waqf, firstly edited waqfiyah and registered it at Qadi’s office. Apart from this, after the death of benefactor, cash waqfs could be established behalf of him. The waqf cannot exceed one-third of the total assets at the establishment of waqf which was founded after death. Trustees who brought to the management of the waqf managed the waqf under the conditions by waqfiyah.

²⁰ Müstagalle: This means “*incomes that come from Money or Agricultural production*”

²¹ Öztürk, N. (1995). *Elmalılı Hamdi Yazır Gözüyle Vakıflar (Ahkâmı’L-Evkaf)*. Ankara. p.158

²² Çizakça, M.. (2004). *Ottoman Cash Waqfs Revisited: The Case of Bursa 1555-1823*. Foundation for Science Technology and Civilization. UK. p.8

²³ Yediyıldız, B. (1984). *18. Asır Türk Vakıflarının İktisadî Boyutu*. Vakıflar Dergisi. v:8. pp:5-41.

Waqf that founded directly had complex establishment procedures. According to the pamphlet of Ebussuud that he wrote under the views of Imam Zufer, person who wants to found waqf firstly regulates the waqfiyah. Benfactor writes expenses of waqf, staff wages, and terms and conditions of waqf on the waqfiyah. After edition of waqfiyah, Benfactor submitted it to trustee of waqf. Founder and trustee go to Qadi and founder repeats their requests. The trustee approves him. Qadi asks to the trustee whether waqf is *saheeh*²⁴, the conditions are contrary to Islam, wage of trustee complies with condition on waqfiyah. Trustee answers and approves. After taking answers, Qadi makes approval of solvency of waqf and legality of conditions.²⁵ Terms and conditions will be examined at sample waqfiyahs.

In waqfiyahs, these are written;

- a. The goal of establishment of the cash waqf
- b. Name of founder
- c. Name of trustee
- d. The amounts of money that is devoted for the purpose
- e. Operation ways of this money
- f. Revenues and expenditures
- g. The person who manages it after death of founder
- h. Date of registration
- i. Names of jury

The waqfiyahs were registered with judge's decision. It was a regulations statue at the beginning of establishment proves.

There was also information about social and economic life of people and the allocation of money that came from operations of money. In waqf records, price movements and living standards can be extracted. So, the waqfs are also very important for economic history of the Ottoman and Islamic world.

²⁴ saheeh: trustworthy (eng), sahih (tur)

²⁵ Özcan, T. (2003). *Osmanlı Para Vakıfları Kanûni Dönemi Üsküdar Örneği*. Türk Tarih Kurumu Yayınları VII Dizi – Sayı 199. Ankara. p.51-52

1.4 Operation of Cash Waqfs

The trustee operated the capital of waqf with various methods and spent the income for purposes of waqf. The main objective of cash waqf is preserving main capital and keeping the waqf alive forever. The founders took various measures for providing these purposes. These measures include keeping under control the management and supervision of the waqf, keeping accounting records tidy and periodic, and taking guarantees such as surety and lien.²⁶

Many methods were used for the operation of capital at cash waqfs. In waqfiyahs, there are some expressions as “*istiğlâl, istirbâh, irbâh*”²⁷. The main method is trade (purchase-sale) for earning this income. The person who needs the money sells his assets such as shops or houses under the condition that re-leasing it to him again. The debtor clears his cash requirements with the money of sold property and continues the right to use the property by paying rent to the waqf. The rent paid is over the debt and end of the rental period, the debtor takes his property again.

The borrowing rate of treatment is very important, because this rate inhibits the people who make usury at market. We shall see on the waqfiyahs, in general, the ratio stood at 15%.

Because of the interest rates that could not increase above a specified level and the necessity to use interest revenues for social objectives, both the foundation procedure of cash waqfs and necessity to control their operations were crucial. The foundation procedure problem was solved by the preparation and approval of a waqf foundation document (waqfiyah) as a legal order. The problem of following and controlling the cash waqfs’ operations was solved by utilizing the accounting applications.²⁸

Another issue is lending conditions that write on waqfiyahs. The waqf wants a wealthy guarantor or valuable mortgage for giving debt. Some waqf want these conditions together.

There were three methods for cash waqf to invest its capital: (1) *mudarabah*, (2) *bida’ a* and (3) *muamele-i şer’iyye*. Called as “*muâmele-i şer’iyye*” (operations under the

²⁶ Çiftçi, C. (2004). *18. Yüzyılda Bursa’da Para Vakıfları ve Kredi İşlemleri*. Ankara Üniversitesi Dil Tarih Coğrafya Fakültesi Tarih Bölümü Tarih Araştırmaları Dergisi. 23(36). p.84

²⁷ Generating income or gaining.

²⁸ Demirhan, D., Susmuş, T., Gönen, S. (2012). *Cash Waqfs and Their Accounting Applications at the End of the 18th Century in the Ottoman Empire*. Atatürk Üniversitesi İktisadi ve İdari Bilimler Dergisi. v.26. s.3-4. pp.101-124. p.101

Islamic principles), that is meant operating procedures of the cash based on “*bey’ul-îne*”²⁹ was a sales contract in Islamic law.³⁰ To give an example, a person could sell a book that’s price is one hundred qurush for two hundred qurush during one year. This operation could be accepted as trustworthy (*saheeh*). Moreover, someone gave a person a thousand qurushes as a loan or ribh for one year and this is also accepted *saheeh*.³¹ The method “*bey’ul-vefâ*” is like leasing. In this method the seller stipulates to buy his property again. The jurists gave permit for *muamele-i şer’iyye* methods. One of these methods was *istiglal*. This was the most wide-spread. In this model, the borrower sells usually his own house to the waqf and pays rent to the waqf until the house reverts back to him. This is discussed that this rent is interest or not.³² Çizakça says that the capital of the waqf was not given to borrowers as *karz-ı hasen* (beautiful loan). Çizakça supports that there was always an interest. However, this was a profit share and came from support of cash waqf for investment of borrower. This term is named as “*istirbah*”.

Another term is “earn”. If the income is considered as “earn”, there is no problem with Islamic regulations. Some scholars supports this views and claim that the money that come from the borrowers again is not interest, it is profit share.

Operations can be grouped as *karz* (beautiful loan), *bidaa*, *mudarabah* and *murabahah*. People give same amount of money that borrowed from the waqf before, in *karz*. This loan usually was gold or silver to decrease the effect of inflation. In *bidaa*, people operates the money that is borrowed from waqf and give it plus all profit again to the waqf. *Mudarabah* was a labor-capital partnership. The entrepreneur and the waqf made an agreement. Entrepreneur put his labor and the waqf put capital for business. The profit would be distributed under the agreement. If there was a loss without failure of entrepreneur, the loss would be paid by waqf. In *murabahah*, waqf bought a property cash and sold it again for a term. In *mudarabah* and *murabahah*, the excess money was not an interest, it was profit. Moreover, this profit was spent for purpose of the waqf.³³

²⁹ General names of all sales operations.

³⁰ Akgündüz, A. (1996). *İslam Hukukunda ve Osmanlı Tatbikatında Vakıf Müessesesi*. İstanbul. p.284-285.

³¹ Keleş, H. (2001). *Osmanlılarda 19. Yüzyıldaki Para Vakıflarının İşleyiş Tarzı ve İktisadi Sonuçları Üzerine Bir Çalışma Karacabey (Mihaliç) Kazası Örneği*. G.Ü. Gazi Eğitim Fakültesi Dergisi. v.21. n.1. pp.189-207. p.195

³² Çizakça, M.. (2004). *Ottoman Cash Waqfs Revisited: The Case of Bursa 1555-1823*. Foundation for Science Technonology and Civilization. UK. p.10

³³ Döndüren, H. (1998). *16. Yüzyıl Kültürümüzde Finansman ve İstihdam Politikası*. Uludağ Üniversitesi İlahiyat Fakültesi. n.7. v.7. pp.59-76. p.65-66

It should be noted, however, that only the right to utilize the waqf capital, usufruct, was distributed to the borrowers, not the ownership. The latter was protected by a hefty collateral usually in the form of the borrower's house. This Ottoman arrangement was known as istiglal. In this arrangement, borrowers from a cash waqf used its capital for a limited period, usually a year. During the period that the borrower kept the borrowed cash, he was permitted to continue using his house, which he had given to the waqf as collateral. In return, the borrower paid a rent to the waqf. When the borrower paid back his debt, the collateral, his house, was returned to him. Thus, the borrower's house had two functions; it served both as a collateral and a source of rent income for the cash waqf during the period, when its capital was loaned out. Whether the capital of the endowment was lent as credit to the borrowers and the return was, in fact, simply the ordinary interest, or the whole investment process was perfectly legal, constitutes a debate.³⁴

1.5 First Seen Cash Waqfs

There is no evidence about cash waqfs before Ottoman Empire. However, establishment date of cash waqfs was uncertain in Ottoman society, in addition some first examples are seen II. Murat and II. Mehmet periods.³⁵ The first known cash waqf was founded by II. Mehmet during Ottoman period, but it was a cash waqf that founded by the Sultan. The first cash waqf that founded by reaya³⁶ was Yagci Haci Muslihuddin's waqf in Edirne in 1423 and he donated 10.000 qurushes for operating.³⁷

According to the waqfiyahs that are investigated for thesis, for the Western Thrace the first seen cash waqf was founded in 1802 in Alexandroupolis.

The main purpose of cash waqf that founded by II. Mehmet in order to provide meat to Janissaries and protect meat prices from possible inflation on meat prices. II. Mehmet devoted 24.000 gold qurushes. Again, after nearly a century, Suleiman the Magnificent combined the cash waqfs that established for needs of butchers. As a result, the cash waqf consisted of 698.000 qurushes.³⁸ Revenue of this waqf was transferred to butchers as capital in Istanbul.

³⁴ Çizakça, M. (2004). *Incorporated Cash Waqfs and Mudarabah, Islamic Non-bank Financial Instruments From the Past to the Future*. MPRA Paper No.25336

³⁵ Özcan, T. (2008). *Osmanlı Toplumuna Özgü Bir Finansman Modeli: Para Vakıfları*. Çerçeve Dergisi. v.48 p.125

³⁶ Reaya (tur): ordinary people, public

³⁷ Çiftçi, C. (2004). *Bursa'da Para Vakıfları ve Kredi İşleyişi*. Ankara Üniversitesi Dil ve Tarih-Coğrafya Fakültesi Tarih Bölümü Tarih Araştırmaları Dergisi. 23(36). p.79-80

³⁸ Altınay, A. R. (1935). *16. Asır İstanbul Hayatı*, İstanbul. p. 87.

1.6 Discussions on Cash Waqfs

Views on the cash waqfs should be evaluated with Islamic fiqh. The definition that was considered belonging to Abu Hanifa, fiqh can be understood like having capability of knowing good or bad things against himself and contains faith, worship, law and ethics course with covering a wide range. In any case, fiqh cannot be examined without social and cultural aspects of Islamic Societies.³⁹

As it was known that there were cash waqfs at the times of II. Murad and II. Mehmet period. However, the weight of these waqfs is only one percent (1%) in all the waqfs. Thus, these sultans did not take much attention. On the other hand, during the time of the Sultan Suleiman the Magnificent, the amount of cash waqfs increased and they took importance in the waqf system.⁴⁰

Ottomans were usually *Hanafis*. Thus, the regulations were also made by this school thought. To understand the discussion on cash waqfs, it is essential that to understand and know *Hanafi* thought. Except *Hanafi* sect, other Islamic sects find cash waqfs permissible.⁴¹ The *Hanafi* scholar who gave permission to cash waqfs first was Imam Zufar.

The *mujtahid* Imam who approved the endowment of movables was Imam Muhammed al-Shaybani. Abu Yusuf also approved movables donation that are attached to a real estate. So, when looking at the cash waqfs in Ottoman Empire, these scholars were also attached to a real estate.⁴²

Scholars also discussed movable assets. The definition of this is very important to understand to devote cash as a capital for establishing a waqf. Imam Zufer thought the cash can be donated and cash waqfs were permissible. Moreover, Imam Zufer defined the regulations about this donation and gave permission for *mudarabah*. The cash waqf could

³⁹ Okur, Kaşif H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.IV pp.33-58 p.33,34

⁴⁰ Özcan, T. (1999). *Sofyalı Bâli Efendi'nin Para Vakıflarıyla İlgili Mektupları*. İslam Araştırmaları Dergisi. n.3. pp.125.155. p.153.

⁴¹ Akgündüz, A. (1996). *İslam Hukukunda ve Osmanlı Tatbikatında Vakıf Müessesesi*. İstanbul. p.215-216.

⁴² Çizakça, M. (1992). *The Relevance of the Ottoman Cash Waqfs (Awqaf Al-Nuqud) for Modern Islamic Economics*. . Financing Development in Islam. Islamic Research and Training Institute. Saudi Arabia. pp.393-414. p.395

give money under the partnership regulations and should spend the money from profit for purpose of waqf that was written in waqfiyah.

Ottoman jurist built the structure of cash waqfs under the opinions of Imam Muhammad al-Shaybani, Abu Yusuf and Imam Zufer.

The opinion of the cash does not have nature of continuity found always supporters because cash consumed directly and has risk of loss even is invested for business. However views of Imam Muhammad al-Shaybani and Imam Zufer was main evidence of people who thought that the cash waqf is permissible.⁴³

In the Ottoman period, some of scholars, kazaskers and SheikhuIslams argued that cash waqfs are impermissible, while some of them support these waqfs legality and explained their views on this issue.⁴⁴

Although, there are fierce debates among the jurists in Islamic history about operating the cash waqfs with “*muamele-i şer‘iyye*” or “*hile-i şer‘iyye*” (some tricks for overcoming Islamic rules), these waqfs continued with widespread implementation. It can be also thought foundation of cash waqfs had a purpose to provide loan with low rates to prevent people from usury.⁴⁵

In past centuries, financial problems of entrepreneurs were solved by “*Qarz-e-Hasna*”⁴⁶ and methods that based on principle of profit-and-loss and more risk. Some of these methods are “*mudârabe*”⁴⁷, “*muşâreke*”⁴⁸, “*murâbâha*”⁴⁹, “*industry*”⁵⁰, “*muzâraa*”⁵¹, “*musâkât*”⁵², “*mugârese*”⁵³, and leasing.⁵⁴

⁴³ Döndüren, H. (1998). *16. Yüzyıl Kültürümüzde Finansman ve İstihdam Politikası*. Uludağ Üniversitesi İlahiyat Fakültesi n.7. v.7. pp.59-76. p.64

⁴⁴ Keleş, H. (2001). *Osmanlılarda 19. Yüzyıldaki Para Vakıflarının İşleyiş Tarzı ve İktisadi Sonuçları Üzerine Bir Çalışma Karacabey (Mihaliç) Kazası Örneği*. G.Ü. Gazi Eğitim Fakültesi Dergisi. v.21. n.1. pp.189-207. p.192

⁴⁵ Yediyıldız, B. (1982). *Vakıf*. İslam Ansiklopedisi. v.8. İstanbul. p.159

⁴⁶ Karz-ı hasen (tur): beatiful loan (eng): signifies whatever given to another person selflessly and absolutely pure motives

⁴⁷ Mudârebe (tur): labor-capital partnership

⁴⁸ Muşâreke (tur): venture capital

⁴⁹ Murâbâha (tur): sell a commodity that bought in futures in cash with profit

⁵⁰ Industry: business partnership and commitment

⁵¹ Muzâraa (tur): partnership of land owner and the operator on the product that will be blended

⁵² Musâkât (tur): vineyards, orchards partnership

⁵³ Mugârese (tur): tree planting partnership

⁵⁴ Döndüren, H. (1998). *16. Yüzyıl Kültürümüzde Finansman ve İstihdam Politikası*. Uludağ Üniversitesi İlahiyat Fakültesi Dergisi. v.7. Bursa. p.63-64

In general, waqf of securities and cash had been a disputed matter among the Islamic jurists. Mandaville (1979) use “usurious piety” term for cash waqfs and he finds these institutions as usurers. To sum, the Ottoman scholars divided two parts about the cash waqfs. The majority supported the permissibility of cash waqfs.

