

Theory And Philosophy OF Conservation And Preservation In Islamic Civilization

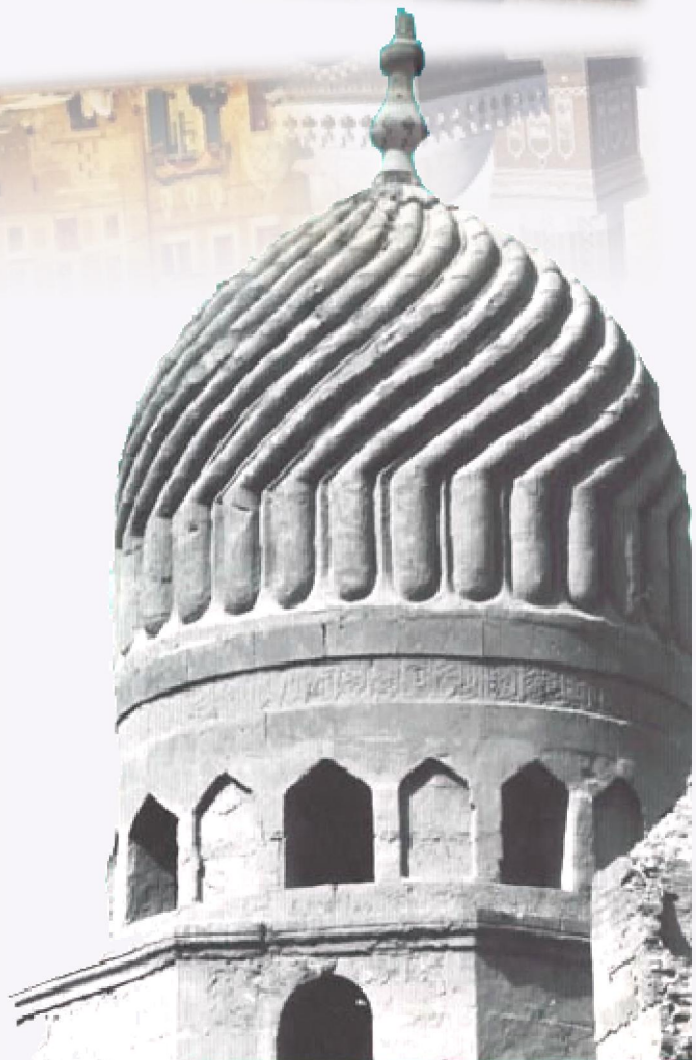


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Introduction

Architectural conservation is a new cultural phenomenon in Western civilization. It was initiated as an emotional concept in Athens charter in 1931, classified as a cultural phenomenon after the Second World War and partly rationalized in the sixties of the twentieth century. But it is a very old, original and rational phenomenon in Islamic civilization, born in the uterus of its *shari'a* الشريعة (Islamic legislation) and associated with the philosophy of Islamic history, particularly with the concept of historical continuity. Architectural conservation participates in keeping the vocabulary of the architectural and urban fabrics of Arabic and Islamic cities running, operating and functioning proper. It activates, enhances and sustains investment in Arabic and Islamic cities. It integrates, complement and not contradict economic development in Arabic Islamic Cities.

Architectural conservation is known in Arabic as *al-`ibaqa`* or *al-istibaqa`* الإبقاء أو الاستبقاء and recently known as *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation). The whole phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) is as old as Islamic civilization itself. It was originated in *al-waqf* الوقف (endowment) institution of Islamic *shari'a* الشريعة (Islamic legislation). The first two terms were coined in *al-waqf* الوقف (endowment) documents; they means: maintaining the premises of *al-waqf* الوقف (endowment); and keeping them in good shape in order to functioning proper for good as required by the *ash-shari'a* الشريعة (Islamic legislation); and the third term *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) is a new one and means the same, I shall use it in this paper.

As a consequence of the phenomenon of the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) on premises of *al-waqf* الوقف (endowment), major parts of the architectural and urban fabrics of Arabic and Islamic cities remain operating and functioning on the course of time. Furthermore theoretical notions of conservation were originated in the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation), like: project management, budgeting, investment and economical development, records of architectural and urban fabrics of cities; so much so practical techniques of conservation were also originated in the phenomenon of the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation).

Goals and Methodology

This paper argues that the phenomenon of the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) was originated in Islamic civilization, and is still functioning with its full intellectual and technical body. This paper will emphasize that the phenomenon of the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) was born in the uterus of Islamic *shari'a* الشريعة (legislation) and is associated with the concept of historical continuity of the philosophy of Islamic history.

This paper will highlight the philosophical, theoretical and technical body of this phenomenon. It will display the theoretical and technical notions of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) as they were coined and initiated in *ahkam al-waqf* أحكام الوقف (rules of endowment) in Islamic *shari'a* الشريعة (legislation); and in the elaboration and contribution of Arab and Muslim jurists, legislators, scholars and architects. It will demonstrate that the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) phenomenon integrates, complements and not contradict investment and economic development. Furthermore it will prove that the phenomenon of *al-hifadh* الحفاظ (conservation) was a major source for the economy of Arabic and Islamic cities.

In doing so I shall examine *al-waqf* الوقف (endowment) documents, *ash-shari'a* (Islamic legislation) books, and demonstrates the concept and institution of *al-waqf* الوقف . I shall examine also the administrative books of civil policies, history books, *al-khattat* (urban planning) books, *Sijillat* سجلات, plural of *sijill* سجل, (record) of *al-qudat* القضاة, plural of *qadi* القاضي (judge) and civil *dawawiyn* دواوين, plural of *diwan* ديوان, (archive of state), architectural and engineering reports. I shall first highlight the relation between *al-hifadh* الحفاظ (conservation) and the philosophy of Islamic history.

Al-hifadh الحفظ (conservation) and the philosophy of Islamic history

Philosophy of history¹ in my view is the way in which civilization sees and imagines itself; expresses its entity, structure and universal context. In other words it is the way that civilization exegesis and interpret its phenomena, the world and the universe. Yet philosophy of history is the whole theoretical, cultural, and intellectual approaches, concepts and notions that govern the formation of the civilization phenomena. And at the same time, philosophy of history is the way by which civilization expresses its structure and cultural phenomena. As a consequence philosophy of history determines the intellectual approaches and frames of the phenomena of civilization; and gives them identity in form and context, which in turn distinguish each high civilization from others. More to the point, philosophy of history is the measure by which it scales consciousness of its followers; and decides their cultural commitment via their reactions to events and epistemological phenomena that might disturb their consciousness.

On these grounds our reaction to the phenomenon of *al-hifadh* الحفظ (conservation) in general and architectural conservation in particular must sprung from our civilization and its philosophy of history that consist of four concepts² as recorded in the holy Quran:

1-*At-Tawasul at-tharikhī* التواصل التاريخي (historical continuity)

2-*At-Tafaker waat-t`amol* التفكير والتأمل (thinking and speculation)

3-*Ad-Duroose waal-`iber* الدروس والعبر (lessons and eruditions)

4-*At-Tanaw` dakhil al-wihda* التنوع داخل الوحدة (variety within unity)

My concern here is devoted to *at-tawasul at-tharikhī* التواصل التاريخي (historical continuity) that requires, demands and imposes continues and endurance presence of the phenomena of civilization as indicated in Islamic religion, particularly architectural phenomenon; that its permanent and endurance presence demands continues conservation. Yet the general goal of Islamic philosophy of history represented by its four concepts requires sustainable *hifadh* الحفظ (maintenance, conservation, preservation and restoration) for all cultural phenomena, particularly environmental, cultural and architectural ones. Yet *al-hifadh* الحفظ (conservation) is a religious requirement and a cultural necessity. Islamic legislation devoted institution, namely *al-waqf* الوقف (endowment), set out and issued *ahkam* أحكام (rules) for upkeep its cultural phenomena, as I shall demonstrate in the following discussions.

Al-waqf (endowment)

I shall highlight the essence of *al-waqf* الوقف (endowment) and emphasize that it is just a virgin of *al-hifadh al-m`imariy* الحفظ المعماري (architectural conservation). I shall first define it; demonstrate the structure of *kutob* كتب, plural of *kitab al-waqf* كتاب الوقف (endowment document); and emphasize its legislative rules together with the conditions of *al-waqif* الواقف (endower) that both constitute the backbone of *al-hifadh al-m`imariy* الحفظ المعماري (architectural conservation). Because of what they denote and connote of the elements of *al-hifadh al-m`imariy* الحفظ المعماري (architectural conservation) like: management of the project of *al-waqf* الوقف, administratively and technically; finance resources, budgeting and expenditure plan; **assigning and giving absolute priority of expenditure for maintenance, conservation and preservation; and consolidation of finance resources.** I shall also highlight techniques of documentations of *al-waqf* الوقف premises, which are in their turn represents the techniques of *al-hifadh al-m`imariy* الحفظ المعماري (architectural conservation) like: designation of *al-waqif* الواقف (endower) and disclose his position in society, recording function and use of premises of *al-waqf* الوقف, dates of their construction and endowment, building materials, their location and borders in the architectural fabric of cities, their description and depiction.

Al-waqf الوقف (endowment)³ is a humanitarian act made by endowers (men or women) who wants to do humanitarian things or charity for public interest or for certain beneficiaries, like: building *masajid* مساجد, plural of *masjid* مسجد (mosque); or *jawami`* جوامع, plural of *jami`* جامع (mosque); *baymaristanat* بيمارستانات, plural of *baymaristan* بيمارستان (hospital); *madaris* مدارس, plural of *madrassa* مدرسة (school); *zawaiya* زوايا, plural of *zawiya* زاوية (private worship and teaching place); *khawanq* خوانق, plural of *khaniqa* خانقاة (elderly home for men); *ribtatat* رباطات, plural of *ribat* رباط (elderly home for women); *mayatem* مياتم, plural of *maytim* ميتم (orphanage); *takaya* تكايا, plural of *takiya* تكية (private and public restaurants) ... etc.

Al-waqf institution combined two core elements⁴ of charitable practice, those are *habis al-`a'iyān* حبس الأعيان (the sequestration of the principal) and *at-tasadduq bil-manfa'a* التصديق بالمنفعة (the giving away of the profits for a pious purpose). Yet those two elements guarantee that devolution, of the second core element, of endowed property from one generation of beneficiaries to the next; because *al-waqf* (endowment) is an irrevocable act or endowment and supposed to exist till the Day of Judgment.

The two core elements are part of the rules of *ash-shari'a* الشريعة (Islamic legislation) and private conditions of endowers where both constitute *al-waqf* institution, as I shall be demonstrating in the course of discussions. Yet *al-waqf* (endowment) is subject to a legal⁵ process; it must be recorded and documented in the court before the *al-qadiy* القاضي (judge) in a diploma or document known as *kitab al-waqf* or *al-waqfiyy* الوقفية. This document has a coherent structure draw up the goals, purpose and use of the premises that *al-waqif* الواقف (endower) endowed or denoted; so much so it record name of endower, location of endowed premises in the architectural fabric of Arabic and Islamic cities; descriptions, depictions and devolution of those premises until became *waqf* (endowment). And most important are the conditions of perpetually of *al-waqf* and the *al-hifadh* الحفاظ (conservation) of their premises (principals).

It is from this structure that the whole phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) was originated as I shall be demonstrating after I highlight the types of *al-waqf* (endowment) in the following discussions.

Types of *al-waqf* (endowment)

There are three types⁶ of *waqf* (endowment), those are:

1- *Al-Waqf al-khayriy* الوقف الخيري (humanitarian endowment) is the act that *al-waqif* (endower) assigns the benefit of his *waqf* (endowment) for public interest or for certain beneficiaries of the public.

2- *Al-Waqf adh-dhoriy* الوقف الذري (endowment for progeny) is the act that *al-waqif* (endower) assigns the benefit of his *waqf* (endowment) for his progeny or part of them, in spite of the fact that progeny have the right to inherit *al-waqif* (endower-donor) according to the rules of heritage in the *ash-shari'a* (Islamic legislation).

3- *Al-Waqf al-mushtarak* الوقف المشترك (combined endowment) is the *al-waqf* (endowment) that comprises both: *al-waqf al-khayriy* (humanitarian endowment) and *al-waqf adh-dhoriy* (endowment for progeny) in the same project of *al-waqf* (endowment) and in one document.

Three of them are subject to the *ash-shari'a* (Islamic legislation) rules of the *al-waqf* (endowment) and the conditions of *al-waqif* (endower). My concern in this paper will focus upon the first one *al-waqf al-khayriy* (humanitarian endowment), as I shall be demonstrating in the following discussions.

Al-waqf al-khayriy (humanitarian endowment)

This type of *waqf* (endowment) comprises two kinds⁷ of *waqf* (endowment) premises; and both are integrating each other, those are:

1- *Waqf al-ist'imāl* وقف الاستعمال (endowment of premise for use), like: *masajid* المساجد or *jawami'* الجوامع (mosques), *baymaristanat* بيمارستانات (hospitals), *madaris* مدارس (schools), *zawaiya* زوايا (private worship and teaching places), *khawanq* خوانق (elderly homes for men), *ribtatat* رباطات (elderly homes for women), *mayatem* مياتم (orphanages), *takaya* تكايا (private and public resident and restaurant for dervishes-*sofiy* Sheikhs) شيوخ الصوفية ... etc.

2- *Waqf at-tmwheel* وقف التمويل (endowment of premise for finance), like: *al-qayasir* القياسر, plural of *qaysariyya* قيسرية (shopping center); *al-aswaq* الأسواق, plural of *suq* سوق (market); *wekalat* وكالات, plural of *wekala* وكالة (trade complex consist of *khan* خان-hotel- and wholesale trade center); *al-hammamat* الحمامات, plural of *hammam* حمام (public bath); *as-subbanat* الصبانات, plural of *subbana* صبانة (soap factory); *al-ma'asur* المعاصر, plural of *m'sura* معصرة (olive and sesame press); *al-arhiya* الأرحية, plural of *raha* رحى (grain mill); *al-madhabigh* المدابغ, plural of *madhbigha* مدبغة (tannery); ... etc.; and farms.

It is interesting to indicate that the second *waqf* (endowment) is assigned to finance the first one in order to keep it running and functioning proper. Yet both premises are considered as principals of the project of *al-waqf* (endowment), consequently both are subject to the same rules of the *ash-shari'a* (Islamic legislation) and *al-waqif* (endower) must be conserve and preserve.

Having highlighted the types of *waqf* (endowment) and demonstrating the kinds of *al-waqf al-khayriy* (humanitarian endowment), I shall take the time here to emphasize the structure of *kitab al-waqf* or *al-waqfiyya* (endowment diploma or document).

The structure of *kitab al-waqf* or *al-waqfiyya* (endowment diploma or document)

The structure⁸ of *kitab al-waqf* (endowment document) is composed from two components: the rules of the *ash-shari'a* (Islamic legislation) and the conditions of the *al-waqif* (endower). Each component is complementing the other; and both have the same executing power; most important that both are constituting the phenomenon of *al-hifadh al-m'imariy* (architectural conservation), as I shall be highlighting in the following discussions, starting with the first one.

