

**WOMEN AND WAQF:
ZEYNEP HANIM WAQF IN THE CONTEXT OF
SUSTAINABILITY
AND PROFESSIONAL MANAGEMENT**

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Abstract

The Zeynep Hanım Waqf, linked to the influential Kavalalı Mehmet Ali Pasha family, played a significant role in both Ottoman and Egyptian histories. The family had prominent members in Egyptian governance and figures like Zeynep Hanım in Istanbul, post the London Agreement of 1841. Zeynep Hanım, known for her philanthropy, notably founded Zeynep Kamil Hospital. She became the family waqf trustee, succeeding her elder brother, pioneering as a female administrator. The waqf charter allowed leadership by both male and female heirs. Her management style reflected a dynamic approach, as she made decisions on property, income, and even incorporated her husband's family. The chapter underscores women's pivotal roles in waqf management during the Ottoman era, with an emphasis on the waqf's societal impact and its philanthropic connections between Egypt and Istanbul.

Keywords

Trustee, voluntary organizations, waqf, women, Zeynep-Kamil Hospital.

Introduction

From the 19th century onwards, some persons from the family of Kavalalı Mehmet Ali Pasha, who played very important roles in both Egyptian and Ottoman history, emerged. Among them, there were those who ruled Egypt as governors (valis and khedives), such as İbrahim Pasha, Abbas Hilmi I Pasha, Said Pasha, Ismail Pasha, Mehmed Tevfik Pasha and Abbas Hilmi II Pasha (Kızıltoprak, 2010). In addition, there were women such as Zeynep Hanım, Amine Hanım and Nazlı Hanım who stood out in the family.

After the London Agreement of 1841, the Ottoman State gave a new status to the Kavalalı family. After that, relations between Cairo and Istanbul normalized. Mehmet Ali Pasha made a historical visit to Istanbul in 1841 and declared his loyalty to Sultan Abdülmecid. Especially after this date, some notables of the Mehmet Ali Pasha family in Cairo made it a tradition to spend the summer in Istanbul.

There are traces of the Egyptians, namely the Kavalalı family, in many aspects of Istanbul's life after the Tanzimat. Having built magnificent structures such as the Khediv Kasr (Palace), Beykoz Kasr (Palace), Misir Apartment, Atlı Köşk, and Sait Halim Paşa Mansion, the family also created important charitable works such as Zeynep-Kamil Hospital.

The women of the Kavalalı family were known for their generosity. These ladies maintained their influence through their voluntary organizations in Ottoman social and cultural life, despite the deteriorating relations between Istanbul and Cairo from time to time.

Zeynep Hanım, a member of the Kavalalı family, also became famous for her charity services. She dedicated a hospital for herself and her husband. Zeynep Kamil Hospital is one of the most important charitable services that she had done with her husband Yusuf Kamil Pasha.

In this chapter, the role of a woman as a waqf founder and manager in economic and public life will be emphasized. Her authority over her wealth and the adventure of how the family waqf, which is a kind of business, turned into a charitable waqf will be explained.

Waqf Institution in the Ottomans

Waqf means that wealthy people donate their cash, goods and properties to the benefit of society. In all Muslim states established since the first years of Islam, individuals from all segments of society have tried to establish waqfs within the framework of their own means and have tried to contribute to the development and survival of existing waqfs. Thus, waqfs were established to meet the needs in different fields. So much so that the infrastructure of services

such as education, health, public works, religious and social institutions was created by waqfs and the need for financing was met in this way (Yediyıldız, 2011). Although there were close relations between religion and the state in many Islamic states before and during the Ottoman Empire, most of the religious institutions and public services were not among the duties that the state was responsible for establishing and operating. In this case, the waqf institution stepped in and prevented many social needs from remaining unanswered (Ünal, 2002).

In some periods, all social services related to the services in the field of education, services aimed at meeting religious needs, public health, helping the needy, construction of roads and bridges, construction of lighthouses, construction of water dams were carried out through the waqf.

There are different interpretations about the origin of the waqf institution. While some make this institution unique to Islamic civilization, others base it on Rome. On the other hand, the waqf is an institution that has been encountered and successfully applied in Turks since ancient times (Köprülü, 1942) The beginning of the waqf institution in Turkish history dates to the periods before Islam. In Turks, the waqf is first seen among the Uyghur Turks (Kunter, 1942).

