

Mostar Benefactors: Babusaade Agha Ahmed Agha and his Endowment*

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Abstract

This paper emphasizes the significance of waqfs in the development of Mostar. Thanks to that institution, Mostar has become one of the largest cultural and economic centers in Eyalet of Bosnia. Special attention was given to the waqf of Babussaade Agha, Ahmed Agha. His waqfiye, which is an integral part of this work, contains information about new buildings, money and other things endowed by the aforementioned Ahmed Agha. It also includes changes to some of his previous waqfiya's stipulations. His endowments in Istanbul and Mostar are mentioned in the waqfiye. Because little is known about his waqf in Mostar, this work aims to draw attention to the waqfiya's text. The content of Ahmed Agha's waqfiye demonstrates the importance of his waqf for cultural life in Mostar and his role in enlightening local imams and students.

Keywords: Bosnia, Mostar, waqf, Babussaade Agha, Bosnali Ahmed Agha

Mostar Hayırseverleri: Babüsaade Ağası Ahmed Ağa ve Vakfı

Öz

Bu çalışmada Mostar'ın gelişiminde vakıfların önemi vurgulanmaktadır. Bu müessese sayesinde Mostar, Bosna Eyaleti'nin en büyük kültür ve ekonomi merkezlerinden biri haline gelmiştir. Çalışmada özellikle Babüsaade Ağası Ahmed Ağa'nın vakfı ele alınmakta, vakfiyesi yayınlanmaktadır. Vakfiye, Ahmed Ağa'nın vakfetmiş olduğu yeni binalar, nakit ve diğer şeyler hakkında bilgi içermektedir. Ayrıca Ağa'nın evvelki vakfiyesinin bazı şartlarında yapılan değişikliklere de yer vermektedir. Vakfiyede İstanbul ve Mostar'daki vakıfları zikredilmektedir. Mostar'daki vakıfları hakkında çok az şey bilindiğinden, bu çalışma vakfiye metnine dikkat çekmeyi amaçlamaktadır. Ahmed Ağa vakfiyesinin içeriği, bu vakfın Mostar'daki kültürel yaşam için önemini ve yerel imamların ve öğrencilerin aydınlanmasındaki rolünü göstermektedir.

Anahtar Kelimeler: Bosna, Mostar, vakıf, Babüsaade Ağası, Bosnalı Ahmed Ağa

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1. Mostar: City of the Endowments (Waqfs)

After the establishment of Ottoman rule in the territory of the former Bosnian Kingdom, the process of urbanization intensified. Endowments (waqfs) played a decisive role in the creation of new and the development of existing urban settlements at that time. The aforementioned institution was significant in solving the most important needs of the local population, whether they were about cultural-educational, sacred, humane-social, or economic aspects of everyday life.

When it comes to the city of Mostar, it was the institution of the waqf that had a decisive influence on the development of this place into the largest economic and cultural center of the Sanjak of Herzegovina (Hersek Sancağı), founded in 1470. According to the Ottoman census (tahrir) conducted in 1477 on the territory of the Sanjak of Herzegovina, Mostar was very sparsely populated at the time.¹



Picture 1. A view from Mostar

Based on the census, the largest settlements in the Sanjak of Herzegovina were:

Foča (Foča) - 227 households (*hāne*), 55 unmarrieds (*mücerred*), 3 Muslims (Ibid., p. 175);

Goražde (Gorajde) - 197 households (*hāne*), 30 unmarrieds (*mücerred*) (Ibid., p. 191-194);

Čajniče (Çayniçe) - 194 households (*hāne*), 10 unmarrieds (*mücerred*), 6 Muslims (Ibid., p. 3-5);

Prijepolje (Prepol) - 155 households (*hāne*), 38 unmarrieds (*mücerred*), 2 widows (Ibid., p. 162-163);

Cernica (Çerņiçe) - 116 households (*hāne*), 10 unmarrieds (*mücerred*) (Ibid., p. 421-422);

Pļjevlja (Taşlıca) - 101 households (*hāne*), 12 unmarrieds (*mücerred*) (Ibid., p. 165-167);

Jeleč (Yeleş) - 81 households (*hāne*), 15 unmarrieds (*mücerred*) (Ibid., p. 176);

1 Hatice Oruç, "L'impact ottoman sur l'urbanisation du Sandjak de Bosnie", ACTES L'homme et son environnement dans le Sud-Est européen, Xe Congrès l'Association internationale d'études du Sud-Est européen (AIESEE), Paris, 24-26 septembre 2009, Paris 2011, p. 199-211

2 Ahmed Aličić (transl.), *Poimenični popis sandžaka vilajeta Hercegovina*, Orijentalni institut, Sarajevo 1985 [BOA, Ttd. 5].

Mostar - 19 households, one unmarried (mukata of market tax, and fine of the hass in Mostar 2,700 akçe) (Ibid., p. 201-202).

As can be seen from the above, the Ottomans found Mostar to be a populated square with nearly twenty households. The aforementioned households were situated on the Neretva River's left bank. Mostar's territorial development accelerated in the 16th and 17th centuries, when numerous waqf buildings were constructed, providing the greatest impetus to the city's urban and economic development (Čar-Drnda, 2014: 66).

Among the subjects of the waqf's properties were mosques, masjids, tekkes, mektebs, madrassas, libraries, bridges, towers, and ramparts; water supply infrastructure (water pipes, fountains, sewers, canals, boreholes, maintenance of drinking water springs, and repair of waterworks networks); hammams, clock towers, and *muvakkit-hānes* (lodge of the *muwaqqit*), inns (*hān*), caravanserais, shops, and other commercial facilities that brought income to the endowment. In addition to endowing real estate, waqfs were also bestowed with significant sums of money. According to the waqfiye, it was planned that the money would be given as a loan to assist the work of local merchants and craftsmen who would repay the waqf after a set period with a predefined compensation. At the beginning of the 16th century, more precisely in 1506, Mostar acquired the status of an urban settlement (*qasabah*), when Sinan Bey Boljanić built a mosque around what would form as the first quarter of Mostar. By the end of the century, 16 mosques and three masjids had been built in Mostar. Many houses were built around the mentioned mosques, forming new quarters that represented the city's urban core (Ibid., p. 299).