1-The rules of the *ash-shari'a* (Islamic legislation)

There are two types of rules of *ash-shari'a* (Islamic legislation):

1-1- The first is concerned with *al-waqif* (endower)⁹ himself and constitutes that: he must be in a perfect state of health and mental power before he makes his endowment. He must disclose as to how ownership of the premises, that he want to make them *waqf* (endowment), passed or devolved to him. And he must prove his legal ownership of the premises he wants to make them *waqf* (endowment), in the court before the *al-qadiy* (judge). When *al-waqif* (endower) signs the document that he devolves in it his ownership of the premises of *al-waqf* (endowment) to public interest or private beneficiaries, as *waqf* (endowment), he has no right to regain his ownership of the premises that became *waqf* (endowment).

1-2-The second is concerned with endowed¹⁰ premises; *al-waqfoon*, plural of *al-waqif* (endower), designate in clear and definite terms the **irrevocable, endurance, permanent and perpetual** role of the projects of *al-waqf* (endowment). The *kitab al-waqf* or *al-waqfiyya* (endowment document), in fact all *kutob*, plural of *kitab* (book = diploma = document) *al-waqf* (endowment) record those rules in the same clear and definite terms. As a case in point, I shall quote those terms as indicated in *kitab waqf* (endowment document) of the Mamluk Sultan Qaytbay¹¹ (872-901H/1468-1496 AD):

“...hadha kitab waqf sahih shar'iy [this is a right and legitimate endowment document] wahabis sahih mar'iy [and a right approved sequestration]; la yonsakho hukmuho wala yindariso rasmuho wala yinqati'o birruho لا ينسخ حكمه ولا يندرس رسمه ولا ينقطع بره [its rule is irrevocable, their principals must not gone in ruins and remain existing, and its pious must uninterrupted] ... he [the endower] waqafa, wasabbla wa-tasuddaqa, wa-harma, wa-'abida وأبد وتصدق وحرم وأبد [endowed, gave away of the profits of the principal for a pious purpose, forbade and perpetuated of what he possessed that will be mentioned, marked described and depicted in the course of documentation...the *kitab al-waqf* (the book or diploma of endowment) recorded and indicated all the endowed premises together with their, descriptions, depictions, locations and borders in the architectural fabric of the city/ies (this documentation of the endowed premises constitute the notion of records in the process of *al-hifadh al-m'imariy* (architectural conservation) as I shall be demonstrating later in this paper) and after the documentation of premises the document continued to indicating the rules of *ash-shari'a* (Islamic legislation) as follow:] ... waqfain sahihin shari'ayin wa-habsin sahihin mar'a'iyin [a right legitimate endowment and a right approval sequestration] ...”.

Furthermore, the rules of the *ash-shari'a* الشريعة (Islamic legislation) requires, demands and necessitates that *al-waqf* (endowment) premises *la yoba' usoluho wala yowarth wala yowhab wala yomalko wala yorhano wala yonaqal*¹² لا يباع أصوله ولا يورث ولا يملك ولا يرهن ولا يناقل (their principals must not sell, or inherit, or giveaway as a gift, or possess, or secure or exchange) ... until God inherit the earth with its total landscape, in other words to the Day of Judgment.

More to the point they must not trade in unless the benefit of *al-waqf* الوقف (endowment) necessitates such trade in; and taking such action must be in favor of *al-waqf* الوقف (endowment) and with the permission of the *al-qadiy* القاضي (judge) of the city and the legal authority of the state.

And most important is that the rules of the *ash-shari'a* الشريعة (Islamic legislation) also demands¹³: “*baqa` 'ayniha wadawam manf'atho la yonsakh hukmuho wala yindariso rasmuho* بقاء عينها ونوام منفعتها لا ينسخ حكمه [the keep alive principals of *al-waqf* (endowment); sustain and pursue their role of giving away their benefits for pious purpose; their rule is irrevocable and their principals must not gone in ruins] ...”. Those rules were crowned by the most important legislative rule that emphasize that: “*la yajozze taghiyyer sifat al-waqf* لا يجوز تغيير صفة الوقف [the change of entity, form and function of the premises (principals) of *al-waqf* (endowment) project are not allowed, prohibited and forbidden – in other words, the state of the premises in the time of the founder of the endowment project should be not changed; and this state has to be conserved, preserved, restored and maintained after any destruction]¹⁴”. As a consequence of this rule, their function must remain active, their physical state must not change; and *al-waqf* الوقف (endowment) premises must remain functioning and operating for good, until the Day of Judgment.

It is clear that the terms that are used in the conditions of *ash-shari'a* الشريعة (Islamic legislation) demarcate, designate and underline the perpetual role of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) in Islamic civilization. Yet the conditions of the *ash-shari'a* الشريعة (Islamic legislation) strongly emphasize that the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) was originated and deeply rooted in Islamic civilization; and closely tie with the philosophy of Islamic history, as I mentioned earlier. Furthermore those conditions are determining the conditions of the second component, namely the conditions of *al-waqif* الواقف (endower), as I shall be highlighting in the following discussions.

2-The conditions of the *al-Waqif* الواقف (endower)

The conditions of the *al-waqif* الواقف (endower) are concerned in the first place with assigning the beneficiaries of *al-waqf* الوقف (endowment) project. Then they are designed in order to complement the rules of *ash-shari'a* الشريعة (Islamic legislation); and to emphasize the perpetual role of *al-waqf* الوقف (endowment). Yet they constitute the process of keeping the premises of *al-waqf* الوقف (endowment) functioning and operating to meet, complement and integrate the conditions of the first component. They comprises all theoretical and practical techniques of *al-`ibaqa`* الإبقاء, *al-istibaqa`* الاستبقاء or *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation, preservation and restoration). The major conditions of *al-waqf* that constitute the theoretical techniques of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) are:

2-1-Appointing management team to run the project of *al-waqf* الوقف (endowment) with job description for each person, starting with *mutwalliy* or *nazir al-waqf* متولي أو ناظر الوقف (general manager of the project of endowment) and ended with the *al-haris* الحارس (custodian) of the project. I shall highlight the role of this team later on this paper.

2-2-Endowing and assigning *waqf at-tmwheel*¹⁵ وقف التمويل (endowment of premises for finance) to run *al-waqf* الوقف (endowment) project like: *hammat* الحمامات, plural of *hammam* حمام, (public bath); *ma'asur*, plural of *m'sura* معصرة, (olive and sesame press); *subbanat* صبانات, plural of *subbana* صبانة, (soap factory); *khanat* خانات, plural of *khan* خان, (hotel and wholesale trade center); *wekalat* وكالات, plural of *wekala* وكالة, (shopping center); *qayasir* قياسر, plural of *qaysariyya* قيسرية, (shopping center); *afraan* أفران, plural of *furn* فرن, (oven); *hawaneet* حوانيت, plural of *hanoot* حانوت, (shop); *al-madhabigh* المدابغ, plural of *madhbigha* مديغة, (tannery); *al-arhiya* الأرحية, plural of *raha* الرحي, (grain mill); *at-tawahiyn* الطواحين, plural of *tahunna* طاحونة (grain mill)... etc.; and farms.

2-3-Drawing budget¹⁶ for the project of *al-waqf* الوقف (endowment) and assigning mechanism for spending the revenue of *al-waqf* الوقف (endowment) that comprise payroll for the beneficiaries and employees and program for other daily, monthly or other expenditures as recorded in *kitab al-waqf* كتاب الوقف (endowment document).

2-4-Assigning part of the revenue, by some endowers, as an obligatory reserve in the budget for *al-hifadh* الحفاظ (conservation, preservation and restoration).

This condition is optional and subject to the wish of the endower, as in *kitab waqf* كتاب الوقف (endowment document) of as-Sultan Qaytbay¹⁷ السلطان قايتباي.

2-5-Giving absolute priority of spending the revenue of *al-waqf* الوقف (endowment) for the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation, preservation and restoration) of the premises - principals- of the *al-waqf* الوقف (endowment), after any occurred destruction, no matter how much it cost, even if the total revenue of *al-waqf* الوقف (endowment) is consumed in conservation and preservation.

It is important to indicate here that this condition is an obligatory one. It must be recorded in all *kutob al-waqf* كتب الوقف (endowment documents) by all endowers.

And after *al-hifadh* الحفاظ (conservation, preservation and restoration) took place; the *al-fuqha`* الفقهاء (jurists) formulated, as part of the conditions of the *al-waqif* الواقف (endower), a list of priorities determining as to how the redundant of the revenue of the endowment to be spent. Thereafter the redundant, according to those priorities, should be spent for what is closest to material upkeep, conservation and preservation in order to perpetuate the role of *al-waqf* الوقف (endowment) project.

For instance if the endowment project is a *baymaristan* بيمارستان (hospital) the priority of spending, the redundant of the revenue, after conservation must be forward to: buy '*qaqier* عقاقير, plural of '*qar* عقار, (medicine), other medication requirements and food for patients; then to pay the salaries of *al-'atiba'* الأطباء, plural of *tabib* طبيب, (physician) according to their ranks; then to the next closest; and so on.

2-6-Consolidating *waqf al-ist'imal* وقف الاستعمال (endowment of premise for use), by buying¹⁸ new premises for *waqf at-tmwheel* وقف التمويل (endowment of premise for finance).

This condition is optional, and not necessarily found in all *kutob al-waqf* كتب الوقف (endowment documents). It is conducted by the *al-waqif* الواقف (endower) in order to consolidate the condition of perpetuity of *al-waqf* الوقف (endowment).

2-7-Locating¹⁹ sites of *al-waqf* الوقف (endowment) premises, marking and delineating their borders in the architectural and urban fabric of cities; describing and depicting them, as I indicated earlier in the conditions of the *ash-shari'a* الشريعة (Islamic legislation).

This condition initiated the beginning of forming the architectural and urban records, not just in Islamic civilization but in the world urban history, as I shall be demonstrating later in this study.

2-8-Defining²⁰ function, use, social and cultural role and historical value of *al-waqf* الوقف (endowment) premises (principals); and recording the exchange of their ownership until they became *waqf* وقف (endowment). And documenting names of endowers and their position in society; and names of their employees. This condition integrates the former one.

It is clear by now that the conditions of *al-waqif* الواقف (endower) integrate and complement the conditions of the *ash-shari'a* (Islamic legislation). It is also clearer as to how those conditions, particularly condition number 2-5, emphasize the theoretical techniques of the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) in Islamic civilization.

Having gone so far as to interpret the structure of *kitab al-waqf* or *al-waqfiyya* الواقفية (endowment diploma or document), and highlight the theoretical techniques of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) that originated in *kitab al-waqf* كتاب الوقف (endowment document) or *al-waqfiyya*. I shall take the time here to highlight the structure of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation).

The structure of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation)

It is clear by now that in order for *al-waqf* الوقف (endowment) institution to attain, pursue and carry on its role, of doing sustainable and perpetual humanitarian act and economic development; it must upkeep, maintain, conserve and preserve premises (principals) of *al-waqf* الوقف (endowment) functioning and operating. It is also clear that *al-waqf* الوقف (endowment) institution with its two components is in a case of intervention with the phenomenon of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation). Both are two faces of the same coin; each one of them is complementing the other; and the structure of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) is synonymous of that of *al-waqf* الوقف (endowment) institution. So to speak that *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) starts when the legal procedures of *al-waqf* الوقف (endowment) ended.

To materialize this intervention I have already indicated and emphasized the perpetual role of the first component, the rules of the *ash-shari'a* الشريعة (Islamic legislation), in the structure of *kitab al-waqf* كتاب الوقف (endowment document); and mentioned that the second component, the conditions of *al-waqf* الوقف (endowment), are designed, in order, to constitute the process of upkeep premises (principals) of *al-waqf* الوقف (endowment) functioning and operating, so to speak they form the theoretical techniques of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) as I mentioned earlier. In the following discussions I shall highlight this process and focus upon the theoretical techniques from the point of view of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation), starting with the management of the project of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation).

The theoretical techniques of *al-hifadh* الحفظ (conservation)

1-The management of *al-hifadh* الحفظ (conservation)

The management of *al-waqf* الوقف (endowment) projects is concerned with the upkeep of the project, functioning and running. A number of employees are assigned by the *al-waqif* الواقف (endower) for this purpose; part of this team in some *waqf* (endowment) projects are technicians, like *m'imar* معمار (architect), *bana* بناء (builder), *murrkhim* مرخم (marble mason), *najar* نجار (carpenter), *qanawatiy* قنواطي (pipe fitter) ... etc., as I shall demonstrate in the course of discussions in this paper.

The number is differing from one *waqf* الوقف (endowment) project to another; but in each case the number of employees shall be sufficient to run the work of the project. For instance the number of the management team of *waqf al-madrassa* وقف المدرسة (endowment of the school)²¹ of the Mamluk Prince Surghtmush (756 H-1355 AD) was 78 employees; and the number of the management team of *waqf aj-jami' wa al-madrassa* وقف الجامع والمدرسة (endowment of the mosque and the school)²² of the Mamluk Sultan al-Ghuri الغوري (911 H -1505 AD) was 65 employees; and the number of the management team of *waqf al-'imara al-'amira* وقف العمارة العامرة²³ of Khassakiy سلطان خاصكي (959 H-1552 AD) was 48 employees; it is worth mentioning here that a lady called Noor al-Hidaiyya Khatun²⁴ نور الهداية خاتون (1043 H-1633 AD) was the *al-mutwalliy* المتولي (general manager) of this project.

All the previous numbers are limited to those who work only in *waqf al-ist'imal* وقف الاستعمال (endowment for use). Beneficiaries of this *waqf* وقف (endowment) together with workers in *waqf at-tmwheel* وقف التمويل (endowment for finance) are excluded from those numbers.

More to the point those numbers gives clear idea about the investment movement and economical development that *al-waqf* الوقف (endowment) initiated; and partly is still initiating in Arabic Islamic cities. Given the fact that this is a sustainable investment and economic development; and this sustainability is attained by *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation). Therefore the management team is concerned directly and indirectly with *al-hifadh* الحفظ (conservation) of the project of *al-waqf* الوقف (endowment) in general and *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) in particular. I shall focus here upon the major jobs that are common in all the *al-waqf* الوقف (endowment) projects that are concerned directly and indirectly with *al-hifadh* الحفظ (conservation).

It is important to remind here that the management team is consisted of two parts: administrative and technical. The first is obligatory in all *kutub al-waqf* كتب الوقف (endowment documents), while the second is optional and assigned according to the will of the *al-waqif* الواقف (endower). Furthermore it should be

understood that the technical team is assigned for daily maintenance and partial preservation work; and not for conservation, major preservation and restoration works or reconstruction. This kind of works is left for professionals. I shall begin with the administrative team.

1-1-The administrative team *al-hifadh* الحفظ (conservation)

1-1-1- *Al-mutwalliy* المتولي (the general manager)

The head of the management²⁵ team is called the *al-mutwalliy* المتولي or *an-nazir* (general manager) of the project of *al-waqf* الوقف (endowment). He assigned by the *al-waqif* (endower) in the first time. The *al-mutwalliyon* المتوليين, plural of *mutwalliy* المتولي (general manager), that followed were appointed according to a specific hierarchy put by the *al-waqif* الواقف (endower) in *kitab al-waqf* كتاب الوقف (endowment document). If this hierarchy breaks down for any reason, the *al-qadiy* القاضي (judge) of the city in which the *al-waqf* الوقف (endowment) project is located become in charge of *al-waqf* الوقف (endowment) temporally until he, the *al-qadiy* القاضي (judge), and later in the Ottoman Empire the Sultan, appoint a new *mutwalliy* المتولي (general manager).

