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## The Islamic *Waqf* in Yaffa and the Urban Space: From the Ottoman State to the State of Israel

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### Introduction: The administration of the Islamic *Waqf* from the Ottoman State to the State of Israel

The Islamic *waqf* played an essential role in providing social and religious services in the state and in Islamic communities prior to the emergence of the modern state. In several cases the *waqf*, and in particular the charitable *waqf*, has been an essential force in stimulating and driving the economy in these communities. At a time when the state did not have a role in the planning, initiation or programming of the provision of basic services, such as education and health, or maintaining places of worship, the institution of the Islamic *waqf* was a reflection of the local community's will and desire to perform these tasks. While it is true that in the Islamic system the sultan, governor, and statesman established numerous institutions to provide social and religious services and launched construction projects, including dams, bridges and roads, the vast majority of these public enterprises were initiated as *waqf* enterprises. Projects instigated by affluent

members of society were of no less significance. The charitable *waqf* provided services to all members of the community, and in order to ensure the long-term viability of these services and their universal scope, it was necessary to give *waqf* properties the mark of permanence. In this way, it would be impossible to confiscate or sell them, prevent Muslims from gaining their proceeds, or for these proceeds to be transferred for the benefit of non-Muslims, which would constitute a violation of the will of *waqf* donor, which is tantamount to the divine word.

Before the introduction of the Ottoman-era regulations in the 1830s, there had been no centralized administration to oversee the management of the charitable *waqf*. Each *waqf* property was allocated a commissioner to administer its affairs locally, which enabled small groups of the local social elite to control the management of these properties. In the latter half of the nineteenth century, following the establishment of the administrative councils, the Ottoman State sought to

gain control over the administration of the charitable *waqf* and wrest them from the local elite through a policy of centralization. To that end, a *waqf* administration was introduced in the province of Jerusalem, for instance, that was headed by an employee with the rank of administrator. Subordinate to it were three further departments that operated in the districts of Gaza, Hebron and Yaffa.<sup>1</sup> Parallel to the state's growing role in social and educational policy-making, and consolidating its control over the *waqf* and strengthening the central administration, the Ministry of the Waqf transferred the administration and proceeds of the charitable *waqf* to itself. As a result, these proceeds became part of the overall public budget for the support of social, educational and religious institutions at the state level (Barron, 1922: 56–57). In practice, the Ottoman policy of reform ended the independence of the *waqf* and subsumed it within an interconnected network with a centralized administration, which provided social services to all citizens of the state.

At the beginning of the British Mandate for Palestine, and following the demise of the Ottoman Empire, administration of the *waqf* properties was transferred to the Higher Islamic Council, which became responsible for all *waqf*-related matters, including budgeting, the provision of services, the making of appointments, new construction, etc.<sup>2</sup> Despite the fact that

the Higher Islamic Council was part of the governmental administration, it achieved almost complete autonomy in administering the *waqf* and associated policy-making. Due to abundant financial resources that derived from the *waqf*, this administrative and political autonomy facilitated the pioneering role played by the Higher Islamic Council in the formation and leadership of the Palestinian national movement during the Mandate period. In addition, the Mandate Authority did not adopt a systematic policy of stripping the Islamic *waqf* institutions of their real estate and transferring them to non-Muslims, as was to occur subsequently.

This state of affairs altered entirely following the establishment of the State of Israel, which sought, through various means, to strip the institution of the *waqf* of its real estate, property, substance and objectives. Underpinned by Zionist thought, the Jewish State sought from the outset to remove all Arab and Islamic symbols and institutions from Israel, lest they constitute a basis for a national movement opposed to the concept of Zionism and the Jewish State.<sup>3</sup> The *waqf* institution, with its enormous economic assets and social and political objectives, could have acted as a social and political incubator for the Palestinians who remained in their homeland within the borders of the Jewish State, as it had during the Mandate. Moreover, the

charitable *waqf* owned a large amount of land, equating to over 15% of the total agricultural land within the borders of the State of Israel, while prior to 1948, Jews and the Zionist institutions owned no more than 10% of the land (Reudy, 1971: 135; Dumper, 1997: 29). Thus the *waqf* lands, together with the lands of the destroyed Palestinian villages, constituted the core of the lands that were confiscated by the nascent State of Israel. In subsequent years the confiscation of *waqf* property continued, with the result that the *waqf* institution was stripped of its meaning and content and its beneficiaries were deprived of its proceeds, which were instead diverted to the Jewish population. The lands of the Islamic *waqf* are now cultivated by Jews, provide a living to Jews and are distributed only to Jews. The *waqf* real estate properties are no different; rather than allocate their proceeds for the benefit of mosques, schools, hospitals, etc., as stipulated by the *waqf* donor, they are given to institutions that have no connection to Islam or Muslims.

In order to describe the above in a detailed manner, this article will examine the *waqf* of Yaffa, as an example that illustrates the fate of the Islamic *waqf* within the State of Israel.

### **Yaffa: Developments and shifts in the late eighteenth century**

Life in the city of Yaffa – the bride of Palestine and its gateway to the sea –

ground to a halt in the late twelfth century, following the expulsion of the Crusaders from the country. The city's status remained unchanged until the second half of the seventeenth century, when the cultivation of cotton in central Palestine gradually began to flourish in response to an increase in French demand. From that period, life began gradually to return to the port of Yaffa and the other Palestinian coastal towns. The Ottoman authorities consequently paid greater attention to these areas. With the onset of the eighteenth century, a comprehensive plan was drafted for Yaffa in Istanbul that was designed to safeguard the city and bolster its status; the plan included a fortress, which was built and furnished with fifteen cannons and a permanent garrison of Janissaries.

Trade at the port of Yaffa underwent a period of rapid growth, accompanied by a marked increase in the amount of customs duties collected by the State Treasury. Yaffa also began to display signs of population growth. These developments encouraged investors and financiers from Jerusalem to establish economic ventures in Yaffa, which proved highly profitable. The Ottoman administration's awareness of the radical shifts in the economic and strategic significance of Yaffa prompted it to raise its administrative status to *Sanjak* (district), and to tie the port budget and tax commitments directly to the central administration in Istanbul. When he

visited Yaffa in 1785, Constantin François Volney noted the sharp rise in trading activity at the port, describing the amount of customs duties collected as “very good”. He went on to record that supplies of Damietta rice arrived at Yaffa on its way to Jerusalem and other parts of Palestine, as well as products from the French cotton factory in Ramle, Syrian coastal products and Palestinian cotton yarn. In addition, goods from different parts of Palestine were exported from Yaffa and Muslim pilgrims from Greece and Istanbul entered at the town (Volney, 1788: 330, 334, 338). During this period, a plan to dry up some of the marshes surrounding the city in order to turn them into citrus groves was implemented, and the water mills located on the banks of the al-Awja River were repaired. These developments had a positive impact on population growth in the city, which in 1797 stood at over 7,000 people (Browne, 1806: 410-411).