In the 16th and 17th centuries, among the endowments (*waqfs*) established in Mostar were the following:

- waqf of Sinan Bey (1506),
- waqf of Šems Kethoda (beginning of the 16th century),
- waqf of Čoban Gazi Mustafa Pasha (1513),
- waqf of Keyvan Kethoda son of Abdurahman (1554),
- waqf of Nezir Agha (second half of the 16th century),
- waqf of Mehmed Kethoda (second half of the 16th century),
- waqf of Ćurći Ahmed (second half of the 16th century),
- waqf of Dizdar Nesuh Agha Vučjaković (1564/65),
- waqf of Hajji Mehmed Bey son of Abu Saadet/ Mehmed Bey Karađoz (1570),
- waqf of Murat Agha, son of Abdurahman (1571),
- waqf of Baba Bešir Bakamović (before 1585),
- waqf of Sekban Basha Ahmed son of Abdullah (1591),
- waqf of Hajji Kurt (before 1600),
- waqf of Memi Hoca (before 1600),
- waqf of Bali Helvacı (1600),
- waqf of Dervish Pasha Bayezidagić (1601),

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- waqf of Bayezid Hoca (before 1612),
- waqf of Koski Mehmed Pasha son of Mustafa (1612),
- waqf of Hajji Bali son of Muhammad (1612),
- waqf of Tere Hajji Yahya Efendi (1614),
- waqf of Roznameci Ibrahim Efendi (before 1620),
- waqf of Huseyn Hoca (before 1620),
- waqf of Kose Yahya Hoca/ Yahya son of Esfel (before 1620),
- waqf of Hajji Ahmed son of Ferhat (1620),
- waqf of Fatima Kadun Šarić (before 1620),
- waqf of Sevri Hajji Hasan (1620/21),
- waqf of Ibrahim Šarić (1623/24),
- waqf of Hajji Ali Bey Bakamović Lafa (before 1631)
- waqf of Hajji Ahmed Agha Kudrić - Kanber Agha (before 1631),
- waqf of Baba Bešir (before 1631),
- waqf of Ali Hoca (before 1631),
- waqf of Muhamed Terzibaša (before 1631),
- waqf of Hafiz Hoca (before 1631),
- waqf of Osman Kuyuncu (1631),
- waqf of Džemila Hanum daughter of Abdullah (1632),
- waqf of Suleyman Sarač (1632),
- waqf of Rahima daughter of Abdulmennan (1632),
- waqf of Hume Hanum (1632),
- waqf of Mehmed Hošaf (1633),
- waqf of Mesih Bey son of Kasim (1633),
- waqf of Hajji Mahmud son of Sofi Đuliman (1633),
- waqf of Hajji Yusuf son of Đuliman (1633),
- waqf of Đula Hanum daughter of Iskender (1633),
- waqf of Rahima, daughter of Abdurahman (1633),
- waqf of Halima Hatun (1633),
- waqf of Hajji Dervish Efendi Žagrić (before 1640),
- waqf of Usta Ferhat Terzibaša (1641),
- waqf of Aisha, daughter of Hajji Ahmed (1646),
- waqf of Hajji Veli (before 1648),
- waqf of Hajji Mustafa son of Hajji Turhan (1650)

- waqf of Meryem, daughter of Hajji Mustafa (1650),
- waqf of Qadi Ahmed Efendi Koski (1650),
- waqf of Ahmed Bey Lakišić (1650/1651),
- waqf of Hajji Huseyin Kotlo (before 1651),
- waqf of Ahmed Zirai-zade (before 1651),
- waqf of Dulger Bali (1652),
- waqf of Agha of Babussaade Ahmed Agha son of Ali (1653),
- waqf of Fatima Hanum daughter of Mesih Kethoda (1653),
- waqf of zaim Ibrahima son of Karađoz (1653),
- waqf of Sheikh Ismail Opijač (1668),
- waqf of Meryem daughter of Mahmud (1669),
- waqf of Salih (1670),
- waqf of Abdul-jalal (1670),
- waqf of Husamudin (1670),
- waqf of Reyhan Hanum (1670),
- waqf of Memi son Hasan (1670),
- waqf of Hajji Salih Temim (before 1676),
- waqf of Salih Bey Džundi (1677),
- waqf of Omer (1684),
- waqf of Alidžan (1684),
- waqf of Ahmed (1685),
- waqf of Mustafa (1685),
- waqf of Muharrem (1685),
- waqf of Hajji Ibrahim Čevra son of Mustafa (1686),
- waqf of Hajji Bećir Tabak (1694),
- waqf of Ahmed Nalbant (1697).³

The numerous endowments mentioned above contributed to Mostar's overall development, transforming to the largest economic, educational, and cultural center in the Sanjak of Hercegovina. This is a very important fact considering that the administrative headquarters of the Sandjak of Hercegovina was in Foča at the time, and later moved to Pljevlja (*Taşlıca*) (Hodžić, 2019: 58).

3 See: Hivziya Hasandedić, "Mostar'in Türk Devri Kültürel ve Tarihi Anıtları", *Vakıflar Dergisi*, 7, Vakıflar Genel Müdürlüğü, Ankara 1968, p. 215-234; Zejnil Fajić, "Popis vakufnama iz Bosne i Hercegovine koje se nalaze u Gazi Husrev-begovoj biblioteci u Sarajevu", *Anali GHB*, V-VI, Sarajevo, 1978, p. 245-302; *Vakufname iz Bosne i Hercegovine (XV i XVI vijek)*, Orijentalni institut u Sarajevu, Sarajevo 1985; *Sidžil mostarskog kadije 1632-1634*, prevod i bilješke Muhamed A. Mujić, Prva književna komuna, Mostar 1987; "Vakuf-name iz Bosne i Hercegovine (XVII stoljeće)", *Prilozi za orijentalnu filologiju*, p. 44-45, Sarajevo 1996, p. 280-382; Hivziya Hasandedić, *Spomenici kulture turskog doba u Mostaru*, Islamski kulturni centar, Mostar 2005; *Bosna Hersek Vakfiyeleri*, 2, Vakıflar Genel Müdürlüğü Yayınları, Ankara 2016; Alija Dilberović, "Buk'a medresa u Mostaru", *Hercegovina*, 17, Mostar, 2018, p. 95-123.