Duties of the *al-mutwalliy* المتولي (general manager)

The duties of the *al-mutwalliy* المتولي (general manager) begin after recording the *al-waqf* الوقف (endowment) project in the court before the *al-qadiy* القاضي (judge); and after appointing the management team that assigned by *al-waqif* الواقف (endower) and recorded in *kitab al-waqf* كتاب الوقف (endowment document). He pursues his duties according to the conditions of *al-waqif* الواقف (endower).

1-1-1-1-The first duty of the *al-mutwalliy* المتولي of *al-waqf* (general manager of the project of the endowment) is *al-hifadh 'ala al-'a'iyān al-muqofa* الحفظ على الأعيان الموقوفة [conservation of the principals of the endowment]. This is clearly emphasized in all *kutob al-waqf* كتب الوقف (endowment documents), I shall quote here *kitab waqf* كتاب وقف (endowment document) the Mamluk Sultan Qaytbay²⁶ قايتباي:

“*yabda` min riy` al-awaqf* الأوقاف [plural of *waqf* وقف], *bi'amartho ... wamarmtho fima fih baqa` iynoho wadawam manf`atho* ومرارتها بما فيه بقاء أعينها ودوام منفعتها [to begin the spending from the revenue of *waqf at-tmwheel* وقف التمويل (endowment of premises for finance) to make the required maintenance, conservation and preservation that sustain, preserve and keep alive the principals of *waqf al-`st`mal* وقف الاستعمال; and make their use, function and benefit uninterrupted, perpetual and never end]”.

This in turn emphasizes the intervention between the *al-waqf* الوقف (endowment) institution and the phenomenon of *al-hifadh* الحفظ. Therefore the *al-mutwalliy* المتولي is not just the general manager of the project of *al-waqf* الوقف (endowment), he also the general manager of the project of *al-hifadh* الحفظ (conservation). On this ground, from now on, I shall refer to *al-waqf* الوقف (endowment) project as *al-hifadh* الحفظ (conservation) project.

It is worth mentioning here that the *al-mutwalliy* المتولي (general manager) is not necessarily being a technician; so to speak a *tabib* طبيب (physician) or *imam* إمام (the *Sheikh* شيخ who lead the pray) or *mudrres* مدرس (tutor or scholar) or *m`imar* معمار (architect), but just an administrator. He must be wise, decent, honest, and has a record of good conduct and well reputation. Furthermore the *al-mutwalliy* المتولي (general manager) is not necessarily being a man, where in many cases women²⁷ were assigned for this job.

1-1-1-2-Collecting the revenue of *waqf at-tmwheel* وقف التمويل (endowment for finance) and invest it, where different schemes²⁸ of investment were coined and mentioned in *kutob al-waqf* كتب الوقف (endowments document); and others initiated by *al-mutwalliyon*, plural of *mutwalliy* (general manager) and *al-fuqha`* الفقهاء (jurists) in the course of time, in order to sustain investment and attain *al-hifadh 'ala 'a'iyān al-waqf* الحفظ على أعيان الوقف (conservation of principals of endowment). I shall demonstrate those schemes later in the finance resources.

1-1-1-3-Making annual budget; in which the *al-mutwalliy* المتولي (general manager) must keep in mind that the absolute priority of spending the revenue of *al-waqf* الوقف (endowment) should be assigned for *al-hifadh al-m`imariy* الحفظ المعماري (architectural conservation, preservation and restoration) of the premises (principals) of *al-waqf* الوقف (endowment), whiter *al-hifadh* الحفظ (conservation) ordinary maintenance or

reconstruction, as in condition number 2-5 of the conditions of *al-waqif* الواقف (endower) that I indicated earlier.

If he failed to make budget the *al-qadiy* القاضي (judge) or the ruler²⁹ forces him to do so. And if he ignores maintenance and conservation they also force him to do so. Because both the *al-qadiy* القاضي (judge) and the ruler have the authority to inspect the premises of *al-waqf* الوقف. The *al-qadiy* القاضي (judge) form a committee³⁰ from the *al-muhtasib* المحتسب (mayor) together with a *m'imar* معمار (architect) or more and other concerned bodies to inspect the principals of *al-waqf* الواقف (endowment); and report him about the situation of the principals of *al-waqf* الوقف (endowment). In certain case the committee forms upon the request of the *al-mutwalliy* المتولي (general manager) or any beneficiary of *al-waqf* الواقف (endowment).

If the budget experience lack of revenue, the *al-mutwalliy* المتولي (general manager) should proceed the spending according to the priorities that indicated in the conditions of *al-waqif* الواقف (endower). The first priority is given for *al-hifadh* الحفاظ (maintenance, conservation, preservation and restoration), no matter who much it costs, even if it consumes the whole revenue. The second priority should be given to what is closest³¹ to *al-hifadh* الحفاظ (conservation) or material upkeep, like the salaries of: *al-imam* الإمام (leader of prayers) for *al-waqf* الوقف (endowment) of mosques; *al-mudrres* المدرس (tutor or scholar) for *al-waqf* الوقف (endowment) of school ...etc., then third closest and so on in the chain of employees and beneficiaries, as I indicated earlier. If the revenue is not sufficient due to any reason, the *al-mutwalliy* المتولي (general manager) and the *al-qadiy* القاضي (judge) should consider other schemes of investments as I shall be demonstrating later in the resources of finance.

By this process one can judge the role that *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) is playing in perpetuating the role of *al-waqf* الوقف (endowment) in doing endless humanitarian act.

In general, the duties of the *al-mutawaliy* المتولي (general manager), first and for all, is to upkeep, conserve and preserve the endowment project functioning and running for good. In other words his duties is to perpetuate the existence of the premises (principals) of *al-waqf* الوقف (endowment) project in order to make the role of *al-waqf* الوقف (endowment) permanent, endurance and endless according to the conditions of *ash-shari'a* الشريعة (Islamic legislation) and *al-waqif* الواقف (endower).

1-1-2-*Shad* شاد (administrative manager)

The job³² of the *shad* شاد (administrative manager) is a common one in all *kutob al-waqf* كتب الوقف (endowment documents), his main duty is controlling and supervise the management team of the project of *al-hifadh* الحفاظ (conservation). He should have experience in administration, engineering, construction and building works.

1-1-3-*Musharif* مشرف (finance manager)

The *al-musharif* المشرف (finance manager) job is also a common one in all *kutob al-waqf* الوقف (endowment documents), his duty is to collect the revenue of *al-waqf* الوقف (endowment) and supervise its expenditure.

1-1-4-*Shahid* شاهد (witness) This job is also common one in most of *kutob al-waqf* الوقف (endowment documents), his duty is to witness upon the paying of the salaries of the employees and the allocated expenditures of the beneficiaries of *al-waqf* الوقف (endowment) as indicated in *kutob al-waqf* الوقف (endowment documents).

1-1-5-*Katib* كاتب (accountant)

This job is also a common one in all *kutob al-waqf* كتب الوقف (endowment documents), his duty is accounting. He is responsible for all accounting work, the income and the outcome, of the *al-waqf* الوقف (endowment) project.

1-1-6-*Aj-Jabiy* الجابي (collector)

This job is also a common one, the duty of *aj-jabiy* الجابي (collector) is to collect the revenue of *waqf at-tmwheel* وقف التمويل (endowment for finance) from their leasers.

1-1-7-*Khazen* خازن (store keeper)

This job is also common in all *kutob al-waqf* كتب الوقف (endowment documents).

1-1-8-*Khazen al-kutob* خازن الكتب (librarian)

This job is limited³³ to `awqaf أوقاف, plural of *waqf* وقف (endowment), *aj-jawami' waal-masajid* الجوامع والمساجد (mosques) and *al-madaris* المدارس (schools). His duty besides being a librarian is *tarmiem al-kutob* ترميم الكتب (preservation of books).

1-1-9-*Farashien wakawama* فراشين وقومة, plural of *farash and kawam* فراش وقوام (servant and clean worker)

Those jobs are also common in all *kutob al-waqf* كتب الوقف (endowment documents), their duties are daily cleaning and maintenance.

1-2-The technical team of *al-hifadh* الحفاظ (conservation)

This team is optional as I indicated earlier, in other words it is not found in all *kutob al-waqf* كتب الوقف (endowment documents). The reason for this is, perhaps, due to the different understanding of the fact that the first priority of expenditures is given for *al-hifadh* الحفاظ (conservation). Some endowers interpreted this condition by assigning permanent technical team in their endowments; others suffice themselves by hiring technicians for maintenance, preservation or conservation when necessary.

Nonetheless the permanent technical team is in fact elevated and values the presence of the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) in Arabic Islamic Civilization. However the technical team is varied from one endowment project to another.

1-2-1-For instance the technical team of *al-madrasa* المدرسة (school) and *at-tankaziyya*³⁴ التكية of the Mamluk Prince Tankiz تنكز in Jerusalem (727 H-1326 AD) was consisted of: *m'imar* معمار (architect).

1-2-2-The technical team of *al-madrasa* المدرسة (school) *as-Surghtmushiyya*³⁵ الصرغتمشوية (756 H-1355 AD) in Cairo of the Mamluk Prince Surghtmush صرغتمش was limited to: one *najar* نجار (carpenter).

1-2-3-The technical team of *jami'* جامع (mosque) *almu'ayyad*³⁶ المؤيد (823 H-1420 AD) in Cairo of the Mamluk Sultan *al-Mu'ayyd* Sheikh المؤيد شيخ (815-824 H/1412-1421 AD) was consisted of: *muhandis* مهندس (architect or engineer), *murrkhim* مرخم (marble mason), *sabak* سبائك (pipe fitter) and *tabib* طبيب (physician).

1-2-4-The technical team of *jami' wamadrasat*³⁷ جامع ومدرسة (mosque and school) (911 H- 1505 AD) in Cairo, of as-Sultan al-Ghuriy الغوري was consisted of: *muhandisiyn* مهندسين two (engineers or architects), *sabakiyn* سباكين two (pipe fitter), *murrkhimiyn* مرخمين two (marble masons) and one *najar* نجار (carpenter).

1-2-5-The technical team of *al-'imara al-'amira*³⁸ العمارة العامرة (959 H-1552 AD) of Khassakiy Sultan خاصكي سلطان in Jerusalem was assigned and described as follow:

“ *rajul najar bana` hajar yaqoom bikhdmit ta'mier al-awqaf wamarmatoha wa`islah al-mahlat birmiha yt'ahdo `ahwaliha fi kul hienin wa`awan min ghier taksulin watawan wamahma waqfa `ala khlatin yasier yosari' `ila al-maramth waat-t'amier kiyla yo`dhiy at-taswief waat-t`akhier `ila dhararin`aziem washrin kathier ... warajul maramtiy yat'ahdo birum ma`ikhtla min `abniyt al-hammamiyn `la al-wajih al-mastur downa taqsiyr wala qusor ... warajul qanawatiy yaqoom bimasalih qanatiy al-hammamiyn waal-`imara ma` saiyr ma yahtaj `iliyh min `iysal al-ma` `iliyhma*

" رجل بناء نجار يقوم بخدمة تجميع الاوقاف وممرتها وإصلاح المحلات برمها يتعهد أحوالها في كل حين واوان من غير تكاسل وتوان ومهما وقف على خلل يسير يسارع الى المرممة والتعمير كيلا يؤدي التسوية والتأخير الى ضرر عظيم وشرن كثير ... ورجل مرمتي يتعهد برم ما اختل من الابنية والحمامين على الوجه المسطور دون تقصير وقصور ... ورجل قنواطي يقوم بمصالح قناتياحمامين والعمارة مع ساير ما يحتاج اليه من اصال الماء اليهما ...".

[**one man who is qualified to be a carpenter, builder (stonemason) and stonecutter, capable of serving, conserving and preserving the stores and looking after them on and on and every time, without carelessness and delaying; and whenever he find any defect no matter how small is it, he must immediately conserve and preserve it, in order for laziness and delaying not to cause great harm and big bad for the principals of the endowment ... one man who is expertise in preservation taking care and preserve what deteriorate from the construction of the two baths up to the standards without laziness and imperfectness ... one man pipe fitter taking care and looking after the two canals and the conservation together with what he needs to bring water for the two baths ...]**”.

I intended to indicate the description of the duties of each person of the technical team in order to emphasize the presence of the phenomenon of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) in Arabic Islamic civilization. It is interesting to mention here that *al-'imara al-'amira* العمارة العامرة is still existing and functioning, as part of a big vocational school for orphans inside the traditional center (historical center or the old city) of Jerusalem.

However the *al-waqfoon* الواقفون (endowers) who assigned technicians are more than I have place to enumerate in this paper. I just indicated the above mentioned technical jobs in order to show that all aspects and issues of *al-hifadh* الحفظ (conservation) are covered in *kutob al-waqf* الوقف (endowment documents).

By now, I have tried to show the role of the management team in the phenomenon of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation). In the course of discussions, I demonstrated the two types of the management team, administrative and technical. I recorded the major and common jobs that correspond directly to the phenomenon of *al-hifadh* الحفظ (conservation). I elaborated on the duties of the *al-mutwalliy* المتولي (general manager) and focus upon the role of the technical team in the phenomenon of *al-hifadh* الحفظ (conservation). In conclusion, as I indicated in the beginning of discussions, the management team represents the theoretical techniques in the phenomenon of *al-hifadh* الحفظ. In the following discussions I shall be highlighting the technical techniques of *al-hifadh al-m'imariy* الحفظ المعماري (architectural conservation) but after I discuss the finance resources of *al-hifadh* الحفظ (conservation).

2-The finance resources of *al-hifadh* الحفظ (conservation)

I indicated earlier that the finance resources are attained from *waqf at-tmwheel* وقف التمويل (endowment for finance); I also indicated in the conditions of the *al-waqif* الواقف (endower) and in the duties of the *al-mutwalliy* المتولي (general manager) that the absolute priority of spending the revenue of *al-waqf* الوقف (endowment) must be given to “*al-hifadh 'ala al-'a'iyān al-muqofa* الحفظ على الأعيان الموقوفة [conservation of the principals of the endowment]”. Then the second priority in the chain of the closest in the process of upkeep the project of *al-hifadh* (conservation) and so on.

