

WAQF AS MANIFESTATION OF JUSTICE

THE TREATMENT OF SOCIAL CATEGORIES BY
THE INSTITUTIONS OF *AWQAF* AS PER THE
VAKIFNAMES ENDOWED BY ALBANIAN
POPULATION.

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HISTORY OF WAQF

- From approximately the ninth century, roughly two hundred years after the death of the Prophet Muhammad, ﷺ charitable foundations and endowments (waqfs or awqāf) began to emerge and spread across the Islamic world.
- Over the next millennium, charitable foundations and endowments would become fundamental to the conceptualization and manifestation of an Islamic society to such an extent that it would become nearly impossible to envision the Muslim world without waqfs.

SENSITIVE SOCIAL CATEGORIES ACCORDING TO THE "LAW ON THE SOCIAL ASSISTANCE SCHEME IN KOSOVO" TODAY

In this regard, the beneficiaries of social assistance in Kosovo are as follows:

- Senior citizens, 65 years or older than that (without family care),
- persons with disabilities (physical and/or mental disabilities),
- orphans whose both parents have died, or who was born from a single (self-supporting) parent,
- materially insecure and disabled persons,
- war invalids and relatives of those who died as a result of the last war in Kosovo,
- legal guardian of the child up to the age of eighteen, who lives with the child and is solely legally and financially responsible for the child, and
- permanent guardians of persons with permanent disabilities or persons aged sixty-five (65) or older who need permanent care, or children under the age of

SETTING WAQF FOR HELPING THE POOR IN GENERAL

- In the will of **Sinanudin Jusuf Çelebi** from Ohri (city in today's North Macedonia), **legalized in 1491**, it is stipulated that they (the poor) be "pious and honest". This endower, had built, among other things, a tekke, for which he writes in his obituary:
- **"For the love of God and hoping for a reward from God, he built and raised the tekke and the school in the center of Ohri for the Muslim poor and the pious poor.** He endowed his land for the benefit of the poor and the pious, so that it would be their dwelling and a place of rest for those who come and go, for the Muslim travelers who dwell in it, for the scientists, the sheikhs, the masters and the commanders.

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- Another benefactor, **Mehmet Hajrudin Kuklibegu from Opoja**, in his vakifnâme of the **year 1538**, had set the condition that the supervisor of the income of his waqf for each year in the mosque of the kasaba of Zinova, i.e. in today's Bresana of Opoja, would spend from 500 akche at the time of Eid al-Fitr and Eid al-adha and to cook food with them on the days of Eid and after praying the Eid prayer to the poor and rich believers. For cooking food on both Eids, Kuklibeg had provided "two cauldrons and fifty pots". On the other hand, Koxha Sinan Pasha of Kaçanik, in his deed of 1586, had built "two inns" in this kasaba, and he deeded them for the benefit of poor people and for the needs of other travelers.

WAQF DEDICATED FOR HELPING POOR CHILDREN AND ORPHANS

- **Ishak Çelebi from Manastir in his vakifnâme of 1508**, has prescribed "three dirhams for each day to be given to the teacher who teaches in the school he founded and dedicated **to poor children and also stipulated that the teacher does not need to receive anything from anyone else for this service. Otherwise, it deserves to be replaced.**
- Sinanudin Çelebi, however, has shown a marked compassion for the poor in general, and especially for the honest poor, orphans and widows of his city, which he expresses in his vakifname, when he says that the tekke he endowed "**be dedicated especially to the honest poor, to orphans and widows, since they are broken-hearted and because for them this service is much more needed.**



WAQF DEDICATED FOR HELPING POOR STUDENTS

- **Ilyaz Bey Mirahori of Korça, in 1505**, in addition to many other endowments, he also left an *imaret* (public kitchen for feeding the poor), for which he made a condition that "*in this imaret, food is cooked and supplied twice a day, at lunch and dinner. Wheat soup and rice will be cooked and whoever is present at the time of the fast will eat, whether poor, rich, foreigner, traveler or resident, children, students, and others, whoever they may be and whatever is available they are allowed to eat, it's halal for them and let them enjoy with good health.*
- **Ishak Bey, in 1445**, in addition to the madrasah he founded **in Skopje**, he also built rooms for students to live in, while the students who studied and lived there were assigned eight dirhams per day

HELPING THOSE WHO COULD NOT PAY TAXES AND DUTIES

- Among the socially endangered categories that the endowers treat in their vakifnâmes are also people who were unable to pay taxes and other state duties.
- in his vakifnâme, **Mahmud Efendi, the son of Hysen from the neighborhood "Hysen Ngjala" of the city of Berat, with the profession of *imam*, in 1702,** "has donated a waqf of 40,000 akche for charity work and among the conditions he had specified is that they have to be used to pay the taxes of "sursat“ and other taxes for the poor of the neighborhood.

Note: Sursat taxes (turkish), taxes imposed by Ottoman Empire at the end of XVI century dedicated to the army.

LIBERATION OF SLAVES

- In the **vakifname of Iljaz Bey Mirahori**, with which he established an imaret (public kitchen for feeding the poor of the community) and **has appointed as the manager of a person named Ali Abdullah, who had actually been slave who was freed by him**. So, in addition to freeing him, he also entrusted him with the management of his waqf. Moreover, in his vakifnâme, Iljaz Bey Mirahori had set a condition that **part of the income of his waqf would be dedicated to the descendants of the slaves he had freed**

HELPING THE SICK

- In their endowments, the benefactors of our lands did not forget the sick, as stipulated and specified in the vakifname of the famous Koxha Sinan Pasha, which of the abundant meals and treats served in the *imaret* built by him in Kaçanik. He stated that they would be distributed "...*even to the physically handicapped persons of the villagers (cripples) and especially elderly and disabled old women*".

TODAY'S SITUATION OF WAQF IN ALBANIAN LANDS

- There is continuation of the development of awqaf in Kosovo
- There is great contribution to the development of awqaf institutions in the diaspora by our people
- There are new types of awqaf established in the recent years