Thanks to those numerous endowments intended for the development of culture and education, Mostar has become known as the center of culture in Herzegovina (Kadrić, 2012). During his visit to Mostar in 1644, the famous Ottoman travel writer Evliya Çelebi noted that there are places in Mostar where educated people meet, talk, and discuss various issues such as literature, transcendent life, and Sharia law (Evliya Çelebi, 1967: 463). Folk tradition also preserved a proverb that advises visitors not to boast about their knowledge when visiting Mostar because there are many scholars there (Hasandedić, 1972: 107).

The waqf of the Babussaade Ahmed Agha was one of the waqfs that played an important role in cultural life despite the fact that not much is known about it, even in scholarly research. Bosnalı Ahmed Agha was taken to Istanbul while he was still very young. He advanced quickly at the Court. In early 1061 Hijri (1650), he was appointed pantry chief (*kilercibaşı*), the following year a court *odabaşı*, and finally Agha of Babussaade in 1063 Hijri /1652. Bosnalı Ahmed Agha was killed 1656 in a rebellion that was sparked by the depreciation of the akçe and the army's unpaid wages during the Cretan War. That incident is known in historiography as the Platanus Incident (*Çınar Vakası*) (Mehmed Halife, 1979: 428-430; Karaçay Türkal, 2012: 37). He was buried at the Haydar Pasha cemetery.

He endowed two mosques in Istanbul, one in his name and the other in the name of his mother, Kerima Hatun. The first one was in Uskudar and the second was in Çengel Köy, on the Anatolian side. Furthermore, Kapu Agha Bosnalı Ahmed Agha built three elementary schools (*mekteb*), two in the aforementioned locations and the third in Kuruçeşme, on the European side of the Bosphorus, near Ortaköy.⁴ In addition to the waqf in Istanbul, he also bequeathed a public lecture hall (*ders-hâne*) with a library in Mostar, also mentioned in documents as a madrasah (*Bosna Hersek Vakfiyeleri*, 2, 2016: 593).

2. Bosnali Ahmed Agha's endowment in Mostar

According to the contents of the Endowment book (*waqfiye*), which is a part of this paper, Ahmed Agha in Mostar purchased and endowed a building for public lectures (*ders-i 'ām*) in various fields. In fact, he founded a buq'a madrasa to educate 30 Mostar imams in a wide range of subjects. Classes were to take place on Saturdays, Sundays, Wednesdays, and Thursdays. The participants also received a daily study allowance of one akçe. Moreover, public lectures began to be practiced at the end of the 16th and in the 17th century and were held mainly in the period between the morning prayer (sunrise) and until the noon prayer, depending on the lecturer. On this occasion, Ahmed Agha hired as a lecturer the reputed Mostar scholar Hajji Ali Efendi, who was Mostar's mufti for years. The only information available about him comes from Evliya Çelebi, who mentions him as one of the most respected residents of Nevesinje during his visit there. He states that Ali Efendi is the brother of the famous Ruznameci Ibrahim Efendi (d. 1637), who was once a very influential figure at the court of Sultan Murad IV. His full name was Nevesinli Ali Kafi Efendi. According to Çelebi's Travel Book, Ali Efendi built a domed building in Nevesinje in 1635, where he established institutes for the study of the Qur'an and hadith (*Dār al-qurrā* and *Dār al-hadīs*). He died in Mostar in 1653, which indicates that he was a lecturer in Ahmed Agha's madrasa for a very short time (Evliya Çelebi, 1967: 410-412). The benefactor specified that a learned person with good manners should be hired as a lecturer after Ali Efendi. According to the available literature, after Ali Efendi, another Ali Efendi, known as Mostari Ali Keşfi Efendi, took over as Mufti of Mostar (Mehmedović, 2006: 77-79).

4 See: Mehmed Süreyya, *Sicill-i Osmani*, İstanbul, 1308-16/1890-98., I, p. 217-218; Fahri Ç. Derin & Vahid Çabuk (Ed.), Hafız Hüseyin Ayvanserayi, *Mecmua-i tevarih*, İstanbul 1985., p. 106-107 [*İbrâhim Ağa çayırında olan mescidin mihrâbı önünde medfûn Kapıağası Ahmed Ağa'dır ki Kadırğa limanında Emin Sinân mescidine minber-i va'z ve sair âsârı vardır*]; *Bosna Hersek Vakfiyeleri*, 2, Vakıflar Genel Müdürlüğü Yayınları, Ankara 2016., p. 592 [*Mârru'z-zikr Mostar'da vakf eylediğim ders-hânede kırâat u tilâvet ve ifâde vü istifâde idüb âher yere götürülmemek üzere ve bir cildde dahi Kelâm-ı Kadîm mahrûse-i Kostantiniyyede izn-i pâdişahî ile vaz'-ı minber eylediğim Emin Sinan Câmî'-i Şerîfi'nde tilâvet olunub...*].

In addition to the aforementioned building, Ahmed Agha also endowed a specialized library with approximately seventy manuscripts from various fields, as well as thirty juz' of the Qur'an, for the purpose of studying and teaching the lecture participants. The manuscript fund of Ahmed Agha's library has been carefully selected, and among the legacies, one can find manuscripts with a wide range of themes and subjects. Thus, in addition to copies of the Qur'an, the wakif for the library provided manuscripts from the following fields: language, tafsir (exegesis of the Qur'an), aqidah (Islamic creed), hadith (Islamic tradition), usul (Islamic jurisprudence), biographies of God's messengers, ethics, didactics, Arabic language dictionaries, legal decisions (fatwas) of the respected scholar Uskubi, biographical lexicons, pharmacology, medicine, literature, physiognomy (psychology - analysis of the connections between body and psyche), rhetoric and veterinary medicine.