1.6.1 Views of Imam Birgivi (1522-1573)

Birgivi stated opinion about cash waqfs at his tractate, “*es-Seyfü’s Sarim Fi Adem-i Cevaz-i Vakfi’l Menkuli ve’d Derahim* (Sharp Sword at whether Waqf of Securities and Cash are Permissible)”⁵⁵ Birgivi issued an opinion about impermissible of cash waqfs at Islam. Birgivi wrote up this pamphlet very tough and defended the prohibition of cash waqfs, fault of SheikhuIslam Ebussuud.

This seems that Hanafi Imam Birgivi was following and sharing the views of Imam Shafi, Malik and Ahmed Ibn Hanbal about those only endless goods can be devoted, cash is not endless so it cannot be devoted. On the other hand, some historians oppose that Imam Birgivi adopted opinions of other denominations. These scholars said that Birgivi was not affected from this schools and can be understood that Birgivi’s treatise completely based on Hanafi School. Moreover, the scientific understanding of the period did not permit another approach.⁵⁶

The drawbacks of Birgivi can be summarized as;

- (a) People who thinks cash waqfs are saheeh, cannot impose the duty of zakat,
- (b) Heritage provisions does not work, testament are not met, thus heirs and beneficiaries cannot take their rights,
- (c) When people who devoted cash regret and want to take his money back, judge does not allow it, so staff of waqf seize right of someone else,
- (d) Anyone who has devoted can be poor after devotion and thinks that he is not responsible for some requirements at Islam, but fault of this waqfs, he commits sin,

⁵⁵ İmam Birgivi. *es-Seyfü’s Sarim Fi Adem-i Cevaz-i Vakfi’l Menkuli ve’d Derahim*. (copy) D.E.Ü. İlahiyat Fakültesi Kütüphanesi, No: 23862

⁵⁶ Okur, Kaşif H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.IV pp.33-58 p.54

(e) The Prophet did not approve the operation ways of this cash at waqfs,

(f) Trustees are ignorant, they do not know legitimate trading ways at Islam and infect interest.⁵⁷

Birgivi wrote several treatises and opposed to cash waqfs. He outlined the reasons for his opinions. Birgivi also insisted on standing at interest, and kept distance to operations of cash and making profit from that.⁵⁸

One of the issues should be considered here is that Birgivi insistence on interest (*riba*). He opposed to earning money from operating the money (*murabaha*) while some scholars were approving it. The scholars who had permissive opinion about this issue, avoid to use the term of interest and instead of it they used “*ribh*” (profit) or “*muamele-i şer‘iyye*” terms.⁵⁹

1.6.2 Views of Shaykh al-Islam Ebussuud (1490-1574)

Ebussuud had been Shaykh al-Islam for nearly thirty years at the most glorious times in the Ottoman Empire. Ebussuud had an impact not only on scientific and intellectual works but also on state policy. Ebussuud was a serious scholar and jurist who had serious contribution to implemented customary law and Islamic law in a harmony in the context of meeting the needs of society.⁶⁰

According to Ottoman Empire’s law system, the Shari’a law was represented by the Hanafi School. Thus, Ebussuud had to solve the cash waqf issues under the rules of the Hanafi sect. Therefore, Ebussuud referred to Shihab ez-Zuhri for his positive views on cash waqfs. On the other hand he also expressed that Shihab ez-Zuhri was not a Hanafi jurists, so his opinions could not be base for cash waqfs. According to Ebussuud, the healthiest way for cash waqfs that it must be based on the views of Imam Muhammad who

⁵⁷ Önder, Ş.(2006). *İslam ve Osmanlı Hukukunda İmam Birgivi ve Ebussuud Efendinin Para Vakfı Tartışmaları*. Yüksek Lisans Tezi. Selçuk Üniversitesi. Sosyal Bilimler Enstitüsü. Konya

⁵⁸ Şimşek, M. (1986). *Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar*. Ankara Üniversitesi, İlahiyat Fakültesi Dergisi. v.27. p.207-220

⁵⁹ Şimşek, M. (1986). *Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar*. Ankara Üniversitesi İlahiyat Fakültesi Dergisi. Ankara. v.27. n.1. pp.207-220. p.215

⁶⁰ Okur, Kaşif H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.4 pp.33-58 p.40

support customary criteria of this application. He preferred views of Imam Muhammad as views and views of Imam Zufer as practice.⁶¹

Ebussuud discussed the issue of endless of the waqf goods as amount of money. He claimed that the amount of money is stable and it can be accepted as endless rule of waqf. Ebussuud has been one of the most influential names to gain legitimacy. Ebussuud confirmed his authority and influence on it with his comments, and his authority at Shaykh al-Islam.

Ebussuud also gave answers to opposing views for cash waqfs. The most important point at waqfs is to remain stable, but it is not applicable for cash waqfs. Because, the money that was devoted, must be operated and there must be an income for sustainability. The continuity of peer money can be evaluated as its original. People who take loan will put the money with yield. Thus, the main capital can be protected.⁶²

Ebussuud did not discuss the operation of this cash waqfs in treatise and only said that the method of *Mudarabah* (capital-labor partnership) could be used for cash waqfs.⁶³ Ebussuud mentioned at another book (*Bidâat'ül-Kâdî*) that the money should be given without the suspicious of interest with Islamic principles and the framework of the current profit rates. Ebussuud specified it with a sample waqfiyah. Thus, these conditions included the registration procedure of a cash waqf.⁶⁴

This can be understood that Ebussuud did not consider that the money which was operated with Islamic transactions was not interest. So this was not forbidden. However, he specified that the operation rate cannot be over the legal ribh (profit) rate. Moreover, the people who gave debts with over this rate were punished. He handled this issue in the fiqh framework. Ebussuud supported operations of money under the reasonable and legal dimensions. Indeed, operations with the rates that were determined by the state gave positive results for credit borrowers and this situation prevented the usury.⁶⁵

⁶¹ Okur, K. H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.4 n. p.33-58 p.44-45

⁶² Ebussuud Efendi. (1280). *Risale fi vakfi'I-men küil ve'n-nuŕçûd*. İstanbul

⁶³ Ebussuud. *Risale*. p.451

⁶⁴ Okur, K. H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.4 n. p.33-58 p.52

⁶⁵ Akdağ, M. (1979). *Türkiye'nin İktisadî ve İctimâî Tarihi*. Tekin Yayınları. İstanbul. v.2 p.256

In addition to provide credit facilities, some cash waqf were founded for defense spending. Ebussuud approved this donation. It can be understood from *fatwas* of him.⁶⁶

Ebussuud dealt the cash waqfs applications within the framework of the Hanafi School. Ebussuud interpreted Imam Muhammad's opinions and considered his own time and geography. Ebussuud was affected by social dimension but did not emphasize this on his justification. Ebussuud gave significant support to cash waqfs and their transaction under Shariah. Ebussuud also stated that it is a great act of charity.

To summarize Ebussuud's argument:

1. Yusuf and especially Muhammad, founders of the Hanafi School, support the waqf of movables if and where it has been established as common usage.

2. Cash is a kind of movable, and thus along with other movables may be justified on the basis of already established common usage. It does not by its nature violate the principle of perpetuity of the original endowment.

3. Because it is as sound as any other waqf, it too should be treated as irrevocable.

In other words, Ebussuud follows the same argument as Mulla Husrev and Ahizade before him. But where they were only willing to imply the critical classification of cash as simply another category of movable, Ebussuud has no compunctions against saying so outright. While they use silence to avoid the opposition of Muhammad and Abu Yusuf, Ebussuud cheerfully and openly concedes the opposition, then dismisses it.⁶⁷

Owing to this reason, we can say that, the cash waqfs that are Ottoman's banks took religious and legal support largely from Ebussuud.

1.6.3 Views of Shaykh al-Islam Çivizade Muhittin Mehmet Efendi (1467-1547)

Perhaps the first scholar who opposed to cash waqfs was Çivizade Muhittin Mehmed Efendi. When he was taken from the office of Shayk al-Islam, and was appointed to Rumelia *kazasker* as a punishment, he caused creation of some disquiet in the community by banning cash waqfs in Rumelia.⁶⁸ Çivizade sent his fatwa to administrative

⁶⁶ Okur, K. H. (2005). *Para Vakıfları Bağlamında Osmanlı Hukuk Düzeni ve Ebussuud Efendinin Hukuk Anlayışı Üzerine Bazı Değerlendirmeler*. Gazi Üniversitesi Çorum İlahiyat Fakültesi Dergisi. v.4 n. p.33-58 p.53

⁶⁷ Mandaville, J.E. (1979). *Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire*. International Journal of Middle East Studies. v.10. n.3. pp.289-308 p.300

⁶⁸ Şimşek, M. (1986). *Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar*. Ankara Üniversitesi İlahiyat Fakültesi Dergisi. Ankara. v.27. n.1. pp.207-220. p.211

and religious officials showing that cash waqfs are illegitimate for prohibition of cash waqfs.⁶⁹

Çivizade opposed to the opinion of Ebussuud related with cash waqfs. He wrote a treatise to describe these opposing views.⁷⁰ He analyzed the views of Hanafi scholars about cash waqfs at this treatise and emphasized the errors of Ebussuud.

Çivizade claim that over a hundred scholar's opinion on cash waqf that cash cannot be devoted as a waqf good.⁷¹ Çivizade added that sectarian imams also gave an opinion in this direction and if it can be accepted that cash waqfs have legitimacy, it cannot be admissible that they are necessary.

Çivizade emphasized that the permission of existence of cash waqfs is wrong. Çivizade stated that cash cannot be used as waqf goods or property and said that the registration of cash waqfs is a mistake.

Çivizade did not give place to applications of cash waqfs, but a few methods were mentioned. He submitted his treatise to the Sultan while he was the Kazasker of Rumelia. The Sultan issued an edict about prohibition of cash waqfs and sent it various places of empire. Considering his serving years, the edict was sent between 1545-1547.⁷²

Çivizade's reasons for the prohibition of cash waqfs are clear. He questions its validity and argues that the trustees of these waqfs might easily abuse the practice and "open the gates of usury". Legal transaction or mu'amele-i şer'iyye, a euphemism for loaning at interest was considered permissible by the Ottoman jurists, as long as one complies with its requirements such as loaning at a certain interest rate. However, as the court records suggest, these requirements were constantly being violated, which proves Çivizade to be right in his concerns.⁷³

⁶⁹ Nevizade. (1268). *Zeyl-i Şakâyyık-ı Numâniye*. İstanbul. p.186. ; Katip Çelebi, (1941). *Keşfu'z-zunûn*. İstanbul. p.898

⁷⁰ Çivizade, Muhittin Mehmet Efendi. Various Examples of Writings on Cash Waqfs. Laleli. Aşir Efendi. Reşid Efendi. Hekimoğlu.

⁷¹ Özcan, T. (2003). *Osmanlı Para Vakıfları Kanûni Dönemi Üsküdar Örneği*. Türk Tarih Kurumu Yayınları VII Dizi – Sayı 199. Ankara. p.37

⁷² Özcan, T. (2003). *Osmanlı Para Vakıfları Kanûni Dönemi Üsküdar Örneği*. Türk Tarih Kurumu Yayınları VII Dizi – Sayı 199. Ankara. p.38

⁷³ Karataş, H. (2010). *The Cash Waqfs Debate of 1545-1548: Anatomy of a Legal Debate at the Age of Süleyman the Lawgiver*. İnsan ve Toplum. v.1. n.1 pp.45-66. P.51

1.6.4 Views of Bali Efendi (?-1572)

We learn from the resources of that era that there were displeasure among people who thought that these waqfs are legal and people who lived with the endowments of these waqfs after opposition of Çivizade to cash waqfs. One of them was Sheikh Bali Efendi who was a member of the Khalwatiyya Sect in Sofia. He took care with this issue in an active way and sent letters individually to Sultan, Çivizade and named a person named Mevlana Shah Chalabi for continuing of these waqfs.⁷⁴

Bali Efendi pointed the destruction of waqf system after the prohibition of cash waqfs and he wanted release them again. His letters were on need of these cash waqfs and after these letters a committee re-examined this issue and gave permission. This shows the importance of the letters.⁷⁵

Bali Efendi participate the discussion of cash waqfs after they were banned. Bali Efendi thought that studies and discussions on cash waqfs had negative impact on citizens. People who wanted to devote was in confusion. Bali Efendi, who saw the discomfort of this chaos, wrote letters to the Sultan and reported his views on this subject. There are three letters of Bali Efendi addressed to the Sultan in archives.⁷⁶

In these letters, Bali Efendi opposed the ban of cash waqfs and stated that the fault of views of Çivizade and supported that Ebussuud had more accurate views about cash waqfs. Bali Efendi stressed that these applications had become customary for many years and there was a consensus of scholars for cash waqfs. Chief Justice of Rumelia was written by Bali Efendi and sent letters to ban the cash waqfs but the scholars and mufti gave positive opinion on cash waqfs. This situation caused confusion and doubt in public who want to establish cash waqfs. Bali Efendi used very harsh expressions at some of the letters, said that the ban should be lifted as soon as possible. In letters, Bali Efendi gave the opinions of many Islamic scholars and reported that they found the cash waqfs permissible. Bali Efendi, in general, described the good aspects of the existence of cash waqfs and the bad results of the ban of these waqfs. It is understood that these letters had a significant

⁷⁴ Şimşek, M. (1986). *Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar*. Ankara Üniversitesi İlahiyat Fakültesi Dergisi. Ankara. v.27. n.1. pp.207-220. p.211

⁷⁵ Özcan, T. (1999). *Sofyalı Bâli Efendi'nin Para Vakıflarıyla İlgili Mektupları*. İslam Araştırmaları Dergisi. n.3. pp.125.155. p.154

⁷⁶ Özcan, T. (2003). *Osmanlı Para Vakıfları Kanûni Dönemi Üsküdar Örneği*. Türk Tarih Kurumu Yayınları VII Dizi – Sayı 199. Ankara.p.39

impact on lifting the ban of cash waqfs. Indeed, after the advices of Bali Efendi, a committee was established to re-examine this issue.⁷⁷

If taking a look the letter that Bali Efendi wrote for the Sultan and tried to convince the Sultan that cash waqfs had great benefits, especially the religious institutions continued their existence with these waqfs and practices showed that cash waqfs should be continued and operated.⁷⁸

The letters of Bali Efendi also contains important information to identify the side of these discussions. Moreover, it can be understood the place and importance of cash waqfs in Ottoman society. Again, contents of the letters also provide to see how the cash waqfs gained permissibility and the way of this process.⁷⁹

1.6.5 Views of Shaykh al-Islam Ibn Kemal (1468/69 – 1533)

Precursor of the discussions on the cash waqfs was Ibn Kemal. Ibn Kemal wrote a short article treatise and argued that cash waqfs should be permissible

The debated about cash waqfs began with Ibn Kemal and continued at 15th century. In this article he defended the legitimacy of cash waqfs and said that they are permissible in Islam. Ibn Kemal also tried to prevent confusion with the view of that a provision taken by a Kadi cannot interrupt again by another Kadi.⁸⁰

In tractate, Ibn Kemal noted that donation of dirhams and dinars was controversial among the mujtahid Imams, but these waqfs became increasingly widespread and said that he had positive opinion on cash waqfs which caused confusion.