Islam has also encouraged social solidarity and cooperation, doing charity for the public good, and providing financial support to needy people. The Qur'an contains many provisions about solving social problems. These provisions are grouped under two main headings: zakat based on obligation and charity based on voluntariness. The Qur'an has made zakat obligatory for those who have a certain wealth. In addition, he encouraged every Muslim whose financial power is not at the level of giving alms, to give alms, even in very symbolic amounts. Thus, a financial worship aimed to solve social problems with financial aspects through cooperation and solidarity (al-Qur'an al-Karim al-Baqara 2/3; Al 'Imran 3/134, al-Zilzal 99/7).

The first waqf in the history of Islam was established during the time of the Prophet. At the end of the 3rd year of the Hijra, the Prophet donated the seven date palms that belonged to him for the defense needs of the state. The Messenger of Allah (peace be upon him) said: "When a person dies, his deeds come to an end except for three: Sadaqah Jariyah (a continuous charity), or knowledge from which benefit is gained, or a righteous child who prays for him." (Sunan an-Nasa'i, Kitab al-Jana'iz, Hadith No 2039).

The expression Sadaqah Jariyah in the hadith was understood by Muslims as a waqf. Besides the verses mentioned above, this hadith has been mentioned in almost every waqf. Sadaqah Jariyah means constant charity. In waqfs, the element of continuity is the most basic feature. In fact, the founders of the waqfs took all kinds of measures to ensure continuity and arranged their

waqf certificates. It is essential that the tangible assets or income required for a waqf to continuously provide the services determined by the founder or founders are determined by the founder or founders. The main purpose of the waqfs is to continuously fulfill the services determined by the founders by not reducing the assets left by the founders to the waqf, but increasing it. Taking into account the possibility that people's lives will end and their generations will stop, the donated property is left to Allah's property. It was aimed to guarantee the continuity of the charity established in this way. It is not enough to just allocate land and build a mosque, madrasah or soup kitchen in order to establish a waqf. In order for the built buildings to live forever, it is necessary to take precautions and leave income. For example, a person who dedicates a madrasa must also leave one or more sources of income that will not be interrupted, where the professors who will teach there will receive their salaries, and the students will meet all their needs including shelter, food, clothing and course materials (Ertuğ, 2007).

The revenues of a waqf that has been established can only be allocated to the financing of services for Muslims/members of a certain religion, such as mosques and madrasas, as well as bridges, water dams, etc. that all people can benefit from regardless of religion, language, or race. The non-Muslims living in the Ottoman Empire continued their lives in peace with the state and the Muslim people because they were not discriminated against. This situation was also observed in the hospital charter established by Zeynep Hanım and Yusuf Kamil Pasha. One of the aims of the waqfs is to send men and women in need of treatment from the people of Üsküdar and other places to their homes after they have fully recovered by being treated free of charge (BOA, YEE, 107/61).

Waqfs are one of the most important elements of the state and land system in the Ottoman Empire. In this system, waqfs have many social, economic, cultural, educational and religious functions apart from land law. According to the determinations of Ömer Lütfi Barkan, at the beginning of the 16th century, one-fifth of the Ottoman land was waqf land. This rate increased gradually in the following centuries. In the 18th and 19th centuries, almost one third of the Ottoman lands consisted of waqf lands (Barkan, 1944). The activities of the waqfs in the social and cultural fields were carried out by the Ottomans as a state policy. The most important instrument of the settlement policy pursued in order to enliven and develop the conquered lands, as well as their Turkification and Islamization, was the waqfs. Social and religious institutions such as mosques, madrasahs, soup kitchens, libraries, fountains, and baths, which were established thanks to waqfs, made that town a center of attraction (Barkan, 1942).

Family Waqfs

Conquests that started from the first years of Islam brought along a rapidly growing geographical area and wealth accumulation. Necessities such as preserving this accumulation without disintegrating and managing it economically have emerged. Waqfs are institutions that meet very different social needs and undertake different functions.

It is possible to classify waqfs in many aspects in the Ottomans. If we make a classification in terms of their purposes, we can divide them into charitable waqfs and family waqfs. In a classification made in terms of whether the right to property is entrusted or not, waqfs are again divided into two: *sahih* waqfs (authentic waqfs) and *gayri sahih* waqfs (non-authentic waqfs).

Charitable waqfs are waqfs established with the public interest in mind. Family waqfs, also called *ehlî* (family) waqfs, are institutions established for the benefit of only their descendants. The public interest here is quite limited. The need for such a waqf arose out of the need to protect private property and prevent the fragmentation of wealth. However, over time, some of the family waqfs turned into charitable waqfs. If their descendants are terminated, the founders mostly included the legally necessary arrangements for their waqfs to return to the public interest. Zeynep Hanım Waqf is an example of this. At the end of her waqf, Zeynep Hanım left some of the income to her descendants and allocated some of the income to people in need and maintenance and repair of various mosques, madrasahs and dervish lodges, whose names she mentioned one by one. However, if his generation did not continue, he allocated all his income to charitable institutions (BOA, YEE 107/61).