The manuscripts' thematic diversity indicates that the benefactor carefully selected them so that they would be useful to everyone - from lecturers to listeners. Some of these manuscripts are described as very beautifully decorated, with decorated titles ('*unvān*), gilded text, calligraphically written on high-quality paper, beautifully and expertly bound (Lavić, 2010: 142-162). Libraries, in general, were not independent institutions at first, and they did not have staff in charge of library affairs, so such duties were performed by one of the people who worked in that institution, usually the waqf's muteveli. One of the interesting things about this library is the fact that for the first time the duty of a librarian (*ḥāfīz-i kütüb*) is mentioned in the waqfiye, who was paid two akçe per day for the work of keeping and caring for manuscript books. This is the oldest documented record of the duty of a librarian in Mostar, according to the archival materials examined thus far. As can be seen, the library's book collection was very rich, providing opportunities for Mostar scholars to gain a very broad insight into various topics and thus further improve themselves. It is difficult to determine exactly how long Ahmed Agha's waqf functioned in Mostar. However, it is known for certain that part of the manuscript was transferred to Karađoz Bey's madrasa's manuscript collection, and the manuscripts were relocated to Gazi Husrev Bey's library in 1949, where they are still kept today.

3. Translation of the Waqfiye of Babusaade Agha Ahmed Agha Son of Ali

Translation of waqfiya is from defter of waqfiye sijjils in the Archives of the General Directorate of Waqfs in Ankara (VGMA, Vakıf Kayıtlar Arşivi Defter: 575, p. 8, No, 16). It was dated in the first third of the month of Muharram in 1064 Hijri [from November 22 to December 1. in 1653].

[Note 1]

The document contains the establishment of a waqf, the state of assets, endowments in the name of God, changes to some conditions from past endowments. The changes were made in my presence. I made a judgment on the validity, irrevocability, and justification of changing some of the conditions. It is well known to whom the Glory belongs, and I am the poorest slave of the One who has mercy on His slaves, Abdullatif known as Muderris-zāde, authorized to control waqfs.

May his Lord treat him mercifully. God Almighty is sufficient to us.

[Note 2]

The copying of the waqfiye was done correctly, under the supervision and knowledge of the chosen among the creatures, Abdulfettah the Qadi, in the protected city of Constantinople, may God have mercy on him.

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[Translation of the text of the waqfiye]

In the name of Allah, the Beneficent, the Merciful.

Endless praise and thanksgiving to the Sublime Knower of secrets and conditions in the unseen world (*ğayb*), the One who supplies all that is on land and in the seas, who is worthy and to whom it is fitting to guide to the right path, who created all beings in perfect order and who created everything from nothing in an unrepeatable way; Thanks to the One who specially directed prominent people, some to obedience and worship and some to the paths of charity and helping, guidance, and the right path, to wake them up from the sleep of indifference, with the achievement of otherworldly provisions.

May jewel necklaces of blessings and greetings, like scattered stars, be addressed to Muhammad Mustafa, the ruler of all God-pleasers, the leader of the procession of pure souls, the beginning of the chapter of prophecy and the sealer of prophethood's message, the best of people, the intercessor for sinners on the Day of Resurrection, the Beloved of God, the prophet to whom no one is similar; May God's peace and blessings be upon him, and other prophets with pure souls. He is the one who is honored and addressed with the beautiful words "If it were not for you [O Muhammad], I would not have created the universe."; and his ummah is better and more devoted to faith than other communities. Let there be endless greetings and salams to that person of noble qualities, to all his companions, and his family. Each of them points this weak ummah to the right direction and invites to the paths of help in the Truth; may the Almighty God be pleased with all of them and those who follow them until the Day of Judgment.

The reason for writing and arranging this book on waqf based on the Shariah, and the current reason for talking about the waqf that is governed and valid, for its description and confirmation [are as follows]:

In the protected Istanbul, the New Court of the Sultan, the highly respected Ahmed Agha son of Ali, permanent in the center of trust and security, the one who is really the chief Court Agha at the Gate of Happiness, the headquarters of the chosen and close to the Truth, the best of power's and governing's possessors, who enjoys honor, happiness and fulfillment, additional glory and greatness, who seeks good and beautiful deeds and longs for benevolence and rewards, when the True One's guidance came to him, he realized that this temporal world is not a place of permanent residence and eternity, that his happiness is similar to humiliation, that compassion accompanies his strain, wealth is close to dependence on another, his support is a vow for bad deeds, that whoever enjoys it, is in danger of being eclipsed, and that whoever dwells on it, is honored with the hour of death, that his property and place are unreliable and his power and possessions unstable, as can be understood from the honorable ayah – "*Whatever you have is bound to pass away and whatever is with Allah will last.*" [al-Nahl, 96], that noble understanding and devoted following lead to quick realization, that "... *whatever good you send forth for yourselves, you shall find it with Allah*" [al-Muzammil, 20]; he realized the meaning of the chosen Prophet's honorable speech: "*When a man dies, his good deeds come to an end except three: ongoing charity, beneficial knowledge, and righteous offspring who will pray for him.*" [Muslim]

Since he understood the meaning of the substance, he wanted to improve the previous endowments and change some of the conditions with something more important. The benefactor came personally to the Sharia court, which is a constant refuge for the poor and the powerful, in order for the lasting good, which will be mentioned later, to have the necessary continuity and stability, and to determine all the

details about the honorable waqf. He came with an appointed mutawalli, the support of the dignitaries, Osman Agha son of Abdulmannān, whom he willfully recognizes as his own father, to confirm and complete the issue of official registration and determination of endowment regulations.