However, the development of Yaffa was cut short once again when the city was subjected to a horrific massacre, perpetrated by Napoleon Bonaparte and his troops on 6 March 1799 during their occupation of the city, which claimed the lives of approximately 4,000 people. The Yaffa *Shari’a* court was not spared the burning and destruction, and even the court records, which provide the main historical source for the city’s history and society, did not survive. However, the duplication of some of the *waqf* charters

in the court records, once its work resumed after the expulsion of the occupiers, has enabled us to track the resurgence of Yaffa as a major trading and economic center in the late eighteenth century. Four extensive *waqf* records are particularly noteworthy, as they contain a description of dozens of *waqf* buildings, and give us an insight into the city’s economic, social and urban structure.

One such *waqf* record belonged to a merchant named Muhammad Bibi, who registered it in 1749.<sup>4</sup> The *waqf* in question consisted of 24 properties, including a large soap factory, two olive press, fifteen shops, two houses, one orchard and three vineyards. In 1796, Wehbe Muharram, a Yaffa trader originally from Cairo, registered his *waqf* in the court (Jabarti, 1968: 275, 327). He also left a detailed logbook of his economic activities prior to his murder during the French occupation of the city. His *waqf* comprised 91 properties, including three soap factories, two sesame oil presses, a flour mill, a bakery, thirty-one dwellings, twenty-eight shops, two packing houses, five orchards, nine groves and several homes.<sup>5</sup> According to the *waqf* charter, he had a business partnership with the Mufti of Yaffa, Mr. Yihya Al-Tibi in relation to the Darwish Soap Factory, the largest soap factory in Yaffa at the time, which consisted of twelve vaults.<sup>6</sup> The *waqf* charters usually indicate the level of investment in real estate for the purpose of

leasing it out due to the increased demand, which is further evidence of the positive shift in Yaffa's economic status during the second half of the eighteenth century.

By examining the information contained in the aforementioned *waqf* charters, one may delineate the architectural and urban features of the city of Yaffa on the eve of the French occupation. It is clear that Yaffa had three central markets at the time, along with several inns (*khans*).<sup>7</sup> In addition to acting as hotels for Muslim pilgrims and traders, these inns provided the main storage areas for Palestinian merchants' goods coming into and out of the port. The economic transformation of Yaffa on the eve of Napoleon's invasion of the city had attracted large numbers of people and residents, which prompted two gentlemen known as Al-Tibi and Muharram to build two mosques to serve the swelling numbers of worshippers. During this period there were six working mosques in Yaffa: the Al-Bahr (Sea) Mosque, which was built in 1675 and bequeathed as a *waqf* endowment by the Governor of the Sanjak of Gaza, Musa Radwan Pasha;<sup>8</sup> the Bibi Mosque, bequeathed as *waqf* by the Yaffa merchant, Muhammad Bibi in 1738;<sup>9</sup> the Great Mosque, erected in 1756 (Cohen, 1973: 155); the Tabiyah Mosque; and the two aforementioned Yahya (dating from 1792) and Wehbe Muharram (dating from 1796) mosques.<sup>10</sup>

According to the *waqf* charter of Captain Hassan Pasha Cezayirli, who was in charge of the customs of Yaffa, in 1780 he established a *sabil* (a public drinking fountain) near to the main gate of the city. To finance this fountain, he endowed a group of shops in the Yaffa market located besides the Great Mosque of Yaffa.<sup>11</sup> These included a coffee shop located at the city's gate, which later became known as the Cannon Cafe, and was one of the most famous cafes in Yaffa before its destruction in the Nakba.

Following the expulsion of the French army, the new governor of Yaffa, Mohammad Pasha Abu Maraq, made attempts to revive the city. To encourage the swift return of merchants to the city he reduced the taxes and customs imposed on imported and exported merchants' goods. He also rebuilt the bridges and roads that had been destroyed and reduced transportation costs to and from Yaffa.<sup>12</sup> While the importance of Abu Maraq's efforts should not be underestimated, Yaffa owed its real debt to his successor, Mohammad Pasha Abu Nabbut, who assumed the position of governor in 1805, and gave the city a kiss of life.

### **Yaffa in the Era of Abu Nabbut: A comprehensive construction project<sup>13</sup>**

Muhammad Pasha Abu Nabbut was an Al-Jazzar Mamluk. He was assigned by the Governor of Acre, Suleiman Pasha Al-

Adel, to govern the Sanjaks of Southern Palestine, namely Gaza, Ramle and Yaffa, and held the position until 1819. The resulting long period of stability in Yaffa, coupled with the personal aspirations of Abu Nabbut's to turn it into a capital no less prestigious than Acre, and attempts to create an entourage and household to rival the great Mamluk households of the age, left Yaffa radiant with artistic touches of Istanbul and Damascus. Despite the demolition of buildings and deliberate neglect of Yaffa following the Palestinian Nakba, traces of Abu Nabbut can still be discerned today. Abu Nabbut had instigated an integrated construction project alongside his political project in the city, and designated everything he built as a charitable *waqf* to serve the interests of the city and its people, both visitors and inhabitants. Muhammad Pasha Abu Nabbut's *waqf* is considered to be one of the greatest *waqf* properties to be established in any Palestinian city.

In addition to the enormous transformations made by Abu Nabbut to the social structure of the city, his *waqf* also prompted a dramatic alteration in the city's urban appearance through his investment of vast sums of money in the construction of highly ornamented buildings. This investment would have been impossible without the massive increase in revenues of the treasury that resulted from a sharp rise in commercial traffic through the port, which had

become the main port of Central and Southern Palestine. Through a series of charitable *waqf* endowments, made between 1809 and 1816, he renovated, restored and built the following structures: the external walls of the city, the port, the Great Mosque, the school, the library (*ketabkhaneh*), four water fountains, two inns, sixty-five shops and a large number of houses.