I also mentioned that different schemes of investment were coined and recorded in *kutob al-waqf* كتب الوقف (endowment documents). And others were initiated by *al-mutwalliyon* المتوليين, plural of *mutwalliy* متولي (general manager) and *al-fuqha`* الفقهاء (jurists) in the course of time, in order to attain “*al-hifadh 'ala al-'a'iyān al-waqf* الحفظ على أعيان الوقف [conservation of principals of endowment]”; in order to sustain and perpetuate the role of *al-waqf* الوقف (endowment). I shall indicate first the schemes that recorded in *kutob al-waqf* كتب الوقف (endowment documents), those are:

- 1-Saving the surplus of the revenue of *waqf at-tmwheel* وقف التمويل as in *kitab waqf* كتاب وقف (endowment document) Qaytbay³⁹ قايتباي and Barsbay برسباي .
- 2-Buying new premises by the surplus of the revenue of *waqf at-tmwheel* وقف التمويل (endowment for finance) and adding them to it as in *kitab waqf* كتاب وقف (endowment document)⁴⁰ of The Mamluk Sultan-Naser Mohamed Ibn Qalawun ناصر محمد بن قلاوون (698-708 H/ 1298-1308 AD).
- 3-Adding new premises as new *waqf tamwheel* وقف تمويل (endowment for finance) to the old one in order to consolidate it, as in *kutob waqf* كتب الوقف (endowment documents), Sultan-Naser Mohamed Ibn Qalawun ناصر محمد بن قلاوون and the Mamluk Sultan al-Ashraf Barsbay⁴¹ الأشرف برسباي (825-841 H/1422-

1437 AD). And *kutob waqf* وقف وكتب (endowment documents) *aj-jawami' wa al-masajid* الجوامع والمساجد (mosques) like *al-haram ash-sharif* الحرم الشريف (grand mosque) in Mecca مكة, *al-haram ash-sharif*⁴² الحرم الشريف in al-Madina al-Monawra المدينة المنورة, *al-masjed al-Aqsa* المسجد الأقصى in Jerusalem, *aj-jami' al-'amawiy* الجامع الأموي in Damascus and *aj-jami' al-azhar*⁴³ الجامع الأزهر in Cairo ... etc.

4-Preserveing amount⁴⁴ of the revenue of *al-waqf* الوقف (endowment) for future maintenance, conservation and preservation. This is an obligatory condition in some *waqf* وقف (endowment) projects and optional in others, in order to consolidate; and not to contradict the obligatory condition that required in all *al-waqf* الوقف (endowments) projects that absolute priority of spending the revenue of *al-waqf* الوقف must be given to *al-hifadh* الحفاظ (conservation).

The other schemes that were coined by *al-mutwalliyon* المتوليين, plural of *mutwalliy* متولي (general manager) together with *al-fuqha'* الفقهاء, plural of *faqih* فقيه (jurist) and not recorded in *kutob al-waqf* كتب الوقف (endowment documents) were instrumented, in order to compensate the shortage of the revenue of *waqf at-tmwheel* وقف التمويل (endowment for finance); when it is no longer enough to make and attain "*al-hifadh 'la' a'iyān al-waqf* الحفاظ على أعيان الوقف [conservation of principals of endowment]", those are:

5-*Al-khlo*⁴⁵ الخلو (evacuation), this is an invented scheme of investment. It occurred when *'a'iyān al-waqf* أعيان الوقف (the principals of endowment) destructed and the revenue of *al-waqf* الوقف (endowment) no longer sufficient to conserve, preserve or reconstruct the principals of endowment. The *al-mutwalliy* المتولي (general manager) of the *al-hifadh* الحفاظ (conservation) project either asks investors to conserve, preserve or reconstructs the principals; or investors offer to do so by themselves. The investor pays the equal value of the premise (principal) that need conservation, preservation or reconstruction in order to make the required conservation, preservation or reconstruction.

The return of this investment is that the investor has the right to lease the reconseved, represerved or reconstructed principal for his life by paying equal rent every year as similar premises. The *al-mutwalliy* المتولي (general manager) cannot evacuate him as far as he pays the equal rent. He also has the right to sell *al-khlo* الخلو (evacuation) with all his privileges.

This scheme was coined in the period of the Mamluk Sultan al-Ghuriy الغوري (911 H -1505 AD), who lease his *hawaneet* حوانيت, plural of *hanoot* حانوت (shop) by *al-khlo* الخلو (evacuation)⁴⁶.

6-*Al-hakr*⁴⁷ الحكر (preserve in hand), this is also an invented scheme of investment. It is similar as *al-khlo* الخلو (evacuation), but investor has the right to build or rebuild; plant or replant the *al-'qar* العقار (premise or land - principal- of endowment) and posses the right of lease for his life. He also has the right to inherit it to his sons and *whabho* وهبه (to giveaway it as a gift). Here it should be understood that *al-muhtkir* المحتكر (preserver in hand) does not possess the principal but the right of lease. This scheme was coined during the Mamluk era (648-923 H/1250-1517AD).

7- *Al-'ijaratiyn*⁴⁸ الإيجاريتين (the two lease contract), this is also an invented scheme of investment. The first *'ijara* إجارة (lease contract) is a permanent one; its value is similar to the value of the premises (principals) of *al-waqf* الوقف (endowment) and paid on the spot in order to be used in conserving, preserving or reconstructing the principals of *al-waqf* الوقف (endowment). The second *'ijara* إجارة (lease contract) took place after the reconstruction of the principals and its value is equal to similar premises. Its rules are the same as *al-hakr* الحكر (preserve in hand). This scheme was coined during the regime of the Ottoman Sultan Sulaiman al-Qanuni (926-974 H/1520-1566 AD).

Those schemes were and still are instrumented in favor of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation). Here one must realize that *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) is a core issue not just in perpetuating the role of *al-waqf* الوقف (endowment) in doing humanitarian act, but in urbanism as well.

One aspects of urbanism is that the three schemes of investment cannot be performed without the permission of the *al-qadiy* القاضي (judge). He must give his approval; and before that he assigns a technical committee⁴⁹ to report upon the situation of principals of *al-waqf* الوقف (endowment). The committee consists of a *m'imar* معمار (architect) or more and other expertise persons together with *shahd* شاهد (witness) or more; and according to their report the *al-qadiy* القاضي (judge) decides whiter to approve the deal or not. In the

following discussions I shall displayed the role of reports in *al-hifadh al-m'imariy* المعماري الحفظ (architectural conservation), particularly upon the technical techniques of conservation.

At-Taqarier al-handasiyya التقارير الهندسية (the technical and engineering reports)

The *at-taqarier* التقارير (reports) of the technical committees played a remarkable role in the kind of conservation, the premises (principals) of *al-waqf* الوقف (endowment) required. It is worth mentioning here that most of the technical techniques of conservation were the outcome of those reports. Some of them were very highly professional; and constitute, in my view, an artistic, architectural and engineering documents and records of conservation, like the report of: *as-sukariya fi as-sukariya* السكرية في السكرية , that was made to state the case of *dar al-hadeith as-sukariya*⁵⁰ دار الحديث السكرية (the school of the tradition of prophet Mohamed, peace be upon him) in Damascus (785 H-1383 AD). For although this report is not the first in the course of time; but it is perhaps and up to my knowledge, the most comprehensive one. I shall limit discussions⁵¹ in this topic to this report.

The *at-taqarier* التقرير (report) of *as-sukariya fi as-sukariya* السكرية في السكرية

This report, by all means in my view, is considered a historical and technical record. Partly because the great jurist and *faqih* فقيه (legislator) *al-imam* أحمد بن تيمية (661-728 H/ 1262-1320 AD) was teaching in the school. And partly because it was a very highly professionals report, put by three of the famous *m'imariyat* معمارية, plural of *m'imar* معمار (architect), *aj-jami' al-amwaiy* الجامع الأموي in Damascus.

The report began by locating the site of the school among the architectural fabric, marking and defining its boundaries in the urban structure of Damascus; and recorded its set of values. Then the report described its planning and architecture depicted its artistic qualities and stated its construction quality. The report proceeded by suggesting the required techniques of conservation that varied between: reconstruction, renovation and addition. Then the report indicated the privileges that the school would attain by doing the suggested conservation; and the name of the donator for doing the conservation. Finally the report ended by recording that the report was written upon the request of the donator and the order of the *al-qadiy* القاضي (judge) and registered in his court; and entailed by the date of the report (785 H-1383 AD) and the signature of the three architects together with the ratification of the *al-qadiy* القاضي (judge).

I must emphasize here, once again, that no major conservation of the premises (principals) of *al-waqf* الوقف (endowment) is allowed or commence without the permission of the *al-qadiy* القاضي (judge), or higher authority. Who must form a committee as I described earlier, then a technical report must be presented before him and accordingly the process of conservation took place as described in the report, where techniques of conservation were coined as I shall be demonstrating in the following discussions.

The technical techniques of *al-hifadh* الحفظ (conservation)

In the course of discussions in this paper I presented too many key terms that denote and connote conservation and preservation of the premises of *al-waqf* الوقف (endowment); like: *baqa' iyanho* بقاء عينها (keeping alive their principals); *la yindaris rasmuha* لا يندرس رسمها (their principals must not gone in ruins); *wala yughier rasmuha wahiya qa'ma'ala usoliha* ولا يغير رسمها وهي قائمة على أصولها (their principals must not change and should remain as it was when endowed) ... etc. In addition to the terms of *al-'imara* العمارة (preservation) *waat-tarmiem* والترميم (conservation) that were clearly recorder in the documents of *al-waqf* الوقف (endowment). All those terms and rules were crowned by the legislative rule that indicates that: "*la yajoz taghiyyer sifat al-waqf*" لا يجوز تغيير صفة الوقف (the change of the entity, shape and function of *al-waqf* الوقف premises is not allowed, prohibited and forbidden).

Those terms and rules impose the degree, level and kind of the required interference to the conservation process to sustain and perpetuate the principals of *al-waqf* الوقف (endowment). In surveying the technical reports, *sijillat al-waqf* سجلات الوقف (records of endowments) and *kutob al-khattat* كتب الخطط (urban planning books) and other sources. I found seven techniques that were used in the process of conservation to meet the conditions of *ash-shari'a* (Islamic legislation) and *al-waqif* الواقف (endower), the first two techniques was put by *al-waqif* الواقف (endower) and documented in *kutob al-waqf* كتب الوقف (endowment documents). I shall demonstrate them in the following discussions.

1- *Al-'Imara* العمارة (conservation and preservation)

This term⁵² came in *kutob al-waqf* كتب الوقف (endowment documents) as I indicated earlier. It means to repair, maintain, and conserve the premises (principals) of *al-waqf* الوقف (endowment). Yet it means to make all the necessary require works that conserve and preserve principals of *al-waqf* الوقف (endowment) according to the legislative rule: “*la yajوزه taghiiyer sifat al-waqf* لا يجوز تغيير صفة الوقف [the change of entity, form and function of the premises (principals) of the *al-waqf* project is not allowed, prohibited and forbidden]”. Yet *al-'imara* العمارة implies all repairs that required to ensure application of the previous rule; therefore it is equal in meaning to conservation and preservation. But *al-'imara* العمارة , as a concept and in terms of time, is earlier than both of conservation and preservation; it went back in time and use in Islamic civilization to the (1st century H/7th century AD) that was applied in *al-ka'ba al-mushrafa* الكعبة المشرفة (holy shrine) in the city of Mecca. However the best definition and application of this technique is found in item 1-2-5 of the technical team of *al-hifadh* الحفاظ (conservation).

2- *At-Tarim* الترميم (conservation)

*At-tarim*⁵³ الترميم is the repairing of the ruinous, deteriorative and destructive elements or parts of premises (principals) of *al-waqf* الوقف (endowment), no matter how large the repairing, as far as it did not reach total demolition or destruction that required reconstruction of the whole premise (principal); in other words *at-tarim* الترميم is the keeping in safety of the premises (principals) of *al-waqf* الوقف (endowment).

The *al-faqih*⁵⁴ (jurist) Omer ash-Shibaniy al-Khasaf الفقيه عمر الشيباني الخصاف (died 261H-874 AD) defined *at-tarim* الترميم s: “*tathiyn usthuh or t'azier hithan or taghier ajduo' fi al-'asquf* أو تازیير حيطان أو تظییین اسطح [repairing of ceilings or strengthening of walls or changing part/s of the roofree] ...”.

It is worth mentioning here that secondary or partial demolition of buildings does not consider reconstruction but *tarim* ترميم (conservation). Yet the *at-tarim* الترميم (conservation) is the partial repairing of buildings in order to keep their original entity as much as possible. The *at-tarim* الترميم (conservation) is not limited to buildings, it include books and furniture.

In the previous discussions I displayed the two technical or practical techniques of *al-hifadh* الحفاظ (conservation) that were conditioned by *al-waqif* الواقف (endower) and emphasized in *kutob al-waqf* كتب الوقف (endowment documents) namely: *al-'imara waat-tarim* العمارة والترميم (preservation and conservation). In the following discussions I shall demonstrate the rest of the technical techniques that were indicated in the *at-taqrier* التقارير (reports), *sijillat al-waqf* سجلات الوقف (records of endowment) and *kutob al-khttat* كتب الخطط (urban planning books) and other sources.

3- *At-tajdid* التجديد (renovation)

*At-tajdid*⁵⁵ التجديد (renovation) means to renew or to improve the quality of an object, element in a building or more, or the whole building. This term came abstract in some sources and detailed in others. Yet its limit as a technical technique is not defined clearly. It varied from improving the quality of certain elements as in the case of *tajdid* تجديد (renovating) the doors⁵⁶ of *aj-jami' al-'amoui* الجامع الأموي in Damascus by cladding them with brass (607 H-1210 AD); to partial demolition, as in the case of the southern wall⁵⁷ of the same *jami' جامع* (mosque) that was demolished and built from anew with new building material (728 H- 1327 AD); to total demolition as indicated by the Egyptian urban historian al-Maqriziyy (766- 845 H/1364- 1441 AD), that the Mamluk Sultan al-Ashraf Barsbay الأشرف برسباي ordered (832 H-1428 AD) the demolishing of *hawaneet as-saiyarfa* حوانيت الصيارفة (shops of money exchangers) and *souq al-kutob* سوق الكتب (books market) ...etc. *watajdidaha* وتجديدها (renovating them). The last case was clearly mentioned in *taqrier* تقرير (report) of *as-sukariya fi as-sukariya* السكرية في السكرية, the report indicated that parts of the school need “*tajdid 'imara wafak wa'i'ada* تجديد عمارة وفك وإعادة [renovating architecture by dismantling the old structure and rebuild it again].

The examples of this technique are very wide and more than I have place to enumerate in this paper. However *At-tajdid* التجديد (renovation) is a kind of *tarim* ترميم (conservation) with different levels of interference, It could be done by the same material or by new one, it depends on the case of the original material. But in both cases the legislative rule that says “*la yajوزه taghiiyer sifat al-waqf* لا يجوز تغيير صفة

الوقف [the change of entity, form and function of the premises (principals) of the *al-waqf* project is not allowed, prohibited and forbidden]”.

4- *Al-Idhafa* الإضافة (addition)

*Al-Idhafa*⁵⁹ (addition) is the process of adding a new building or architectural and structural elements-either for enlargement or for consolidation - under sever restriction and with permission and approval of the *al-qadiy* القاضي (judge). In both cases a technical committee must report upon the case of the building, as to whether the new addition affects passersby or neighboring buildings. If the new addition does not harm others the *al-qadiy* القاضي (judge) give his permission.

The oldest additions⁶⁰ in the history of Islamic architecture were those of *al-ka'ba* الكعبة and *al-masjid al-haram* المسجد الحرام (the holy shrine) in Mecca (64 H- 684 AD). The additions for *al-masjid al-haram* المسجد الحرام continued until our present time; currently the largest addition, perhaps in the history of urbanism in the world, is taking place in the heart of Mecca to enlarge *al-masjid al-haram* المسجد الحرام.

Many additions were recorded in *kutob al-khtat* كتب الخطط (urban planning books); one of them is the addition of a new hall for the *al-baymaristan*⁶¹ (hospital) *al-mansuoriy* المنصوري in the year (726 H- 1325 AD) in Cairo. One of the additions in *aj-jami' al-'amwaiy*⁶² الجامع الأموي in Damascus was the addition of *miharab* محراب (niche) *al-hanabila* الحنابلة (730 H- 1329 AD).