Previously, in the name of Allah, seeking the pleasure of my most exalted Lord, I had already established some waqfs on the 15th day of the month of Shawwal 1057 [November 13, 1647], while they were still in my possession, I clarified some of the terms and conditions, replaced some, reduced or increased some, and requested that the waqfiye be written, in the presence of Kefavi Abdurahman Efendi, at the time he was the controller of the waqf of the Two Honorable Harem (Mecca and Madina), and after that, on the 28th of Zul-ka'det 1060 [November 22, 1650], while Sirozi Mustafa Efendi was in the aforementioned position of controller, I changed some of the conditions and annexed some endowments to others, in his presence, in order to improve my good deed. In my waqfiye, which I had written in his presence, I kept with me the changes that followed the first changes. The current situation is as follows:

The real estates I purchased following those endowments are located in protected Istanbul near Hagia Sophia, below Alay Köşk, in the Hayrettin Bey Quarter. They are bounded on the outside and inside by a public road on one side, a private road on the other, the estates of Rahtuvan Ali Agha and Mustafa Agha, and the residence of Aisha Khanum, daughter of Mustafa Bey. The real estate consists of numerous houses, a hammam, a stable (*āhar*), a cellar and a garden, and two shops located below. I bought it from Aysha Sultan known as Dördinci Haseki to whom I paid the said price for ten loads (1,000,000 akçe). There is also a lodge that I own with all the accompanying facilities. Then there is a plot of land in Divane Ali Quarter near Gedik Pasha's hammam, that is rented for 140 akçe per year for the benefit of the deceased Imam Bey's waqf. The land is bounded by the property chosen among the notables of Salih Agha, son of Mehmed Agha, the current trustee (*emīn*) of the imperial shipyard, the private property of Hajji Mehmed, the property of Eşkınci Huseyin Beşe, and partly with the property of Ummihana Hatun and a private road. Within the boundaries of the land there is a building with a separate courtyard, a closed passage, five rooms (apartments) on the ground floor and a first floor one with a toilet, all of which are rented for two akçe per day. I bought it from Pehlivan Hamza Bey for 200,000 akçe, which I paid and acquired all ownership rights. Also (*waqf*) in the protected city near the Shehzade Mosque in Emin Nureddin's Quarter known as the Burmalı Masjid bordering the Waqf chambers (apartments), the private property of Aysha Hatun daughter of Zopin Mehmed Agha, then shops and a private road at the end. (These are) four ground-floor rooms that are rented for one akçe per day and each has a separate sofa, toilet and courtyard, then apartments with one entrance on the ground and first floors, which together have a separate well and half a passage with a gate. That is five separate quarters for married people in total, which I bought from Ibrahim Agha son of Muslihuddin Agha, the deceased commander of *sekbans* (*sekbambaşı*), and paid him 70,000 akçe.

Furthermore, there is a plot of land from Hoca Paşa's waqf located on Hoca Paşa's Quarter in the protected City. It is bounded by the mosque of the aforementioned waqf, a residence, whose income is enjoyed by Abu Ahmed's son, partly bordering with Hoca Paşa's waqf, with a private road, a private building in which there is a workshop with a press for squeezing sesame oil (*şirugān-hāne*), together with all the necessary tools, for which a muqata of 720 akçe is paid to Hoca Paşa's foundation. There is also a lodging (*konak*) in the protected Uskudar in the Kefçe Quarter that is conditionally given for the use of the masjid's imam in the mentioned quarter. The lodging borders Mustafa Çelebi's private prop-

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erty, my (other) property, and a private road. I bought that property from the former Kapuga Ahmed Agha for 350 silver kuruş (large silver coins), which I paid in full. In construction measurements, it is 24 cubits long, 12 cubits wide, and has an area of approximately 280 cubits. On that plot, I built a building with two apartments for family people on the lower and upper floors, a courtyard and a toilet. Each of them is now rented for one and a half akçe per day.

Then, in the protected Uskudar's Kefçe Quarter, two single-story houses with sofas, a courtyard, and a shared water well. They are each rented for one akçe per day. They border the residence (*menzil*) which is the waqf of the deceased Rahime Hatun, and the waqf of Piri Bey, my property and a private road. I bought it from the heirs of the aforementioned Rahima Hatun, to whom I paid 26,000 thousand akçe. In the mentioned Kefçe Quarter, in the protected Uskudar, four one-story houses, three single-story houses, a hammam, a water well, a bakery and a toilet, bordering on the inside the property of Ishak Agha, then the property of Ahmed Agha, who was the chief of hammam's staff, and private road. (On the same location) On the outside there are also three one-story houses and two single-story houses, a large stable, a water well, a toilet, and a large orchard with a water wheel for irrigation and a large garden. I determined that eight akçe should be taken daily for a delayed time. My private lodging which I bought for 4,272 silver kuruş (*riyal gurus*) from the aforementioned kapuga Ahmed Agha.

There are also incomes from real estate, which I purchased for 2,600 silver kuruş and paid to Hajji Recep son of Fazli. They include 12 ground floor rooms for family people that are rented for one akçe per day, and two upper floor rooms that are currently rented out for two akçes per day, located in the Quarter of Husam Dölbentçi. They are partially bounded by the estates of an Armenian woman named Sara, an Armenian man named Murat, and an Armenian woman named Nazli, Ahmed Bey's waqf, and the estates of Hatice Hatun, daughter of Suleyman, odabaşı Fazli, and a public road.

For all my real estate and income that I have bequeathed in the name of the Almighty God, as a waqf that is valid and clear according to Sharia law, I stipulate the following:

As long as I am alive, I will be the manager (*mütevelli*) of my waqf and I will independently manage the income and expenses according to my will and choice.

It is stipulated that after my death, the aforementioned management of the waqf will be assigned to my stepfather Osman Agha, and after him to his descendants, from one generation to the next one. After our deaths, let the apartment located under Alay Köşk, where I live with my mother Kerima Hatun, the main supporter of the venerable mothers, be rented out for eight akçes per day, with payment in advance or over a deferred period. From the money that is received in advance from my cash waqf, some of it is to settle the debt of 5,000 kuruş that I took earlier from my waqf and let the rest be added to the waqf.

Let two akçes be given daily to my freed slaves, both male and female, from the income of the waqf, beginning with the date of the waqfiye. Let them give four akçes a day to my chief freed slave Bedrimah, as well as to the other freed slave Bedrimah. When one of them dies, let their duty be passed down to their children and their direct descendants. When the lineage is extinguished, that special service should be added to the waqf.