One of the most important leaders of the Hanafi school of law after Imam Hanefi, Abu Yusuf's permissibility of family waqfs brought a new economic and social area to the agenda in Islamic societies. So much so that although the great Islamic scholars of the period were against this view, it was very well received by Muslim societies and was found acceptable by other sects. In Hanafis, on the other hand, it is considered a definite legal basis. For example, although there are very few members of the Hanafi sect in Algeria, all the waqfs there were established according to the Hanafi sect, that is, on the principles set by Abu Yusuf. With the acceptance of this interpretation, most of the waqfs established in Muslim societies began to be family waqfs. It was actually a wealth transfer that the waqf, which is a charitable institution, took the nature of a kind of bequest or grant that changed the provisions of the inheritance. Despite all the opposition on this issue, the widespread acceptance of the approach advocated by Abu Yusuf is since it responds to public and individual needs (Ertuğ, 2007). Undoubtedly, considering the charitable services, which are mostly counted in the written waqf texts, wealth owners also recorded that they would use their wealth, which would be passed on to their children, for good purposes. In this case, the term semi-family waqf was used.

Confiscation and fragmentation of wealth is a risk-inducing mechanism in the emergence of family waqfs. In addition, the wealthy person wants to prevent his wealth from being disintegrated and disintegrated in unworthy hands. The fact that wealth is not fragmented is a matter that wealth owners pay attention to. The waqf institution offered an opportunity to protect wealth holders from the state's expropriation power and authority, that is, from confiscation. Imprisonment, execution, and expropriation of high-ranking officials, who for any reason fall out of favour with the ruler, are a policy practiced by most Muslim states. At this point, family waqfs function as an insurance that prevents the family from losing their material assets against the danger of confiscation. Generally, state administrators cannot intervene in the administration of waqfs, or they can intervene in a very limited way within the framework of legal situations such as corruption charges. In addition, the waqf administration has the freedom to act in all kinds of activities without consulting the center and without taking orders, within the framework of the provisions in the waqf charter. Because even the sultans did not see themselves as authorized to change the status of waqfs, reduce their rights and change their officials. Waqfs are original institutions with administrative, financial, and disciplinary autonomy. It is not the right approach to describe these facilities as interest institutions (Güngör. 1993).

It is not correct to consider family waqfs as a precaution against Islamic inheritance law. Because, the owner can give his property to the person or people he wants, except for the reserved shares, by donating, even if it is not through a waqf. People's choice of waqf carries charitable purposes, albeit limited. However, the Ottoman social structure also affected the emergence of family waqfs, as in other Muslim states (Zarinebaf-Shahr, 2002). The important feature here was to preserve the integrity of the property, which included large agricultural lands, in the hands of generations. A property endowed in the name of a family could not be dismantled or sold by the heirs of the waqf owner. In this way, a property that was put under protection by turning it into a waqf was prevented from being confiscated for debt or as a diet, and to be dismantled and disposed of for various purposes. Family properties, which were turned into "family waqfs", were guaranteed to preserve their integrity and be passed down from generation to generation, within the conditions determined by the founder of the waqf.

On the other hand, waqfs were seen as a great guarantee for the society and its founders in cases such as the transition of a country from the sovereignty of one state to the sovereignty of another state (Köprülü, 1942). Family and semi-family waqfs, which have existed since the first periods of Islam, increased in the years when the Ottoman Empire was weakened militarily and politically. This situation is quite remarkable. So much so, that the aim of protecting the assets of the waqfs, which are in danger of falling under the sovereignty

of another country through waqfs and serving for all kinds of needs of the Muslim society, has taken priority. Also, another important reason for the current proliferation is to secure future income guarantees for the children. However, it is not right to see this thought as a corruption. It is a natural human behavior. It can be said that western researchers, who subject these family waqfs to negative evaluations, also try to find a cover for the non-compliance with the law of waqfs in the states established after the Ottoman Empire. Even though a new state authority emerged in the occupied territories of the Ottoman Empire, waqfs had a great function in maintaining the unity and solidarity of the Muslim community under the new authority (Ertuğ, 2007).