After purchasing numerous houses in which to accommodate his Mamluk retinue and after gaining possession of a large amount of real estate, Abu Nabbut began to implement his plan to alter the city's appearance. Firstly, he moved the Islamic cemetery from within to outside the walls of the city; to that end he purchased a plot of land lying adjacent to the city's northern wall and endowed it as a new Muslim cemetery.<sup>14</sup> Later, during the British Mandate, it became known as the Old Cemetery, and prominent buildings were erected in its vicinity and on its borders, such as the Saraya building and the Bustrus and Sursuq buildings. In 1928, the Higher Islamic Council leased part of its land to the Yaffa Sports Club, and subsequently the building that housed the German-Palestinian Bank, under the general *waqf* administration, was erected on the land.<sup>15</sup>

In 1809, on the ruins of the Great Yaffa Mosque and the adjacent Cezayirli Sabil, which had suffered damage during the French invasion, Abu Nabbut established

an extensive building complex, which included the Great Yaffa Mosque, a school, rooms for students and a library. At the southern (*qibli*) entryway to the mosque, located at the entrance to the city, he also built one of the most beautiful *sabils* in Palestine, the Mahmoudi Sabil, which was also known as the Juwani Sabil.<sup>16</sup> Not far from that location, in the Faraj market, the city's central market, he built another exceptionally beautiful *sabil*. Despite the large-scale destruction that was visited on Yaffa in and after 1948, these structures still stand prominently in the center of Yaffa to this day, bearing witness to the city's past.

These architectural features were built as *waqf* property. However, as few people are aware of their history and others deliberately disregard it, it is valuable to review the attributes and past of some of them, starting with the Great Mosque.

The **Great Yaffa Mosque** incurred a great deal of damage during the French invasion of the city, as did the *waqf* properties appended to it.<sup>17</sup> Muhammad Pasha Abu Nabbut attributed his decision to restore the Great Mosque to the fact that he "had seen... the Great Mosque in Yaffa ruined and destitute..."<sup>18</sup> Describing the renovation work he carried out, Abu Nabbut indicated that he had "rebuilt and renovated the mosque... a solid building, greatly expanded it, connected it to the water supply, and made arrangements for essential staff positions..."<sup>19</sup> Abu Nabbut

also endowed new *waqf* properties to serve the mosque, which comprised of forty shops, three residential buildings, and the aforementioned properties.<sup>20</sup> These facilities garnered enormous profits for the mosque, which enabled its future overseers to attach further properties to it.

Muhammad Pasha Abu Nabbut registered the *waqf* charter of the **Mahmoudi or Juwani Sabil**<sup>21</sup> on the 22nd of Dhu Al-Qi'dah, 1227 (December 27th, 1812), and in the ensuing years endowed a large group of properties in its service. The properties that Abu Nabbut endowed as *waqf* for the city's public institutions, the two *sabils*, and the well were completely destroyed after 1948 and a green-grassed public park built over them. It is therefore imperative to create a record of these properties to prevent them from being completely erased from the pages of history, along with the architectural structures themselves. The *waqf* properties established for the *sabil* included:

- All the *khans* that were established by the *waqf* donor in the *askala* (port) of Yaffa, near the Great Mosque and the city gate.
- Thirty-seven shops spread among the city's markets: the New Market, the Faraj Market, the Siter Market and the Blacksmiths' Market. All these buildings stood near the Great Mosque and the eastern section of the city wall.
- Four houses in the Burj and Felaheen quarters.

- A cafe that stood near to the city’s gate.
- An orchard (garden) near the city’s gate and adjacent to the rear side of the Mahmoudi Sabil.
- A plot of land (Al-Muragha) that lay between the two walls, onto which the ablution water from the mosque ran.
- A warehouse located next to the aforementioned new *khan*.

In order to raise the administrative status of Yaffa and turn it into a capital to rival Acre, Abu Nabbut established the **Great Mosque School**, and a beacon of knowledge in Southern Palestine. In his *waqf* records for the school he stated that he had, “founded a school with solid foundations, peerless and matchless in its perfection, in the great Mosque with God’s blessing... he appointed scholars, thinkers, and students and provided for their needs”.<sup>22</sup> Abu Nabbut stipulated that the revenue earned from the *waqf* property should be spent as follows: “The overseer will pay whoever perseveres in studying at the school and is deemed suited to learning and education adequately, according to time and according to revenue... and the students according to their personal circumstances, and whether they be diligent, devoted to studying and virtuous...”<sup>23</sup>

Abu Nabbut also established a spacious hall in the mosque’s courtyard to serve as the school library. The library’s assets were registered in the records of the *Shari’a*

court: in 1812 the list included 137 titles in the subjects of the *Hadith*, Islamic jurisprudence, history, Islamic theology, logic and grammar. In 1913, an inventory was made of the library’s assets and the value of its bound volumes, which reveals that it contained 206 titles in various fields of learning.<sup>24</sup>

In 1815, after trading activity had grown more brisk and traffic to and from Yaffa increased, Abu Nabbut built the **Shifa** or **Barani Sabil** approximately two kilometers to the east of the city’s walls, on the road between Jerusalem and Ramle at a site known as the “Hajjar tax land,” in order to facilitate the transport and movement of travelers.<sup>25</sup> In his *waqf* record, Abu Nabbut recorded that he had “established a *sabil* once more on the great roadway, with perfectly elegant buildings, flawlessly decorated and impeccably constructed,” and “drilled a new water well and wheel, using wood and steel. He also built two great *iwans* (vaulted halls) of stone and plaster on either side of the *sabil*, which proved advantageous in that regard.”<sup>26</sup> To sustain this *waqf* property, he endowed a number of other *waqf*, including an orange grove next to the fountain, on which there stood three houses, as well as two houses within Yaffa itself and six shops in the Faraj Market and the New Market.<sup>27</sup>

The *sabil* continued to function until the end of the Mandate era. However, after 1948, when the orange grove was



confiscated and the other *waqf* properties that were endowed to the *sabil* destroyed, the water stopped flowing. Under Israeli law the *sabil* was considered “absentees’ property,” along with the majority of *waqf* properties in Israel. Despite the deliberate negligence of the *sabil* and a prohibition that was placed on its restoration, the structure remains standing on the road between Yaffa and Jerusalem.

Abu Nabbut established a further *sabil* within the Faraj Market on the ruins of the Khan al-Naqeeb (Captain’s Inn) close to the Great Mosque, known as the **Souq (Market) Sabil**. The records of the Great Mosque School *waqf* include a full description of this *sabil*, which was built in the courtyard of the central market and referred to as the *arsa* (courtyard). The State of Israel demolished the Souq Sabil. Fortunately, the Foundation for the Revival of Islamic Heritage in Abu Dis has retained a drawing of it and created a special file on the *sabil* in its archives when the Higher Islamic Council began its renovation in 1926.<sup>28</sup>