Also, one and a half akçe per day be given from my waqf for the purchase of oil for the lamps of the Emin Sinan Masjid in protected Istanbul, and one akçe per day to the hatib, six akçe per day to the muallim

in the mekteb that was rebuilt in Çengel Köy, two akçe for each of his assistants (*halife*), one akçe for a mat and other similar necessities, one akçe a day for six months in the winter days for charcoal, and five akçe a day to prepare robes, slippers and belts every Ramadan for ten poor children who need help.

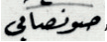
In case of need, let the manager (*mütevelli*) of my waqf restore and maintain the well that I ordered to be dug, as well as the fountain that I installed near the Huseyn Agha Mosque in Tavuk Pazar in protected Istanbul. Let the overseer (*nāzır*) of the waqf be given three akçes a day for supervision, the waqf's manager (*mütevelli*) ten akçe, the waqf scribe for service four akçes a day, and the person who collects the income (*cābī*) five akçe a day. Previously, I stipulated that the waqf's overseer (*nāzır*) should be a court kethuda, but now I abandon that, and stipulate that the waqf's overseers should be persons with the title of Kapu Agha (*kapu ağası*). I also entrust them with working for my waqf and supervising it, as it should be, by reviewing the waqf finances once a year with the controller (*müfettiş*) of the honorable harems of Mecca and Medina. Let the person who clearly cares about the waqf remain in his position, as I (did when I) appointed my stepfather, who is dependable, responsible, and persistent, as a manager (*mütevelli*). If any of the waqf properties becomes vacant, it should be leased immediately, and the rent money should be kept always with the manager (*mütevelli*). And let real estate and buildings in ruined places be bought for the waqfs. If there is surplus income from these properties, let them supplement the incomes of the other slaves I freed, and let them set aside up to four akçe a day for their services. Let fixed conditions be entered into the waqfiye that I previously had drawn up, which, like the earlier ones, are legally valid, and let it be acted upon.

If someone changes something in it after some time, it will not be acted upon, but will be acted upon according to the previously mentioned conditions.

In addition to all of the above, there is also a place that I purchased with lawfully acquired (*halal*) property from the Mufti Ali Efendi and paid 200 riyal kuruş for a public lecture hall (*ders-hāne*) in the Rumelian vilayet, the Eyalet of Bosnia, in the city of Mostar, whose borders are known among population and neighbors. The building located in that place belongs to the aforementioned Ali Efendi, and its boundaries do not need to be described or stated. I took out the best of my property, 220,000 akçe, and for the common good, I bought the following with my halal property:

- two volumes of *Tafsīr Qāḍī*,
- one volume of the work *Tafsīr madārik* by Nasafī,
- one volume of *Maşābīḥ*,
- one volume of the work *Maşāriq*,
- one volume of the work *Hidāya*,
- one volume of the work *Şadr al-şarī'a*,
- the fourth and seventh volume of *Buḥārī*,
- the work *Risāla munğiyya* (Tajweed in Turkish),
- the second volume of the work *Kanz ğawāhir*,
- one volume of the work *Durar ğurar*,

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- in one volume the works *Kāfiya*, *Miṣbāḥ* and *'Awāmil*,
- in one volume the works *Šarḥ Kāfiya* and *Šarḥ Buḥārī*,
- in a one-volume work written by *al-'Aynī*,
- in one volume the work *Nasab nabīyy 'alayh al-salām* (in Arabic),
- in one volume the work *Šarḥ Šir'at alislām* by Sayyid 'Ali,
- three volumes of the work *Ṭabaqāt Ša'rānī*,
- one volume of the work *Šaqāyiq*,
- one volume of the work *Muḥtār Šihāḥ*,
- one volume of the work *Fatāwā alUskūbī*,
- one volume of the work *Kanz aldaqāyiq*,
- in one volume the following works - *Ḥayāt alḥayawān*, *Kitāb alaṭwāl – Šarḥ Talḥiṣ* and *Kitāb Širwānī Ḥāšiya Qādī*,
- the seventh chapter of the work *Buḥārī*,
- the second volume of the work *Šarḥ alBuḥārī* by Kirmānī,
- one volume of the work *Luḡat Ni'matullāh*,
- one volume of the work *Mufīd Šarḥ Pand 'Aṭṭār*,
- the third volume of *Šarḥ Qudūrī* by Ḥaddādī,
- one volume of the work *Ḥamsa Niḡāmī*,
- one volume of the work *Luḡat Mawlānā [...]* ,
- one volume of the work *Layla wa Maḡnūn* by Mollā Ğāmī,
- one volume of the work *Anfa' almasā'il*,
- one volume of the work *Ṭibb nabawī*,
- one volume of *Risāla Šuḡā'*,
- one volume of the work *Risāla Ḥayalī Manṡiq*,
- one volume of the work *Ḥāšiya Šarḥ 'aqā'id* by Mawlānā Kastalī,
- in one volume the work *Nāma 'Ayšī-yi Fārisī*,
- one volume of the work *Quṭbuddīn Risālesi*, *Manṡiq*,
- one volume of the work *Šarḥ Šamsiyya*,
- one volume of works *Šarḥ alKāfiya* (by 'iṣāmuddīn), *Ta'rīfāt*, *Ḥāšiya alKastalī*, *Risāla Kalāmīya*, *Šarḥ Qašīda alBurda* (by Musannifak) and the work *'Ilm Firāsa*,
- in one volume the work *Nūr al-yaqīn*,
- in one volume the work *Tafsīr šarīf* in Persian,

