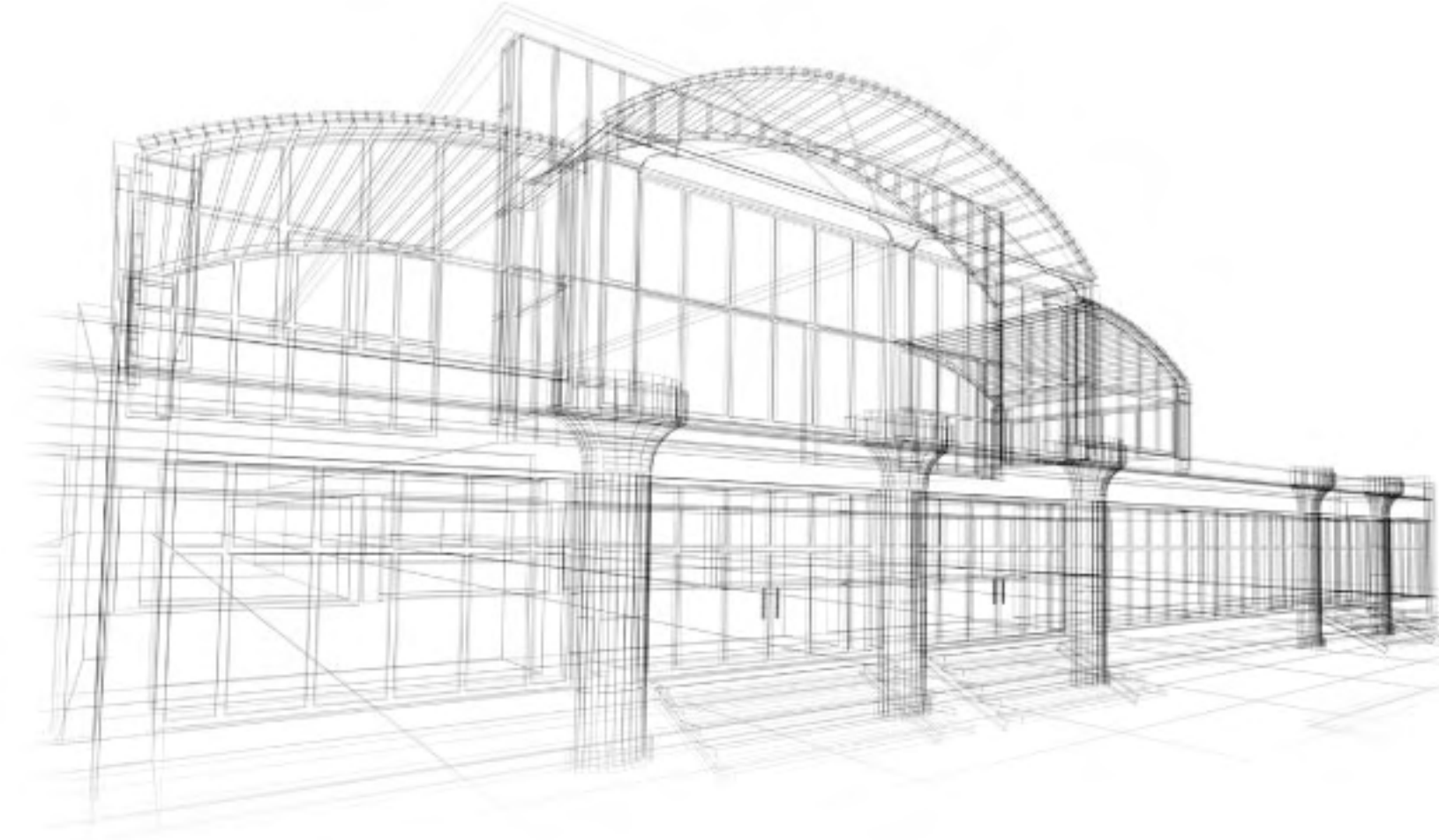


Thirty Steps to Establishing a Superior Endowment



◆ **Aspire to a Blessed endowment!**

(I count it as a scientific and practical study that contributes to enlightening society on the domain of endowment. He exerted praiseworthy effort, benefiting from some authorities and specialists. This kind of dissertations deserves the attention of individuals and the interest of the foundations which look forward to useful and profitable mortmain endowments which purify souls and are of help to people and homelands.)

