

## **JURISPRUDENTIAL AND LOGICAL STUDY OF OLD (TEYMOORI) DEEDS OF ENDOWMENT OF KOHGILUYEH –AND–BUYER AHMAD**

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### **Abstract**

Human is right-oriented and good-oriented by nature, especially good-orientation because it creates social desirability. Endowment is not a religious fact, but it has been existed already, and the divine legislator has made it strengthen. Jurisprudential and logical study of old (Teymoori) deeds of endowment of Kohgiluyeh –and–Buyer Ahmad has been conducted in this research. There are some endowments in Kohgiluyeh –and–Buyer Ahmad like other provinces of the country. Some of these endowments are belonged to recent time, concubine, delivery, and all issues of which have been made according to religious and law, and no debate are available about them. In contrast, some endowments are belonged to old era, and it is claimed that they concerned to Amir-TeymoorGorakani era. It is said that its philosophy is confronting with Ali Sadat' shrine, and its document is attributed to Bahr-ol-Ensab book, which is a work of Ali's Shrine .Many debates have been made concerned with these endowments and the culmination of these debates was during 1984-1985, and finally Yasouj Court pronounced these endowments 'validity, and Tehran Appeals Court pronounced that Yasouj Court verdict is violated and considered Teymoori endowments as lack of accuracy in 1985. In the meantime, some people

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believe that this verdict is a political one, so that this case has been mentioned in journal of thirty years function of in Kohgiluyeh –and-Buyer Ahmad endowments in 2008.

**Keywords: Kohgiluyeh and Boyer-Ahmad, dedicated to a Timurid, jurisprudence and logical**

### **Introduction**

Despite final verdict of Tehran Appeal Court regarding non-accuracy of Teymoori endowments, some people have not accepted it and have considered its base as political and leveraging. In contrast, in addition to issue that Tehran Appeal Court has pronounced the non-accuracy of Teymoori endowments, some people believe that these endowments are forgery.

**To clarify the issue, we will study it logically and jurisprudentially.**

*First: accuracy or non-accuracy of Teymoori endowments.*

*Second: regarding the forgery and interfering of these endowments or lack of their forgery and interfering.*

First- The jurisprudential study of Teymoori endowments, in terms of accuracy and non-accuracy.

Given that endowments have been endowed by Teymoor Shah Gourakani to Shrines, and these Shrines include: 1-Shahzadeh Ebrahim Shrine entitled as Shah Askar in Krik , the center of Dena rural district ,central district of Dena City 2- Shah Hassan Shrine in Tang-e-Mehrian3- Shah Ghasem Shrine in Gousheh, 4-Shah Mokhtar Shrine in Mokhtar village , and Shah Farajollah Shrine in Tang-e- Abshar , and these four Shrine are located in Yasouj suburb, the endowment is correct provided that they have been endowed according to Sharia law. Endowment has some conditions. If the conditions are met about an endowed property, the endowment is valid; otherwise the endowment may not become true. In endowment condition, the first issue is ownership, that is the owner can endow from property of himself, not others, then the other conditions such as contract, delivery, and so on would be raised.

The main issue in Teymoori endowments is ownership. If such forgiveness is of his property, or he had the right of all kind of generousities even from others 'property just because he was the time ruler and no one has dared to breathe for fear of him.

Now the question is arisen that if Teymoor works were right and as a result Teymoori endowments is true, or Teymoor works were oppression and consequently are usurpation and not valid? We will conduct a study to get the answer of this question.

To clarify the issue, we will study his characteristic dimensions .Fist we will study about his goals. In his book, "I am Teymoor, the cosmopolitan", of which he was narrator (1), Teymoor said: "It was the time that I take steps to achieve my dreams , conquer the world, and start it from Khorasan".

First, he considers himself a jurist, and Hafiz of Quran.by this description, he had not any refer to the issue that his movement was because of right , or any issue related to Islam .On the contrary he says that it was because of achieving his ambitions .In describing Neishaboor, one of the ambitions was to dominate the gold and silver coins and silk fabrics of Nishaboor, which he achieved byplunder and pillage and massacre of women , children and innocent people, and worse than this ,he resorted to Islam rules for his crimes and justifies them by arbitrary interpretation.