Women Waqfs

In the Ottoman Empire, each waqf was established within the framework of certain rules. Issues such as the purpose for which the waqf institution was established, how it would be managed, which officials would be found, how much wages and salaries would be given to whom were determined directly by the founder and recorded in a written text called waqf.

This text, which is a kind of statute of the waqf, must be approved by the Qadi, that is, the judge. The management and financial responsibility of the waqf belongs to the waqf trustee, which means the administrator of the waqf, which is clearly stated by the founder in the waqf charter.

The founder of the waqfs established during the Ottoman Empire was called (wâqif). This donor does not want anything in return from people for his good deeds. He expects the reward of this good deed, that is, his reward, only from Allah. Apart from this, there is no expectation of income or financial benefits. In addition, it is an encouraging factor that the people who establish waqfs are respected and respected in the society. It is to think about the environment of rich and able-bodied individuals and support them (Barkan, 1940).

The waqf system allows the wealthy or those who have the means to do charity to establish a charitable institution within a certain order. In this respect, waqfs are public institutions. Carrying out some public activities that the state should do through waqfs means that the wealth in the hands of those who have the opportunity is spent for the public benefit in the right way. In this respect, waqfs both prevented the arbitrary spending of national wealth to some extent and contributed to the elimination of the problems of the needy within a certain system. One of the reasons behind the development and spread of the waqf institution during the Ottoman Empire was the protection of individual property thanks to the family waqfs established. Since the properties constituting the waqf were considered the property of Allah according to Ottoman law, their confiscation by the state could not be made in most cases. The seizure of property by the state after the disgrace of high-ranking officials was a common

occurrence in previous periods. Such people, thanks to the family waqfs they established during the Iqbal period, protected the goods they had earned in their lives. When they died, they ensured the safe transfer of these goods to their heirs. Thus, the economic assets of the family were secured (Baş, 2006).

Most of the family waqfs have been a source of assurance that provides social security against the risks that people will be exposed to at any point in their lives, such as old age, illness and accident. In the Ottoman Empire, waqfs were seen as administratively and financially autonomous institutions. Waqfs were only responsible to Qadis for their own functioning. Those who served as Qadi legally supervised the waqfs. They would examine the activities of the waqfs, check whether they were working in line with their objectives, whether there were irregularities in their income and expenses, and whether the provisions of the waqf were followed. The state would intervene in the waqf at Qadi's request and in matters concerning public order. In this respect, waqfs operating in accordance with the law would carry out their activities with complete freedom. In the studies on waqfs, some results have emerged about women's waqfs. According to the results of academic research in this field, women with wealth and power did not lag behind men (Baer, 1983; Tucker, 1985; Faroqi 1987; Leila 1992; Meriwether, 2000; Baş, 2006). The women established their own waqf and managed and operated it on their own. In this respect, some women played important roles in the Ottoman economy and public life.

On the other hand, the waqfs of female founders are smaller than the waqfs established by men in terms of both numbers and sources of income. However, it has very important functions. In general, these waqfs have been an important source of employment for women living in the city. In addition, the waqfs, which provided municipal services, religious services, education and health services, also ensured that the poor, homeless, orphans, even stray cats and birds were fed. Women's participation in the waqf system, which offers such a wide range of services, even with small savings, has important indicators of both their philanthropy and the level of their economic independence (Baer, 1983; Zarinebaf-Shahr, 2002).

Zeynep Hanım and Her Family Waqf

Zeynep Hanım became the trustee of the family waqf established by Mehmet Ali Pasha, when her elder brother Said Pasha died in 1863. However, he left this duty to other members of the family in the governor's office. On his behalf, İsmail Pasha (1830-1895) and then Tevfik Pasha (1879) became responsible for the management of the waqf.

According to the waqf charter, the administration of the Kavalalı waqf was left to the eldest male or female heirs of M. Ali Pasha's son. After M. Ali Pasha, his two sons, Governor Abbas Pasha (1813-1854) and Governor Said

Pasha (1823-1863) served respectively. After Said Pasha's death, İsmail Pasha (1830-1895), son of Ibrahim Pasha (grandson of M. Ali) (1830-1895), became the governor according to the governor's edict of 1841. After that, the right of administration of the waqf passed to Zeynep Hanım (1826-1886), who was not the governor but the eldest member of the family for the first time. Zeynep Hanım got this right as the eldest child of M. Ali Pasha. She gave the power of attorney to Khediv İsmail Pasha in 1863 and then to Khediv Mehmet Tevfik Pasha in 1879 to manage the waqf. Thus, the administration of the waqf was left to the Khediviyyet office by Zeynep Hanım for a long time. After Zeynep Hanım's death in 1886, the management of the waqf was taken from Khediv Mehmet Tevfik Pasha upon the request of Halim Pasha (1831-1894), the eldest member of the family and Mehmet Ali's only surviving son. According to the charter, Halim Pasha took over the administration (BOA, YEE, 87/30).

