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## **A BRIEF OUTLOOK INTO WAQF**

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The word 'waqf' comes from the Arabic word 'waqafa'. It merely means to stop, halt or freeze where the creation of waqf takes away the control of the original owner of his/her property. As such, a physical object proclaimed as waqf is retained or preserved where only the benefit from it can be used to help the needy. The waqf concept existed long before the emergence of Islam as proven by the establishment of mosques and religious using the donations from the society. It was not known as waqf then but the intention of the donation is to benefit many people. In short, waqf is a mechanism to improve the quality of life of the society ranging from religious aspects, reduction of poverty, education and health.

There are two major categories of waqf. The first is the general waqf (wakaf am) where the purpose is solely for charities and there is no indication of the specific beneficiaries. The manager or trustee of this waqf may use the waqf in any possible way. He just needs to make sure that the benefits reach the public and the purpose complies with the shariah principle. The second type of waqf is the specific waqf (wakaf khas). The donor for this waqf declares beforehand the purpose of the waqf where the mutawalli may use it to build a mosque, school or any purpose as specified by the deed. Another type of waqf is the family waqf (wakaf ahli). It falls under the specific waqf. This type of waqf serves to benefit the family members of the founder.

The waqf starts with an individual endowing his personal possession for a pious or religious reason and declare it as waqf. The value of the personal possession (corpus) and the purpose of the endowment are stipulated clearly in the waqf deed to indicate its proclamation as Allah's property. Therefore, the waqf system starts with the donor. Within the waqf system, the donor is normally known as the founder or the waqif. The founder intends to improve the welfare of the needy society by dedicating his belongings as waqf. Then the proclaimed waqf is entrusted to the mutawalli who manages the waqf. There are two categories of beneficiaries who can receive the waqf benefits; the general public and the specific individuals as defined in the waqf deed. The general public beneficiaries are those people who have the permission to use the waqf such as in

the case of mosques and suraus. On the other hand, the specific beneficiaries will include those people who are detailed in the deed of the waqf.

Some Islamic jurist relates the characteristics of irrevocability, perpetuity and alienability of the waqf to the prevention of its transfer to other people as to protect the original intention of the donor (waqif). Hence, once a person declares his belonging as waqf, he no longer has the power to revoke the status of the donated belonging. The declaration becomes effective and binding regardless of whether the intended purpose has been delivered or not to the beneficiaries. Additionally, when a donor gives away his belonging, he relinquishes his right to his belonging for eternity. If there are no intended beneficiaries, the original object proclaimed as waqf must be remained as waqf; the selling and giving it to other unintended recipients is strictly prohibited because the created waqf belongs to Allah SAW.

When it comes to waqf, the majority of the public are still in the dark about what waqf means. Some people think that waqf is similar to sadaqah (donation). Most often than not, the society thinks that the waqf should be distributed in the same manner as the sadaqah. However, unlike sadaqah, it is very difficult to bring out the benefits of the waqf to the society due to its irrevocability, perpetuity and alienability characteristics. As such, this brief outlook on waqf is anticipated to give the society a little insight into the waqf concept so that they understand how it works and eventually the intention of proclaiming the waqf can reach the beneficiaries to the fullest.