Dr. Salih Ibn Abdullah Ibn Humaid
Head of the Supreme Judicial Council (previous)

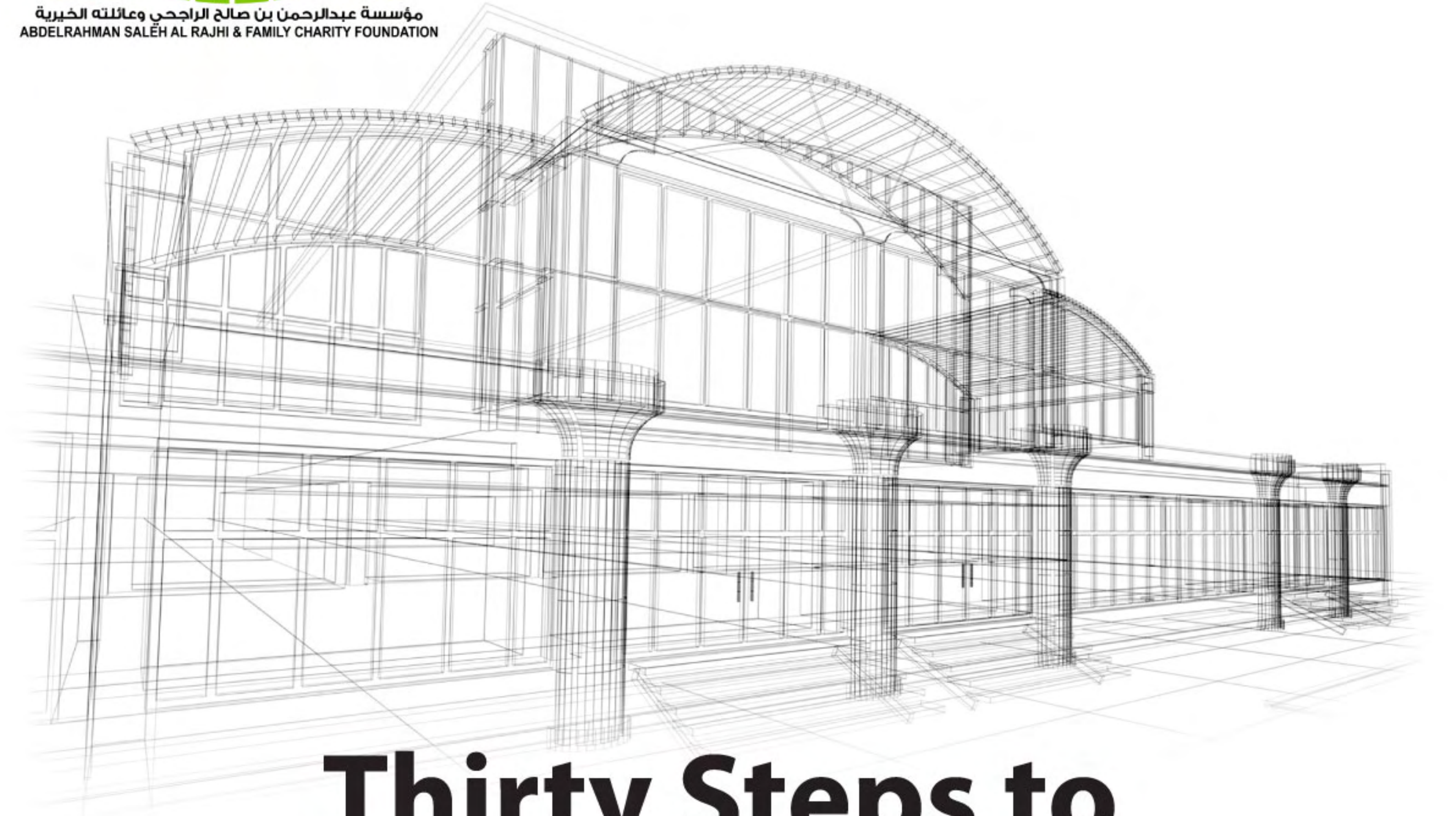
◆ **More than twenty experts and specialists have kindly revised this leaflet.**