The numerous *waqf* buildings that were founded by Abu Nabbut in Yaffa, with their many and varied decorative styles carved in marble, altered the architectural character of the city. These endowments formed part of a large, comprehensive construction project that aimed to raise the architectural status of Yaffa, by upgrading its administrative status from head of Sanjak to the capital of a new

province that Abu Nabbut was striving to bring into being (Al-Ora, 1936: 352, 361, 362). The ornate *waqf* buildings and the large markets established by Abu Nabbut, including the Amoud, Faraj and Siter Markets, in conjunction with the rebuilding and development of the port area to accommodate the growing trading activity, and the reconstruction of the city walls to bolster its defenses, all served to render Yaffa’s appearance no less elegant or impressive than that of Acre, Palestine’s northern port. A comparison of the contents of Abu Nabbut’s *waqf* record with that of Ahmad Pasha Al-Jazzar reveals that there are great similarities between the two, not only because Abu Nabbut was a member of the Mameluk retinue of Al-Jazzar in Acre, but also because he desired to emulate his master, and make Yaffa as prestigious as the provincial capital. Ultimately, the *waqf* collection gathered by Abu Nabbut was no less venerable or profitable than that established by Al-Jazzar in Acre.<sup>29</sup>

### **Yaffa’s Mosques: Past and present**

In addition to the aforementioned *waqf* properties, the public *waqf* in Yaffa comprised another group of facilities that included mosques, religious sites (*zawaya*), shrines (*maqamat*) cemeteries and schools, until the late Ottoman period. There were a total of thirteen mosques in the city, namely the Al-Tabiyah Mosque, the Al-Bahr Mosque,

the Hassan Pasha Cezayirli Mosque, the Bibi Mosque, the Sayyid Yihya Mosque, the Wehbe Muharram Mosque, the Great Mosque, the Al-Siksik Mosque, the Irshaid Mosque, the Sheikh Raslan al-Bakri Mosque, the Al-Ajami Mosque, the Al-Jabaliya Mosque, and finally the Al-Mansheya or Hassan Bek Mosque.

The oldest of these mosques was the **Al-Bahr (Sea) Mosque**, which was established by Musa Pasha of the Radwan Emir al-Hajj family and the Emir of Gaza in 1675.<sup>30</sup> As its name suggests, this mosque was located close to the coast, adjacent to the port. In 1962, in a report on the condition of the mosques in Yaffa, an engineer employed by the Municipality of Tel Aviv noted that this mosque was, “One of the oldest mosques in Yaffa and was built approximately 300 years ago. The mosque contains a large hall with two arches and a uniquely-shaped minaret. Today, the mosque is used as a warehouse”. The report adds that the Association for the Development of Old Yaffa (the government institution charged with the demolition of Arab and Islamic landmarks in Yaffa and the Judaization of the city) planned to renovate the building and convert it into an art gallery, museum, or something similar.<sup>31</sup> However, after a protracted struggle and due to public pressure from both Islamic leaders in Yaffa and the Palestinian leadership inside Israel the mosque was rescued: it was restored to

Muslim hands and its doors opened to worshippers once more.

The **Tabiyah Mosque** is located at the foot of the city to the west. It overlooks the port, close to the port lighthouse that was erected in 1865, and is still in use today. It is one of the oldest mosques in Yaffa, appearing in documents dating from the late eighteenth century. Following the establishment of the State of Israel, the mosque ceased functioning and its doors were closed to Muslims, and remain so today. An official report issued by the Israeli Ministry of Religious Affairs in 1950 states that, “The State has turned the mosque into a home inhabited by a Christian family who work in the management of the adjacent lighthouse” (Meir and Venkerfield, 1950: 28). According to the aforementioned report by the Tel Aviv Municipality engineer, “This mosque includes a hall and a minaret, and there is nothing to indicate that it is a mosque other than its name. In fact, the mosque is used as a passageway to a place that is sacred to Christians, who believe that St. Simeon lived there.”<sup>32</sup>

The **Sheikh Raslan Bakri Zawiya Mosque** is located in the fortress quarter, close to what was known as the Yaffa citadel at the center of the Ottoman city.<sup>33</sup> The mosque was a Sufi *zawiya* (religious site) used by the followers of the Khaluti order, but the date of its establishment is unknown. In



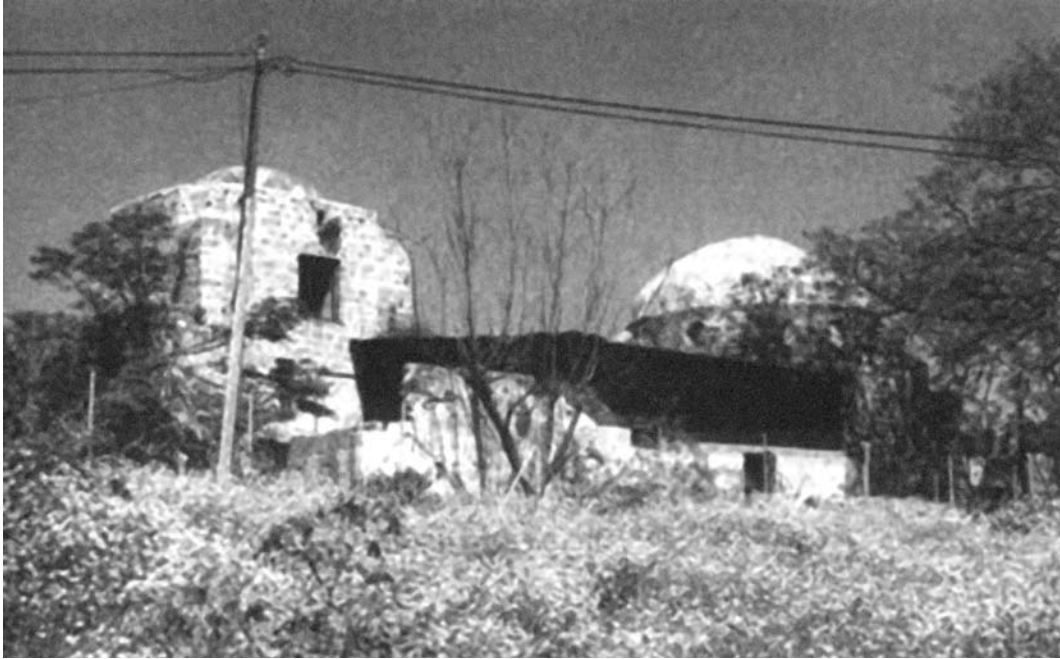
Sketch of the Souq Sabil

his book, "Our Country, Palestine", Mustafa Al-Dabagh states that this *zawiya* was erected on the spot where Sheikh Arsalan al-Ramly spent his summers (Al-Dabagh, 1988: 249). Al-Dabagh believes Sheikh Raslan to be the Sufi Ahmad bin Hassan, who died in 1440 and constructed a large mosque in Ramle and a tower in Yaffa that he frequently resided in, known as the Sheikh Raslan Mosque (Al-Dabagh, 1988: 417). The official report issued in 1950 by the Israeli Ministry of Religious Affairs dedicated a single line to this mosque: "The Raslan Mosque is inhabited by a family of Mizrahi Jews, and the building is clean and in good repair" (Meir and Venkerfield, 1950: 30). The name of this mosque does not appear in the report by the Tel Aviv Municipality's engineer, who investigated the conditions of mosques in Yaffa in 1962. This mosque, like the grave within the shrine, was completely razed in the 1950s, when the Israeli authorities set out systematically to erase the Palestinian presence and history in Yaffa. Anyone who visits Yaffa today will find a wide space extending between the Church of St. Peter and the Great Yaffa Mosque, largely covered by grass, trees and flower beds. Beneath this grass once stood Ottoman Yaffa, including the mosque of Sheikh Raslan Bakri, and his shrine and *zawiya*.

