

namely those lands put under the trusteeship of religious bodies (Warriner, 1966; Firestone, 1975; Zureik, 1979), Waqf land actually was a more complex category. Waqf was present in almost all the countries of the Ottoman Empire. In Egypt, for example, vast areas of land were put under this form of tenure (Barakat, 1975; Saleh, 1979).

Waqf land was not an independent category. Land which was originally Amiri or Mulk could be turned into Waqf, that is, confined to specific individuals or charitable institutions. Thus Waqf emerged as a way to ensure that land ownership could be confined to certain individuals chosen by the original owner. "Mawgufa" land, that is the act of putting it into the Waqf category, represents a political move designed to exclude certain individuals from the right of inheritance (Barakat, 1975). Waqf can also be seen as a mechanism for the legalization of gender discrimination. As one author observed:

It is a customary practice for the rich in our country to exclude their female children or unwanted male ones from inheritance.

(al-Murr, 1924:18)

Moreover, for small land owners, the move to place the land in the Waqf category could also serve as a mechanism to avoid the parcellization of land which would eventually occur due to inheritance.

Most Waqf land in Palestine belonged to a sub-category known as "Waqf Takhsis or Ghair-Sahih". Unlike "Waqf Sahih", where individually held land, originally from the Mulk category was turned into Waqf, Waqf Takhsis or Ghair-Sahih" land originated in the Amiri category. In such cases, land was allocated by the state to charitable or religious institutions, such as Mosques, Churches, Monasteries and the like. While ownership rights over this land were formally retained by the