However additions do not contradict with the former indicated legislative rule. Because they implemented in order to consolidate premises of *al-waqf* الوقف (endowment), physically and financially. Physically additions must not cause any radical change in *sifat al-waqf* صفة الوقف (entity and form of endowment); original form should sustain its features as much as possible.

5- *Ar-Raq'* الرقع (restoration)

*Ar-Raq'*⁶³ الرقع is the replacement of fallen building materials and deteriorated ones, with new ones from the same kind. This technique was coined and suggested by *al-faqih* الفقيه (jurist) Ibn Abass for the conservation of the *al-ka'ba al-mushrafa* المشرفة الكعبة (holy shrine) in Mecca مكة , when the governor of Mecca Ibn az-Zubier الزبير (63-73H/682-692AD) decided upon demolishing it (64H/683AD) and rebuilding it from anew.

Yet *ar-raq'* الرقع is a partial *tarmiem* الترميم (conservation) process with the use of new building material from the same kind when necessary. This technique used frequently in different *waqf* وقف (endowment) project under the same term and other techniques terms. *Ar-raq'* الرقع is perhaps equal to the English term restoration.

6- *Al-Qal' wa'an-nasib* القلع والنصب (taking out and re-erecting)

*Al-Qal' wa'an-nasib*⁶⁴ القلع والنصب is the process of taking out the deteriorated or unfixed building material and the reuse of the good ones; and the replacement of the deteriorated ones with new ones of the same kind. This technique was coined by the urban historian al-Azraqiy الأزرقى (died 250 H- 864 AD) when the Baghdadian *m'imar* معمار (architect) Isaq Ibn Salama made the conservation of *al-ka'ba al-mushrafa*⁶⁵ الكعبة المشرفة (holy shrine) in Mecca (241-242H/846-861AD) where he took out the old and deteriorated marble of the *al-ka'ba* الكعبة and replace it with the new marble he brought from Baghdad.

This technique is similar to *ar-raq'* الرقع, it is a partial *tarmiem* ترميم (conservation) process but with the use of old building material together with new ones of the same kind when needed. In certain cases old architectural elements and building material were taken from famous buildings and fixed in others. As a case in point the Mamluk Sultan al-Ghuriy⁶⁶ الغوري (911 H- 1505 AD) took out the floor marble of one of the famous palaces in Cairo, namely, *qa'ath nusif ad-duniya* قاعة نصف الدنيا and fixed it in his very famous *qa'ath ad-dihisha* قاعة الدهيشة. It is interesting to mention here that the Ottoman Sultan Salim⁶⁷ سليم (918-928 H/1512-1520AD) when he occupied Egypt (922 H- 1516 AD) took out the same marble floor of *qa'ath ad-dihisha* قاعة الدهيشة and shipped it to Istanbul and erected it in his school.

Many examples of this kind were occurred; some of them were performed as antique trade. For instance as-Sultan al-Ghuriy⁶⁸ الغوري bought the marble floor of *qa'at ath-thabundi* قاعة الطبندى in Cairo for its artistic

value and fame where he erected it in his palace. This trade was recorded and documented in the court before the judge.

Yet *al-qal' wa'an-nasib* القلع والنصب is a partial *tarmiim* ترميم (conservation) process; conceptually it is associated with richness of material, value and fame. It is difficult to find an equal term to it in English.

7- *Al-Hadim wa`i`adit al-bina`* الهدم وإعادة البناء (demolishing and reconstructing)

Many terms were used for this technique and all of them have the same meaning or concept and that is: the partial or total demolishing of the premises of *al-waqf* الوقف (endowment) and reconstructing it from anew. This technique is used when no other technique of the previous ones is fit for the conservation process. The reconstructing must coincide with the legislative rule “*la yajoz taghiyyer sifat al-waqf* لا يجوز تغيير صفة الوقف [the change of entity, form and function of the premises (principals) of the *al-waqf* project is not allowed, prohibited and forbidden]”.

The first use of this technique was made by the governor of Mecca, Ibn az-Zubaier⁶⁹ ابن الزبير (63-73H/682-692AD), where he demolished *al-ka'ba al-Mushrafa* الكعبة المشرفة (holy shrine) and reconstructed it from anew. He brought the stones from the same stone pit of the old ones and used the same lime for mortar. Furthermore Ibn az-Zubaier ابن الزبير consulted the people of Mecca before the demolition; he took their approval and witnessed the elderly of them on the whole process of conservation. Yet Ibn az-Zubaier ابن الزبير initiated the notions of public participation and authenticity in the *al-hifadh* الحفاظ (conservation) process.

This technique used frequently in all Arabic cities like: Damascus⁷⁰ دمشق, Cairo⁷¹ القاهرة, al-Qirawan⁷² القيروان...etc. But in all cases the legislative rule was taking, almost always, in account in this technique.

Finally one can argue that the seven techniques of *al-hifadh* الحفاظ (conservation) were practiced with different levels of interference. And in spite of their intervention all of them were and still are bound by the conditions of the *ash-shari'a* الشريعة (Islamic legislation) and the conditions of *al-waqif* الواقف (endower).

In the previous discussions I demonstrated a remarkable element in the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) of Islamic civilization; in the following discussions I shall come to the end of this paper by highlighting the notion of the *as-sijill* السجل (record).

As-Sijill السجل (record)

As-sijill al-m'imariy السجل المعماري (architectural record) in its simplest meaning is the history of building/s that have architectural, aesthetic, technical, social, religious, educational, cultural and political values. In short *as-sijill* السجل (record) is the comprehensive information about every building of any importance that has values as those indicated.

The structure of *as-sijill* السجل (record)

In the course of discussions in this paper I referred to many elements that constitute essential and major factors in the recordation process like: **techniques of documentations of *al-waqf* الوقف (endowment) premises, designation of *al-waqif* الواقف (endower), his position in society, function and use of premises of *al-waqf* الوقف (endowment), dates of their construction and endowment, building materials, their location and borders in the architectural fabric of cities, their description and depiction. More to the point, management of the project of *al-waqf* الوقف (endowment), administratively and technically; finance resources, budgeting, expenditure plan and consolidation of finance resources.** Those elements in fact constitute the structure of *as-sijill* السجل (record).

Types of the *as-sijillat* السجلات (records)

As-sijill al-m'imariy السجل المعماري (architectural record) is as old as Islamic civilization. In fact it is older than Islam; its sources go back in history to al-Jahilliyya الجاهلية (pre-Islamic) verse. Yet it is, by all means, the oldest in the history of urbanism. There is no civilization in the world history concerned itself in writing the history of its architecture and documenting, coherently and comprehensively, what comes up on its buildings of additions, maintenance and conservations like Islamic civilization. I shall refer to those sources and display the role of each one of them in the following discussions.

1- The al-Jahilliyyha الجاهلية (pre-Islamic) verse

The beginning of recordation of architecture, in my view, could be ascribed to the contribution of al-Jahilliyyha verse⁷³. One of the genres of al-Jahilliyyha verse was *an-nasib* النسيب or *at-tashbib* التشبيب (memory of the houses and places of residence of poets' beloveds). This genre, namely *an-nasib* النسيب wove the interaction of poets with their environment. This interaction resulted in drawing the relation between poet and place. It took the form of absolute documentation that was based on close seeing, personal association, examining gaze, critical notice and analytical description; and spelled it out through comprehensive commentary.

Its outcome was a *sijill* سجل (record) of architecture of Arabian Peninsula; which set out the techniques of writing history of architecture that in its turn introduce one to: place and its environment, climatic factor, type of architecture (antiquities) and its function, name of patron and his social position, the history of making architecture and the period of construction, building material, construction techniques, dimensions, area of premises and characteristics of form.

This is the first and simple record in Arabic architecture; other sophisticated records were initiated in Islam. They took many forms and they were the outcome of many sources, those are:

2- *Kutob al-waqf* كتب الوقف (endowment documents)

Kutob al-waqf كتب الوقف (endowment documents) are the oldest and accurate *sijill* سجل (record) known in human civilization. Each document represents a record in itself for a group of buildings. I displayed its structure earlier in the course of discussions in this paper. I emphasized that its structure is contained all elements of *as-sijill* السجل (record) except the upkeep and conservations works that comes up after recorded the document. Those new works were documented and recorded in the architectural and engineering reports that were kept in the courts of judges, the books of history and *kutob al-khttat* كتب الخطط (urban planning books) as I indicated earlier in this paper.

The value of this record is attained from the value of endowments themselves. It is not just a record for certain buildings; in fact *al-waqf* الوقف (endowment) documents represent the history of urbanism in Arabic and Islamic cities. The history of this record go back to the first *al-waqf* الوقف (endowment) document put by *al-imam ash-Shaf'iyy*⁷⁴ الإمام الشافعي (150-204 H/767-819 AD). It sets out principles of documentation and recordation of *al-waqf* الوقف (endowment) as I indicated earlier.

2- *Sijillat al-qudat* سجلات القضاة , plural of *sijill* سجل and *qadiy* قاضي , (records of judges)

I indicated that *kutob al-waqf* كتب الوقف (endowment documents) were and are still written in the court before the judge. In many cases a copy of each document⁷⁵ was kept with the judge who wrote and ratified it. Those documents, together with the technical reports that *al-qudat* القضاة (judges) kept are of great value. Because judges are those who put and documented all the conditions of *ash-shari'a* الشريعة (Islamic legislation) and *al-waqif* الواقف (endowers) that constitute the structure of *al-waqf* الوقف (endowment); that in their turn constitute the structure of records. Furthermore Judges are forms the technical committees and keep their technical reports for the conservation of the premises of *al-waqf* الوقف (endowment) in their courts.

Yet records of judges are richer than individual *waqf* الوقف (endowment) document, because they contained technical reports of conservation and their application on the premises of *al-waqf* الوقف (endowment). The documents and contracts of trade of real estate properties; and contracts of trade of building material, artistic and architectural elements. Those records document the history of each building and facilitate understanding its physical state, its location in the architectural fabric and the urban structure of cities.

3- *Diwan al-ahbas* ديوان الأحباس (archive of endowments) in al-Fatimid State

This *diwan*⁷⁶ ديوان (archive) was a *sijill* سجل (record) for endowment. It was found by al-Khalifa al-Fatimiy al-Mu'is liDean Ullah الخليفة الفاطمي المعز لدين الله (341-365 H/952-975 AD), where he ordered in the year (363 H-973 AD) to keep and preserve the revenues of *al-waqf* الوقف (endowment) in *beit al-mal* بيت المال (treasury). He assigned *qadiy al-qudat* القاضي القضاة (the judge of judges or the grand judge) as chairman for this *diwan* ديوان (archive). This *diwan* or *sijill* سجل (archive or record) contain all *al-awqaf* الأوقاف (endowments) of public interest like, *jawami* الجوامع , *baymaristanat* البيمارستانات , *madaris* المدارس , *hawaneet* الحوانيت

hamammat الحمامات... etc. But those of *al-waqf al-khayri* الوقف الخيري (endowment) that assigned for certain beneficiaries were recorded in *sijill diwan al-`ahbas* سجل ديوان الأحباس but their management remained on the hands of *al-mutwalliyon* المتوليين (general managers).

This *sijill* سجل (record) is more comprehensive than the previous ones, because it contained all *Sijillat al-qudat* سجلات القضاة (records of judges) beside the documents of the new *awqaf* أوقاف (endowments), the new technical reports, dates and types of techniques of conservation that took place during the regime of the Fatimied State.

The revenue of *al-waqf* الوقف (endowment), according to the urban historian al-Maqriziy⁷⁷ was 1,500,000/- *dirham* درهم. The *sijill diwan al-`ahbas* سجل ديوان الأحباس organized the budget and assigned payroll for the employees of *al-waqf* الوقف (endowment); allocated the daily, monthly and yearly expenditure of the premises of *al-waqf* الوقف (endowment) like: *aj-jawami* الجوامع, *al-mashahed* المشاهد, *baymaristana* البيمارستانات, *al-madaris* المدارس and all *al-waqf* الوقف (endowment) premises. And most important is the required and occasionally expenditure of *al-`imara waat-tarmiem* العمارة والترميم (conservation and preservation) of the premises of *al-waqf* الوقف (endowment).

The *diwan al-`ahbas* ديوان الأحباس remained functioning until the end of the Fatimied state (567 H-1171 AD). In my view this *sijill* سجل (record) was the first comprehensive record in the history of the phenomenon of *al-hifadh al-m`imariy* الحفاظ المعماري (architectural conservation) in particular and urbanism in general. It was a rich source for the books of history and *al-khttat* الخطط (urban planning).

4-*Mal al-masalih* مال المصالح (the interest money)

This *sijill*⁷⁸ سجل (record) was a private one and devoted for *awqaf aj-jami` al-`amwaiy* أوقاف الجامع الأموي (endowments of Umayyad mosque) in Damascus. It was found by prince Noor ad-Dean Zankiy نور الدين زنكي (541-569 H/1146-1173 AD) where he ordered in the year (461 H-1068 AD) to rewrite all *kutob waqf aj-jawami`* كتب الجامع الأموي (endowments documents of the mosque). He also ordered to add to them all the *al-awqaf* الأوقاف (endowments) that their *waqifon* الواقفون (endowers) were unknown and as a consequence their conditions no longer known.

This *sijill* سجل (record), in spite of being private and limited for *aj-jami` al-`amwaiy* الجامع الأموي, it was of great importance because it saves and preserves *kutob awqaf* (endowments documents) of *aj-jami` al-`amwaiy* الجامع الأموي; that was renewed in the year (699 H-1299 AD) by the Mamluk governor of Damascus as-Sahib Baha` ad-Dean⁷⁹ . He also added the documents of the new *awqaf* (endowments) to the *sijill* سجل (record).

This *sijill* سجل (record) was a rich source for all the works of *al-hifadh* الحفاظ (conservation) that took place in *aj-jami` al-`amwaiy* الجامع الأموي; and valuable source for a great part of *awqaf* أوقاف (endowments) Damascus. It was also a magnificent source for books of history and *al-khttat* الخطط (urban planning).

5- *Diwan al-`ahbas* ديوان الأحباس (archive of endowments) in al-Mamluk state

After the end of the Fatimied state in Egypt and abortion of Noor ad-Dean نور الدين regime in Damascus the documents of *al-waqf* الوقف (endowment) went back to judges. This case remained during the `Ayobied state and the beginning of the Mamluk state. Then according to al-Maqriziy⁸⁰ المقريري the Mamulk state reformed the *sijill diwan al-`ahbas* سجل ديوان الأحباس (record of the archive of endowment) and divided it into three parts:

5-1-*Diwan `ahbas* (archive of endowment) of as-Sultan السلطان أحباس

This *sijill* سجل (record) was devoted for *awqaf* أوقاف (endowments) of as-Sultan. It was headed by *hajeb* حاجب (secretary of) as-Sultan together with *nazer or mutwalliy al-waqf* (general manager of endowment); and a group of *kutab* كتاب, plural of *katib* كاتب (accountant) and *jubat* جباة, plural of *jabiy* جابي (collector).