The aforementioned **Sayyid Wehbe Muharram Mosque** was established by

*waqf* donor Sayyid Wehbe adjacent to his home, which is located close to the **Sheikh Ibrahim al-Malahi Shrine**. The mosque was erected above five shops, which provided it with revenue, in addition to several other *waqf* properties.<sup>34</sup> Subsequently, the governor of Yaffa, Muhammad Pasha Abu Nabbut, established the Saraya building (a government building) within the vicinity of the mosque. The mosque was renovated and its doors were open to worshippers until 1948. After the Nakba, the Wehbe or Al-Dabagh Mosque suffered a similar fate to the Sheikh Raslan Mosque. According to the official report by the Israeli Ministry of Religious Affairs, "The mosque did not suffer any architectural damage" (Meir and Venkerfield, 1950: 30). However, its doors were closed and worshippers were prevented from performing religious rites in it. In the late 1970s, the prayer hall was used as offices by the Yaffa Municipality Museum, which was set up in Mohammad Pasha Abu Nabbut's Saraya building. A short time later, the minaret was removed and the mosque was used as a gallery for artists' paintings (Yahav, 2004: 46). The photograph on page 37 shows the minaret of the Al-Dabagh Mosque prior to its demolition in the early 1980s.

The **Sayyid Yihya Mosque**, which was totally demolished after the Nakba, derives its name from its founder, Sayyid Yihya al-



The remnants of the Sheikh Raslan Bakri Mosque and its *zawiya* prior to their demolition in the 1950s (Yahav, 2004: 48)

Tibi, the Mufti of Yaffa in the late-eighteenth century.<sup>35</sup> Yihya endowed many *waqf* properties in and outside Yaffa to support the mosque.

The **Al-Jabaliya Mosque** was the first mosque in Yaffa to be established outside the city walls, in the Jabaliya quarter around the year 1880. It was established by Hajj Muhammad al-Sakhafi, who endowed a number of other *waqf* properties to cover the costs of its operation and expenses.<sup>36</sup> Following the Nakba and the deportation of Arabs from Yaffa and the surrounding areas, the mosque became redundant and served as a refuge for an Arab family that had lost its home. The report by the Tel Aviv Municipality's engineer states that the Jabaliya Mosque was located alongside *Givat Ha'aliyah* (the Hebrew name allocated by the Jewish State to the Jabaliya quarter, in an attempt to erase its history and geography from the Palestinian consciousness). The report adds that the mosque was small and had a hall divided into four rooms. It further states that only a small number of Arabs inhabited the area, and that, even if the mosque were to be restored, it would not be able to accommodate more than fifty worshippers.<sup>37</sup> This statement was, in fact, an implicit recommendation to evacuate the mosque's residents in preparation for its demolition. However, the family's presence precluded this outcome. The

Islamic Movement saved the Mosque after paying compensation to the family living in it. In the late 1980s, the mosque was renovated and its name restored, and prayer services were resumed for the residents of the Jabaliya quarter (Yahav, 2004: 45).

The **Al-Siksik Mosque** was the second mosque to be constructed outside the city walls. It was established by Hajj Abd al-Qadir al-Siksik in 1885 on the land of his family's orchard on the Yaffa-Jerusalem thoroughfare (Al-Bawab, 2003: 441). The aforementioned report by the Ministry of Religious Affairs states that, "The physical condition of the Al-Siksik Mosque is very good, but its doors and windows are in need of repair and the stolen water faucets must be replaced" (Meir and Venkerfield, 1950: 30). The official engineering report by the Tel Aviv Municipality contained the following reference to the mosque: "Nothing remains of the mosque except for a tower and an arch. The building itself has been all but destroyed and all that remains of it is some walls. Part of the site is being used as a Jewish café."<sup>38</sup> The terminology employed by the engineer reveals that the sanctity of the site and its religious functions were deliberately ignored. For instance, the tower to which he refers is in fact the minaret, which remains standing and in good condition today. The arch is an architectural masterpiece that was the location of the



The minaret of the Al-Dabagh Mosque prior to its demolition in the early 1980s

*sabil* adjacent to the mosque. Today, the mosque's structure is solid, but suffers from neglect. The deliberate overlooking of the significance of the site in the engineer's report paved the way for its demolition, as planned by the Municipality of Tel Aviv. Following the suspension of prayers at the mosque in 1948, its courtyard and part of the prayer hall were transformed into a café, it was finally confiscated in 1965 (Yahav, 2004: 42). In addition to the café, a factory for the manufacture of plastic tools was established on a portion of the mosque, and the second floor became a club for Bulgarian Jews (*Ha'aretz*, 2005). The younger members of the Siksik family went to court several times in an attempt to salvage the confiscated mosque, but to no avail. The Islamic Movement is currently engaged in a legal and public battle to rescue the Al-Siksik Mosque.

The **Ajami Mosque** was the third to be built outside the city walls. It was established by Haj Yousef al-Manawi in 1895 on the most famous shrine in Yaffa, that of Sheikh Ibrahim al-Ajami.<sup>39</sup> After the Nakba, the Arabs who remained in the city were gathered together in the Al-Ajami quarter,<sup>40</sup> and until the late-1960s the Israeli authorities forbade the residents of Yaffa from holding their daily prayers anywhere other than in this mosque.

When al-Ajami was gradually transformed into a residential area during

the 1970s and grew increasingly overcrowded, the *waqf* land adjacent to the shrine, which had been an orchard that produced various kinds of fruit, became a Muslim cemetery.<sup>41</sup> In 1936, the Higher Islamic Council allowed Hassan Arafa to establish an Islamic charitable *waqf* property on a section of the land in the cemetery that was empty of graves. Arafa then turned it into a *waqf* school, which is known to this day as the **Hassan Arafa School**. The Israeli authorities annulled the school's status as *waqf* property and confiscated it, along with the remaining *waqf* properties, on the pretext that it was "absentees' property," on the ground that it has been administered by the Higher Islamic Council, which was considered "absent" after the Nakba.