On the other hand, according to the charter of this waqf, Zeynep Hanım had some revenues and the right to manage the Kavala Kulliyeye (Complex). In addition to the waqf's lands in Egypt, the revenues of the island of Thassos, which is right across the city of Kavala in the province of Thessaloniki, were allocated to this waqf in 1813. Thassos Island, as the land of Kaptan Pasha hass system, had always been a part of the Kavala district of Thessaloniki province.

After suppressing the Wahhabi movement, Mehmet Ali Pasha had requested from the Ottoman Sultan Mahmut II that this island be bestowed on him as a mansion to be dedicated to the mosques and madrasas he founded in Kavala.

Thereupon, the island of Thassos was given to the charity waqf established in Kavala by the will (irade) of Sultan Mahmud II in H.1228/ M.1813. The island of Thassos remained under the rule of the Egyptians for 88 years. A Müdür (manager) was sent here first by the Egyptian seneschal (Mısır Kapıkethüdası) in Istanbul, then by the Egyptian Ministry of Waqfs. Civil administration was established on the island in 1901. After that, the administrative function of the island was taken from the Egyptians and given to the province of Thessaloniki. When the Balkan War started, on 31 October 1912, Greece occupied Thassos together with Samothrace and Ayastiri. The Ottoman State constantly protested and did not recognize this occupation. According to the 1923 Treaty of Lausanne, Thassos was legally released from Turkish sovereignty. However, the fact that the island is a waqf land has brought along some legal discussions (Kızıltoprak, 2011).

An Example for Women's Waqfs: Zeynep Hanım Waqf

Another dimension of the relations between Istanbul and Cairo is the waqfs. A waqf established in Istanbul could include contributions to some charitable institutions such as mosques, madrasas and dergahs in Cairo, as well as the

management of a waqf established in Cairo could be led from Istanbul. One of the many examples of this is the waqfs established by Zeynep Hanım (1826-1884), the daughter of Kavalalı Mehmet Ali Pasha. In this presentation, answers to the following questions will be sought. Has there been any wealth transfer to the poor through Zeynep Hanım waqfs? To what extent did women participate in public life through waqfs? To what extent do husbands decide and have a share in women's wealth? What are the functions of family waqfs? What measures have the founders taken on sustainability? This presentation will try to evaluate the questions that develop in the form of the waqfs established by Zeynep Hanım, albeit limitedly. It will try to make a small contribution to the studies that examine these questions in their entirety.

The role of a woman waqf founder and manager in economic and public life will be emphasized. Her authority over her wealth and the adventure of how the family waqf, which is a kind of business, turned into a charitable waqf will be explained.

Waqf Management by Trustee Women

In the Ottoman Empire, as in other Muslim states, the most important legal document regarding the establishment of a waqf is the waqf certificate. The legal structure of the waqf in question, its purpose of establishment, its fields of activity and service, the properties belonging to the waqf and the sources of income, the persons who will provide the management and control of the waqf are clearly stated in the waqf. A charter is a document that ensures the continuity of social and cultural assets, legally records their eternal life, and arranges their income in a way that will continue to exist. After the waqf is established, the most important person in the functioning of the waqf is the trustee. The trustee is the person who is appointed to manage the works of the waqf within the framework of the conditions of the waqf and shar'î law in other words the rules of the religious law. Women who became managers in waqfs via being elected by the founder of the waqf received a salary in return for these duties and kept the management of the waqf in their hands (Barkan, 1940: 159).

Zeynep Hanım: As the Founder and Trustee of the Waqf

Women who established waqfs and women who were trustees were engaged in an activity in the economic field as well as in the social field. There are two separate waqfs related to Zeynep Hanım. The first is the waqf of Mehmed Ali Pasha's complex in Kavala. The second is the waqf established by Zeynep Hanım for the lands and structures that are her own property.

Firstly, Zeynep Hanım ran the administration of the first waqf as the eldest surviving member according to the provisions of Kavalalı Mehmed Ali Pasha's charter. When her elder brother Said Pasha died in 1863, Zeynep

Hanım became the trustee of the family waqf inaugurated by Mehmet Ali Pasha. However, she left this duty to the other members of the family in the office of governor/Khedive. On his behalf, İsmail Pasha (1830-1895) and then Tevfik Pasha (1879) became responsible for the management of the waqf.