5-2-*Diwan al-awqaf al-hakmiyya* ديوان الأوقاف الحكيمة (archive of *al-masjid al-haram* المسجد الحرام in Mecca and *al-masjid an-Nabawiy* المسجد النبوي in al-Madina al-Monawra)

This *sijill* سجل (record) was devoted for *awqaf* أوقاف (endowments) that belong to *al-harimiyn ash-sharifiyn* الحرمين الشريفين (the two holy mosques) in Mecca and al-Madina, the pious and the captive soldiers. The *al-mutwalliy* المتولي (general manager) of this *sijill* سجل (record) was *qadiy al-qudat ash-shafi'iy* قاضي قضاة (the judge of judges of the sect of *al-imam ash-Ashafi'iy* الإمام الشافعي). In certain cases the authority of the *al-mutwalliy* المتولي was extended to include the *al-awqaf* الأوقاف (endowments) of Cairo and all Egypt. A management team consisted of a group of *kutab* كتاب, plural of *katib* كاتب (accountant) and *jubat* جباة, plural of *jabi* (collector) together with *shad* شاد (administrative manager), *musharif* مشرف (finance manager) and *shahid* شاهد (witness) or more were working in the this *diwan* ديوان (archive) or *sijill* سجل (record).

The revenue of those *awqaf* أوقاف (endowments) was allocated for *'imarth watarmiem* العمارة والترميم (conservation and preservation); and the daily, weekly, monthly and yearly expenditure of *al-harimiyn ash-sharifiyn* الحرمين الشريفين (the two holy mosques) in Mecca and al-Madina.

This *diwan* ديوان (archive) was a comprehensive *sijill* سجل (record) for all the buildings that were *waqf* الوقف (endowment) in Cairo and Egypt for *al-harimiyn ash-sharifiyn* الحرمين الشريفين (the two holy mosques in Mecca and al-Madina). It was also a record for all the working of conservation and preservation that took place or executed in that era together with their costs. Fortunately those parts of this record were indicated by the Egyptian urban historian al-Maqrizi المقريري and other urban historians.

5-3-Diwan al-awqaf al-ahliya ديوان الأوقاف الأهلية (archive of humanitarian endowment)

Al-awqaf al-ahliya الأوقاف الأهلية means *al-awqaf al-khayriya* الأوقاف الخيرية (humanitarian endowments). I highlighted this *waqf* وقف (endowment) earlier and emphasized that it was conducted by *al-mutwalliyon* المتوليين (general managers) and recorded in the court of the judge. Yet all *al-awqaf al-khayriya* الأوقاف الخيرية (humanitarian endowments) were recorded in this archive in much the same way there was recorded in *Sijillat al-qudat* سجلات القضاة (records of judges).

Furthermore recent studies⁸¹ on this archive emphasized that all *kutob al-waqf* كتب الوقف (endowment documents) were written in a book known as *al-mizbatha* المظبطة (record) and signed by *as-shuhod* الشهود, plural of *shahid* شاهد (witness) and *al-qadiy* القاضي (judge); and a brief of *kutob al-mizbatha* كتب المظبطة were recorded in another book known as *as-sijill*⁸² سجل (record).

The famous historian, sociologist and *qadiy al-qudat* القاضي القضاة (the judge of judges) Ibn Khaldun ابن خلدون (732-808 H/1332-1406 AD) indicated that there was a profession known as *al-'adalla*⁸³ (attorney). The role of this profession was writing contracts⁸⁴ of trade, documenting and recording them in the records of judges.

The sad thing is that all those records were lost during the occupation of Egypt by the Ottoman Sultan Salim سليم (922 H- 1516 AD). And what remained was that kept on the hands of *al-mutwalliyon* المتوليين (general managers), judges and what was documented in the books of history and urban planning.

6-The Ottoman *dafter at-tahrier* دفتر التحرير (*sijill* سجل or record book)

In the Ottoman Empire the *as-sijill* سجل (record) of *al-awqaf* الأوقاف (endowments) was more advanced than all the previous records. Its name was *dafter at-tahrier*⁸⁵ دفتر التحرير (record book). A main *dafter* دفتر (record) was in Constantinople, and secondary *difter* دفتر (record) was devoted for each city in the Empire. The procedures of documentation of *al-waqf* الوقف (endowment) premises were so accurate and sophisticated; and it is beyond the endeavor of this paper.

The management of the projects of *al-awqaf* الأوقاف (endowments) together with Budgeting and expenditures were under direct supervision of the state. Complete records for the architectural fabric and urban structure of Arabic and Islamic cities were documented in records. By the year 1826 AD a ministry⁸⁶ for *al-awqaf* الأوقاف (endowments) was found in the Ottoman Empire, all *dafter at-tahrier* دفاتر التحرير, plural of *difter* دفتر (record) were kept in the ministry. The records of *al-awqaf* الأوقاف (endowments) premises from this year start to be part of the archives and diplomats of the government; it remained as such until the fall of the Ottoman Empire (1917-1923 AD). The Arab and the Islamic worlds fall under colonialism and the *al-awqaf* الأوقاف (endowments) premises were treated according to the interest of the colonial powers. And after

liberation from colonialism every Arab state formed a ministry for *al-awqaf* (endowments) and has its own endowments record.

In general and in the course of history many of the records very important and valuable buildings were lost; and many others were saved, whether their *kutob al-awqaf* (endowments documents) were preserved or recorded in *daftar at-tharier* (record books) that are still preserved and kept in the archive of the Turkish government; or in the books of history and urban planning which will be the next and the final subject in this paper.

It is worth mentioning here and before I demonstrated the role of the books of geography, history and urban planning to indicate that great amount of *al-awqaf* (endowments) documents were carved⁸⁷ on stones in the facades of many endowments premises in: Jerusalem, Damascus, Aleppo, Cairo and many other cities; and that help in keeping them as individual records.

7-Geographical, historical and urban planning sources

Those sources are very rich in recording and documenting data about historical buildings, architectural fabric and urban structure of Arabic and Islamic cities, like Mecca, Jerusalem, Damascus, Cairo and all major cities in the Arab and Islamic world. I shall elaborate here, as a case in point, on some of the books of *al-khattat* (urban planning).

The oldest book of urban planning that reached us was of al-Azraqi⁸⁸ الأزرقى (died 250 H- 864 AD), *`akhbar Mecca wama Ja` biha min al-`athar* (أخبار مكة وما جاء بها من الآثار). It is the oldest architectural and urban record, not just in Islamic Civilization, but perhaps in the World Civilizations. Al-Azraqi الأزرقى recorded every single architectural element in the architectural fabric of *al-ka`ba al-musharfa* (الكعبة المشرفة) (holy shrine) and *al-masjid al-haram* (المسجد الحرام) (grand mosque) in Mecca. He described them physically, depicted their artistic features, documented their history, dates of construction and reconstruction, their patrons, architects, builders, building material, costs and techniques of conservation.

He also did the same in the urban structure of the city of Mecca. He described its planning scheme that was planned by the governor of Mecca Qusay Ibn Kilab قصى بن كلاب in the 5th AD. He divided Mecca into quarters and determined the form of buildings to be circular in plan and cylindrical in form in order to distinguish them from the cubical form of the *al-ka`ba* (holy shrine). Al-Azraqi الأزرقى located every building in the architectural fabric of the city and defined their borders. He nominated the roads net works, the city hall, markets, the mill, the cemetery ... and all the urban elements in the city.

In fact and by all means, in my view, the book of al-Azraqi الأزرقى is considered, not just a remarkable record, but it was the one that initiated the concept or notion of recording process and mark the beginning in this field.

Other important and more comprehensive book of urban planning was that of al-Maqriziy⁸⁹ المقرئى (766-845 H/1364- 1441 AD), *al-mawa`iz waal`itibar bidhikr al-khattat waal-athar* (المواعظ والاعتبار بذكر الخطط والآثار). Al-Maqriziy المقرئى book in fact considered as a record for the whole country of Egypt. He recorded all the urban centers in Egypt and focused on Cairo. He recorded all the urban elements of the city of Cairo, its *khattat* (الخطط) (neighborhoods), roads net work, open areas, gardens and public parks, and all the architectural fabric of the city together with the history of the major buildings, like: *masajid* (المساجد) (mosques), *jawami`* (الجوامع) (mosques), *baymaristanat* (البيمارستانات) (hospitals) *madaris* (المدارس) (schools), *zawaiya* (الزوايا) (private worship and teaching place), *khawanq* (الخوانق) (elderly homes for men) *ribtatat* (الرباطات) (elderly homes for women) ... etc. He recorded their history of construction, dates and types of conservation, owners and donators and the devolution of ownership from one to another,

In general al-Maqriziy المقرئى used all techniques of documentation that I mentioned earlier. His sources were *al-awqaf* (endowments) documents, *Sijillat al-qudat* (سجلات القضاة) (records of judges) and contracts of trade.

The credibility and authenticity of al-Maqriziy المقرئى documentation came from being himself a *mouhtasib* (المحتسب) (mayor) of Cairo, he also worked in the *diwan al-`insha`* (ديوان الإنشاء) (archive of the state); where *diwan al-`ahbas* (ديوان الأحباس) (archive of endowments) was part of it. Yet all documents and contracts were exposed to him, particularly the Fatimid, `Ayopied and Mamluk endowments documents. It is for those

reasons that the book of al-Maqrizi المقريزي was the most comprehensive and highly authentic record for the city Cairo.

A third comprehensive and very authentic record for the city of Jerusalem was made by the Palestinian *qadiy* (judge) Mujier ad-Dean al-'aiylmiy⁹⁰ القاضي مجير الدين العليمي (900 H- 1494 AD), *al'onis `aj-jaliyl fi tariekh al-quds waal-khaliyl* والأنس الجليل بتاريخ القدس والخليل, he surveyed all the architectural fabric and urban structure of the city of Jerusalem. The book is very similar to that of al-Maqrizi المقريزي. His sources were the `Ayopied and Mamluk endowments documents, his personal association and daily participation in the life of the city.

His book is very comprehensive and very highly authentic record for the Muslim and Christian vocabulary of the architectural fabric of the city. He described the planning of Jerusalem, indicated its *khttat* خطط and *harat* حارات (neighborhoods), located them and defined their borders in its urban structure. He delineated the roads net work, open areas, walls and doors of the city. He recorded all the vocabulary of the architectural fabric of the city together with their position and borders in the neighborhoods. Their functions and names of the donators of the premises of *al-waqf* الوقف (endowment), dates of their construction, techniques and dates and types of their conservation.

In general the book of Mujier `ad-Dean الدين مجير is the most reliable record for the architectural fabric and urban structure of Jerusalem until the end of the 15th AD century.

The last record in this paper is the comprehensive and authentic one that was made by the Damascusian historian an-N'aimiy⁹¹ النعيمي (died 978 H-1570 AD), *ad-daris fi thariekh al-madaris* الدارس في تاريخ المدارس. The value of this record is being devoted to schools buildings in Damascus. He classified it alphabetically and surveyed 465 schools; the number was including all teaching buildings, like the three schools of medicine, public schools, the schools in mosques, schools in *zawaiya* الزوايا (private worship and teaching place), schools in *khawanq* الخوانق (elderly homes for men), schools in *ribtatat* الرباطات (elderly homes for women), scools in *mayatem* الميتم (orphanages) and the like.

He also recorded in the book the premises of *awqaf at-tmwheel* أوقاف التمويل (endowments for finance) that belonged to each school. Therefore the book was a main record for the educational buildings (schools) and a secondary one for the premises of *waqf at-tmwheel* وقف التمويل (endowment for finance). He delineated their location, marked and defined their borders in the architectural fabric of Damascus. He authenticated their endowment documents, emphasized the conditions of endowers and their biographies; the dates of endowments and the construction of the premises. He described and depicted them physically, spatially and aesthetically, demonstrated types, techniques and dates of conservation. He highlighted the biographies of the famous tutors of the schools, the curriculums of education that differ from one school to the other, period and time of teaching and the hierarchy of the teaching staff.

In general the book was a very authentic record for the schools of Damascus in the 16th century and other vocabulary of the architectural fabric of Damascus.

Finally architectural records in Islamic Civilization are great in number and more than I have place to enumerate in this paper. I demonstrated the seven previous records as a case in point, in order to demonstrate that techniques of architectural records were found and originated in Islamic Civilization. So much so the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation).

Summary and conclusion

In outlining the theory and philosophy of *al-hifadh al-m'imariy* الحفاظ المعماري (conservation and restoration) in Islamic Civilization; discussions highlighted so many topics. It began by drawing the relation between *al-hifadh* الحفاظ (conservation) and the philosophy of history in Islamic civilization. Discussions displayed its four concepts and emphasized that the concept of *at-tawasul at-tharikhiiy* التواصل التاريخي (historical continuity) requires, demands and imposes continues and endurance presence of the phenomena of civilization, particularly architectural phenomenon, that its permanent and endurance presence demands continues conservation. It emphasized that the general goal of Islamic philosophy of history requires sustainable *hifadh* الحفاظ (maintenance, conservation, preservation and restoration) for all cultural phenomena, particularly environmental, cultural and architectural ones. And concluded that *al-hifadh* الحفاظ (conservation) is a religious requirement and a cultural necessity.

The discussions that follows demonstrated the structure of *kutob al-waqf* كتب الوقف (endowment documents); and displayed the types of *al-waqf* الوقف (endowment); and focus upon *al-waqf al-khayriy* الوقف الخيري (humanitarian endowment), that in its turn comprise two kinds of premises of *al-waqf* الوقف (endowment) one for use and the other for finance. Discussions highlighted the conditions of the *ash-shari'a* (Islamic legislation) together with the conditions of the *al-waqif* الواقف (endower); and emphasized that both designate in clear and definite terms the irrevocable, endurance, permanent and perpetual role of the projects of *al-waqf* الوقف (endowment); that in their turn constitute the backbone of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation).

The discussions turned to demonstrate the structure of *al-hifadh al-maimariy* الحفاظ المعماري (architectural conservation). It argued that it is in a case of intervention with the *al-waqf* الوقف (endowment) institution and delineated that both are two faces of the same coin. Furthermore it came to the conclusion that the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري was propagated from the *al-waqf* الوقف (endowment) institution; particularly from the perpetual role of *al-waqf* الوقف (endowment) institution. Discussions emphasized that the management team of *al-waqf* الوقف (endowment) project is the same of *al-hifadh* الحفاظ (conservation) project. More to the point discussions demonstrated that the all the theoretical techniques of *al-hifadh* الحفاظ (conservation), that indicated, in the course of discussions, in this paper, like the management team; the duties of the general manager; the technical team and the investments schemes ... etc.; were derived or propagated from the structure of *kitab al-waqf* كتاب الوقف (diploma or endowment document).

Discussions proceeded to display that *at-taqarier al-handasiyya* التقارير الهندسية (the technical and engineering reports) were originated in Islamic Civilization by the virtue of *al-waqf* الوقف (endowment) institution. The discussions that followed demonstrated seven technical techniques of the *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation). It emphasized that two of them, namely *al-'imara waat-tarriem* العمارة (conservation and preservation) were derived from *kitab al-waqf* كتاب الوقف (endowment document). And the rest of them were initiated coined in *at-taqarier al-handasiyya* التقارير الهندسية (the technical and engineering reports) by the endless, endurance and perpetual rules of *al-waqf* الوقف (endowment) institution.