After Neishaboor massacre , as he says in page 97 of his book :”I refused, as usual, the murder of poets and craftsmen in Nishaboor, and the young women were divided between my soldiers , because Allah has said that the women in open lands are lawful to combatants, while in holy Quran, it has been mentioned that in Jihad between Muslims and hostile disbelievers, the Muslims can take the women of the hostile disbelievers as bondwomen .In this order, God pays attention to the pagans and infidels, not the followers of monotheistic religions such as Jews and Christians .On the other hand, The people of Nishaboor were Muslim and monotheist. In verse 6 of Toubeh Surah, God says that(If one of the pagans ask you shelter, give it to him so that he hear the word of God, then bring them to a safe place , because they are ignorant people.)

Prophet Mohammad said that” I was appointed for good morals. Compare them. For anyone who considers himself as Mohammad(pbuh) follower, it is obligatory to follow him, and place ethical issues at the helm his work.

HasanPirnia (Mushir-ol-Douleh) has narrated a part of Teymoor-e Lang morals (2), and wrote that: Apart from the stated characteristics, I must add lying at the following of his characteristics. Because we read in previous pages quoted by Teymoor pros and cons historians that: Teymoor was very jovial and carouse and was drinking wine extremely. Despite the actual behavior, Teymoor wrote in a the part of his book:”I was interested in religious issues as I was young, I never forgot my praying, never drank wine, never gambled, I always respected Clergymen and I was consulting with them in religious affairs , while I was reference to the Fatwa and I knew Shari'ah. In Teymoor crops, everyone who was more hard-hearted, cruel, unbeliever, and ignoble, was being more respected and elected for being leader. Amir Teymoore used the religion as a tool. We do not want to review the history here, but we want to study a part of his characteristics to see that if his rules are of priority for us.

From the above issues we deduct that he is an oppressor, usurper and self-interested person in history as the history itself makes such a judgment of Teymoor. It has been said that the main discussion of endowment is ownership. The endower may endow from his property .If theproperties endowed by Teymor-e-Gourakani have been revived by himself, or he has paid money for them, or he has usurped them by force?

About the issue of revival: it is not possible, because neither he has such a claim, nor there is any document to confirm this. The issue of buying these properties is negated, and the reasons are clear, because these areas are located in the middle of Zagros mountains .According to signs and indications which Teymoor has mentioned himself in attacking to Buyer, it is located away from his pass way. Therefore, the endowments claimed by Teymoor are not of owner property and are not valid legally.(3)

Second: in the case of forgery and manipulation of these endowments or lack of forgery and manipulation,

In the early sixties that Kohgiluyeh and Boyer-Ahmad Endowment took shape and then proceeded to take possession of his endowments. People began to protest. Protesters rejected the claim of forgery of these documents had Timorese health benefits. We will discuss this topic in this part of the

In 1984, the head of the Endowments Kohgiluyeh and Boyer-Ahmad, Announcing the endowment of King Farajolah 80 hectares located in Yasouj and most of it was in the hands of people, some of whom held official document, the debate reached its peak. People were attracted to react and protest. Endowment had given evidence upon which the judgment was issued. Endowment Yasouj in the courts of the land. But why are people protesting say: one based on Sharia law Islam dedicated to Amir Teymoor not true about the topic discussed in the previous section 2. These documents are fake. Our 5 ones in the charter to clarify the matter from rational to consider. But why are people protesting say: one based on Sharia law Islam dedicated to Amir Teymoor not true about the topic discussed in the previous section 2. These documents are fake. Our 5 ones in the charter to clarify the matter from rational to consider.

### **1-Endowed 80 hectares of Prince Farajolah**

In date 18/4/1984 Islamic Republic News Agency quoted the head of Endowments area of 80 hectares of land dedicated to Yasouj that is dedicated to the Holy Prince Farajolah, And as I was concerned after any activity on this ground must be licensed by the Department of Religious Affairs.

When we carefully is an obvious mismatch. This review will In the old village very small 2 households, 5 households, 10 households very least 15 households were available because the grandfather of our large villages of the region that relate to it had real when it was less than 20 households were Shrine of Shah Farajollah place because the children of the village shrine in a hallowed place is not flat slope of the current time with the current machines instead of clearing houses have in the most optimistic case we can say that the village has 20 families in this village land other than these endowments are certainly there, but we have limited agricultural land. That's my 80 hectares. If 80 hectares of land divided by the number of households per household on average 4 hectares of land to be irrigated, the concept of this debate, This means that agriculture

is in a state of prosperity. Because now all features efficient use of groundwater and the mechanization and cultivate But why are people protesting say: one based on Sharia law Aslamb dedicated to Amir Teymoornot true that in most desert land that was previously irrigated and rainfed agricultural production, including average land per household, according to the Statistical Yearbook of Kohgiluyeh and Boyer-Ahmad, years 2007, p. 191 Boyer is about 5.2 hectares in the debate was about 2. these documents are fake. Our 5 ones in the charter to clarify the matter from rational to consider.