Hassan Bek al-Jabi, the Yaffa district commissioner, established the **Hassan Bek (Al-Mansheya) Mosque** in 1915. The choice of the far northern section of the Al-Mansheya quarter as the location of the mosque, in the north of Yaffa, was not accidental, but part of a comprehensive plan to develop the northern part of the city, improve transportation within the old town, and connect the area to the port. More importantly, the establishment of the mosque on that site was an attempt to thwart the Zionist plans, the scope of which had begun to become evident with the establishment of the first quarters of Tel Aviv in 1909. It was clear to the



district commissioner that the Zionist leadership was striving to encircle Yaffa with Jewish quarters in order to block its expansion to the north, and then gain control of it (Levin, 2005: 74). This was Hassan Bek's main motivation in establishing an expansive *waqf* property on the outskirts of the populated area in the far north of the Al-Mansheya quarter, and building a large, beautifully decorated mosque in this area, which was almost entirely unpopulated.<sup>42</sup> Despite the astonishment and opposition of the people to a mosque being built in an area so far from their homes and the city center (Haykal, 1988: 76), Hassan Bek sought to keep this strategic region under Arab control in perpetuity, in order to prevent the encroachment of the Jewish quarters towards the as-yet uninhabited shores of northern Yaffa. With the exception of the mosque, he designated most of this area as a *waqf* endowment to ensure that its ownership could never be transferred to non-Muslims (LeVine, 2005: 74). Practically speaking, the establishment of the mosque at this location and its connection to the city's road network and modern streets shifted the center of the city and the focus of its construction activities from the old town to the borders of Tel Aviv. Yousef Haykal, the last mayor of Yaffa prior to the Nakba, commented in relation to this development that the Hassan Bek Mosque and the surrounding *waqf* endowment had prevented the city

of Tel Aviv from expanding southwards into Yaffa (Haykal, 1988: 77, 80). Of course, following the Nakba most of the Arab quarters were razed and wiped off the city's maps. The *waqf* land surrounding the mosque was confiscated and all the *waqf* buildings demolished. The mosque was again abandoned in an area that was to become exclusively Jewish, and teem with hotels, businesses, entertainment establishments, restaurants and cafés.

Less than two years after his appointment to Yaffa, and upon the Ottoman State's entry into the First World War, Hassan Pasha was transferred out of Palestine. The administration of the mosque, which had yet to be completed, was transferred after the war to the *Waqf* Department of the Higher Islamic Council, along with the rest of the Palestinian *waqf* properties. Work on the mosque was completed in 1923, and included a number of exterior ornamentations. The construction contract was awarded to Yaffan engineer Darwish Abu El-Afiah.<sup>43</sup> The Higher Islamic Council carried out repair and maintenance works, and in 1935 built the surrounding walls.<sup>44</sup> Once the Al-Mansheya quarter had grown to become one of the largest in the city, and the political and strategic importance of the mosque's location had become clearly apparent, the Higher Islamic Council began to pay considerable attention to the

mosque, which subsequently became a major social center in northern Yaffa. This interest is evident in the records of the council and in its rapid responses to all requests for restoration and maintenance work. Nor did the council hesitate to provide funding for teaching posts in the mosque, for supplying water to worshippers, paving the courtyards, building walls, and other such expenses.<sup>45</sup>

After the State of Israel had erased all Arab traces from the area between the Yaffa city center and the Hassan Bek Mosque, the Al-Mansheya quarter was converted into a public park, covered over with grass and palm trees, and named after Sir Charles Clore, the donor who had funded the renovation. The Hassan Bek Mosque remained standing within its walls, deprived of revenue to cover its maintenance costs. The Israeli public and press made accusations that prior to 1948 the mosque had harbored fighters and snipers inside the building, on the roof and inside the minaret, who had aimed their bullets at Tel Aviv (Suriyan, 1983). After the Nakba, the mosque was closed down, praying in it was forbidden and its condition deteriorated. A report submitted to the Tel Aviv Municipality in 1978, gives the following description of the mosque: “There is no guard in place. They have looted the mosque, pilfered its doors and windows, and lifted the marble stones that covered the floor. They have desecrated the mosque and turned it into a toilet.”<sup>46</sup>

### **Israel’s policy towards the Islamic *waqf* and the consequences thereof**

On March 20th, 1950, in the aftermath of the founding of the State of Israel, the Israeli Parliament passed the Absentees’ Property Law, for the purpose of confiscating the property of the Palestinian refugees. In accordance with the law, an office named the “Custodian of Absentees’ Property” was established, which seized all of the real estate and property belonging to the refugees, allegedly pending a resolution of the refugee issue. In truth, however, the law legitimized the appropriation of such properties, and authorized the Custodian of Absentees’ Property to transfer the real estate under its custody to any party, without legal accountability. The Absentees’ Property Law had a devastating effect on the Palestinian *waqf*. It operated alongside a system of ancillary laws and regulations to transfer the *waqf* properties, which had originally been bequeathed to Muslims, to the Jewish population of Israel. This transfer was achieved through the designation of these properties as the property of the Development Authority, a governmental agency managed by the Israel Land Administration, or of the Jewish National Fund, which is entitled by law to prevent Arabs and Muslims from using the land under its control (Peretz, 1958: 143). Naturally, this law did not make any serious inquiry into the

origins of these properties, or whether they were classified as private property, private *waqf* or charitable *waqf*, and all ultimately met the same fate (Eissenman, 1978: 225). The Islamic *waqf*, which had previously been administered by the Higher Islamic Council, was considered to be “absentees’ property” on the ground the council’s chair, Mufti Haj Amin Al-Husseini, and other members of the council had become refugees and were located outside the borders of the Jewish State (Dumper, 1997: 32). Although approximately 130,000 Palestinians had managed to stay in their homeland – and today account for around 18% of the total population of Israel – the law ignored their existence, and indeed barred them from using the *waqf* properties, and even from administering them. Under the Absentees’ Property Law, the cemeteries, shrines, *zawiyas* and mosques, classified as “absentees’ property”, were placed under the control of the Custodian of Absentees’ Property. Until 1965, the Minister of Religious Affairs had full authority over all the *waqf* properties placed under the control of the custodian; under the military regime that was imposed on Palestinians in Israel in the aftermath of the Nakba, ownership of in excess of 75% of private and charitable *waqf* properties was transferred to Jewish organizations (Lustick, 1980: 98-100).