Finally discussions demonstrated seven types of the *as-sijillat al-m'imariya* السجلات المعمارية (architectural records) and emphasized that the notion of *as-sijill* السجل (record) was originated in Arabic Islamic Civilization and ascribed its beginning to the *al-Jahilliyya* الجاهلية (pre-Islamic verse) before Islam.

In conclusion discussions in this paper strongly prove that the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) was coined and originated in Islamic civilization. It is coinciding and tie-in with the concept of historical continuity in the philosophy of Islamic of history.

Finally one hope that the contribution f Islamic Civilization in the phenomenon of *al-hifadh al-m'imariy* الحفاظ المعماري (architectural conservation) as presented in this paper, would strengthening, enhancing and widening the world phenomenon of architectural conservation; deployed and implemented together with the international charters of conservation, particularly with the UNESCO constitution.

Notes:

1-See: Al-Abed, B. (2008), *al-Fiker al-M'mariy al-'Arbiy al-'Islamiy*, published in *kutob wighatnazar. magazine*, issue No.: 116, September, Cairo, p.:32-37.

2-See: Ibid

3-See: Ash-Shaf'iy, M. (died 204 H-819 AD), *al-'Am*, 7 vols., annotated by M. an-Najar, 2nd edition, published by *dar al-m'arifa*, Beirut, vol., 4/51-61.

:Ibn Qudama, M. (630 H-1232 AD), *al-Mughniy waash-Sharah al-Kabier*, 12 vols., annotated by a group of scientists, published by *dar al-kitab al-'Arabiyy*, Beirut, vol., 6/185-246.

:Al-Kasaniy, A. (587 H-1191 AD), *Bada'i as-Sana'i*, 7 vols., published by *dar al-kutob al-'almiyya*, Beirut, vol., 6/218-221.

:At-Tanukhiy, S. *Al-Mudawana al-Kubra*, 4 vols., publishe by *dar al-fiker*, Beirut, (1406 h- 1986 AD), vol., 4/341-348.

4-See:Ibid

5-See:Ibid

6-See: Al-Muhtadiy, A. (2004 AD), *Awqaf al-Quds*, published by *dar majdalawiy*, Amman, Jordan, p.:26

7-The two kinds of *waqf* (endowment) were mentioned in all *kutob al-waqf al-khayriy* (humanitarian endowment documents). And all the *al-fuqha`* (legislators) divided *al-waqf al-khayriy* (humanitarian endowment) to the two kinds: *waqf al-ist`imal* and *waqf at-tmwheel*.

See: Az-Zuhiliy, W. (1966 AD), *al-Wasaiya waal-Waqf fi al-Fiqh al-Islamiyy*, published by *dar al-fiker*, Damascus, p.: 53.

: Al-Muhtadiy, A., (2004 AD), former reference, p.: 224-27

: The references in note No.: 3

8-See: Ash-Shaf`iy, M., former reference, vol.:4/59-61

: An-Noweriy, Sh., (733 H-1085 AD), *Nihaiyat al`Irab fi Funon al`Adab*, 33 vols., published by the Ministry of Culture, *al-moasasa al-Misriyya al-`ama lilkitab*, No history of publication, vol., 9/156-159.

9-See: Ibid

10-See: Ibrahiem, A. (1956 AD), *Sillsilat al-Wata`q at-Tarikhyya waal-Qawmiyya, Watiqat al-`Amir `Akhor Qaraqja al-Hassaniy*, *the magazine of the school of art*, University of Cairo, vol., 18, part 2/199-218.

: Ibrahiem, A. (1959 AD), *Watiqat Waqf Masror aj-Jamdar*, *the magazine of the school of art*, University of Cairo, vol., 21, part 2, p.: 133-173.

: Daraj, A. (1963 AD), *Watiqat al-Ashraf Barsbay*, published by *the press of French Institute of Science for Oriental Archeology*, Cairo, p.:41-45.

11-See: `Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, Without history of publication, p.: 57

12-See: Ibrahiem, A. (1971 AD), *Watiqat Yashbak Adawdar*, *the magazine of the university of Cairo* in Khartoum, Issue No.:2, p.: 59.

: Daraj, A. former reference, p.: 29, 34, 41, 45.

13-See: Ibid

14-See: Ibn Hanbil, A. *Musnad Ahmad Ibn Hanbil*, printed on a CD

: Az-Zuhiliy, (1966 AD), W., former reference, p.: 65, 97.

15-See: Ibrahiem, A. (1956 AD), former reference, *Watiqat al-`Amir `Akhor Qaraqja al-Hassaniy*

: Ibrahiem, A. (1959 AD), former reference, *Watiqat Waqf Masror aj-Jamdar*, p.: 142-149.199-217.

: Daraj, A. (1963 AD), former reference, *Watiqat al-Ashraf Barsbay*, p.: 1-69.

: `Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, former reference, p.: 353-366.

16-See: Ibid

17-See: `Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, former reference, p.: 366

18-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *as-Suluk fi M`irifat al-Muluk*, 4 vols., 12parts, published by *matb`at lajnat at-t`life waal-nashr*, Cairo, 1956 AD, vol.: 1/3/ 806-957.

19-See: The location of the premises of *al-waqf* (endowment) in the architectural fabric of cities and defining their borders in the urban structure of cities is a main element in the structure of all *kutob al-waqf* (endowment documents), see for instance: notes No.: 12, 15, 17.

20-See: This condition is found in all *kutob al-waqf* (endowment documents), see for instance notes No.: 12, 15, 17.

21-See: Ibrahiem, A. (1966 AD), *Nasan Jadeadan min Watiqat al-Amir Surgtmush*, published in *the magazine of the school of art*, University of Cairo, vols.: 1 & 2, p.:143-210.

22-See: Mubark, A. (1888-1889 AD), *al-Khttat at-Tawfiqiyya*, 7 vols., published by *al-hiyy`a al- al-`ama lilkitab*, 2nd edition, Cairo, 1980, vol.: 5/146-149.

23-See: Al-`Asaliy, K. (1983 AD), *Wata`q Maqdisiyya*, 3 vols.: published by *matb`at at-tawfiq*, Amman, Jordan, Vol., 1/128-144.

: Al-Muhtadiy, A., (2004 AD), former reference, p.: 110, 355, 507-524.

24-See: Al-Muhtadiy, A., (2004 AD), former reference, p.: 355.

25-The administrative team is assigned by *al-waqif* (لواقف) (endower) is indicated in all *kutob al-waqf* (endowment documents) together with the hierarchy of certain jobs.

See: notes No.: 12, 15, 17, 21.

26-See: Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, former reference, p.:353-390

: Daraj, A. (1963 AD), former reference, p.: 57.

27-See: `Isheikh Khaleil, `A. (2006 AD), *Waqf al-Mar`a fi Liwa` Damascus fi al-Qarn 10th H- 16th AD*, a research paper presented in the 7th Conference in Bilad ash-Sham held in the University of Jordan, 17th-21st Sh`aban 1427 H- 10th-14th 2006 AD, Amman- Jordan, p.:34-37.

: Al-Muhtadiy, A., (2004 AD), former reference, p.: 355.

- 28-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *al-Mawa'iz waal'Itibar bidhikr al-Khttat waal-Athar*, (*al-Khttat al-Maqriziyya*), 2 vols., published by *dar sader*, no history of publication, Beirut, p.: vol.: 2/406-407.
: An-Noweriy, Sh., (733 H-1085 AD), former reference vol.: 32/64.
: Mubark, A. (1888-1889 AD), former reference, vol.: 5/145-149, 269-274.
: Daraj, A. (1963 AD), former reference, p.: 52, 57.
: Ibrahiem, 'A. (1966 AD), former reference, p.:178, 182 .
- 29-See: An-N'imiy, A. (died 978 H- 1570 AD), *ad-Daris fi Tariekh al-Madaris*, 2 vols., annotated by Ibrahiem, Sh., published by *dar al-kutob al-'ilmiya*, Beirut, 1990, p.: vol. :2/314-315
: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *as-Suluk fi M'irifat al-Muluk*, former reference, p.: vol.: 2/part 2/126.
- 30-See: Al-Azraqiy, M. (died 250 H-864 AD), *'Akhbar Mecca wama Ja` biha min al-'Athar*, 2vols., annotated by Malhas, R., published by *dar al-andalus*, Beirut, 1983, p.: vol.: 2/78-81.
: Dahman, M. (1982 AD), *fi Rihab Damascus*, 1st edition, published by *dar al-fiker*, Damascus, p.: 142-147.
: An-N'imiy, A. (died 978 H- 1570 AD), former reference, vol.: 2/303-304, 312.
- 31-See: Al-Qasmiy, M. (2001 AD), *al-Waqf – Buhooh Mukhtara min Nadwat Majma'i al-Fiqh al-Islamiy fi al-Hind*, *dar al-kutob al-'ilmiya*, Beirut, p.: 70, 97.
- 32- This job together with the rest of the indicated jobs are assigned by the *al-waqif* (endower) together with their job description and recorded in all *kutob al-waqf* (endowment documents) as I indicated in note No. 25 that all the administrative and technical teams are assigned in the same manner.
See: notes No.: 12, 15, 17, 21.
- 33-See: Daraj, A. (1963 AD), former reference, p.: 4.
: Mubark, A. (1888-1889 AD), former reference, vol.: 5/148, 290
- 34-See: Badran, A. (1328 H- 1910 AD), *Munadamat al'Athlal waMusamart al-Khial*, published by A. Badran, *al-majm'i al-Arabiyy lil-t'ali' waat-tarjama*, (1406 H-1986 AD), Damascus, p.: 65.
: Al-'Asaliy, K. (1983 AD), former reference, vol.: 1/108-121.
- 35-See: Ibrahiem, 'A. (1966 AD), former reference, p.: 165.
- 36-See: Mubark, A. (1888-1889 AD), former reference, vol.: 5/ 290-291.
- 37-See: Ibid., p.:vol. 5/149
- 38- : Al-'Asaliy, K. (1983 AD), former reference, p.: vol.: 1/138.
: Al-Muhtadiy, A., (2004 AD), former reference, p.: 519-520.
- 39-See: Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, former reference, p.: 366.
: Daraj, A. (1963 AD), former reference, p.: 52, 57.
- 40-See: Al-Hajiy, H. (1983AD), *as-Sultan an-Naser Mohamad Ibn Qalawun waNidham al-Waqf fi 'Ahdih*, published by *maktabat al-falah*, Kuwait, p.: 293-294.
: Ibrahiem, 'A. (1966 AD), former reference, 178, 182.
: Daraj, A. (1963 AD), former reference, p.: 33.
- 41-See: Al-Hajiy, H. (1983AD), former reference, 293.
: Daraj, A. (1963 AD), former reference, p.: 33.
: Amien, M. *Watiqat Waqf as-Sultan Qaytbay*, former reference, p.: 366.
- 42-See: Ibrahiem, A. (1959 AD), former reference, *Watiqat Waqf Masror aj-Jamdar*, p.: 139.
- 43-See: Mubark, A. (1888-1889 AD), former reference, vol.: 5/ 269-274.
- 44-See: References in note No.: 40.
- 45-See: Al-Muhtadiy, A., (2004 AD), former reference, p.: 196-197.
:Az-Zuhiliy, (1966 AD), W., former reference, p.: 194-195.
- 46-See: Ibrahim Ahmad, (1930), *'Ahkam al-Waqf waal-Mawarieth fi al-Qahira*, p.: 152.
- 47-See: Qahf, M. (2000 AD), *al-Waqf al-Islamiy, Tathuworho, 'Idaratuho, Tanmiyatho*, published by *dar al-fikr al-mu'asir*, Beirut, p.: 247-252.
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- 48-See: Qahf, M. (2000 AD), former reference, p.: 250-252.
:Al-Muhtadiy, A., (2004 AD), former reference, p.: 176-179.
- 49-See: Ibn Katheir, H. (died 774 H- 1372 AD), *al-Bedayi waan-Nihaiyya*, 14 vols., 6th edition, published by *maktabat dar al-m'arif*, Beirut, 1985, vol.:14/133.

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- : An-N'imiy, A. (died 978 H- 1570 AD), former reference, vol.: 2/303
- : Dahman, M. (1982 AD), *fi Rihab Damascus*, former reference, p.: 143.
- 50-See: Dahman, M. (1982 AD), *fi Rihab Damascus*, former reference, p.: 142-147.
- 51- For more reports and techniques of conservation see the following references:
- : Othman, N. (2000), *Masajid al-Qirawan*, 1st edition, published by *matb'at dar'ikrima*, Aleppo, p.: 315-546.
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- 52-See: Az-Zuhiliy, (1966 AD), W., former reference, p.: 196.
- : Qahf, M. (2000 AD), former reference, p.: 91, 97-98, 174, 223.
- : see also all *kutob al-waqf* (endowment documents), for instance those mentioned in note No.: 15
- 53-See: Ibn Mandhur, J. (died 711H-1311 AD), *Lisan al-Arab*, 15 vols., published by *dar sader*, no history of publication, see the entry of *rammam*.
- 54-See: Al-Khasaf, A. (died 261 H- 874 AD), *Ahkam al-Waqf*, annotated by Shahien, M., published by *dar al-kutob al-'ilmiya*, Beirut, (1420 H- 1999 AD), p.: 59, 113.
- 55-See: Ibn Katheir, H. (died 774 H- 1372 AD), former reference, p.: vol.:13/57.
- 56-See: Ibid
- 57-See: An-N'imiy, A. (died 978 H- 1570 AD), former reference, vol.: 2/302-304.
- 58-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *as-Suluk fi M'irifat al-Muluk*, former reference, p.: vol.: 4/part 2/803.
- 59-See: Al-Azraqiy, M. (died 250 H-864 AD), former reference, vol.:1/201-226, vol.:2/98-104.
- 60-See: Ibid
- 61-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *as-Suluk fi M'irifat al-Muluk*, former reference, p.: vol.: 2/part 1/273.
- 62-See: Dahman, M. (1982 AD), *fi Rihab Damascus*, former reference, p.: 142-145.
- 63-See: Al-Azraqiy, M. (died 250 H-864 AD), former reference, vol.:1/201-205.
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- 68-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *al-Mawa'iz waal'Itibar bidhikr al-Khattat waal-athar (al-Khattat al-Maqriziyya)*, vol.: 2/255.
- 69-See: Al-Azraqiy, M. (died 250 H-864 AD), former reference, vol.:1/201-226.
- 70-See: An-N'imiy, A. (died 978 H- 1570 AD), former reference.
- 71-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *as-Suluk fi M'irifat al-Muluk*, former reference.
- 72-See: Othman, N. (2000), *Masajid al-Qirawan*, former reference.
- 73-See: Al-Abed, B. (1989 AD), *al-Fikr al-M'imariy al-Arbiy al-Islamiy*, *The Arab City Magazine*, The Arab Cities Organization, Kuwait, issue No.: 39, p.: 6-26.
- 74-See: Ash-Shaf'iy, M., former reference, vol.:4/59-61
- 75-See: Al-Khasaf, A. (died 261 H- 874 AD), former reference, p.:114.
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- 76-See: Ibn Katheir, H. (died 774 H- 1372 AD), former reference, p.: vol.:12/278.
- : An-N'imiy, A. (died 978 H- 1570 AD), former reference, vol.: 1/471.
- 77-See: Ibid
- 78-See: An-N'imiy, A. (died 978 H- 1570 AD), former reference, vol.: 2/314-315.
- 79-See: Ibid., vol., 2/315.
- 80-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *al-Mawa'iz waal'Itibar bidhikr al-Khattat waal-Athar, (al-Khattat al-Maqriziyya)*, former reference, vol.:295-296.
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- 82-See: Ibn Khaldun, (779 H-1377 AD), *al-Muqaddima*, *moasasit al-'alamiy lilmatbo'at*, Beirut, no history of publication, p.: 224-225.
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- 84-See: Ibrahiem, 'A. (1957 AD), at-*Tawatiqat ash-Shar'iya*, former reference, p.:336.
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- 89-See: Al-Azraqiy, M. (died 250 H-864 AD), former reference, vols.: 1-2.
- 90-See: Al-'Aiyliyy, M. (900 H- 1494 AD), *al'onis 'aj-jaliyl fi tariekh al-quds waal-khaliyl*, maktabit al-muhtasib, Amman, Jordan, 1973, vol.: 2.
- 91-See: Al-Maqriziy, A. (766- 845 H/1364- 1441 AD), *al-Mawa'iz waal'Itibar bidhikr al-Khttat waal-Athar*, (*al-Khttat al-Maqriziyya*), former reference, vol.: 1-2.
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Glossary