However, now when you go back two hundred years to see how the terminology used in it is time for us after 600 years unfamiliar terminology used in the endowment of us is familiar, and familiar? Literature used in the charter, literature, especially during the Qajar era is past, we see Amir TeymoorBoyer mentions in his memoirs of the country or region in the name of the farmer by the name refers agriculture hereAccept that the literature of the time because now nowhere in the region, province and nation states do not even call. And the region can be said Boyer mentioned that over time due to accidents, extension Ahmad also added that this is a logical process. While the term and literature, literature and terminology used in the different endowment of today.(4)

## **2.Cisakht dedicated desert**

The endowment of "Three Dong Springs desert wash with hard C, two-tone and ....."Given that I (the author) am your hard from Cisakht full of historical issues have hard disks, Cisakht created 180 years ago is to study with older people I say the operation: A number of the oaks which Traditionally, on the sidelines of hard disksBecause it had been burning between 130 and 160 cm in diameter, according to Natural Resources expert in the area of Zagros approximately seven or eight years of life of oak seedling adding diameter oak treePer 3 mm to account for a year can be life Accordingly, if the diameter of the tree above 150 cmWhich is equal to 1500 mm admit forest history of the area at the time of the creation of hard disks more500 annually, and with the time building in these areas before 600 years is due to the fact that the era of Amir Teymooriabout 600 years ago, this area at the time Kamlajngly and non-agriculture, so dedicated in this area at the time cannot have a concept.

### **3 .Dedicate DASHTAK**

In connection with the DASHTAK, an area which is about 8 km away and the area with hard disks according to people informed of their fathers quote that was created after the hard disks(Which is approximately 180 years ago), the area was perfect for the summer hard disks and hard disks before creating wilderness And any field where there is no logical reason for this is because of the hard disks functions.

### **4 .Besho fountains**

To establish of water and some villages become springs that irrigate the effect of any human power Not only God's grace and blessings God has a blessing that God alone cannot devote.

### **5 .Table Srvaz**

That is mentioned in the charter of King Soldiers were named as Devotion endowments and aware of the endowment, also named Timor Shah have gorkani. People who live in this village of a family These Rahmani are known ancestor about 160 years before Khan License area. This created the table and now the document, and even in some jurisdictions have used it. Now, how the tables have been consecrated 600 years ago.(5)

### **Discussion and conclusion**

1. Assuming that the endowment is owned Amyr Teymoor, this property seized by force and usurpation, so usurpation is not dedicated 2 - Studies have been conducted in contravention of the charter is clearly obvious. On the other hand endowment of the written literature, contemporary literature 3 - claimed the endowment Because the Imam Ali is with Amyr Teymoor. Tamerlane at all bloodshed and plunder is famous in history Since 736-807 AH corresponding to the years 713-783 AD and is consistent. And on the other side of the tree available, Ninth behind (generation) Ali shrine to Imam Jawad . If the average usually assume that each generation of 35 years, including the year 200 AH when Imam Jawad's life, Shrine of Ali in 515 AH is alive with more than 200-year comparison period are Amir Teymoori. 4 - reference these documents cite Bhralansab imaginary book. That despite the follow-high regulatory authorities and competent, no one to be seen not So quite clear and obvious forgery endowments Timurid Boyer.

## References

- 1 - I am TeymooriJahangosha, Marcel out, translation ZabiholahMansouri, published by Behzad, Tehran 2009.
- 2-history of cosmopolitanism Timor, Hussein Dstvm, Nshrpvnh, Tehran 2005
- 3 - Thirty-year performance, manage endowments Kohgiluyeh and Boyer-Ahmad Yasouj, 2010.
- 4 - Boyerahmad in the passage of history, power Akbari, scientific publications, Shiraz, 1989.
- 5 - Statistical Yearbook Kohgiluyeh and Boyer-Ahmad, Deputy Planning (Department of Statistics and Information Yasouj 2010) Governor,