According to the waqf charter, the administration of the Kavalalı waqf was left to the eldest male or female heirs of Mehmet Ali Pasha's children. After Mehmet Ali Pasha, his two sons, the governor Abbas Pasha (1813-1854), the governor Said Pasha (1823-1863), served respectively. After Said Pasha's death, İsmail Pasha (1830-1895), son of Ibrahim Pasha (grandson of M. Ali) (1830-1895), became the governor according to the governor's edict of 1841. After that, the right of administration of the waqf passed to Zeynep Hanım, who was not the governor and but she was the eldest member of the family for the first time. Zeynep Hanım got this right as Mehmet Ali Pasha's eldest child in life. She gave power of attorney to Khediv İsmail Pasha in 1863 and then to Khediv Mehmet Tevfik Pasha in 1879 to manage the waqf. Thus, the administration of the waqf was left to the Khediviyyah office by Zeynep Hanım for a long time. After Zeynep Hanım's death in 1886, the management of the waqf was taken from Khediv Mehmet Tevfik Pasha upon the request of Halim Pasha (1831-1894), the eldest member of the family and Mehmet Ali's only surviving son. Halim Pasha took the administration into his own hands according to the charter.

The waqf, established by Zeynep Hanım, is based on her inheritance from her father, Kavalalı Mehmet Ali Pasha. Zeynep Hanım prepared a detailed charter about this waqf she established for the lands and structures that are her own property. She has made additions to these waqfs over time. In the Prime Ministry Ottoman Archives (YEE 107/61), Zeynep Hanım's waqf certificates are available. In the archive number in question, there are four waqf charters registered on 14 Shawwal 1277/25 April 1861, 16 Camaziyalawwal 1281/ 17 October 1864, 15 Rajab 1293/6 August 1876, 23 Zilhijce 1300/25 October 1883.

The first of these waqf charters, the one dated April 25, 1861, is in the form of a bound notebook. The share of the inheritance of the Egyptian Governor Kavalalı Mehmet Ali Pasha, which was left to Zeynep Hanım, was transformed into a new family waqf. The aforementioned waqf is the first one established in the name of Zeynep Hanım.

After that, a new addendum/addition was made to the charter. The second waqf charter, dated October 17, 1864 and titled First Zeyl, belongs to two fountains built by Zeynep Hanım in Kartal district of Üsküdar. The third waqf charter, named Second Zeyl, is dated 6 August 1876. The language used in this waqf charter, which includes the property and revenues that Zeynep Hanım and Kamil Pasha donated together, is different from the first and second waqf

texts. It is a waqf charter that is organized for the first time by citing the joint income and property of the spouses. In the previous two texts, only Zeynep Hanım's properties and incomes were cited as a source of the established waqf. This text was written 64 days before the death of Yusuf Kamil Pasha and recorded how the establishment, operation and continuity of the hospital, which was started in Üsküdar, would be ensured. The second Zeyl, that is, the third waqf charter, is the waqf charter of Zeynep-Kamil Hospital. The last one in the notebook, the fourth waqf charter named Third Zeyl, is dated 25 October 1883 and includes Zeynep Hanım's last changes regarding the waqf texts (Kızıltoprak 2005; Etker-Günergün-Köşe 2004).

Evaluations and Conclusion

Zeynep Hanım did not make any changes in the first charter of the waqf that she inaugurated for a long time. In addition to her first waqf charter in 1864, she included two fountains she had built in Kartal. But during this time, she did not make any changes that could be considered in favor of his husband. Again, she built these fountains based on her own income. There was no partnership of the spouses, neither in the service of the waqf nor in the expenditures that originate from the waqf. The waqf was established only in the name of Zeynep Hanım. This means that Zeynep Hanım managed her own property of her own free will. She alone took the necessary measures to ensure the sustainability of the services offered by the waqf. In the original text of the waqf, she did not give any opportunity to her husband and relatives to benefit from the services and incomes of the waqf or to take charge. This situation lasted from 1864 to 1876.

Zeynep Hanım made the first change that can be counted in favor of her husband Yusuf Kamil Pasha in her first waqf charter in the text of the third waqf dated 1876. Yusuf Kamil Pasha spent the last few years of his life in distress. After being appointed as the head of the Council of State for the second time on August 3, 1872, he could not get rid of his illness even though he had rested in Egypt for five months and returned to Istanbul because he was sick in his heart. As a matter of fact, he left the post on August 21, 1875. After that, Yusuf Kamil Pasha passed away on October 10, 1876, in his mansion in Bebek, when he was appointed as the head of the Council of State for the third time. He was buried in the turba/mausoleum in the garden of the hospital he had built with his wife Zeynep Hanım in Üsküdar (Beyoğlu, 2001).