Ibn Kemal identified the formal opinion on cash waqfs and described a general framework about the applications of money operations.

⁷⁷ Özcan, T. (1999). *Sofyalı Bâli Efendi'nin Para Vakıflarıyla İlgili Mektupları*. İslam Araştırmaları Dergisi. v.3 pp.125-155 p.154

⁷⁸ Şimşek, M. (1986). *Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar*. Ankara Üniversitesi İlahiyat Fakültesi Dergisi. Ankara. v.27. n.1. pp.207-220. p.212

⁷⁹ Özcan, T. (1999). *Sofyalı Bâli Efendi'nin Para Vakıflarıyla İlgili Mektupları*. İslam Araştırmaları Dergisi. n.3. pp.125.155. p.155

⁸⁰ Öge, Ali. (2010). *Şeyhülislam İbn Kemal'in Fetvaları Işığında Osmanlı İktisâdi Hayatından Bir Kesit*. İslam Hukuku Araştırmaları Dergisi. v.16. pp.275-298. p.287

Ibn Kemal also stated that the real estate waqfs can be devastated; however there is not any negative situation for cash waqfs.⁸¹ Ibn Kemal is one of first scholars who give opinions about cash waqfs and his opinions pioneered Ebussuud to defend cash waqfs.

⁸¹ Özcan, T. (2000). *İbn Kemal'in Para Vakıflarına Dair Risâlesi*. İslâm Araştırmaları Dergisi. v.4. pp.31.41. p.34

CHAPTER 2

2. ROLE OF CASH WAQFS IN OTTOMAN EMPIRE AS A FINANCIAL INSTITUTION

Cash waqfs had an important impact on Ottoman Empire economic history. People call Ottoman Empire as civilization of waqfs. Cash waqfs operated as banks of this civilization for many years. If it is thought that there were not any banks which made money operations or etc., the importance of cash waqf can be understood easily.

They had great impact on economy with their credit mechanism. For example, an endowment charter of a cash waqf⁸² that was founded in Yanya, Greece by Arslan Paşa includes certain conditions about credit giving mechanism. The endowment charter defines the rate of operations and the individuals who are able to use credit and who can not use it definitely.

In this chapter, cash waqf will be mentioned under concepts of economy, banking and finance, charity.

2.1 Cash Waqfs and Economy

Cash waqfs operated as modern banks. The money that was donated was operating without original capital and the revenue was spent for the purpose of the waqf. This condition is written almost all waqfiyahs. This condition is a preventative measure for reduction of waqf's fiscal situation.⁸³ It can be understood that the waqf moneys allocated the places with three ways; firstly, establishing a company⁸⁴ and giving the profit, secondly, giving to the poor people as a trading capital which can be described as loan,

⁸² Book No:623, Page:199, Order:193

⁸³ Şibil, B. (1984). *Vakfın Mâlî Bünyesi ve Kaynakları*. II. Vakıf Haftası (Konuşmalar-Tebliğler 1984). Ankara

⁸⁴ Mudarebe Company: A company that one partner provides capital and other provides labor. They make an agreement for profit and etc.

thirdly, distributing the income that comes from “*muamele-i şer‘iyye*”⁸⁵ which means taking revenues with operating.⁸⁶ The maximum applications were on this 3rd method.

Since the Islamic Ottoman economy was not a credit-based economy it was also familiar with the concept of ‘saving’. The phenomenon of credit is a relation of money demand and money supply. This leads to a potential medium for interest (riba). Thus, the economic decision makers were, firstly, not willing to utilize money for purposes other than being a medium of Exchange. Secondly, whereas credit supply was encouraged, credit demand was not. Moreover, foundations based on cash money were generally discouraged. But in practice, the last one was largely implemented.⁸⁷

The cash waqfs were established not only by high officers but also all people who had capital. The reaya could able to found cash waqf if he/she had enough capital. It can be seen on sample waqfs that sometimes people got together to establish a cash waqf.

There was an interest rate problem because of given credits to entrepreneurs by cash waqfs. Tabakoğlu thought that the money were used for interest and the income from this interest was spent for some other social and charity works. Tabakoğlu described cash waqfs as foundation banks. Another benefit of cash waqfs was that they were used for social security purposes.

Cash waqfs had great importance for reaya, because the process of capital accumulation was hard and almost impossible in Ottoman Empire. Reaya were able to use capital from these waqfs. The cash waqfs also were unique institutions. Their importance came from only source for people who did not have capital for business. The interest was not allowed and there was not any bank in Ottoman society. Thus, cash waqfs worked as banks and made all functions of banks in their era. The cash waqfs had a mission of transferring excess savings to people who needed capital and made that under the framework of Islamic financial principles. Nowadays, modern Islamic banks tried to perform these activities. Çizakça consider that the cash waqfs are not thought as an alternative of Islamic banks. Cash waqfs can be complementary of these banks.⁸⁸

⁸⁵ Muamele-i Shariye: is a general term meaning a commercial operation in conformity with the shari‘ah.

⁸⁶ Akgündüz, A. (1996). *İslam Hukukunda ve Osmanlı Tatbikatında Vakıf Müessesesi*, İstanbul.

⁸⁷ Tabakoğlu, Ahmet. (1992). *The Role of Finance in Development: The Ottoman Experience*. Financing Development in Islam. Islamic Research and Training Institute. Saudi Arabia. pp.323-344. p.335

⁸⁸ Çizakça, M. (1992). *The Relevance of the Ottoman Cash Waqfs (Awqaf Al-Nuqud) for Modern Islamic Economics*. . Financing Development in Islam. Islamic Research and Training Institute. Saudi Arabia. pp.393-414. p.405

An entrepreneur was able to take credit from a cash waqf with a suitable interest rate. A cash waqf is very similar to a normal bank, but there are some differences. A normal bank accumulates money from people who have savings and gives it to people who want to make new investments. A normal bank earns money from the interest rate gap between lending rate and borrowing rate. This generates profit for banks. On the other hand cash waqf operated a bit different. Cash waqfs functioned as an instrument of capital distribution. Banks give money to person again who deposit it to bank, but a waqf did not give it again to donator. So there was no a capital cost for cash waqfs. The profit was also spent for social and religious purposes.⁸⁹

Research has revealed that cash awqaf which originally appeared as a promising and unique Ottoman institution of capital accumulation, actually functioned as an institution of capital distribution. Capital pooling was certainly practiced among the endowments but the borrowers were mostly small consumers and the endowments' funds were not utilized to finance important business ventures.⁹⁰

The rate of income that came from cash waqfs was thirty two percent (32%) in income of all waqfs at 18th century.⁹¹ Cash waqfs reduced the harmful effects of usurers who had become reach with the high interest rates. Cash waqfs provided that the interest in market continued lower.

Yediyıldız said also that the people who founded cash waqfs usually belonged to military class and it shows that this work was done with a conscious structure. Indeed, state officials and scholars devoted money or real estate for charity rather than others.

Faroqhi says there were cash waqfs in Bosnia that provided credit to Bosnian merchants to make trade between Bosnia and Venice. This shows that cash waqfs financed merchants and entrepreneurs for centuries.⁹²

Cash waqfs complied with the rules of that period. The exorbitant of fair market price was determined 5% for movables. The rates was also enacted with the Mecelle in 1876. This rates provided people to take loan with small rates. Also usury was exposed with the cash waqfs. In this regard, the presence of cash waqfs played very important role

⁸⁹ Çizakça, M. (1998). *Awqaf in History and Its Implications for Modern Islamic Economies*. Islamic Economic Studies. v.6. n.1. pp.43-69. p.59

⁹⁰ Çizakça, M. (1998). *Awqaf in History and Its Implications for Modern Islamic Economies*. Islamic Economic Studies. v.6. n.1. pp.43-69. p.60

⁹¹ Yediyıldız, B. (1984). *18. Asır Türk Vakıflarının İktisadi Boyutu*. Vakıflar Dergisi. n.18. pp.5-41.

⁹² Faroqhi, S. (2006). *The Ottoman Empire and the World Around It*. Library of Ottoman Studies. I. B. Tauris

in stability of Ottoman economy. The investment of people who borrowed from cash waqfs contributed economic development and stability. The cash waqfs served as lending institutions.

Inequality in income distribution could be minimized by cash waqfs. Social explosions were prevented by this social institutions. The need of poor people was met by the devoted money. This is a method of fight against poverty.

These waqfs also provided employment at the places that devoted for. In sample waqfiyahs, it can be seen that the imams and preachers wages were paid by cash waqfs. These people who took wage from the cash waqf provided the continuity of institutions. Cash waqfs also contributed to educational system. Some waqfs financed madrasas and schools. The teachers and staffs wages were paid by waqfs. The construction or repair of some schools also was financed by cash waqfs.

Money was devoted for providing to waqf continuous revenue. The waqf purchased houses, hans, lands and real estates for operating the money. So accumulated money was not inactive. Cash waqfs provided activity of economy with this accumulated capital.

2.2 Cash Waqfs, Banking and Finance

There are some examples of fatwas that gave permission to cash waqfs. These examples shows that 17th century Sheik al-Islams Feyzullah Efendi and Ali Efendi supported the cash waqfs and allowed “*muamele-i şer‘iyye*”. Two example of Ali Efendi:

1. A woman lends money for one year term and for this money she takes ribh (profit) with *muamele-i şer‘iyye*, is this ribh halal for woman?

Response: Sure.⁹³

2. Someone lends money to a woman with *muamele-i şer‘iyye* and fifteen percent (15%) from the waqf at where he is trustee, is he able to get it again with ribh at the end of the period?

Response: Sure.⁹⁴

⁹³ *Fetâvâ-yı Ali Efendi*. İstanbul. (1324). p.333

⁹⁴ *Fetâvâ-yı Ali Efendi*. İstanbul. (1324). p.335

3. Someone gives to someone money with an interest rate fifteen percent (15%), shall he get this money with its ribh at the end of the year?

Response: Sure⁹⁵

4. Zeyd lends money to Amr with a rate of thirty percent (30%) from the waqf at where he is trustee. Can he get this money over the rate fifteen percent (15%) at the end of the year?

Response: No, it is prohibited.⁹⁶

These fatwas show that these two Shaykh al-Islams were not opposed to cash waqfs and they allowed operation of the money with *muamele-i şer'iyye*. The 4th fatwa also shows that it is not allowed to give money with a high interest rate.⁹⁷

The economic applications that made by cash waqfs: *bai al'inah*⁹⁸, *bai'al wafa*⁹⁹, *bai'al istiglal*¹⁰⁰. The cash waqfs were ruled under the regulations of fatwas and legal agreements. They continued the former implementations that came from ijthads. Generally, all applications tried to make legal avoidance.

Bai al'inah is a method with making sale and purchase contract. This method the banks sells to costumer an asset at a deferred price and buy it back from the costumer at a lower price. This method is used for the overcome the *riba* prohibition in Islam and Islamic jurists give permission this method.

In *bai'al wafa*, the person who need cash, sells his property and take cash from this sell. It is a sale contract. After using that cash, house could be retaken again.

Islamic finance institutions are founded generally on the prohibition of interest (*riba*). Because of that, the institutions found many ways to make *halal* trade. Today's Islamic finance and banking institutions try to provide Muslims an alternative against to

⁹⁵ *Fetâvâ-yı Feyziye*. İstanbul. (1324). p.431

⁹⁶ *Fetâvâ-yı Feyziye*. İstanbul. (1324). p.429

⁹⁷ Şimşek, M. (1986). Osmanlı Cemiyetinde Para Vakıfları Üzerinde Münakaşalar. Ankara Üniversitesi İlahiyat Fakültesi Dergisi. Ankara. v.27. n.1. pp.207-220. p.218

⁹⁸ In a "bai al'inah" transaction, a lender sells an asset to a buyer (the borrower) on credit for a fixed price (the loan amount) plus a profit element (analogous to the interest amount in a conventional finance transaction). The lender immediately repurchases the asset from the borrower in cash for the fixed price.

⁹⁹ bai'al wafa: a sale with the right of redemption, literally, a sale of honour. Typically, such a sale takes place when a commodity is sold on the condition that the seller be allowed to redeem the commodity upon paying its price; and the buyer agrees to honour the condition.

¹⁰⁰ bai'al istiglal is a variation of bai'al wafa. The concept of istiglal adds that during this period the good could be leased to the original seller. This technique was widely used by the cash waqf according to Murat Cizakca.

normal banking and finance system that depend on interest. Interest with specific name “*riba*” has two types in Islamic literature. Credit *riba* (*riba’ al-nasi’ah*) is simple way to take loan and give more to bank or any institutions. There is a fixed rate and fixed period. The other type is surplus *riba*. This contains gold, silver, wheat, barley, salt and dry dates. The borrower pas back more of these items against taken before.¹⁰¹

There are other alternatives models that are very similar to methods of cash waqfs like profit and loss sharing model. This model also provide the development of real sector and real economy. It provides transfer from savings to investment.

The Islamic finance has differences from traditional banking and finance system. It has rules like traditional but this rules depend on Islam.

Table 1. Differences normal banking system and Islamic microfinance system.

<i>Items</i>	<i>Traditional Microfinance System</i>	<i>Islamic Microfinance System</i>
Liabilities	External Funds, Saving of Client	External Funds, Saving of Clients, Islamic Charitable Sources
Asset	Interest-Based	Islamic Financial Instrument
Financing the Poorest	Poorest are left out	Poorest can be included by integrating with microfinance
Funds Transfer	Cash Given	Goods Transferred
Deduction at Inception of Contract	Part of the Funds Deducted as Inception	No deduction at inception
Target Group	Women	Family
Objective of Targeting Women	Empowerment of Women	Ease of Availability
Liability of the Loan	Recipient	Recipient and Spouse
Work Incentive of Employees	Monetary	Monetary and Religious
Dealing with Default	Group/Center pressure and threat	Group/Center/Spouse Guarantee and Islamic Ethic
Social Development Program	Secular (non-Islamic) behavioral, ethical and social development	Religious (includes behavior, ethics and social)

¹⁰¹ Abdul Rahman, A. (2007). *Islamic Microfinance: A Missing Component in Islamic Banking*. Kyoto Bulletin of Islamic Area Studies. v.1-2. Pp.38-53. p.40

Islamic economy wants to depend its profits on real sector. The methodology of Islamic economics is based on religion thinking about Islam and halal earnings. This methods has different ways to gain halal earnings.

In *mudarabah*, Islamic Bank or Institutions accumulate capital from capital owners. They can be public, government or this institution is maybe a waqf. The Islamic institution makes an agreement with the micro entrepreneur and the profit sharing ratio is determined and written obviously. In cash waqfs, waqf wanted the profit only when there was a profit. The loss would be compensated if it gained profit at future. The capital, waqf, paid the loss.

There is another way about farming for Islamic finance. It is called as “*muzara‘ah*”. Islamic finance institution provides land or money for production of agricultural goods. The profit will be seen at the harvest. There are some risks in these operations for Islamic finance institution. However, these issues can be coped with strong audit.

Musharakah is a method that the bank and entrepreneur share profit according to capital ratio of corporate. There are also different ways of musharakah. One is “*musaharakah mutanaqisah*”. In this way, at first the ratio of financial institution has big share, but the entrepreneur gets big share by the time until the end of the repayment period.

Musaqat is very similar with *musharakah*. It is more about agricultural production. These show us, agricultural production is important for Islamic economy and finance system. In musharakah and mudarabah, there must be strong audit system that can examine the financial situation of company.