• This leaflet aims to enable you to found a distinguished and successful mortmain endowment and answer a lot of the questions that run through the minds of people who wish to grant some of their property for charitable purposes, such as:

- How can I preserve the endowment?
- What's the way that brings and binds my children together?
- Are there any distinctions between the will and endowment?
- How can I write down my endowment contract?
- What are the types of the wealth endowed as endowment?

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Thirty Steps to Establishing a Superior Endowment

**How can you grant some property as a mortmain endowment?
Guidelines, Instructions, and a an innovative formula
of a endowment contract and a will**

By:

Sa'ad Ibn Muhammad Ibn Sa'ad Al-Mohanna
Head of a general court in the Kingdom of Saudi Arabia.
General Secretary of Abdulrahman S. Al-Rajhi & Family Charity Foundation.

Revised by

His Excellence Dr. Salih Ibn Abdullah Ibn Humaid
Imam & orator of Mecca Holy Mosque.
Head of the Supreme Judicial Council (previous).

Preface

Taha Abdul-Basser
Affiliate at the Islamic Finance Project, Islamic Legal Studies Program,
Harvard Law School.
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*In the Name of Allâh, the Most
Gracious, the Most Merciful*

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Dedication

*I dedicate this work to
my father and mother.*

*(My Lord, have mercy upon them as they
brought me up [when I was] small) (Al-Israa: 24)*

*Also I dedicate it to my wife Umm Muhammad,
my sons and daughters.*

*(Our Lord, grant us from among our wives and offspring comfort to our
eyes and make us a leader [i.e., example] for the righteous) (Al-Furqan: 74)*

Preface

Taha Abdul-Basser

"You will not achieve righteousness until you spend from that which you love." - Qur'an

"When people die, their deeds are discontinued except for three: ongoing charity, beneficial knowledge and righteous children who pray for them." - Prophetic Tradition (*Hadith*)

For nearly a millennium and a half, Muslims have attempted to comply with numerous Qur'anic verses and Prophetic traditions (*ahadith*, singular *hadith*) that encourage human beings to perform acts of charity. Although this response has taken many forms, one of its most noteworthy civilizational expressions is the community's historical commitment to the charitable endowment (*waqf*, plural *awqaf*).

In the Islamic ethico-legal tradition (*fiqh*), a *waqf* is a permanent charitable structure to which assets (e.g. land, buildings) are contributed with the stipulation that the ownership of these assets may not thereafter be transferred (e.g. sold, inherited or gifted) and that the income generated by these assets be assigned to one or more classes of charitable recipients (e.g. the needy, orphans).

The practice of establishing endowments began in the Prophetic period, as indicated by multiple transmitted reports in which the Prophet (صلى الله عليه وسلم) is recorded to have encouraged his Companions to set up endowments. Transmitted reports indicate that the prominent Companions Umar b. al-Khattab and Uthman b. `Affan established endowments during the Prophet's lifetime. Yet other reports indicate that after the passing of the Prophet (صلى الله عليه وسلم), the Companion established endowments in large numbers.