The third waqf charter, which was organized on 15 Rajab 1293/6 August 1876, 64 days before the death of Yusuf Kamil Pasha, has a completely different structure. It can be mentioned that a waqf text was written waiting for the death of Yusuf Kamil Pasha. The hospital land, which is the subject of the charter, belongs to Yusuf Kamil Pasha. However, Zeynep Hanım and her husband Yusuf Kamil Pasha jointly started the construction costs of the

hospital building along with the completion of the hospital construction, the supply of necessary medical supplies, personnel expenses, etc. The detailed info on the coverage of the operating costs is clearly stated in the waqf text. In this context, Zeynep Hanım declares that the income generating properties for the hospital were jointly established by the husband and wife (BOA, YEE, 87/30).

Zeynep Hanım also contributes to the Dergah of Fenaî Shayh Ali Efendi in this waqf charter. In the place named Pazarbaşı neighborhood of Üsküdar next to the Dergah of Fenaî Shayh Ali Efendi on a land of 678 square meters, for the building previously built with 10 rooms, a kitchen and other outbuildings and the lodge allocated to the sheikhs, and for the additional construction, maintenance, repair and equipment of the hospital known as Zeynep-Kamil Hospital today, all expenses including the personnel expenses, would be provided from sources outside Egypt from the properties within the borders of Istanbul and Izmit. The income to be obtained from the buildings used as customs places on the seaside and from the inn called Arap Hacı Hasan Yeni Han in Izmit, which has three rooms, a coffee house, a haystack and a barn, was paid by Kamil Pasha and Zeynep Hanım in April 1291 (April-May 1875) and "deposited" to Banque Imperiale Ottomane. One hundred thousand government bonds would be combined with the interest to be given from the Treasury in July and January each year. If these bonds were converted into something else, the price to be received and the profit from investing it in interest would be combined with other income. In addition to the income of the waqf, for the maintenance of the Fenâî Lodge, 100 hundred units of mecdiye gold would be sent to the sheikh and 400 hundred units of mecdiye gold would be sent to the relatives of Yusuf Kamil Pasha in Arapgir every year.

The language used about Yusuf Kamil Pasha in this waqf charter has also changed. Although the waqf was written by Zeynep Hanım, there are clear statements that there is a partnership in the waqf. In addition, the income to be obtained from the resources indicated in the third charter, not from Zeynep Hanım's properties in Egypt, was allocated to cover the expenses of the Hospital. In this case, the actual founders of the hospital are Zeynep Hanım and Yusuf Kamil Pasha.

The fourth waqf charter was prepared approximately 5 months before Zeynep Hanım's death. Zeynep was seriously ill at that time. This last waqf charter of Zeynep Hanım is dated 23 Zilhijce 1300/25 October 1883. It includes the last changes on the charters written in 1861, 1864 and 1876.

Zeynep Hanım left limited opportunities and authority to her husband Yusuf Kamil Pasha, considering the various possibilities regarding his marriage life, while organizing the first waqf charter. The waqf is clearly in her own name. Zeynep Hanım took part in economic activity through a waqf she established in her name, such as in the land, palace, mansion and farm, which

were inherited from her father, Kavalalı Mehmet Ali Pasha. When the first charter and the fourth charter she organized for this purpose are examined, it seems that she managed her property freely without being influenced by her husband. Her husband, Yusuf Kamil Pasha, continued to be with her until the end of his life. Zeynep Hanım included the issue of helping her husband's relatives in Arapgir in the third waqf charter, which was organized on 15 Rajab 1293/6 August 1876, 64 days before Yusuf Kamil Pasha's death on 9 October 1876. The subject of aid to Yusuf Kamil Pasha's relatives may first be the Pasha's request. However, Zeynep Hanım could have taken this matter into consideration before. Of course, the fact that both of them recorded this issue towards the end of their lives, not in their teenage years, may be related to the fact that they did not have children.

The basic articles in the first waqf charter were changed, especially in the fourth waqf charter. These changes show that waqfs have a dynamic structure, not a static one, for their founders. In particular, the changes made by the founders while they were alive are noteworthy in terms of allowing them to take independent decisions on the property and incomes that are the source of the waqf. However, when the first waqf charter is examined, the situation of Yusuf Kamil Pasha is different. Zeynep Hanım was 36 years old in 1861 when this charter was written, based on the inheritance of Zeynep Hanım from her father, Kavalalı Mehmet Ali Pasha. Probably, some possibilities such as Yusuf Kamil Pasha's taking another wife and divorce were taken into account. In addition, the share that will be left to Yusuf Kamil Pasha in this charter is only one in 24. The use of this small stock is also limited.