In order to lend a veneer of legitimacy to its domination of the Islamic *waqf*, the

Israeli government appointed a group of Muslim advisory committees, whose members were willing to collude with the government in overseeing the management of the *waqf* institutions, including mosques, cemeteries and shrines. In reality, they were merely a means of facilitating Israeli control over the *waqf*. Some of these individuals openly and regularly frequented bars in Tel Aviv, and would reportedly even sign documents for the transfer of Islamic *waqf* properties in exchange for a few glasses of wine (*Ha’aretz*, 1984). These individuals represented no one but themselves, and were not above surreptitiously offering their signatures to authorize the sale of land belonging to cemeteries and mosques. Upon hearing that the **Cemetery and Shrine of Abd al-Nabi** had been sold to an Israeli investments company, the Arab residents of Yaffa rose up in demonstrations. However, the government was unswayed, and gave the deal its backing. Today, the Tel Aviv Hilton Hotel stands on the grounds of the cemetery and shrine in the north of Yaffa. A highway was also built on the bulk of the land belonging to the Taso Cemetery (*Ha’aretz*, 1981; Jiryis, 1970: 120).

In 1965, the Israeli Knesset enacted an amendment to the Absentees’ Property Law, and in 1975 passed a group of regulations concerning the Islamic *waqf*. Together, these measures revoked the *waqf* classification of all the *waqf*

properties, thereby legitimizing their confiscation and transfer to state ownership and enabling their sale to whoever wished to acquire them.<sup>47</sup> To legitimize these steps, government-appointed Muslim committees known as “Trustee Committees” were set up, whose actual function was to provide an Islamic façade to the process of appropriating the remaining *waqf* properties.<sup>48</sup> Following the appointment of these committees, large portions of the Islamic *waqf* were sold off to Israeli and other Jewish investors (Lustick, 1980: 190).

The records of the Yaffa Waqf Administration from the Mandate era indicate that around 33% of shops in the city were previously *waqf* property.<sup>49</sup> Following the Nakba, ownership of the majority of real estate in Yaffa, with the exception of Church-owned real estate, was transferred to the Custodian of Absentees’ Property, and thereafter to the Israeli Development Authority or Jewish National Fund. The northern quarters of Yaffa, including Irshaid and Al-Mansheya, which extended from the city center and along the coast up to the Hassan Bek Mosque, were completely leveled and public parks were built on their ruins. As was the case throughout the city, the ownership of the Islamic *waqf* properties in these areas was transferred to Jewish investment companies under the Absentees’ Property Law. The remaining shops, as well as some of the mosques and

Muslim shrines, were turned into souvenir stores, restaurants and cafés (*Ha’aretz*, 1981). In 1971, and in total secrecy, the *Waqf* Trustees Committee in Yaffa leased out the Hassan Bek Mosque for a period of forty-nine years for a nominal fee to the Edgar Investment Company, a private company owned by Gigi Peres, the brother of Israeli President and former Minister of Foreign Affairs and Security Minister, Shimon Peres (Yahav, 2004: 41). The transaction came to light at the beginning of the 1980s, when the company began to “implement its plan to convert the mosque into a tourist site containing several restaurants, cafés and souvenir shops” (*Ma’ariv*, 1983). This blatant attack on the *waqf* and mosque incurred the wrath of Palestinians in Israel, as well as some leftist Israeli groups, whose opposition compelled the State Comptroller to conduct a review into the legality of the lease. The resulting report issued by the State Comptroller in 1975 confirmed that the lease was illegal based on the fact that the *Waqf* Trustees Committee had subsequently transferred ownership of the land and the mosque that stood on it to the lessee company, a transaction that was prohibited under Israeli law (Yahav, 2004: 42). In response to sustained public pressure led by the Islamic Movement and the Arab political parties, the State Comptroller subsequently annulled the lease.

As a result of the ongoing neglect of the

Hassan Bek Mosque and prohibition placed on its renovation, in April 1983 its minaret caved in. The collapse of the minaret, amid allegations by Arab and Islamic organizations that extremist Jewish groups had intentionally destroyed it, refocused the attention of the public and the press on the mosque, exposed Israeli policy towards the Islamic *waqf*, and served to highlight the issue of the confiscation of *waqf* properties and Islamic holy sites in Israel in general (*Ma'ariv*, 1983). In light of these developments, Arab and Muslim institutions, in particular the Islamic Movement, began to call for prayers to be held in the mosque once more, in defiance of the thirty-year policy of closure. Faced with the tremendous sense of anger that swept through the Palestinian population in Israel, the Israeli establishment could do little to oppose the will of the worshippers. Muslim organizations collected donations, and with the assistance of the Islamic Unity Organization in Amman and the Muslim Waqf Department in Jerusalem, embarked upon the complete renovation of the mosque and the restoration of the minaret to its former state in 1985 (Jerusalem Post, 1981, 1987). The mosque subsequently opened its doors to worshippers, and continues to do so today. The exposure of the illegal lease and the obstruction of the sale of the mosque also led to the monitoring of other transactions that had been approved by

the Waqf Trustees Committees. Some of these sales were made public by the Israeli press. However, since the official records of the work of these committees are highly confidential, it is unfeasible to uncover the entirety of its transactions (Jerusalem Post, 1987, 1988).

In summary, under Israeli law Palestinian *waqf* properties have been looted and destroyed, and Muslim institutions, including the mosques, shrines and schools, have been deprived of any financial backing or permanent income to support either the buildings themselves or their employees. Most of the mosques in Yaffa, as is in other Arab cities and villages in Israel, are built, administered and paid for by personal donations and contributions. In this situation, the Islamic institution operates independently, in many cases in contradiction to state policy, which seeks to impose its own control over this institution. The systematic elimination of the Islamic *waqf* has not brought an end to the Islamic institution as the Israeli legislature hoped; on the contrary, it has propelled the Muslim community to reorganize itself and to develop internal mechanisms with which to preserve its national and religious identity.