A

'abda	أبد		perpetuated
wa-'abda	وابد		perpetuated
al-'iber	العبر		eruditions
al-'atiba'	الأطباء	plural of <i>tabib</i> طبيب	physician
afran	أفران	plural of <i>furn</i> فرن	oven
'ala	على		on
ahkam	أحكام		rules
ajduo'	الجدوع	plural of <i>jidi'</i> جدع	roof tree beam
al-arhiya	الأرحية	plural of <i>raha</i> رحا	grain mill
'amartho	عمارته		its conservation
al-'a'iyān	الأعيان		Principal
al-'asquf	الأسقف	plural of <i>saqf</i> سقف	ceiling
al-'aswaq	الأسواق	plural of <i>suq</i> سوق	market

B

bana`	بناء		builder-stonemason
baqa`	بقاء		keep alive
baymaristanat	بیمارستانات	plural of <i>baymaristan</i> بیمارستان	hospital
birr	بر		pious
birruho	بره		its pious

C

dafter at-tahrier	دفتر التحرير (سجل)		or record book
dakhil	داخل		within
dawawiyn	دواوين	plural of <i>diwan</i> ديوان	archive of state
diwan	ديوان		archive of state
ad-duroose wa al-'iber	الدروس والعبر		lessons and eruditions

E

F

farash	فراش		servant or clean worker
farashien	فراشين	plural of <i>farash</i>	servants or clean workers <i>al-hanabila</i>
furn	فرن		oven

G

H			
<i>habis</i>	حبس		sequestration
<i>habis al-`a`iyan</i>	حبس الأعيان		the sequestration of principal
<i>wa-habis sahih mar`aiy</i>	وحبس صحيح مرعي		and a right approval sequestration
<i>al-hadeith</i>	الحديث		the tradition of prophet Mohamad
<i>hadha</i>	هذا		this
<i>al-hadim</i>	الهدم		demolition
<i>al-hadim wa `i`adit al-bina`</i>	الهدم وإعادة البناء		demolition and reconstruction
<i>hajar</i>	حجر		stonecutter
<i>hajeb</i>	حاجب		secretary
<i>al-hakr`</i>	الحكر		preserve in hand - the right of use the principal of <i>al-waqf</i> (endowment) after conserving it for good as a leaser and not as an owner
<i>hammam</i>	حمام		bath
<i>al-hanabila</i>	الحنابلة	from <i>hanbaliy</i> حنبلي	Muslim school of jurprudence found by <i>al-imam</i> Ahmed Ibn Hanbil
<i>al-hammamat</i>	الحمامات	plural of <i>hammam</i> حمام	bath
<i>hanoot</i>	حانوت		shop
<i>al-haris</i>	الحارس		custodian
<i>harma</i>	حرم		forbade
<i>wa-harma</i>	وحرم		and forbade
<i>hawaneet</i>	حوانيت	plural of <i>hanoot</i>	shop
<i>hithan</i>	حيطان		walls
<i>hukm</i>	حكم		rule
<i>hukmuho</i>	حكمه		its rule
I			
<i>al-`ibaqa`</i>	الإبقاء		conservation
<i>`i`adit al-bina`</i>	إعادة البناء		reconstruction
<i>al-`idhafa</i>	الإضافة		addition
<i>al-`ijaratiyn</i>	الإجارتين	double of <i>ijara</i> إيجارة	lease contract
<i>al-`imara</i>	العمارة		conservation and preservation
<i>al-`istibqa</i>	الاستبقاء		conservation
<i>al-`ist`imal</i>	الاستعمال		use
J			
<i>jawami`</i>	الجوامع	plural of <i>jami`</i> جامع	mosque
<i>jidi`</i>	جذع		roof tree beam
K			
<i>kawam</i>	قوام		servant and clean worker
<i>kawama</i>	قومة	plural of <i>kawam</i>	servants
<i>Khan</i>	خان		hotel
<i>khaniqa</i>	خانقاة		elderly home for men
<i>khawanq</i>	خوانق	plural of <i>khaniq</i>	elderly homes for men
<i>al-khayriy</i>	الخيرى		humanitarian
<i>al-khttat</i>	الخطط	plural of <i>khtta</i> خطة	neighborhood
<i>kitab al-waqf</i>	كتاب الوقف		endowment document
<i>kitab waqf sahih shar`aiy</i>	كتاب وقف صحيح شرعي		a right and legal endowment document
<i>al-khlo</i>	الخلو		evacuation – the payment of money for conserving principal of <i>al-waqf</i> (endowment) in order to get the right of lease.
<i>kutob</i>	كتب	plural of <i>kitab</i> كتاب	book=document
L			
<i>la</i>	لا		no

M

<i>madaris</i>	مدارس plural of <i>madrassa</i> مدرسة	school
<i>ma'asur</i>	معاصر plural of <i>ma'sura</i> معصرة	olive and sesame press
<i>madhbigha</i>	مدابغة	tannery
<i>al-madhabig</i>	مدابغ plural of <i>madhbigha</i>	tanneries
<i>mamluk</i>	مملوك	slave
<i>manfa'a</i>	منفعة	benefit
<i>manf'atho</i>	منفعتها	its benefit
<i>mar'iy</i>	مرعي	approved
<i>marmtho</i>	مرمتها	its preservation
<i>masajid</i>	مساجد plural of <i>masjid</i> مسجد	mosque
<i>miharab</i>	محراب	niche
<i>m'sura</i>	معصرة	olive and sesame press
<i>m'imar</i>	معمار	architect
<i>min</i>	من	from
<i>al-muhtasib</i>	المحتسب	the mayor
<i>mudrrs</i>	مدرس	tutor or scholar
<i>al-muhtkir</i>	المحتكر	preserver-the one who has the right of use
<i>murrkhim</i>	مرخم	the principal
<i>mutwalliy</i>	متولي	marble mason
<i>myatem</i>	ميامم	general manager
		orphanage

N

<i>najar</i>	نجار	carpenter
<i>an-nasib</i>	النسيب	refixation
<i>nazir</i>	الناظر	general manager

O

P

Q

<i>qadiy</i>	القاضي	judge
<i>al-qal' wa an-nasib</i>	القلع والنسيب	taking out and refixation
<i>qanawatiy</i>	قنواتي	pipe fitter
<i>'qaqier</i>	عقاقير plural of 'qar	medicines
<i>'qar</i>	عقار	medicine
<i>al-qayasir</i>	القياسر أو القياصر plural of <i>qaysariyya</i> قيسرية	shopping center
<i>qaysariyya</i>	قيصرية أو قيصرية	shopping center
<i>al-qudat</i>	قاضي plural of <i>qadiy</i> القضاة	judges

R

<i>raha</i>	رحى	grain mill
<i>rajul</i>	رجل	man
<i>ar-raq'</i>	الرقع	restoration
<i>ribtatat</i>	الرباطات	elderly homes for women
<i>riy'</i>	ريع	revenue
<i>rasm</i>	رسم	principal
<i>rasmuho</i>	رسمها	its principal

S

<i>sabak</i>	سباك	pipe fitter
<i>wa-sabbla</i>	وسبل	uninterrupted
<i>sahih</i>	صحيح	right
<i>as-saiyarfa</i>	الصيارفة plural of <i>saraf</i> صراف	money exchangers
<i>saqf</i>	سقف	ceiling
<i>shad</i>	شاد	administrative manager
<i>Sheikh</i>	شيخ	a person who is specialized in Islamic legislation
<i>ash-shari</i>	الشريعة	Islamic legislation

<i>sifat</i>	صفة		entity – shape
<i>sijill</i>	سجل		record
<i>Sijillat</i>	سجلات	plural of <i>sijill</i>	records of judges and civil <i>diwan</i> archives of state
<i>sofiy</i>	صوفي		a follower of mysticism sect
<i>as-subbanat</i>	الصبانات	plural of <i>subbana</i> صبا	soap factory
<i>suq</i>	سوق		market
<hr/>			
T			
<i>tabib</i>	طبيب		physician
<i>at-tafaker wa at-t`amol</i>	التفكر والتأمل		thinking and speculation
<i>taghier</i>	تغير		to change
<i>taghiyyer</i>	تغيير		change
<i>at-tahrier</i>	التحرير		the authentication process (liberation)
<i>tahunna</i>	طاحونة		grain mill
<i>At-tajdied</i>	التجديد		renovation (to make a new)
<i>takaya</i>	التكايا		private and public restaurants
<i>at-tanaw` dakhil al-wihda</i>	التنوع داخل الوحدة		variety within unity
<i>at-tasadduq bil-manfa`a</i>	التصدق بالمنفعة		the giving away of the profits for a pious purpose
<i>wa-tasuddaqa</i>	وتصدق		giveaway
<i>tathiyn</i>	تطيين		plaster
<i>t`azier</i>	تأزير		framing building in order to resist or prevent buckling
<i>tharikh</i>	تاريخ		history
<i>at-tmwheel</i>	التمويل		the finance
<i>at-taqrier</i>	التقرير		the report
<i>at-tarmiem</i>	الترميم		the conservation
<i>at-tawasul at-tharikhii</i>	التواصل التاريخي		the historical continuity
<i>tawahiyn</i>	طواحين	plural of <i>tahunna</i> طاحونة	grain mill
<hr/>			
U			
<i>usoluho</i>	أصوله		its principals
<i>usthuh</i>	اسطح		roofs
<hr/>			
V			
W			
<i>wadawam</i>	ودوام		and to sustain its role \ and to pursue its role
<i>wa-la</i>	ولا		and no
<i>wala yindaris rasmuho</i>	ولا يندرس رسمها		and its principal must not gone in ruins and remain existing
<i>wala yinqati`o biruho</i>	ولا ينقطع بره		and its pious must not interrupted and never end
<i>waqafa</i>	وَقَفَ		endowed
<i>waqf</i>	وَقْفٌ		endowment
<i>al-waqf adh-dhoriy</i>	الوقف الذري		the endowment for progeny
<i>waqf al-ist`imal</i>	وقف الاستعمال		endowment of premise for use
<i>al-waqf al-khayriy</i>	الوقف الخيري		humanitarian endowment
<i>al-waqf al-mushtarak</i>	الوقف المشترك		the combined endowment\
<i>waqf at-tmwheel</i>	وقف التمويل		endowment for finance
<i>al-waqfiyya</i>	الوقفية		endowment diploma or document
<i>al-waqfoon</i>	الواقفون	plural of <i>al-waqif</i>	endowers - donors
<i>al-waqif</i>	الواقف		endower - donor
<i>watajdidaha</i>	وتجديدها		renovating – make it new
<i>wekala</i>	وكالة		trade complex consist of <i>khan</i> -hotel- and wholesale trade center
<i>wekalat</i>	وكالات	plural of <i>wekala</i>	trade complex consist of <i>khan</i> -hotel- and wholesale trade center
<i>whabho</i>	وهبه		gaveaway as a gift
<i>al-wihda</i>			unity

Y

yabda`	يبدأ	start - begin
yajoze	يجوز	to permit – to allow
'yanho	عينه	its principal
yindaris	يندرس	deteriorated - gone in ruins - destructed
yinqati'o	ينقطع	interrupted
la yinsakho hukmuho	لا ينسخ حكمه	its rule is irrevocable
yoba'	يباع	sell
yomalko	يملك	possess
yonaqal	يناقل	exchange – trade in
yonsakh	ينسخ	irrevocable
yorhano	يرهن	secure
yowarth	يورث	inherit
yowhab	يوهب	to giveaway as a gift

Z

zawaiya	زوايا	private worship and teaching place
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نظرية وفلسفة الحفاظ المعماري في الحضارة العربية الإسلامية

Theory And Philosophy Of Architectural Conservation An Preservation In Islamic Civilization

ملخص:

الحفاظ المعماري مفهوم مستجد في الحضارة الغربية ، بدأ كمفهوم عاطفي في ميثاق أثينا سنة ١٩٣١ م ، وتبلور كظاهرة علمية نظرية وفلسفية بعد الحربين العالميتين الأولى والثانية ، واكتسب شكلاً مؤسسياً في بداية الستينيات من القرن الماضي. لكنه مفهوم عقلاني قديم وأصيل في الحضارة العربية الإسلامية ، ولد في رحم شريعته وارتبط بفلسفة تاريخها ، وتحديداً بمفهوم التواصل التاريخي. عمل على إبقاء مفردات النسيج المعماري والعمراني في المدن العربية والإسلامية على حالها من الصلاح ، كم عمل على تفعيل التنمية الشاملة. ولما كانت إنجازاتنا العلمية والثقافية العربية الإسلامية مغيبة ووعينا مستلب ، ومرجعيتنا العلمية والثقافية غربية وليست عربية تبيننا المنجزات العلمية والفكرية والثقافية الغربية ، ومنها الحفاظ المعماري بمفاهيمه الغربية ، وأهملنا إنجازاتنا في هذا المجال.

تهدف هذه الدراسة إلى توضيح ظاهرة الحفاظ المعماري في الحضارة العربية الإسلامية وبيان أسسها وعناصرها وتقاناتها وكشف مدى معاصرتها وتوظيفها في الثقافة العالمية ، كما تهدف إلى بيان تكامل منظومة الحفاظ المعماري في الحضارة الإسلامية مع التنمية الشاملة والدائمة. ولتحقيق ذلك ستعرض الدراسة لفلسفة وتقانات الحفاظ النظرية والعملية ، ولدور الحفاظ في عملية التنمية ، كما وردت في كتب الفقه والسياسة المدنية وكتب التاريخ والخطط وسجلات الدواوين وكتب ووثائق الوقف. وستبين الدراسة ارتباطه بفلسفة التاريخ الإسلامي وتحديداً بأحد عناصرها وهو التواصل التاريخي ، أي بديمومة الحضارة وظواهرها الثقافية ، ومنها العمارة التي تعتمد ديمومتها وتواصلها على الحفاظ على النسيج المعماري والعمراني. وتخلص إلى ضرورة توظيفه في منظمة اليونسكو جنباً إلى جنب مع: ميثاق اليونسكو UNESCO Constitution والمواثيق الدولية الأخرى.