The emphasis on Yusuf Kamil Pasha in the waqf certificate for the fountain in Kartal, which was organized in 1864, still preserves the old borders. The situation changed completely in the third waqf charter, which was organized on 6 August 1876. The hospital that is the subject of the charter and the income-generating properties for the hospital declare that the hospital was jointly established by the husband and wife. The language used about Yusuf Kâmil Pasha in this waqf charter has also changed. Although the waqf was written by Zeynep Hanım, there are clear statements that there is a partnership in the waqf. The fourth waqf charter was prepared approximately 5 months before Zeynep Hanım's death. This last charter is very important in that it includes changes on previous charters. Zeynep Hanım rearranged the issues of where the waqf revenues will be allocated and how the administrator will be appointed. Zeynep Hanım, who lost her husband and felt that she had come to the end of her life, saw this change as necessary because she and her husband did not have children. She even justified her new arrangement in this way.

According to the first charter, the governor of Egypt and later the Khedive of Egypt had the authority to be the inspector of waqf (waqf nâzırı). Again, the governor of Egypt later had the authority to be the inspector of the

Khedive of Egypt. Due to this authority, incomes such as rent, which must be collected from waqf lands in Egypt, have been affected by the course of political relations between Turkey and Egypt. It was thought that the occupation of Egypt by England in 1882 might negatively affect the future of waqf properties belonging to Zeynep Hanım. Therefore, Zeynep Hanım left the duty of supervision and surveillance of the waqf properties in Egypt to certain people including the Sheikh of Harem-i Nabavî instead of the Egyptian governor/administrator asserted in the last waqf charter. Taking this situation into account, Zeynep Hanım stipulated that each trustee should choose the trustee who will take their place after them. As a matter of fact, before Halim Pasha died, he fulfilled the condition and appointed his son Said Halim Pasha as a trustee. At the end of the fourth endowment text, the record dated 4 Rajab 1309 (February 3, 1892) which is 6 years after Zeynep Hanım's death, shows this determination process.

In short, the Ottoman Empire encouraged finding solutions to economic and social problems in the society by providing transfers from people with good income to those in need. Family waqfs were also trying to meet some of the state's burden on social security, at least in protecting the family's wealth and helping the weak and poor family members. Zeynep Hanım is one of those who transferred resources to services such as social assistance and solidarity undertaken by the waqf institution. The waqf and the service and field of action of the waqf institution cover the wide borders of the Ottoman lands.

The Zeynep Hanım Waqf, which is discussed in this paper, also exemplifies this determination. It is also an example of Egypt's deep relations with the capital city of Istanbul. Zeynep Hanım mostly transferred the income from her waqfs in Egypt to charity services in Egypt. This situation was also observed in the changes she made in her last charter towards the end of her life. She covered the establishment of the two fountains and Zeynep Kamil hospital she had built in Kartal, Istanbul, from her personal income. Her husband Yusuf Kamil Pasha also contributed to the hospital. This is somehow a partnership of two finance owners originating from Istanbul and Cairo.

Zeynep Hanım continued her life with the contribution of her income from Egypt and spent on various charitable works. This means the transfer of resources from Egypt to Zeynep Hanım, who lived in Istanbul. On the other hand, Zeynep Hanım prioritized charitable services at the place of the main source by considering a very important point in her waqf charters. While she at first left the control and supervision of her waqfs in Egypt to the governor of Egypt, she switched this task to the sheikhs of the Prophet's Harem in Egypt after the British occupation of Egypt. She left the position of the trustee of the waqf to her older brother Halim Pasha and his sons. Meanwhile, Halim Pasha was living in Istanbul. The trusteeship was in Istanbul and the supervision was in Egypt. Income from the waqf would also be made to the persons and

institutions specified in Egypt. However, over time, problems arose due to the fact that the nationalities of the people who bore the responsibilities subject to the charter changed and they became subject to different laws. Waqfs were also affected and damaged by these laws.

Finally, it is important to examine the adventure of Zeynep Hanım Waqf in Egypt and to determine its current status, which will be the subject of new studies. It is necessary to underline the significant contributions of people of the Khedive family living in Istanbul to cultural and social life in Istanbul and Egypt through new studies focusing on the charitable activities.

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