Notes

- 1 On the administration of the *waqf* in the Province of Jerusalem, see Gerber, Haim (1985) *Ottoman Rule in Jerusalem, 1890-1914*. Berlin: Klaus Schwarz, pp. 183-194; on the *waqf* administration in the late Ottoman era, see Nufal Ni'mat Allah Nufal, trans. (1985) *The Constitution*, Vol. 2. Beirut: The Literary Press, pp. 124-144.
- 2 On the administration of the Higher Islamic Council, see Kupferschmidt, Uri (1987) *Islam Under the British Mandate for Palestine*. Leiden: E.J. Brill.
- 3 On the policy of settlement in Zionist thought, see Masalha, Nur (1992) Expulsion of the Palestinians: The Concept of "Transfer," in *Zionist Political Thought, 1882-1948*. Washington, DC: The Institute for Palestine Studies, pp. 4-5; Dumper, Michael (1997) *Islam and Israel, Muslim Religious Endowments and the Jewish State*. Washington, DC: The Institute for Palestine Studies, p. 19 (hereinafter: Dumper, *Islam and Israel*).
- 4 Yaffa Shari'a Court Records, Vol. 2, 14 May 1801, p. 31 (hereinafter: Yaffa Records).
- 5 Yaffa Records, Vol. 1, 17 May 1800, pp. 21-22; Vol. 3, pp. 567-570 (no date).
- 6 Yaffa Records, Vol. 10, 2 April 1832, p. 179.
- 7 The researcher, Kamel al-Asali, sketched the Al-Naqeeb Khan (inn) *waqf* property in his book, *Historical Documents on Jerusalem*. Beirut: The Arab Institute for Studies and Publication, 1985, pp. 125-128.
- 8 Yaffa Records, Vol. 2, 19 March 1802, pp. 68-69.
- 9 Yaffa Records, Vol. 1, 14 May 1801, p. 37.
- 10 Yaffa Records, Vol. 5, 13 August 1821, pp. 105-106.
- 11 State of Palestine, Institute for Research and Revival of Islamic Heritage, file nos. 3-6, 3-195-16 (hereinafter: Heritage Revival Institute).
- 12 Yaffa Records, Vol. 2, 19 March 1802, pp. 68-69; 5 December 1805, pp. 206.
- 13 On the history of Yaffa in the period of Abu Nabbut and his *waqf* properties, see Kana'an, Ruba (1988) *Yaffa and the Waqf of Muhammad Aga Abu Nabbut (1799-1831): A Study in the Urban History of an East Mediterranean City*. Ph.D. Dissertation, Oxford University.
- 14 Yaffa Records, Vol. 2, 20 February 1809, p.230.
- 15 Heritage Revival Institute, file nos. 10-24, 1-18-16.
- 16 Yaffa Records, Vol. 2, 1-5 January 1809, pp. 282-283.
- 17 Yaffa Islamic Library, *The Blessed Sabil Waqf* (manuscript), microfilm copy, the Documents and Manuscripts Center, University of Jordan, Amman, Jordan. Shortlisted as Yaffa, Islamic library, tape No. 18, manuscript no. 212, no. of pages: 80 (hereinafter: Blessed Sabil Waqf).
- 18 Blessed Sabil Waqf, p. 21.
- 19 Blessed Sabil Waqf, p. 25.
- 20 Blessed Sabil Waqf, pp. 21-34.
- 21 Blessed Sabil Waqf, pp. 1-13, 62-65. See also Yaffa Records, Vol. 2, 1 January 1809, p. 283.
- 22 Blessed Sabil Waqf, pp. 42-45. Also see photograph of the *waqf* school, Heritage Revival Institute, file nos. 3-7, 3-227-16, also recorded in the Yaffa Records, Vol. 10, 13 February 1812, p. 88.
- 23 Blessed Sabil Waqf, p. 78.
- 24 Heritage Revival Institute, file nos. 3-1, 5-329-16.
- 25 Blessed Sabil Waqf, pp. 51-62. This *waqf* property was registered on 7 July 1815.
- 26 Blessed Sabil Waqf, p. 51.
- 27 Yaffa Records, Vol. 4, 21 November 1816, p. 62.
- 28 Heritage Revival Institute, file nos. 20-14, 4-23-16.
- 29 On the Al-Jazzar *waqf* property, see comprehensive study of the topic by Mahibish, Ghassan (1999) *The Jazzar Charitable*

- Compound in Acre*. Acre: Al-Aswar Foundation.
- 30 Yaffa Records, Vol. 2, pp. 68-69 (no date). See also, Al-Taba', Othman Mustafa Al-Ghazzi (1999) *History of Gaza from Ancient Times to the Beginning of the Mamluk Era: A study of Abdel Latif Zaki Abu Hashem*, 4 Volumes. The Yaziji Library, Gaza, Vol. 1, pp. 178, 183 (hereinafter: Al-Taba', *History of Gaza*).
- 31 Tel Aviv Municipality Archives, Group 4, File no. 2241, Document no. 877/62, Tel Aviv Municipality Engineer's Report, 9 December 1962 (Hebrew).
- 32 Ibid.
- 33 Yaffa Records, Vol. 5, 9 May 1822, p. 4.
- 34 Yaffa Records, Vol. 3, pp. 567-570 (the document is incomplete and is missing a date); Vol. 8, 28 May 1797, pp. 24-26.
- 35 Yaffa Records, Vol. 5, 11 March 1824, p. 105.
- 36 Yaffa Records, Vol. 46, 29 January 1881, pp. 20; Al-Bawab, *Encyclopedia of Beautiful Yaffa*, m.2, p. 440.
- 37 Tel Aviv Municipality Archives, group 4, file no. 2241, document no. 877/62, Tel Aviv Municipality Engineer's Report, 9 December 1962.
- 38 Ibid.
- 39 Yaffa Records, Vol. 64, 14 April 1896, p. 13; Al-Bawab, *Encyclopedia of Beautiful Yaffa*, m.2, p. 441.
- 40 Tel Aviv Municipality Archives, box no. 897, file no. 11/8/e, letter no. 17, from Mayor Yisrael Rokah to the Prime Minister, 21 May 1950.
- 41 Yaffa Records, Vol. 52, 22 January 1885, p. 9.
- 42 For more information about the *waqf* properties of Hassan Bek, registered on 2 October 1915, 19 April 1916, and 20 November 1915, and copied in the Shari'a Court Records, see Yaffa Records, Vol. 53 (Period of the British Mandate) newspaper 129-135.
- 43 Heritage Revival Institute, file nos. 20-3, 4-23-16, from the Chair of the Technical Body to the Chair of the Higher Islamic Council, 3 March 1923 and a wide range of correspondence; file nos. 20-14, 4-23-16, from the Yaffa Waqf Commissioner to the Chair of the Higher Islamic Council, 14 January 1924.
- 44 Heritage Revival Institute, file nos. 40-1, 16-3-37, from the Deputy Director General of the Waqf to the Secretary of the Higher Islamic Council, 18 November 1937.
- 45 Heritage Revival Institute, file nos. 40-5, 1-39-16 from the Director General of the Waqf to the Under-Secretary of the Higher Islamic Council, June 4, 1941; file nos. 40-1, 1-35-16 from the Chair of the Higher Islamic Council to the Director General of the Waqf, 2 October 1935.
- 46 Tel Aviv Municipality Archives, group 4, file 9/T, no. 329/48, 5 July 1978.
- 47 For comprehensive research and analysis of this law, see Dumper, *Islam and Israel*, pp. 44-62.
- 48 See State of Israel, "Absentee Property Law", para. 29A (Hebrew).
- 49 Heritage Revival Institute, file nos. 10-18, 5-19-16, 10-27, 1-22-16. These files contain documents from the years 1922 and 1939, which are lists of the numbers of these stores, their location and types. See also Dumper, *Islam and Israel*, p. 54; Barron, John Bernard (1992) *Mohammedan Wakfs in Palestine*. Jerusalem: Greek Convent Press, p. 63.

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