- in one volume the work *Tarǧīb wa Tarhīb*,
- in one volume the work *Tafsīr Abū al-Lays*,
- in one volume the work *Tarǧama Mašāriq*,
- in one volume translation of the work *Miftāḥ al-ǧinān*,
- in one volume the work of *Manāqib Abū Ḥanīfa*,
- in one volume the work *Ǧāmi' kabīr*,
- in one volume the work *Maǧma' albaḥrayn*,
- in one volume the work *Luǧat* by Lutfī Čalabī,
- in one volume the work *Nafaḥāt al-uns*,
- in one volume the work *Manāqib Mawlānā*,
- in one volume the work *Šarḥ Šir'a*,
- in one volume the work *Kitāb al-aḥlāq*,
- in one volume the work *Tarǧama Wiqāya*,
- in one volume the work *Nigāristān*,
- in one volume the work *Durar ǧurar*,
- in one volume the work *Šawahid alnubuwwa*,
- in one volume the work *Gulistān* by Šam'ī Čalabī,
- in one volume the work *Ḥayāt al-qulūb*,
- in one volume the work *Mawāhib al-aḥlāq*,
- in one volume the work *Kitāb Halawīyāt*,
- in one volume the work *Ayyuha alwalad*,
- in one volume the work *Ta'īlīm muta'allim*,
- in one volume the work *Tarǧama Fiqh alakbar*,
- in one volume the work *Ṭarīqa muḥammadiyye*,
- in one volume the work *Fiqh al-akbar*,
- in one volume the work *Gulistān*,
- in one volume the work *Waṣīyyat Imām al-a'zam*,
- in the thirty volumes of the *Aǧzā šarīf*,
- in one volume the work *Kalām Qadīm Rabbānī*.

They (manuscripts) will be studied, read, and used in the public lecture hall (*ders-hāne*) in the mentioned qasaba Mostar, without being moved elsewhere. In addition, in the protected Constantinople, in the venerable mosque of Emin Sinan, for which I received sultan permission for a minber (to perform Jumu'ah and Eid prayers), I endowed a Mushaf that will be read, without being moved elsewhere.

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Also, there are two rooms (*oda*) on the first floor, four rooms on the ground floor, a wooden veranda, a fountain, two water wells, a bathing room (*mağsel*), a stable, two latrines, and a garden with fruit trees and trees that do not bear fruit in the Karabaş Quarter in protected Constantinople. They are bounded by the walls of the old fort [of Constantinople], then by the property of Hamal Mehmed, the property of Mehmed Beşe, the property of Taşcıoğlu Ahmed Bey, the property of Mahmud the Barber, the property of Telal Ibrahim, a private road, a waqf lodge (the income of which is intended for the poor people of the Holy Medina), then the property of Hajji Ahmed, the property of Salih Hatun, the property of a certain Engurulu Ibrahim, the waqf for the Holy Medina, the waqf apartment used by the imam in Quarter Bali Agha. In that location is also my private apartment that I bought and paid 1,450 silver kuruş to a certain Hajji Ahmed.

All of the foregoing I endowed in the name of the Almighty God in the correct way according to the Sharia, and then I stipulated the following:

Let the mentioned money not be given from the hands of the mutevelli to anyone outside the qasaba (small town), without the supervision and knowledge of all those who support themselves from the waqf's income, nor without a firm pledge, a reliable guarantor, nor to do business with those who enjoy luxury and who are wealthy. Let the profit and expenses be calculated and settled by returning 11 and one small coin (*pul*) to the invested 10; Let one akçe be given per day for the duty of each imam in the thirty honorable mosques located in the said qasaba (Mostar) on the condition that they attend lectures four days a week, from the surplus and percentage increase in profit and crop income. After the lecture, let the teacher (*müderris*) recite the prayer (*du'ā*); each imam should recite the holy Surah Ikhlas three times, once the Fatihā and the dua. The muderris who gives a public lecture in the lecture hall (*ders-hāne*) will receive for duty 20 akçe per day and will also give lectures to the students, but the one who becomes a muderris should be well-versed in the science of commenting on the Qur'an (*'ilm-i tefsīr*), the tradition of the Prophet (*hadīs*), Islamic jurisprudence (*fikh*) and other sciences; and let none of the useful sciences (*'ulūm-ı nāfi'a*) be unknown to him. As usual, every week on Saturdays and Sundays, Wednesdays and Thursdays, he should give a public lecture (*ders-i āmm*) to the students in each science, and let them recite the prayer of blessing to my poor soul at the end of the lecture.

Let the aforementioned Ali Efendi, who is now the müftī in Mostar, give a public lecture, and no one else be given that duty as long as he lives. After his death, let those who deserve that duty be examined and let it be given to the most learned, the most pious and the best candidate.

The manager (*mütevelli*) Džennetić (*Cennet-zāde*) Mahmud Çelebi should be given six akçe per day, cābī Osman four akçe, while the scribe, doorkeeper (*bevvāb*) and librarian (*hāfız-ı kütüb*) should each get two akçe a day. Let one akçe per day be set aside for repairing (damaged manuscripts) books, chains and kettles (*bakraç*). And let one more akçe be given for the repair of the madrasah.

And if there is no need for repairs or if there is surplus of money, let more important books be purchased with the knowledge of the muderris and added to the other books. After that, from the income, twenty akçe will be given annually to thirty imams on the Qadr Night (*Leyle-i Qadr*). After that, four hundred (400) akçe will be given for the cost of baking the halva, and those who bake the halva will be given 80 akçe. On the mentioned night, halva will be prepared in the lecture hall (*ders-hāne*), imams and others in attendance should eat and make dua for me and my parents.

If at the beginning of the year 1580 akçe remain from the waqf profit, let muderris call all those who support themselves from the waqf income to attend a meeting in the public lecture hall (*ders-hâne*), and let them bring a manager (*mütevelli*); and let a calculation be made in written form, with the knowledge of all present. After being reviewed, the calculation will be signed and stamped by the provincial defterdar (*vilâyet efendisi*). From the profit that remains, some necessary books will be bought and added to the already purchased books.

One month before the date of writing this endowment deed (*waqfiye*), all the mentioned waqfs were handed over to the aforementioned manager (*mütevelli*). He will manage those facilities and cash income in the same way as other managers do, and he will exempt 180 akçe per month for the duty of managing the waqf (*tevlîyet*). After the aforementioned mutevelli confirmed that what was detailed and explained in the written statement (*takrîr*) was true, the aforementioned benefactor (*waqif*) Ahmed Agha, who is still alive, announced that he had changed his mind and retracted his word on the waqf issue, as follows:

First of all, the endowment of real estate is correct (*sahîh*) according to the opinion of the three imams. However, according to Imam Azam, the irrevocability of the waqf is valid only in the case that the waqif owns and benefits from the waqf. According to the opinion of the third imam, the endowment is completely void (if the wakif abandons the endowment). According to some religious authorities, endowing an object on a land parcel in favor of another party is not correct (*ğayr-ı sahîh*). According to some authorities, endowment of books is not allowed. In terms of cash waqf, I gave up all waqfs because, according to three well-known imams, such a thing is not permissible in Sharia, with the exception of the waqf that I had previously given to the manager (*mütevelli*) to legalize.