Murabahah is commonly used method at Islamic finance. Islamic finance institution buy assets or business equipment and sell it entrepreneur again with a profit. There is a period of repayment of this sale. This system has also a repayment risk but in this way, Islamic financial institution knows the business of entrepreneur and the risk is smaller than other traditional bank credit.

Ijrah also is an Islamic financing method. It is a long term agreement on a rental asset. The entrepreneur rent an asset from Islamic finance institution and pay it for period. It is like a leasing system. The risk of repayment also can be solved by strong audit.

In beautiful loan, “*karz-i hasen*” is a way that the Islamic financial institution does not wait any extra repayment of loan. The borrower only pay the same amount before he takes.

The cash waqf can be turned into “Waqf Bank”. The waqf bank can accumulate people who want to devote their money for charity.

Waqf Bank is not against Shariah principles. There is no primary text in Islamic law prohibiting the establishment of waqf bank, and almost all waqf issues are rational (ijtihadi). The permissibility of cash waqf can be extended to waqf bank; and the need of waqf, its beneficiaries, and the general interest of the society or public interest (maslahah amah) demand the validity of waqf bank. That is a waqf bank can be permissible on grounds of its operation and its utility.¹⁰²

Waqf banks must invest the money that deposited in permissible ways of Islamic fiqh. The practice of traditional banking system also shows some ways of operating money. The rich Muslims can provide poor people capital for their business or they can buy house or car with the money from waqf banks.

2.3 Cash Waqfs and Charity

Islam strongly subscribes to the notion of endorsing socio-economic and welfare-friendly practices, and profusely supports and promotes all sorts of philanthropic and charitable deeds.¹⁰³

Thousands of waqfs were established that were about from purpose of treating the injured birds to purpose of spilling lime powder onto dirty things at roads. Therefore, the waqfs had real effect on our social, cultural and economic life in the past.

Some places that were built or financed are: mosques, *masjids*, *musallam*, *kulliyes*, schools, *madrasas*, fountains, baths, waterways, reservoirs, sewers, bridges, sidewalks, streets, parks, boulevards, *caravanserais*, *imarets*, lodges, *ribats*, *dergahs*, tombs,

¹⁰² Mohammad. M.T. (2011). *Permissibility of Establishing Waqf Bank in Islamic Law*. Proceedings of 2010 International Conference on Sociality and Economics Development. Kuala Lumpur. pp.250-254.

¹⁰³ Abdullah, Mohammad. *An Analysis of Waqf Investment Strategy with Special Reference to Shariah Compliance Mechanisms, Risks Management and Investment Selection Criteria*. Assignment for Islamic Relief

marketplaces, hans, piers, ports, mansions, houses, gardens, castles, cemeteries, hospitals, lighthouses, bakeries, slaughterhouses, classrooms, libraries, armories etc. by waqfs.¹⁰⁴

Imam Zufar who gave permission to cash waqfs with fatwas, asked to operate these cash with *mudarabah* and *bida'a* and after these operations, he also ask to spend the income for charity works.¹⁰⁵

As known, waqfs have religious, socio-cultural and economic aspects on society. The sense of *philanthropy*¹⁰⁶ is one of the most important elements to encourage people who have economic power to establish a waqf. The most important contribution of the waqfs to the economy was that they provide possibilities for employment. The waqfs also provide the continuing of the waqfs assets until today. Such as a mosque that was built at 13th century could remain thanks to waqfs.¹⁰⁷

It can be said philanthropy plays important role in the development of society as a form of reducing the gap of income between rich and poor from a historical perspective. In this sense, *philanthropy* in general means eliminating poverty, voluntary transfer of wealth from rich to poor, increasing vertical social and economic mobility and non-profit institutions.¹⁰⁸ Waqfs were best example of this in Ottoman Empire.

Education services, health services, religious services and public works were financed by waqfs (cash waqfs) in the Ottoman Empire. There were a lot of services financed by cash waqfs and now they are financed by government. Moreover, the waqfs also tried to work on poverty alleviation. Waqfs were established for people who were not able to work because of illness, provision of their treatment, caring of boatmen and porters who cannot work because of aging, giving money to entrepreneur who needed capital, dressing poor people grave clothes, construction and repair of infrastructures at villages and districts, cleaning the roads and streets. A lot of investment works were made by waqfs in Ottoman Empire. These investments also have come today with the protection of these waqfs. The waqfs kept them alive.

¹⁰⁴ Kurt, İ. (2007). *Osmanlı'da Para Vakıfları ve Ekonomik Hayat*. Sivil Toplum Dergisi. v.5. n.19

¹⁰⁵ Döndüren, H. (1998). 16. *Yüzyıl Kültürümüzde Finansman ve İstihdam Politikası*. Uludağ Üniversitesi İlahiyat Fakültesi. n.7. v.7. pp.59-76. p.65

¹⁰⁶ The effort or inclination to increase the well-being of humankind, as by charitable aid or donations.

¹⁰⁷ Özger, Y. (2009). 19. *Yüzyıl Ortalarında İspir Kazasında Vakıflar (Evkâf Nezâreti Defterlerine Göre)*. Karadeniz Araştırmaları. v.6. n.21. pp.31-47. p.43

¹⁰⁸ Çizakça, M. (2009). *Osmanlı Dönemi Vakıflarının Tarihsel ve Ekonomik Boyutları*. Bahçeşehir Üniversitesi. pp.21-31. p.21

Waqfs works with a great harmony in the Ottoman society. Their effectiveness on society institutions was great and Islamic perspective is suitable for development of waqfs. The guests and passengers could rest free for three days at the *hans* and *caravanserais* and this expenditures were met by waqfs. This issue decreased the cost of trade for merchants and had a great importance for international trade. The market places also were built by waqfs.

Waqfs does not give importance people who use the benefits of waqf. So, the free-riders does not cause a problem. The donators usually establish waqfs because of their religion. So Islam had great impact on founding these waqfs.

In our brief study of awqaf¹⁰⁹ in Islamic history we have seen that the voluntary institution of, waqf had performed a very active role in provision of public services. It also provided some infrastructure in the past in the form of roads, canals, bridges, health services and educational centers.¹¹⁰

People who founded cash waqfs usually were state officials with a 42,70% rate, scholars with a 16% rate and sect sheiks with a 9,75% rate. The rate of artisans and tradesmen was only 2,45% and 29% of people's profession was uncertain. Women's rate was 18% and probably, they were wives or daughters of state officials and scholars. In that case, it can be said that the founders did not only think to take money that came from cash waqf. They also wanted to give money for people who need money with a low interest rate.¹¹¹

Thanks to waqf, these were provided in Ottoman Society:

- a. Preventing violations of strong government on property rights,
- b. Preserving and financing rich architectural heritage of Islamic civilization for centuries,
- c. Dealing with the taxes that came at depression times,
- d. Preventing disintegration of lands due to Islamic law,
- e. Giving pensions of old-age and disability,
- f. Providing a primitive social security system and insurance,
- g. Preserving and building bridges, roads, harbors, lighthouses, libraries, cisterns, weirs, fountains and sidewalks.

¹⁰⁹ Awqaf is plural form of waqf.

¹¹⁰ Islahi, A. (1992). *Provision of Public Goods: Role of the Voluntary Sector (Waqf) in Islamic History*. . Financing Development in Islam. Islamic Research and Training Institute. Saudi Arabia. pp.367-392. p.380

¹¹¹ Yediyıldız, B. 18. *Asır Türk Vakıflarının İktisadi Boyutu*. Vakıflar Dergisi. n.18. pp.5-41.

There were a lot of services that were financed by waqfs in Ottoman civilized society.¹¹² The waqfs even financed building of city walls and castles and they provided security needs. Muslims could be able to make Hajj rituals with the assistance of waqfs.

The ideology behind Islamic philanthropy is given the primary role as the dominant motivation for waqf's making among individuals in the secondary literature. Looking at this ideology as a factor in the economic context, however, reveals its weakness to deter free riders. This ideology's hold over the community's members was weak. As the evidence presented here seems to indicate it was ineffective in deterring individuals. Muslims did not view the public good property rights in the same way they viewed individual property rights. The idea that the proceeds of voluntary giving would be guarded and shared equally by all, did not convince members of the community to refrain from abusing the public good. Whether because of weak ideology, or trust in the helplessness of the system to retaliate, members did not hesitate to engage in practices depriving the public good of revenue. The Islamic ideology system provided the legal mechanism to endow for the public good, but did not provide strong enough measures to force free riders, managers, or even sultans for that matter, to respect the property rights of the public good and not to abuse them.¹¹³

There was a wide field of activity when it is considered in term of organizational goals of cash waqfs. It is possible to say that cash waqfs, as a branch of foundations, serviced for especially at religious institutions, education and health care institutions and provided financial support for them.¹¹⁴

Ottoman society preferred standard living to luxurious life. The surplus of wealth transferred to waqfs and the accumulation was served for public services. The state also tried to prevent capital accumulation.

¹¹² Çizakça, M. (2009). *Osmanlı Dönemi Vakıflarının Tarihsel ve Ekonomik Boyutları*. Bahçeşehir Üniversitesi. pp.21-31. p.22-23

¹¹³ Shatzmiller, M. (2001). *Islamic Institutions and Property Rights: The Case of the 'Public Good' Waqf*. Journal of the Economic and Social History of the Orient. v.44. n.1. pp.44-74. p.59

¹¹⁴ Kıvrım, İ. (2010). *Osmanlı Döneminde Gümüşhane ve Çevresinde Kurulan Para Vakıfları*. History Studies. International Journal of History. v.2/3. pp.231-243. p.235

CHAPTER 3

3. CASH WAQFS OF WESTERN THRACE IN RUMELIA

3.1 Western Thrace

Western Thrace is one of the nine geographic regions of Greece. It is separate from Macedonia with Karasu River in the west and from Turkey with Evros River in the east. Western Thrace also separated from Bulgaria with Rhodope Mountains in the north and surrounded by the Aegean Sea in the south. Western Thrace is 8.578 square kilometers and consists of three separate provinces: Xanthi (İskeçe), Komotini (Gümülcine) and Alexandroupolis (Dedeğaç). The population is around 370.000¹¹⁵ in 2011 census.

Western Thrace is a fertile region and people have lived here for about 4000 years. The oldest inhabitants of the region that is a public from Indo-European origin are Traks. Western Thrace had remained under the rule of civilizations of Persia, Greece and Macedonia since 7th century BC. The Kingdom of Thrace ruled here until 335 BC. Later, Western Thrace lived under the rule of the Roman and Byzantine Empires. Turkish presence is known as that they arrived to Western Thrace with migrating of Scythian Turks at 2nd century BC. Hun Turks settled in this area at 4th century AD. The Avar Turks settled in this area at 5th century, and Pechenegs at 9th century, Kuman Turks at 11th century.

The Ottoman Empire conquered the entire Western Thrace region between the years 1363-1374 with starting to conquer towns of Ferecik, Komotini, Xanthi, Drama, Kavala, Serres and Karaferya. Western Thrace remained in Ottoman control until 1913.

¹¹⁵ Announcement of the results of the 2011 Population Census for the Resident Population



Map 1. Map of Western Thrace

3.2 Alexandroupolis (Dedeğaç)

Alexandroupolis is in Greece and is about 14,5 kilometers west of the river Maritsa which is also called as Evros. Alexandroupolis is located next to the Greece-Turkey border. It has a constant growth rate. There is also a major trade because it has a special location. The port and airport are the other reasons of this situation.

Alexandroupolis was known as Dedeagatch (Dedeğaç) in the past and this name also is used in Turkey now. Dedeagatch means tree of the monk. It has a story about that. A wise dervish always stood in the shade of a local tree and buried beside it.

Russia army captured Dedeagatch during the 93 War (1877-1878) between Russia and Ottoman Empire. Ottoman Empire took the city control again after the war. However, the influence of Russia stayed on the plans of the city.

Alexandroupolis turned into a minor trade center after the railway station. Ottoman Empire's control continued during the Balkan Wars until 8 November 1912.

3.3 Komotini (Gümülcine)

Komotini is located in the north-east of Greece and capital of the Rodopi Prefecture. Komotini was called as Koumoutzina in the Byzantine Era, and was called as Goumoutzina in the Ottoman Era.

Komotini built next to the feet of the Rodopi plateau on the Thracian Valley. The capture of Komotini by Ottoman is shown all sources after the conquest of Edirne. There are different views about exact date, but it can be seen on the chronicles that Sultan Murad went to Bursa after the conquest of Edirne and Komotini was conquered after this at 1362-1363. Greek scholars also accept these years about conquest.

There were a lot of villages that had Turkish names when we look at yearbooks at late 14th century. It can be seen on records that there were 424 muslim and 96 christian households at the years 1456-1457. The plague caused a lot of death in the Thrace at the 18. Century. Some villages were completely destroyed. The trade between Mediterranean and Bulgaria had a positive impact on Thrace at 19th century. The yearbook 1898-1899 shows that there are 53.393 Muslim, 8401 Greek, 7506 Bulgarian, 712 Jews and 329 Armenians at the center county of Komotini. According to this information, the rate of Muslim is 76% in the center county of Komotini. Ottoman Empire lost Komotini after Balkan War I.

3.4 Xanthi (İskeçe)

Xanthi is located on the foot of Rodopi mountain chain, in the north-east of Greece. There is a river called as Kosynthos which divides the city two part. The residences are located in the east part and the natural environment part is in the west part.

The records go back to B.C. 879. Xanthi was a small village and had a big importance for Thrace history. Although Ottoman Empire settled in Balkans with conquest of Edirne at 1363, Xanthi, Kavala, Drama and Serres districts came under Ottoman rule with the Çirmen victory at September 26, 1371.

In order to strengthen the local Turkish population, people was settled in Xanthi and nearby provinces from especially Konya region. While during the expansion era of the Ottoman Empire, Xanthi was one of the starting points of the armies, after Ottoman Empire entered the reduction of domination process on Balkans, Xanthi played a major role at sticking at Balkans for Ottoman Empire.

Xanthi was well known with tobacco by 1700s and this product had huge impact on region economy. There were two major earthquakes which devastated the city in 1829 and this event was of great importance in the reconstruction of the city. After 1877-1878 Ottoman-Russian War (93 War), the Russian and Bulgarian attacks increased with withdrawing the borders of Ottoman Empire to this region. Ottoman lost Xanthi with Balkan Wars.

3.5 Cash Waqfs at Western Thrace

3.5.1 Examples of Waqfs Charters in Alexandroupolis

In Alexandroupolis, there were 101 waqfs and 6 of them were cash waqfs and 6 of them were real property waqf. The first cash waqf that was founded in Alexandroupolis was Waqf of Mehmed Efendi ibn Süleyman Efendi and the foundation date is 19 November 1802 during the Selim III. period. The total amount of money that was devoted in Alexandroupolis was 7800 qurushes. The operation rate was generally 15 percent in Alexandroupolis.

3.5.1.1 Waqf of Mehmed Efendi ibn Süleyman Efendi¹¹⁶

This waqf belonged to Mehmed Efendi ibn Süleyman Efendi who was a preacher in Didymoteicho and came from descendants of the Prophet Mohammed. Mehmed Efendi ibn Süleyman Efendi who resided in Cizvedar district at Didymoteicho made Hasan Efendi ibn Muhammed Agha as trustee for this waqf.

¹¹⁶ Book No:582, Page:53, Order:23; Registration date: 19 November 1802 G., 23 Recep 1217 H.



Map 2. Map of Alexandroupolis, Soufli, Didymoteicho

He devoted 300 qurushes and he declared that the money would be operated with 15 percent annually. After this operation, it is asked that cost of the masjid in the Cizvedar district which was repaired by Mehmed Efendi ibn Süleyman Efendi, was covered with this revenue. The distribution of this income was conducted as follows. The imam who was in charge at masjid was given 10 akces per day, as 30 qurushes annually. Furthermore, the *muezzin* in the masjid who read the Ihlas Surah three times and made it as a gift for forgiveness of Muslims was given 3 akces per day, as 9 qurushes annually. Finally, for burning the 8 candle in the masjid, he devoted 1 akce per day, as 3 qurushes annually. Almost all revenue that came from the waqf was spent for the cost of masjid by considering that the income of waqf was 45 qurushes annually with 15 percent calculation.

Mehmed Efendi ibn Süleyman Efendi also added some conditions to the charter about holding all rights for changing or making other things at the waqf while he was alive. Moreover, after the death of the owner who would be authorized was written in detail.

On the other section of charter, there are information and provisions about the functioning and cancellation of the waqf with describing the opinions of variety of Imams. In the last part of waqfiyah (endowment charter), there are names of the jury who confirmed this waqf.

3.5.1.2 Waqf of Hasan Agha ibn Süleyman¹¹⁷

This waqf belonged to Hasan Agha ibn Süleyman who lived in Yunus Viran village in Ortaköy, Edirne. The location of Ortaköy is seen the map in the following.

Hasan Agha ibn Süleyman made Hızır Efendi ibn Mehmed as trustee for this waqf. He devoted 2000 qurushes and he declared that the money would be operated with 12 percent annually. The condition to use the money from waqf was described as a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that cost of the masjid in the Yusuf Viran district which was built by Hasan Agha ibn Süleyman, was covered with this revenue, 240 qurushes annually. This income was diversified as follows. The preacher who was in charge with sermon at masjid was given 100 qurushes annually. Furthermore, it is asked from trustee to buy wicker and oil for candles for masjid with 40 qurushes annually. The remaining 100 qurushes was given to trustee for other expenses. Thereby all income was distributed.

Hasan Agha ibn Süleyman also added some conditions to the charter about holding all rights for changing or making other things at the waqf while he was alive. He also added a condition about after the death of him who would be authorized was written in detail. He gave this right to his son who was the oldest and most talented.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date is written.

¹¹⁷ Book No:595, Page:161, Order:153; Registration date: 23 November 1899 G., 19 Recep 1317 H.

3.5.1.3 Waqf of Mehmed Agha ibn Halil¹¹⁸

This cash waqf belonged to Mehmed Efendi ibn Halil who resided in Alacalar Village, Didymoteicho. He devoted 500 qurushes for the expenses of the mosque that was located in Alacalar Village. Mehmed Efendi ibn Halil who founded this cash waqf made Molla İbrahim ibn İsmail as trustee for this waqf.

He gave this 500 qurushes for operating it with 15 percent annually. He asked the person who would use money from waqf to show a sufficient mortgage and/or a strong guarantor.

All income from this operation used for imam and preacher that were attendant at the mosque. Mehmed Efendi ibn Halil added some conditions to the waqfiyah and assigned himself as owner while he was alive. After the death of him who would be authorized was written in detail He gave this right to his son who was the oldest and most talented. If there was no person who carried this characteristics, the imam or preacher would be trustee.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date and names of jury are written.

3.5.1.4 Waqf of İbrahim ibn Mustafa and Hüseyin Agha ibn Halil¹¹⁹

This cash waqf belonged to İbrahim ibn Mustafa and Hüseyin Agha ibn Halil. They lived in Petekli Village, Soufli District, Alexandroupolis. They founded this waqf at state house in Soufli and appointed Mutiullah Agha ibn Ahmet who was also from Petekli Village as trustee. Each of them gave 500 qurushes, totally 1000 qurushes.

They gave this 1000 qurushes for operating it with 15 percent annually and they declared that the money would be operated with 15 percent annually. After this operation, it is asked that wage of the imam who took the charge at the mosque that was located in Petekli Village was paid.

¹¹⁸ Book No:988, Page:222, Order:126; Registration date: 9 June 1877 G., 27 Cemaziyelevvel 1294 H.

¹¹⁹ Book No:989, Page:148, Order:112; Registration date: 31 May 1899 G., 20 Muharrem 1317 H.

There are also information and provisions about the functioning and cancellation of the waqf with describing the opinions of variety of Imams. In the last part of waqfiyah (endowment charter), the registration date is written.

3.5.1.5 Waqf of Şükrü Efendi ibn Mehmed¹²⁰

The owner of this cash waqf Hodja Şükrü Efendi ibn Mehmet Efendi was from Cebecibaşı quarter, Çarşamba, İstanbul. He had been teacher at İstanbul Fatih Mosque before he started to live in Alexandroupolis.

Hodja Şükrü Efendi devoted 1500 qurushes and appointed Hadji Safvet Efendi as trustee. He asked to give this money to people under its duly and annually the income from this spent some expenses of the mosque that located in Hamidiye quarter, Alexandroupolis.

They paid the imam and preacher, each 50 qurushes, totally 100 qurushes annually. The money which remained would be given to the imam if he read the Holy Quran and sent its blessings to Hodja Şükrü Efendi's parents and after his death also to him.

After the death of him who would be authorized was written in detail He gave this right to his son who was the most talented one. If there was no person who carried this characteristics or he had no son, this right would be given a person who was suitable for this. There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date and names of jury are written.

3.5.1.6 Waqf of Mehmed Şerif Kudsi Efendi ibn Hüseyin¹²¹

This cash waqf was founded in Pazarbeyli District, Didymoteicho for dervish lodge of Naqshbandi – Halidiye sect. The founder of waqf was Sheik Mehmed Şerif Kudsi Efendi ibn Sayyid Hadji Hüseyin. He had a position in this Naqshbandi sect. He appointed Ali Sırrı Efendi ibn Hadji Numas as trustee.

¹²⁰ Book No:629, Page:991, Order:19; Registration date: 17 May 1892 G., 19 Şevval 1309 H.

¹²¹ Book No:988, Page:175, Order:79; Registration date: 2 October 1874 G., 20 Şaban 1291 H.

Mehmed Şerif Kudsi Efendi ibn Hüseyin devoted 25 Gold Mecidiye. It was equal to 2500 qurushes. After operation of this money, the income was asked to spend for *Hatim* of Qur'an according to Naqshibandi – Halidiye sect. 15 qurushes also were wanted to spend for coffee and food for needies. The remaining money was reserved for the needs and repair of the lodge.

Mehmed Şerif Kudsi Efendi ibn Hüseyin added some conditions to the waqfiyah and assigned himself as owner while he was alive. After the death of him who would be authorized was written in detail He gave this right to his son who was the oldest and most talented. If there were no person in his family, a person in the lodge would be appointed as trustee.

There is information about registration date and names of the jury who confirmed this waqf in the end of the charter.

3.5.2 Examples of Waqfs Charters in Komotini

In Komotini, there were 244 waqfs and 39 of them were cash waqfs and 9 of them were real property waqfs. The first cash waqf that was founded in Komotini was Waqf of İsmail ibn Mehmed and the foundation date is 22 November 1860 during the Abdulmecid I. period. The total amount of money that was devoted in Alexandroupolis was 65013 qurushes. The operation rate was generally 15 percent in Komotini.

3.5.2.1 Waqf of Hasan Agha ibn Hüseyin¹²²

This cash waqf belonged to Hasan Agha ibn Hüseyin who resided in Kaşıkdere Village, Sultanyeri District, Komotini. He devoted 1500 qurushes to found this cash waqf for the expenses of the mosque that was built in Kaşıkdere Village. Hasan Agha ibn Mehmed was appointed as trustee of the waqf.

¹²² Book No:588, Page:75, Order:93; Registration date: 14 May 1885 G., 29 Recep 1302 H.



Map 3. Map of Provisional Government of Western Thrace

He gave this 1500 qurushes for operating but the rate of this operation was not written in the waqfiyah. It can be thought as the rate is 15 percent. He asked the person who would use this money from waqf to show a sufficient mortgage and/or a strong guarantor.

The money, which came from operation, distributed as follow. The imam and the preacher who was charge at this mosque took 50 qurushes, totally 100 qurushes annually. 100 qurushes left for the other expenses of mosque. The money that remained was given the trustee. If the operation rate were 15 percent, the trustee would take 25 qurushes annually.

Hasan Agha ibn Hüseyin added some conditions to the waqfiyah and assigned himself as owner while he was alive. After the death of him who would be authorized was written in detail He gave this right to his son who was the oldest and most talented. If there were no person who carried these characteristics, the imam or preacher would be trustee.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date and names of jury are written.

3.5.2.2 Waqf of Osman ibn Osman (Mulla Osman ibn Osman ibn Abdullah)¹²³

This waqf belonged to Osman ibn Osman who resided in Elmacık Village, Darıdere (Zlatograd) District, Komotini. He made Hadji Ahmed Aghazade Yusuf Agha trustee for this cash waqf.

Osman ibn Osman devoted 1500 qurushes and he declared that the money would be operated with 20 percent annually. The person who wanted to use money from waqf had to show a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that wage of imam and *muezzin* of the mosque in the Elmacık Village. The imam was given 80 qurushes and the *muezzin* was given 45 qurushes annually. The money that remained was given the trustee and Osman ibn Osman added some conditions to the charter about holding all rights for changing or making other things at the waqf while he was alive. Moreover, after the death of the owner who would be authorized was written in detail. The oldest son was chosen for this.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date is written.

3.5.2.3 Waqf of Yusuf Agha ibn Hadji Salih ve Companions¹²⁴

This waqf was founded by 21 people. The founders name are Yusuf Agha ibn Hadji Salih, Said Agha ibn İbrahim, Mustafa Pehlivan ibn İbrahim, Mehmed ibn Hodja Ahmed, Mukhtar Ahmed bin Cafer, Ahmed bin Hasan, Mehmed bin Hodja Veli, Koca Mehmed bin Hüseyin, Yumak Mustafa ibn Hasan, Ahmed bin Musa, Nuri ibn Yahya, İskender ibn Mehmed, Said ibn Mehmed, Halil ibn Osman, Osman ibn Arif, Mehmed ibn Yusuf, Abdullah ibn Mehmed, Haşim ibn Hasan, Muhsin ibn Ali, and Gümülcineli Hadji Mustafa ibn Süleyman. They founded this cash waqf and appointed İbrahim Efendi ibn Hasan Rıza Efendi who resided also in Arifane District, Komotini as trustee.

¹²³ Book No:592, Page:183, Order:154; Registration date: 11 November 1897 G., 15 Cemaziyelahir 1315 H.

¹²⁴ Book No:600, Page:182, Order:223; Registration date: 28 December 1902 G., 27 Ramazan 1320 H.

They devoted 2775 qurushes and wanted to operate it with 12 percent rate annually. The income that came from this operation would be spent for the mosque, which located in Burhaneddin Village, Komotini. Pehlivan Mustafa Agha was responsible of services of waqf.

After the death of Yusuf Agha ibn Hadji Salih who would be authorized was written in detail He gave this right to his son who was the most talented one. If there was no person who carried this characteristics or he had no son, this right would be given a person who was suitable for this in Burhaneddin Village.

On the other section of charter, there are information and provisions about the functioning and cancellation of the waqf with describing the opinions of variety of Imams (Ebu Hanife, Ebu Yusuf, Hasani'ş-Şeybani). In the last part of waqfiyah (endowment charter), there are information about registration date and names of the jury who confirmed this waqf.

3.5.2.4 Waqf of Salim Agha ibn Mehmed¹²⁵

The owner of this cash waqf was Salim Agha ibn Mehmed. He lived in Hasse Village, Komotini. He founded this waqf and selected Mustafaoğu Veli Agha as trustee. This waqf was founded for the mosque, which is in Hasse Village.

He devoted 1296 qurushes to the waqf with the rate of 12 percent. He also wanted the person who would use the cash from waqf had to show a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that wage of imam and preacher of the mosque in the Hasse Village. The amount of this is not declared in the waqfiyah. Moreover, after the death of the owner who would be authorized was written in detail. The oldest and the most talented son was chosen for this.

¹²⁵ Book No:604, Page:160, Order:221; Registration date: 20 November 1911 G., 28 Zilkade 1329 H.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. Moreover, opinions of some imams are also added. The last part, the registration date is written.

3.5.2.5 Waqf of Hasan Agha ibn Mehmed¹²⁶

This cash waqf belonged to Hasan Agha ibn Mehmed who resided in Teknedere Village, Komotini. The trustee was İsmail Agha ibn Mehmed and the money that devoted was 1500 qurushes. The income which came from the operations of this money was for the mosque that built in Teknedere Village

The rate of operation is not written in waqfiyah, but there is information about how it used. He paid the imam and preacher, each 75 qurushes, totally 150 qurushes annually. Moreover, 75 qurushes was given for candles in the mosque. If it is thought that all income was devoted, the operation rate was 15 percent, annually.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date and names of jury are written.

3.5.2.6 Waqf of Ahmed Agha bin Yusuf Agha¹²⁷

This cash waqf founded in Burhaneddin Village, Komotini. The founder of this waqf was Ahmed Agha bin Yusuf Agha who also resided in same village.

He devoted 600 qurushes and asked to operate this money with a rate of 12 percent annually. The income distributed as 36 qurushes for imam and 36 qurushes preacher for a year. It was asked from the borrower show a sufficient mortgage and/or a strong guarantor. Moreover, after the death of the owner who would be authorized was written in detail. The oldest and the most talented son was chosen for this. If there is no son, a relative of him would be chosen for waqf management.

¹²⁶ Book No:989, Page:7, Order:5; Registration date: 23 February 1887 G., 29 Cemaziyelevvel 1304 H.

¹²⁷ Book No:600, Page:182, Order:222; Registration date: 14 November 1909 G., 1 Zilkade 1327 H.

There are Quranic verses on waqfiyah's last part. The registration date is also written on end of the waqfiyah.

3.5.2.7 Waqf of Hurşid Agha bin İbrahim¹²⁸

This waqf was founded in Cebelli Village, Komotini. The founder is Hurşid Agha bin İbrahim. He appointed Hasan Agha bin İsmail as trustee. Hurşid Agha bin İbrahim devoted 200 qurushes for the waqf.

The income of this money was given to imam of the mosque in the village. The wage is 30 qurushes annually. So the rate of operation is 15 percent.

The registration date is written at last part of the waqfiyah.

3.5.2.8 Waqf of Ali Osman Agha bin Osman¹²⁹

The founder of this cash waqf is Ali Osman Agha bin Osman and it was founded in Ballahur Village, Eğrican Township, Komotini. Mehmed Ali Agha bin Hasan Agha was appointed as trustee.

Ali Osman Agha bin Osman devoted 6000 qurushes for waqf. The person who wanted to use cash from the waqf had to show a sufficient mortgage and/or a strong guarantor. The rate of operation is 15 percent.

The income was distributed as follow. 200 qurushes for oil that would be bought at Şaban month for candles, 100 qurushes for straws and brooms at mosque, 250 qurushes for preacher and 300 qurushes for imam annually. 50 qurushes also left for trustee.

After the death of trustee, it is asked that a person from the village who is suitable for this task had to be chosen. Unless the waqf did not success to survive, the money would be given to people who is in need. These conditions were written in detail in waqfiyah.

¹²⁸ Book No:988, Page:255, Order:157; Registration date: 2 August 1885 G., 20 Şevval 1302 H.

¹²⁹ Book No:988, Page:198, Order:108; Registration date: 20 February 1877 G., 6 Safer 1294 H.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. Moreover, opinions of some imams are also written in waqfiyah. The last part, the registration date and names of jury are written.