On the basis of the ownership, I request that he (*mütevelli*) return to my disposal and management the 80 akçe that were left over from his monthly salary of 180 akçe. After the preliminary questioning, the mutevelli objected, claiming that he was right, and they started legal dispute. The aforementioned mutevelli said: indeed, everything is as presented by the aforementioned benefactor (*wâqif*). However, according to the Second Imam, the endowment of real estate is valid and irrevocable provided that the benefactor has stipulated that the benefits of the endowment belong to him. Also, the endowment of a building is correct according to the opinions of some scholars (*meşâyih*), just as the endowment of books is permissible according to reputable authorities. Since endowment of money is permissible in Shari'ah law according to the Ensari's saying which originates from the respected Imam Zufer, I am seeking a court decision (*hükm*) for the irrevocability of endowment of real estate and the correctness of other endowments based on his opinion. The rest of the 80 akçe on behalf of the salary is my clear income.

When they approached His Highness, the authorized judge who judges according to the Most Exalted Book, and asked for a court verdict, His Highness, the aforementioned judge, carefully considered both sides' arguments.

After the judge, who was aware of the disagreement on this condition, ruled in favor of the waqf based on the Second Imam's opinion, which he considered to be the most correct regarding the irrevocability of real estate waqfs and the correctness of other types of waqfs, the said benefactor directed the speech in a different direction, and this time began the discussion in the following manner: while the aforementioned judgment established the irrevocability of real estate endowments, other endowments are valid but not irrevocable. As far as I am concerned, the possibility of revoking the waqf is open except in the case of real estate.

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When the said mutevelli was questioned again during the decision-making process, he entered the discussion once more, and in his answer regarding the validity of the other waqfs, he also referred to the other imams' opinions. If the endowment is correct in the opinion of all imams, it is especially correct and irrevocable after handing over the waqf to the mutevelli, according to the opinion of two respected imams. The legal explanation (fatwa) on the issue of Waqf is based on the aforementioned opinion.

When they approached the court again, the said judge once again thought about the said case, reminding them that the fatwa was actually issued based on the opinions of respected imams. He made a decision about the irrevocability of other endowments based on their words, and he also made the previous decision in the same way, during which the conditions were changed. After that, all endowments become valid and irrevocable. The new conditions have been respected, and no changes are possible.

فَمَنْ بَدَّلَهُ بَعْدَ مَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ

"Then if those, who heard the will, change it, they themselves shall bear the sin of this. Allah hears everything and knows everything." [al-Baqara 181]

Allah, the Living, the Generous, and the Noble, will reward the benefactor (waqif).

This took place and was recorded in the first third of the holy month of Muharram 1064 year.

[22.11.-01.12. 1653]

Witnesses to the act:

- the best among the Ayans and the most highly respected, Mehmed Agha son [...]
- the best of the close chosen, the chief imperial treasurer Ali Agha son [...]
- support of confidant people, Davud Agha, son of Saray Agha,
- support of excellent and confident people, Kapu Agha Ahmed Agha son [...]
- the most chosen among the powerful and influential, the son of odabaşa Hasan Agha [...],
- a support among the most famous and distinguished, Murteza Bey, son of Hilvā,
- the most chosen among exemplary and decent people, Ali Bey, son of Islam, the pride of the distinguished Halil Agha, son of Nurullah,
- the most chosen among the qadis, Hudaverdi Efendi,
- the most chosen among the noble and fortunate, kilercibaşı Zulfikar Agha.

Conclusion

As can be seen from the abovementioned, Ahmed Agha's endowment (waqf) was very rich. Some of his endowments are still in use today, such as the mosque he built in Çengel Köy in memory of his mother, Kerime Hatun. Several manuscripts from his waqf in Mostar were saved and are now housed in Gazi

Husrev Bey's library. It should also be noted that his library in Mostar was also enriched with copies of manuscripts bequeathed to Ahmed Agha's waqf by other court aghas, such as Babussaade Agha Davud Agha (two manuscripts) and Hass Odabaşı Hasan Agha. Thus, Babussaade Agha Davud- Agha donated to Ahmed Agha's library one volume of the work *Ḥāšiya al-'Iṣām 'alā Tafsīr al-Bayḍāwī* (425 fol.) which was copied in 1669.⁵ Davud Agha endowed the work *Ma'ānī al-aḥbār al-musammā Bahr al-fawā'id* (304 fol.).⁶ Hasan Agha, the head of the sultan privy chamber (hasodabaşı), endowed the manuscript work *Ḥāšiya Şayḥ-zāda 'alā Tafsīr al-Bayḍāwī*.⁷ This is confirmed by the following note from the manuscript of the aforementioned work:

بو کتابی حالا خاص اودا باشی عزتلو حسن اغا حضرتلری قصبهٔ موستارده قپو اغاسنک
وقف ایلدوکی درسخانه سنه لوجه الله تعالی وقف ایلمشدر شو شرطله که استنساخ و مطالعه
ایلدن درس خانه دن طیشرو چیقرمیه ...

Bu kitābı ḥālā ḥāşş odabaşı 'izzetlü Ḥasan Ağā ḥazretleri qaşaba-i Mostar'da qapu-ağāsınuñ vaqf eyledügi dersḥānesine li-vechillāhi ta'ālā vaqf eylemişdür şu şartla ki istinsāḥ ve muṭāla'a eden ders-ḥāneden tışaru çıqarmaya ... (GHB R. 3990)

Ahmed Agha's library fund, which was an integral part of his madrasa in Mostar, was supplemented at the end of the 18th century, as evidenced by various manuscript notes in his library (Lavić, 2010: 150).

5 GHB R. 3637.

6 GHB R. 4094

7 GHB R. 3990.

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