3.5.2.9 Waqf of Hüseyin Agha bin Hasan¹³⁰

This cash waqf was founded for a testament. Hüseyin Agha bin Hasan was from Yukarı District, Uzundere Village, Darıdere Township, Komotini. His great son Mehmed Agha founded this waqf and became trustee. The capital is 3460 qurushes.

It was devoted for madrasa that was built in Orta District in same village. The operation rate is not written in the waqfiyah. The waqf wanted a sufficient mortgage and/or a strong guarantor from person who wanted to use credit. 100 qurushes left for repair of mosque, 20 qurushes left for candles at madrasa, 5 qurushes left for fountain that served for madrasa. The other income gave to the scholar who was at charge in that madrasa. If the operation rate is considered as 15 percent, the wage of scholar equals to 394 qurushes annually.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. Moreover, opinions of some imams are also written in waqfiyah. The last part, the registration date and names of jury are written.

3.5.2.10 Waqf of Ahmed Agha bin Hüseyin¹³¹

This cash waqf was founded in Değirmendere Village, Ağırcaan Township, Komotini. The founder is Ahmed Agha bin Hüseyin and he appointed Abdullatif Hoca bin Ahmed as trustee. He devoted 1200 qurushes for the waqf.

The operation rate of money is 15 percent. The income distributed as 90 qurushes for the imam and preacher at mosque that was located in same village and other 90 qurushes left for repair of mosque.

¹³⁰ Book No:988, Page:128, Order:48; Registration date: 26 November 1862 G., 3 Cemaziyelahir 1279 H.

¹³¹ Book No:989, Page:154, Order:117; Registration date: 30 April 1894 G., 24 Şevval 1311 H

In last part of the waqfiyah, the registration date and name of jury are written.

3.5.2.11 Waqf of Mustafa Agha bin Hasan¹³²

This cash waqf founded in Biraklı Village, Şehir Township, Komotini. The founder is Musta Agha bin Hasan and appointed himself as trustee. He devoted 1500 qurushes for the mosque that was located in same village.

The operation rate is 15 percent and the waqf wanted a sufficient mortgage and/or a strong guarantor for giving credit. Total income is 225 qurushes annually. The income is distributed with follow amounts. 75 qurushes is for oil that is used for candles, 75 qurushes is for straws and brooms at mosque and 75 qurushes is for preacher who works at mosque.

There is written opinions of mujtahid imams on waqfiyah. There are also Quranic verses on waqfiyah's last part. The registration date and name of jury are written on end of the waqfiyah.

3.5.2.11.1 Waqf of Salih Agha bin Hüseyin Bey¹³³

The waqf that was founded by Salih Agha bin Hüseyin Bey was located in Bayatlı Village, Şehir Township, Komotini. He devoted 600 qurushes with 15 percent operation rate.

The income, 90 qurushes, was asked to give preacher who was working at the mosque at the village. Hasan Çavuş bin Mustafa was appointed as trustee.

In the last part of the waqfiyah, the registration date and name of jury are written.

¹³² Book No:988, Page:235, Order:141; Registration date: 8 May 1883 G., 1 Receb 1300 H.

¹³³ Book No:588, Page:75, Order:92; Registration date: 12 May 1886 G., 8 Şaban 1303 H.

3.5.2.12 Waqf of Abdullah Agha bin Mehmed Agha¹³⁴

The founder of the waqf is Abdullah Agha bin Mehmed Agha. The waqf was founded in Ertuğrul Village (old name Kuştepe Village), Komotini. Abdullah Agha bin Mehmed Agha devoted 1602 qurushes for the mosque that was located in same village. He appointed İsmail Efendi bin Hadji Osman Efendi as trustee.

He devoted this 1602 qurushes with 12 percent operation rate. The income was asked to give imam and preacher who were working at same village. A sufficient mortgage and/or a strong guarantor was also wanted from credit borrower.

The person who would manage the waqf after the death of trustee is also written in detail. The oldest and most talented son of him would be chosen for this task. Unless he did not a suitable son, one of his relatives could be chosen. If there was also no relative, a person from village could be chosen as trustee. The money would be given to people in deed, when it did not success to continue.

There are also some mujtahid imam's view about cash waqfs. There are Quranic verses on waqfiyah's last part. The registration date is also written on end of the waqfiyah.

3.5.2.14 Waqf of Halil Agha bin Hüseyin¹³⁵

This cash waqf was founded in Eyrehanlı Village, Komotini. The founder was Halil Agha bin Hüseyin. The manager of waqf was also Halil Agha bin Hüseyin. He devoted 50 Silver Mecidiye. 1 Silver Mecidiye equaled to 20 qurushes in that era. So the devoted amount was 1000 qurushes.

The rate of operation is 10 percent. It can be considered a low operation rate. The waqf demanded a sufficient mortgage and/or a strong guarantor for using credit. The income was devoted for wage of imam and preacher at the mosque that was located in same village. The wages equaled 5 qurushes monthly.

¹³⁴ Book No:600, Page:266, Order:335; Registration date: 8 November 1911 G., 16 Zilkade 1329 H.

¹³⁵ Book No:989, Page:207, Order:160; Registration date: 8 November 1911 G., 16 Zilkade 1329 H.

There is also some conditions about waqf management. He appointed himself as trustee and after death of him, someone from village would be chosen for this task. He also wanted financial auditing one in three years for waqf's continuity.

The waqfiyah also includes opinions of some important scholars and imams about cash waqfs. There are Quranic verses on waqfiyah's last part. In the last part of the waqfiyah, there is also registration date.

3.5.2.15 Waqf of Halil Agha bin Mehmed¹³⁶

The founder, Halil Agha bin Mehmed founded this cash waqf in Sati Village, Şehir Township, Komotini. He appointed Mullah Esad bin Mehmed Efendi as trustee. The devoted money was 1000 qurushes for the mosque that was located in Sati Village.

The rate of operation was determined as 15 percent. There was 150 qurushes income every year. It was distributed as follow. 50 qurushes was left for oil that was used for candles at the mosque, 50 qurushes was for wage of imam and 50 qurushes was for wage of preacher.

After death of trustee, a person from the same village could be chosen as trustee. There were views of mujtahid imams and Quranic verses. At the last part of the waqfiyah, there is also registration date. The jury's names also are written in the end.

3.5.2.16 Waqf of Hasan Agha bin Ahmed Agha and His Companions¹³⁷

The founders of this waqf are Hasan Agha bin Hadji Ahmed, Bekir Agha bin İbrahim and Mehmed Agha bin Emin Agha. This cash waqf was founded in Bıyıklı Osman Village, Komotini. Halil İbrahim bin Ahmed Çavuş was appointed as trustee.

¹³⁶ Book No:988, Page:293, Order:188; Registration date: 14 December 1877 G., 28 Rebiülevvel 1305 H.

¹³⁷ Book No:604, Page:161, Order:223; Registration date: 28 August 1912 G., 15 Ramazan 1330 H.

They devoted 1500 qurushes for waqf with a 12 percent operation rate. The waqf demanded also a sufficient mortgage and/or a strong guarantor for using credit. The income divided as 90 qurushes for imam and 90 qurushes for preacher.

The person who would be trustee after death of Halil İbrahim bin Ahmed Çavuş, also is written in detail on the waqfiyah. His talented and greatest son is stated for this task. If there is no son, in order a suitable relative or a person from the village could be chosen.

On the waqfiyah, opinions of big imams and the regulations of the waqf also are written. There are also Quranic verses on waqfiyah's last part. The registration date is written on end of the waqfiyah.

3.5.2.17 Waqf of Emrullah Agha bin Süleyman¹³⁸

This cash waqf was founded in Cebeloğulları Village, Cebel Township, Komotini. The founder of the waqf was Emrullah Agha bin Hafiz Süleyman. The management task also belonged to him.

The devoted money was 500 qurushes. The operation rate was determined as 15 percent. The credit user must show a sufficient mortgage and/or a strong guarantor for using credit. The income, 125 qurushes, was given to imam who was at the charge of mosque that located in Aşıklar Village.

He also described the manager after his death and selected his most talented and greatest son for this work. The registration date is written at the end of the waqfiyah..

3.5.2.18 Waqf Hüseyin Agha bin İsmail¹³⁹

Hüseyin Agha bin İsmail, the founder, founded this cash waqf in Yabacıklı Village, Komotini. He appointed Ali Efendi bin İsmail as trustee. He devoted 1500 qurushes for using with 15 percent operation rate.

¹³⁸ Book No:988, Page:289, Order:185; Registration date: 11 October 1886 G., 12 Muharrem 1304 H.

¹³⁹ Book No:988, Page:258, Order:161; Registration date: 6 May 1885 G., 21 Receb 1302 H.

The income would be given to mosque that was located in same village. The preacher took 75 qurushes. 150 qurushes also left for straw and brooms at the mosque and repair of the mosque.

At the end, the registration date and names of the jury are written.

3.5.2.19 Waqf of Hüseyin bin Salih¹⁴⁰

The waqf of Hüseyin bin Salih was founded in Kozlukebiri Village, Komotini. The founder was Hüseyin bin Salih. Hadji Arif Efendi bin Ali was appointed as trustee. The money that was devoted equaled to 2000 qurushes.

The money devoted for the expenditure of the mosque that was located in Kozlukebiri Village. The operation rate is not written on waqfiyah. On the other hand, the conditions of using credit are written. The money was operated by trustee and they wanted a sufficient mortgage and/or a strong guarantor for giving credit. The income would be given to the imam who worked at same mosque.

The management of the waqf belonged to Hüseyin bin Salih and the heirs of the waqf are also written in detail. The opinions of some imams are written. There are registration date and names of jury at the last part.

3.5.2.20 Waqf of Mustafa bin Hüseyin and His Companions¹⁴¹

The founders, Mustafa bin Hüseyin, Musa bin Yusuf and Mehmed bin Ali, founded this cash waqf in Ahatlı Village, Sultanyeri Township, Komotini.

There is a bit information about the waqf on the waqfiyah. The devoted money equaled to 3000 qurushes. The rate of operation is not written on the waqfiyah. The income of the waqf left for imam and preacher who were at the charge of the mosque that located in Ahatlı Village.

¹⁴⁰ Book No:598, Page:169, Order:126; Registration date: 10 May 1907 G., 27 Rebiülevvel 1325 H.

¹⁴¹ Book No:597, Page:69, Order:27; Registration date: 14 February 1907 G., 1 Muharrem 1325 H.

The registration date and names of the jury are written in the last part of the waqfiyah.

3.5.2.21 Waqf of Ali Bey bin Ahmed¹⁴²

The cash waqf of Ali Bey bin Ahmed was founded in Kireççiler Village, Komotini. The founder, Ali Bey bin Ahmed, appointed Hasan Agha bin Hadji Yunus as trustee. He devoted 1500 qurushes for the mosque that located in the same village.

He devoted this money for operating with 15 percent. The income equaled to 225 qurushes. It would be operated by trustee. In waqfiyah, the condition of using credit was showing a sufficient mortgage and/or a strong guarantor.

75 qurushes of this income left for candle oil, 75 qurushes left for repair of the mosque and 75 qurushes left for imam and preacher who were at the charge in same mosque. The heir of trustee task also is written in waqfiyah and a person from the village could be chosen for this task.

There are views of mujtahid imams and regulations on the waqfiyah. At the last part, Quranic verses, registration date and names of jury are written.

3.5.2.22 Waqf of Salih Agha bin Emin¹⁴³

This waqf was founded in Yakova Village, Ahi Çelebi Township, Komotini. The founder was Hadji Salih Agha bin Emin Agha. The trustee was Hadji Hasan Efendi bin Mehmed.

The devoted money equaled to 1500 qurushes. The operation rate of this money was 15 percent. It was operated by trustee and a sufficient mortgage and/or a strong guarantor were wanted to use credit. The income was for mosque that was located in Süleyman Kebir District, Tekfur Village. It was distributed as follows. 75 qurushes was for

¹⁴² Book No:988 Page:255, Order:158; Registration date: 14 April 1884 G., 17 Cemaziyelahir 1301 H.

¹⁴³ Book No:988 Page:234, Order:140; Registration date: 20 May 1883 G., 13 Receb 1300 H.

candle oil, 75 qurushes was for straw and brooms and 75 qurushes was for the wages of imam and preacher.

There are opinions of mujtahid imams and regulations of the waqf in the waqfiyah. In the last part, the registration date and names of the jury are also written.

3.5.2.23 Waqf of Emin Agha bin Hüseyin bin Süleyman¹⁴⁴

The cash waqf of Emin Agha bin Hüseyin bin Süleyman was founded in Mevcudiye District, Yunusdere Village, Ahi Çelebi Township, Komotini. The founder, Emin Agha bin Hüseyin bin Süleyman, appointed Emin Agha ibn Ahmed bin İbrahim as trustee.

He devoted 1000 qurushes with 15 percent operation rate. This money was operated by trustee. A sufficient mortgage and/or a strong guarantor are asked to use credit. The income equaled to 150 qurushes. 50 qurushes of this income was for wage of imam and preacher, 50 qurushes was for repair of the mosque and 50 qurushes was for the candle oil.

The heirs of the waqf after the death of trustee are also written in detail. This task is left for the most talented of his son. There is views of some imams and regulations of waqf in the waqfiyah. Quranic verses and registration date are also written in the end of the waqfiyah.

3.5.2.24 Waqf of Hüseyin Agha bin Halil¹⁴⁵

This waqf was founded in Nebi Paşa Village, Cuma Township, Komotini. Hadji Hüseyin Agha bin Hadji Halil was the founder of the waqf and Hafız Abdurrahim Efendi bin Numan was the trustee.

He devoted 2000 qurushes for the mosque that was located in the same village. The rate of operation was 12 percent. The money was operated by trustee and they want c to

¹⁴⁴ Book No:594 Page:198, Order:141; Registration date: 10 September 1893 G., 28 Safer 1311 H.

¹⁴⁵ Book No:600 Page:217, Order:280; Registration date: 20 May 1908 G., 18 Rebiülahir 1326 H.

give credit. The income, 240 qurushes, divided as 120 qurushes for imam and 120 qurushes for preacher.

The task of trustee would be given the most talented and greatest son of him after death of the trustee. If there was no son, a person from the village could be chosen. Unless the waqf could survive, the money of waqf would be given to people who were in need.

There are views of imams and regulations of the waqf in the waqfiyah. Quranic verses, registration date and names of the jury are also written in the last part of the waqfiyah.

3.5.2.25 Waqf of Hüseyin Agha bin Salih¹⁴⁶

This cash waqf was founded in Taşkınlar Village, Komotini. The founder was Hüseyin Agha bin Salih Agha. He appointed Ahmed bin Ali as trustee.

Hüseyin Agha bin Salih devoted 1000 qurushes for the mosque in the Taşkınlar Village. The rate of operation was 12 percent and the income equaled to 120 qurushes. The money could be given under the condition of showing a sufficient mortgage and/or a strong guarantor to use credit. 60 qurushes was given to imam and 60 qurushes was given to preacher from the income.

The most talented and greatest son of trustee would be chosen as trustee after the death of him. There are views of mujtahid imams and regulations of the waqf in the waqfiyah.

At the last part of the waqfiyah, the registration date is also written.

¹⁴⁶ Book No:604 Page:158, Order:218; Registration date: 1 October 1912 G., 19 Şevval 1330 H.

3.5.3 Examples of Waqfs Charters in Xanthi

In Xanthi, there were 53 waqfs and 8 of them were cash waqfs.

In Xanthi, there were 53 waqfs and 8 of them were cash waqfs and 8 of them were real property waqfs. The first cash waqf that was founded in Komotini was Waqf of Süleyman Agha bin İbrahim and the foundation date is 20 November 1884 during the Abdulhamid II. period. The total amount of money that was devoted in Xanthi was 10000 qurushes. The operation rate was between 9 – 15 percent in Xanthi.



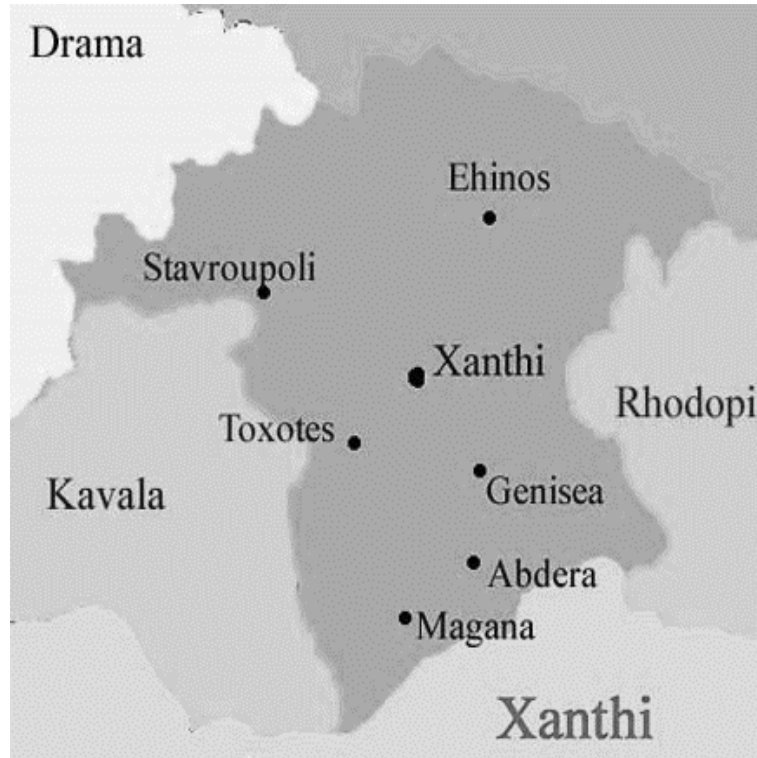
Map 4. Map of Greece (Place of Xanthi in Greece)

3.5.3.1 Waqf of Selim bin Ali¹⁴⁷

This cash waqf belonged to Selim ibn Ali who resided in Ada Village, Komotini. He devoted 50 silver mecrediye. One silver mecrediye equals 20 qurushes. The total money, which was devoted, was 1000 qurushes. It was devoted for the mosque that built in Ada Village. The operation rate was determined as 10 percent annually. Ali Efendi ibn Selim was appointed as trustee.

In waqfiyah, it is also written that the person who wanted to use the money had to show a sufficient mortgage and/or a strong guarantor. The money had to be operated with the methods of lending. The income distributed as follow. The imam was given 5 qurushes and the preacher was given 5 qurushes monthly.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. Moreover, opinions of some imams are also written in waqfiyah. The last part, the registration date and names of jury are written.



Map 5. Map of Xanthi

¹⁴⁷ Book No:989, Page:197, Order:153; Registration date: 15 November 1900 G., 22 Recep 1318 H.

3.5.3.2 Waqf of Ahmed Agha bin Ali¹⁴⁸

This waqf belonged to Ahmed Agha ibn Ali who was from Karça and resided in Yelkenciler Village, Xanthi. He founded it in court room of government building and made Hüseyin Agha ibn Kalyoncu Ömer Agha as trustee for this waqf.

He devoted 75 silver Mecidiye that equals 1500 qurushes and he declared that the money would be operated with 12 percent annually. After this operation, it is asked that cost of the mosque in the Yelkenciler Village was covered with this revenue. The distribution of this income was conducted as follows. The imam who was in charge at masjid was given 90 qurushes annually. Furthermore, the preacher in the mosque was given 90 qurushes annually.

Ahmed Agha ibn Ali also added some conditions to the charter about holding all rights for changing or making other things at the waqf while he was alive. Moreover, after the death of the owner who would be authorized was written in detail.

On the other section of charter, there are information and provisions about the functioning and cancellation of the waqf with describing the opinions of variety of Imams. In the last part of waqfiyah, the registration date of waqf is written.

3.5.3.3 Waqf of Süleyman Agha bin İbrahim¹⁴⁹

This waqf belonged to Süleyman Agha ibn İbrahim who lived in Mürselli village in Xanthi. He founded this waqf for the mosque in this village and appointed Mustafa Agha ibn Hadji Halil Agha as trustee. The money that was devoted was 1500 qurushes.

This 1500 qurushes would be operated with 15 percent annually. The condition to use the money from waqf was described as a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that cost of the mosque in the Mürselli district which was built by people of this village, was covered with this revenue, 225 qurushes annually. This income was diversified as follows. For the tasks of preaching and imam

¹⁴⁸ Book No:991, Page:26, Order:29; Registration date: 30 March 1904 G., 13 Muharrem 1322 H.

¹⁴⁹ Book No:988, Page:245, Order:155; Registration date: 20 November 1884 G., 1 Safer 1302 H.

who was in charge was given 75 qurushes annually. Furthermore, for candles it was given 75 qurushes annually.

Süleyman Agha ibn İbrahim also added some conditions to the charter about holding all rights for changing or making other things at the waqf while he was alive. He also added a condition about after the death of him who would be authorized was written in detail.

There is also some information about religious rulings and opinions of imams that are about functioning of waqf on the waqfiyah. The last part, the registration date is written.

3.5.3.4 Waqf of Receb bin Halil¹⁵⁰

This waqf belonged to Receb ibn Halil who lived in Celillü village in Xanthi. Receb ibn Halil made Hüseyin Agha ibn Mehmed as trustee for this waqf. He devoted 1000 qurushes and he declared that the money would be operated with 9 percent annually. The condition to use the money from waqf was described as a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that the imam who was in charge at mosque was given 90 qurushes annually. This show that all income was for the wage of the imam.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, the registration date is written.

3.5.3.5 Waqf of Mehmed Agha bin Musa¹⁵¹

This waqf belonged to Hadji Mehmed Agha ibn Musa who resided in Sünne Cedid District, Xanthi. He made Feyzi Efendi ibn Mehmed Efendi trustee for this cash waqf.

Mehmed Agha ibn Musa devoted 50 sim mecrediye that equals 1000 qurushes and he declared that the money would be operated with 11 percent annually. The person who

¹⁵⁰ Book No:990, Page:85, Order:7; Registration date: 3 April 1909 G., 12 Rabiulevvel 1327 H.

¹⁵¹ Book No:989, Page:242, Order:188; Registration date: 23 November 1905 G., 25 Ramazan 1323 H.

wanted to use money from waqf had to show a sufficient mortgage and/or a strong guarantor.

After this operation, it is asked that wage of imam of the mosque in the Sünne Cedid District. The amount of this wage is not written in waqfiyah. So it can be thought that all 110 qurushes was given to the imam.

There is also some information about religious rulings that are about functioning of waqf on the waqfiyah. The last part, name of jury and the registration date are written.

3.5.3.6 Waqf of Ahmed Agha bin Hadji¹⁵²

The cash waqf of Ahmed Agha bin Hadji was founded in Nohullu Village, Xanthi. The founder, Ahmed Agha bin Hadji, appointed Murad Agha bin Süleyman as trustee.

He devoted 50 silver Mecidiye and this equaled to 1000 qurushes. The rate of operation was 10 percent. This money was devoted for the mosque that was located in the same village and the income was distributed as follow. 5 qurushes monthly was for the imam and 5 qurushes monthly was for the preacher.

At the end of the waqfiyah, there are registration date and names of the jury.

3.5.3.7 Waqf of Muharrem Agha bin Abdulmuin¹⁵³

This cash waqf was founded in Fecirli Village, Xanthi. The founder was Muharrem Agha bin Abdulmuin Agha bin Salih.

He devoted 100 silver Mecidiye for the mosque that was located in same village and this amount equaled to 2000 qurushes. The operation rate was 12 percent and a sufficient mortgage and/or a strong guarantor were asked to use credit. The income distributed as follow. 40 qurushes was for repair of the mosque. 20 qurushes was for the candle oil. 90 qurushes was for the imam and 90 qurushes was for the preacher.

¹⁵² Book No:989, Page:172, Order:129; Registration date: 4 June 1900 G., 5 Safer 1318 H.

¹⁵³ Book No:989, Page:196, Order:152; Registration date: 15 March 1903 G., 15 Zilhicce 1903 H.

The heirs of the waqf also are written in detail. There are also views of mujtahid imams. At the last part of the waqfiyah, the registration date is also written.

CHAPTER 4

4. ANALYSIS ON THE CASH WAQFS IN RUMELIA DURING THE OTTOMAN ERA

There are 398 charters of waqf that belong to Alexandroupolis, Komotini and Xanthi in the archive of General Directorate of Foundations. According to the records, 1665 waqfs were founded in Greece, so the rate of waqfs in Western Thrace is 24 percent between 14th and 20th centuries.

There were 101 waqfs and 6 of them were cash waqfs and 6 of them were real property waqfs in Alexandroupolis, 244 waqfs and 39 of them were cash waqfs and 9 of them were real property waqfs in Komotini, 53 waqfs and 8 of them were cash waqfs and 8 of them were real property waqfs in Xanthi. These numbers show that the rate of cash waqfs is 13.5 percent in the all waqfs in Western Thrace.

38 waqfiyahs are made transcript and 22 of them were founded in 19th century. Others were founded in 20th century. The first of them was Waqf of Mehmed Efendi ibn Süleyman Efendi and it was founded in Cizvedar District, Alexandroupolis in 1802. It had a 300 qurushes capital and this money devoted for operation with 15 rate. The income left for the mosque that was located in same district.

When considered these waqfs in term of the founders it can be seen that titles and father names were given with names for recognition. For example, Waqf of Mehmed Efendi ibn Süleyman Efendi, Waqf of Hasan Agha ibn Süleyman, Waqf of Mehmed Agha ibn Halil, Waqf of İbrahim ibn Mustafa and Hüseyin Agha ibn Halil, Waqf of Hasan Agha ibn Mehmed, Waqf of Hasan Agha ibn Hüseyin, Waqf of Osman ibn Osman (Mulla Osman ibn Osman ibn Abdullah), Waqf of Yusuf Agha ibn Hadji Salih ve Companions, Waqf of Salim Agha ibn Mehmed, Waqf of Hasan Agha ibn Mehmed, Waqf of Selim ibn Ali, Waqf of Ahmed Agha ibn Ali, Waqf of Süleyman Agha ibn İbrahim, Waqf of Receb ibn Halil, Waqf of Mehmed Agha ibn Musa, Safiye Hanım binti İsmail.

According to these data, social status and occupation is important to define the waqfs. One of these fifty three waqfs was founded by a woman. (Safiye Hanım binti İsmail). When all waqfs names were examined, all of founders were considered as *reaya*.¹⁵⁴

If the waqfiyahs were examined in the framework of quantity, quality and characteristics of money, most of them were donated as qurushes. In addition to that, there are also some other currency like akce, silver mecdiye, gold.

It can be also seen that the amount of donation was getting higher relatively recent waqfiyahs. On the other hand, amount was not completely related to the time. This increase can be thought with inflation. Thus, power of purchase was important to determining exactly economic and social effects of cash waqfs.

The terms of “*istiğlal, irbah, idane, istirbah*” were used for telling about the methods of operation for the money. In “*istiğlal*” method, for example, a person who need cash money, sell his property to someone and the buyer sell it again with a profit rate to him. He can pay it like rent. “*istirbah*” and “*irbah*” terms have similar mean and they meant taking or giving money with a profit rate. “*idane*” means “giving debt”.

Generally, in Western Thrace waqfs, founders gave the role of responsibility of waqf to himself and after death of founder, he gave this task to his oldest or most talented son. Some waqfiyahs, the founder wanted to give this task the most talented person in the district or village by election after death of him.

The rate of operation was generally fifteen percent (15%). This rate was not high for the years of the waqfs. There were regulations about this rate to not get higher interests from borrowers. For Western Thrace, the lowest interest rate belongs to Waqf of Receb ibn Halil. This waqf founded in Xanthi in 1909. The rate of operation is equal to 9 percent. The highest operation rate belongs to Waqf of Osman ibn Osman. This waqf was founded in Komotini in 1897. The rate of operation is equal to 20 percent. These rates were arranged under the Islamic regulations and the income from these rates distributed for maintenance and repair of mosques and masjids and wages the people who worked at these mosques or masjids. In waqfiyahs, we usually meet a term of “*onu on bir buçuk üzere*” that can be translated “eleven and half out of ten” and it equals to fifteen percent (15%).

¹⁵⁴ Reaya: people not belongs to management class in Ottoman Empire

All most all waqfiyahs there is also a definition about continuity of the cash waqf. The founder provided income constantly with the asking the person who would use money from waqf to show a sufficient mortgage and/or a strong guarantor.

As in the examples, these cash waqfs were usually founded for the mosques and masjids that were located in the waqf's region. Some of waqfs were founded for repairing the mosques or masjids and giving the wages of staff who worked at these mosques and masjids. Some of waqfs were only founded for wages and other expenditures of the mosques and masjids. These donations for essential mosque and *masjids* provided increasing social solidarity and cohesion and villages were able to address their common needs. There were also some cash waqfs that was founded for *madrasas* in the region.

These waqfs were charity institutions, moreover they also provide labor and employment field by giving its income to scholars, *imams*, *muezzins* and preacher or giving credits to people who wanted to establish new business.

The devoted money can be also examined in wage perspective.

Table.2 Operation Rates and Wages, According to the Waqfiyahs

Foundation Year	Operation Rate (%)	Place	Task	Wage (Annually)
1802	15	Alexandroupolis	Imam	30 qurushes
1802	15	Alexandroupolis	Muezzin	9 qurushes
1862	15	Komotini	Scholar	400 qurushes
1877	15	Alexandroupolis	Imam&Preacher	75 qurushes
1877	15	Komotini	Imam	300 qurushes
1877	15	Komotini	Preacher	250 qurushes
1877	15	Komotini	Imam	50 qurushes

1877	15	Komotini	Preacher	50 qurushes
1883	15	Komotini	Preacher	75 qurushes
1883	15	Komotini	Imam&Preacher	75 qurushes
1884	15	Komotini	Imam&Preacher	75 qurushes
1884	15	Xanthi	Imam	75 qurushes
1884	15	Xanthi	Preacher	75 qurushes
1885	15	Komotini	Imam	50 qurushes
1885	15	Komotini	Preacher	50 qurushes
1885	15	Komotini	Imam	30 qurushes
1885	15	Komotini	Preacher	75 qurushes
1886	15	Komotini	Preacher	90 qurushes
1886	15	Komotini	Imam	125 qurushes
1887	15	Komotini	Imam	75 qurushes
1887	15	Komotini	Preacher	75 qurushes
1892	-	Alexandroupolis	Imam	50 qurushes
1892	-	Alexandroupolis	Preacher	50 qurushes
1893	15	Komotini	Imam&Preacher	50 qurushes
1894	15	Komotini	Imam	90 qurushes
1894	15	Komotini	Preacher	90 qurushes
1897	20	Komotini	Imam	80 qurushes

1897	20	Komotini	Muezzin	45 qurushes
1899	12	Alexandroupolis	Preacher	100 qurushes
1899	15	Alexandroupolis	Imam	150 qurushes
1900	10	Xanthi	Imam	50 qurushes
1900	10	Xanthi	Preacher	50 qurushes
1900	10	Xanthi	Imam	50 qurushes
1900	10	Xanthi	Preacher	50 qurushes
1903	12	Xanthi	Imam	90 qurushes
1903	12	Xanthi	Preacher	90 qurushes
1904	12	Xanthi	Imam	90 qurushes
1904	12	Xanthi	Preacher	90 qurushes
1905	11	Xanthi	Imam	110 qurushes
1908	12	Komotini	Imam	120 qurushes
1908	12	Komotini	Preacher	120 qurushes
1909	12	Komotini	Imam	36 qurushes
1909	12	Komotini	Preacher	36 qurushes
1909	9	Xanthi	Imam	90 qurushes
1911	12	Komotini	Imam&Preacher	150 qurushes
1911	12	Komotini	Imam&Preacher	192 qurushes
1911	10	Komotini	Imam&Preacher	100 qurushes

1912	12	Komotini	Imam	90 qurushes
1912	12	Komotini	Preacher	90 qurushes
1912	12	Komotini	Imam	60 qurushes
1912	12	Komotini	Preacher	60 qurushes

This table shows the wages of *imams*, *muezzins*, preachers and scholars between the years 1802-1912. The wages are generally between 50-100 qurushes annually for *imams* and preachers. We also see that the person who took the highest wage was a scholar. According to waqfiyah, this scholar took 400 qurushes annually. This waqf was founded in Komotini, in 1862.

The operation rates decreased at the end of the 19th century. The operation rate was 15 percent generally in 19th century. On the other hand, the rate was between 9-12 percent after 1900s. Almost all these cash waqfs was founded for religious services and they covered the expenditure of mosques and *masjids*. They also had an important role to give wages of religious officials.

The Cash Waqfs in Western Thrace

Table 3. Cash Waqfs and Devoted money in Alexandroupolis (Dedeğaç)

No	City	Name of Waqf	Devoted Money (qurushes)
1	Alexandroupolis	Waqf of Mehmed Şerif Kudsi Efendi bin Hüseyin	2500
2	Alexandroupolis	Waqf of Mehmed Efendi bin Süleyman Efendi	300
3	Alexandroupolis	Waqf of Hasan Agha bin Süleyman	2000

4	Alexandroupolis	Waqf of Mehmed Agha bin Halil	500
5	Alexandroupolis	Waqf of İbrahim bin Mustafa ve Hüseyin Agha bin Halil	1000
6	Alexandroupolis	Waqf of Şükrü Efendi bin Mehmed	1500
	Alexandroupolis	TOTAL of Alexandroupolis	7.800

Table 4. Cash Waqfs and Devoted money in Komotini (Gümülcine)

No	City	Name of Waqf	Devoted Money (qurushes)
1	Komotini	Waqf of Emin Agha bin Hüseyin bin Süleyman	1000
2	Komotini	Waqf of Hüseyin bin Salih	2000
3	Komotini	Waqf of Hüseyin Agha bin Halil (el-Hac)	2000
4	Komotini	Waqf of Hüseyin Agha bin Salih	1000
5	Komotini	Waqf of Hasan Agha bin Ahmed Agha and His Companions	1500
6	Komotini	Waqf of Hüseyin Agha bin Hasan	3460
7	Komotini	Waqf of Safiye Hanım binti İsmail	3000
8	Komotini	Waqf of Salih Agha bin Emin	1500
9	Komotini	Waqf of Mustafa Agha bin Hasan	1500
10	Komotini	Waqf of Hurşid Agha bin İbrahim	200

11	Komotini	Waqf of Hüseyin Agha bin İsmail	1500
12	Komotini	Waqf of Emrullah Agha bin Süleyman	500
13	Komotini	Waqf of Halil Agha bin Mehmed	1000
14	Komotini	Waqf of Ali Agha bin İsmail	1500
15	Komotini	Waqf of Osman Agha bin Mümin	1200
16	Komotini	Waqf of İbrahim Agha bin Yusuf	2000
17	Komotini	Waqf of İbrahim Agha bin Halil	1000
18	Komotini	Waqf of Mehmed Agha bin Mehmed	2000
19	Komotini	Waqf of Mustafa Efendi bin Mehmed Efendi	1000
20	Komotini	Waqf of Ahmed Efendi bin Hasan Agha	2000
21	Komotini	Waqf of Ali bin İbrahim	4000
22	Komotini	Waqf of Mustafa Agha	1080
23	Komotini	Waqf of Eşref Agha bin Necib Agha	1500
24	Komotini	Waqf of Murad bin Ömer	1000
25	Komotini	Waqf of Bekir Efendi bin Mustafa	1000
26	Komotini	Waqf of Ahmed Agha bin Mahmud	1500
27	Komotini	Waqf of Hasan Agha bin Hüseyin	1500
28	Komotini	Waqf of Osman bin Osman	1500
29	Komotini	Waqf of Mustafa Bey bin Hüseyin and His Companion	3000

30	Komotini	Waqf of Yusuf Agha bin Salih and His Companions	2775
31	Komotini	Waqf of Salim Agha bin Mehmed	1296
32	Komotini	Waqf of Hasan Agha bin Mehmed	1500
33	Komotini	Waqf of Ahmed Agha bin Hüseyin	1200
34	Komotini	Waqf of Halil Agha bin Hüseyin	1000
35	Komotini	Waqf of Salih Agha bin Hüseyin Bey	600
36	Komotini	Waqf of Ahmed Agha bin Yusuf Agha	600
37	Komotini	Waqf of Ali Osman Agha bin Osman	6000
38	Komotini	Waqf of Abdullah Agha bin Mehmed Agha	1602
39	Komotini	Waqf of Ali Bey bin Ahmed	1500
	Komotini	TOTAL of Komotini	65.013

Table 5. Cash Waqfs and Devoted money in Xanthi (İskeçe)

No	City	Name of Waqf	Devoted Money (qurushes)
1	Xanthi	Waqf of Süleyman Agha bin İbrahim	1500
2	Xanthi	Waqf of Muharrem Agha bin Abdulmuin	2000
3	Xanthi	Waqf of Mehmed Agha bin Musa	1000
4	Xanthi	Waqf of Receb bin Halil	1000
5	Xanthi	Waqf of Selim bin Ali	1000

6	Xanthi	Waqf of Ahmed Agha bin Ali	1500
7	Xanthi	Waqf of Ahmed Agha bin Hacı	1000
8	Xanthi	Waqf of Ali Galip Pasha bin Ahmed Efendi	1000
	Xanthi	TOTAL of Xanthi	10.000

In the tables that can be seen that established cash waqfs in Western Thrace. The biggest money was devoted in Komotini, Waqf of Ali Osman Agha bin Osman and the amount was “6000 qurushes”. There was a woman who founded a cash waqf, Safiye Hanım binti İsmail. The amount was “3000 qurushes”. This waqf was also founded in Komotini.

This table also show us Komotini was the biggest city in Western Thrace. The rate of Komotini in all cash waqfs in Western Thrace is 73,5%, rate of Xanthi is 15% and rate of Alexandroupolis is %11,5.

It can be understood from the devoted money, 1 qurushes equals 100 akces, 1 silver meçidiye equals 20 qurushes and 1 gold meçidiye equals 100 qurushes. Total devoted money for these 53 cash waqfs was 82.813 qurushes. In the currency of 1861-1913, this amount equals 828 gold liras, £753 and \$3666.

CHAPTER 5

5. CONCLUSION

The cash waqfs spread from major cities to the remotest corners of the state with the culture and insight of waqf in the Ottoman Empire. As in the samples, it can be seen that in addition to city waqfs that were founded by officials, there were a lot waqf in the villages that were founded by reaya (ordinary people). Thus, that can be seen that charity organizations could be founded by ordinary people and were available in every part of the state.

Cash waqfs had numerous missions in the Ottoman economic and social life. They performed as modern banks. Ordinary people, especially the entrepreneurs, were able to use credits from these cash waqfs. This provided economic growth by transferring accumulated capital to new investments. Moreover they had a lot of charity works like, religious, educational and social services.

There are a lot of financial models in world economy. That can be said that the way of “venture capital” is a modern form of mudarabah and it is heritage of Islamic culture. Today, cash waqfs methods can be used for diversifying the portfolio of finance institutions. Investment strategies of waqfs can be analyzed and taken experiment from waqf management.

There is a great growth in Islamic financing and banking institutions and activities. A lot of commercial banks also started to use Islamic funds and system. Islamic instruments can be used by both Muslims and non-Muslim because it is an ethical system of economics. These developments show that Islamic finance and banking system will be bigger and more effective at even in the non-Islamic countries. The cash waqfs practice may be an example to waqf banks. These banks can be also bank of poor people. Poor people can use this institutions for investment or buying houses or cars. This institutions will contribute many social and economic benefits to modern Islamic society.

Cash endowment increase the liquidity of capitals and create new opportunities for new business. These institutions will give this opportunity to poor and unprivileged people who did not use banks before for investment or etc. These institutions help transform of accumulated saving to investment and develop social capital market. According to Mannan (1998) they also increase social investment and encourage rich people to help others.

Today, business closes because of lack of sufficient capital and inactive capital vanishes because the capital owners does not know operate the money. The cash waqf provided this harmony between entrepreneurs and capital owners.

In that case, the experiences and practices in the past can give us direction about how to operate our capital and investments. New models can be operated for today. Islamic banks can establish cash waqfs inside and these waqfs operate halal methods like before. For example, in Turkey, construction sector is one of the most growing sector. These Islamic banks work as a guarantor for construction projects and collect money from people. These projects can be sold easily because of guarantor. The profit can be used for charity or etc.

In conclusion, cash waqfs must not be considered as an alternative for Islamic banking and finance institution. However, they can give examples solutions for today's problem in Islamic banking and finance. They must be analyzed well and results will be pioneer for new models.

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APPENDIX

A. EXCHANGE RATES (FOR 19th and 20th CENTURY)

1 Ottoman gold	100 qurushes
1 Ottoman silver	20 qurushes
1 qurushes	100 akces
1 Ottoman gold	£ 0,91
£ 1	110 qurushes
£1	\$4,87*

*Rates from MeasuringWorth ; Pamuk (2005)

Waqf of Hursid Agha bin Ibrahim (988-255-157)

٢٥٥

کوه مکه بنام حیدر فرزند و قح جم زلف ایوبه زینة فذکون اهل السنه حوسید ابراهیم
 الیکوز غوسه نقوری و قحی ١٩٤٠ هجری قمری با ارضه و حلا و قلعه قبه و قنبر

الار کا ذکر همه عمده کوه مکه و حلا و قلعه قبه و قنبر
 القوی حلا و قلعه قبه و قنبر ایوبه زینة و حلا و قلعه قبه و قنبر

١٥٧

ابو کتا حقی نصابت قوبر و علوسه بادی اوله که کوه مکه بنام حیدر فرزند ساکه حوسید ابراهیم
 مجلس شریع خطب لازم التوقیرده و قفا فی الیه الی الی التسمی قنبر نصیب و قنبره الیه الی حلا و قنبره ممالک
 حوسید ابراهیم و قنبره قنبره و قنبره قنبره و قنبره قنبره و قنبره قنبره و قنبره قنبره
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 فی المکتب الفقهیه حلا و قنبره و قنبره قنبره و قنبره قنبره و قنبره قنبره و قنبره قنبره
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6

Waqf of Hasan Agha bin Ahmed Agha and His Companions (604-161-223)

Handwritten Persian text, likely a waqf deed, written in a cursive script. The text is densely packed and covers most of the page. Marginal notes and numbers are visible, including '۱۴۸' at the top center, '۱۴۹' at the top left, and '۱۴۵' on the right side. The text appears to be a legal document detailing the establishment of a waqf by Hasan Agha bin Ahmed Agha and his companions.

Waqf of Emrullah Agha bin Süleyman (988-289-185)

کرمخانه قضا سنه میل قضا سی رضا قبه جهاد غلاری قریب محلاندره عهده محل سنه وای
مهر زلف ایچون قریب مذکورده وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
غلبه تصور وای در الحقه با نایجه با آره غلبه قید ایتد

احمد صمدی قضا سنه سنه سنه سنه
المولود رضا اهل

۱۸۵

المحمدی الذی اعزهم فی عبادته وکرمهم لا انواع فخریه وکرامت علی النساء اصفی المومنه
والبریه والصلاه والسلام علی سوله ونبی محمد صلی علیه و آله و سلم وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
الصفیة اما بعد سبوقه هلیل الساده وجرین بدیع العواد کفره وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
مربوبه نه اهل غلاری قریب مذکورده ایه حاقظ سبانه لیشوز
نام محمدی عرفی اورد و قضا ای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
مذکور بیت بکای حیدر قبه ایه حاقظ سبانه لیشوز
مامله اواز ایتدیم بیور غرضی حقه اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
وقف وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز
وای اصبی خیزدنه ارا باغ ایه حاقظ سبانه لیشوز

289

Waqf of Mustafa bin Hüseyin and His Companions (597-069-027)

٦٩

بسم الله الرحمن الرحيم
 ما صدق الله من الاموال والنفوس
 ما صدق الله من الاموال والنفوس

Y. Hartler Gehrtsi
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 Seiten: 27
 Sira: 26

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ما صدق الله من الاموال والنفوس

(٦٧)

اورده در وقت عید می داده اند که کوی که می نامند فای سون به بری فضائنه صفات احدی زبیری اقباله بدیهه مطلق بهر چه و کور به علی
 نام کس که در قضاء در بر حکم شده فقه اولیایان هفتاد و یک نفر شریف اورده زبیری زبیره ده واقع بر باب جامع شریف تبریزی و اولیای
 زبیری زبیره ماکتوبه موسی به یوسف نام شده در او صدقه قدری لقب کلام دانسته هم اولیایان ایدوب ماهرده و ماکتوبه ادره صیات و غیر
 بعد از آنرا جامع حیض مذکور به دفعه کتب ابدی دفعه صبی ایدوب مبلغ زبیره مضافاً در زبیره اشغال ادره جامع ادره غیری
 جامع مذکور است و دفعه به چهارده هجده اینه مطلقاً امام و خطیب سزوله ادره و سزوله مذکوره جامع ایدوب مبلغ زبیره
 ادره صیات همدی موی اغانای بدیهه نسیم ابدی مذکوره اوله فی زبیره زبیره مبلغ زبیره ادره صیات همدی ناماً در اوله ادره
 دفعه ایدوب اسالی ماکتوبه ابدی در ماکتوبه هفتاد و یک نفر ادره زبیره و دفعه زبیره در خطیب مبلغ زبیره ماکتوبه ادره
 و موی زبیره فی انتفاع ابدی الحاکم المرفوع همدی کتاب تبریده شرح السطاب ادره هفتاد و یک نفر هفتاد و یک نفر کا هو الطور ح الکتاب الفصیه
 مذکور است و در هر فصل همدی ابدی اوله زبیره حاکم سالی درش قائلاً بالذات علی نوری مبرزاه همدی ادره همدی همدی دفعه مذکور
 اوله همدی و ناچار زبیره حاکم سالی درش همدی و قضاء همدی و درش مبرزوب اوله ادره همدی و دفعه زبیره همدی و درش همدی و درش همدی
 لسته همدی و ششده و ششده و دفعه
 ١٨٤٥

مجلس اداره قضاء صدره و غیره علی السلام
 حکم شریفه کاتبی حافظه ابدی
 دفعه

Waqf of Hüseyin Agha bin Halil (600-217-280)

Handwritten text in Persian script, likely a waqf deed. The text is written in a cursive style and includes a date (600-217-280) and a signature. The document is numbered 217 at the bottom.

Handwritten text in Persian script, likely a waqf deed. The text is written in a cursive style and includes a date (600-217-280) and a signature. The document is numbered 217 at the bottom.

Handwritten text in Persian script, likely a waqf deed. The text is written in a cursive style and includes a date (600-217-280) and a signature. The document is numbered 217 at the bottom.