Inspired by the earlier generations, the *waqf* establishing activity of increased throughout formative period. By the post-formative/pre-modern period, the *waqf* had developed into a highly influential institution that featured prominently in the social, political and financial fabric of most traditional Islamic societies. The *waqf* came to be an essential feature of the social infrastructure on most Islamic societies. The historical record is replete with endowment documents (singular *waqfiyya*) establishing or supporting mosques, educational institutions (*madaris*, singular *madrassa*), hostels, hospitals and the like.

Although the modern period has witnessed significant challenges to the continuity and viability of the *waqf* in many locales throughout Africa and Asia, there has been a notable revival of concern for the *waqf* and its re-application throughout the Muslim community in recent years. Academic conferences, dissertations and scholarly articles on the subject have become quite common.

It is against this backdrop that we introduce *Thirty Steps to Establishing a Superior Endowment*, by Sheikh Sa`ad al-Muhanna, a contemporary Saudi Arabian `alim (religious scholar, plural `ulama') who, in addition to other positions, is an experienced religious adviser in the Gulf not-for-profit sector. In *Thirty Steps to Establishing a Superior Endowment*, the author reminds his target audience of the benefits of establishing endowments, introduces them to the relevant concepts and principles and leads them through the process. Arguably, the most distinctive feature of this book is its focus on practicality: the author takes the reader through the process of setting up a *waqf*, step-by-step. Along the way, Sheikh al-Muhanna shares bits of Islamic psycho-spiritual advice that complement and balance the more technical information. The inclusion of sample *waqfiyya* templates is particularly useful. The author displays not only a familiarity with the *fiqh* of endowments but also with the positions of contemporary legists (*fuqaha'*, singular *faqih*) that update and extend the traditional positions. He combines this expertise with an awareness of contemporary best practices from the fields of non-for-profit management and wealth management, thereby bringing these fields into a much appreciated dialogue with traditional Islamic ethics and law. This work, is therefore an excellent example of how the application of traditional Islamic sciences to contemporary problem spaces can be of wide benefit to multiple audiences.

Taha Abdul-Basser is Affiliate at the Islamic Finance Project, Islamic Legal Studies Program, Harvard Law School.

A comment by**Dr. Salih Ibn Abdullah Ibn Humaid**

Head of the Supreme Judicial Council (previous)

Praise is due to Allâh alone and may Allâh's blessings and peace be upon the Final Prophet.

To begin, one who examines the writings and books of jurists that are related to Awqaf (mortmain endowments), their injunctions and the rules of founding them, which reflect the supremacy, comprehensiveness and continuity of Sharia realizes that they are perspicacious and have insight over the continuation of the benefits coming from property dedicated as mortmain endowment and the long-lasting existence of the object donated.

There is a consensus among Muslims that it is permissible to donate property as a mortmain property, and this is based on the words of Allâh:

(Never will you attain the good [reward] until you spend [in the way of Allâh] from that which you love.) (Al-Imran: 92)

Ibn Omar was reported to have said, "One says, "Omar obtained a piece of land in Khaybar, so he came to the Prophet and requested him to give him some advice about it. The Prophet said to him, "Cultivate it and donate its yield to charity if you wish." Ibn Omar adds, "Omar gave it to charity and the land itself would not be sold, inherited or donated. He gave it away for the poor, the relatives, the slaves, the cause of Allâh, the guests, and the wayfarers. And it will be blameless for one who administers it if he consumes some of its yield in a proper way or offers food to a friend who does not enrich himself by means of it."¹

Donating property as a mortmain waqf is peculiar to Muslims. Ash-Shafi' says, "As far as I know the people of Jaheliyyah did not confine a building or land to charitable purposes, and it was Muslims who used to dedicate their property as mortmain endowments." At the present time, we need to highlight and clarify the furthered sides of developmental areas in our reality through getting benefit from the jurisprudential treasure, based on the reliable views of jurists and the requirements of society. This association between jurisprudence and development schemes can not materialize without realizing real exigencies and

ment schemes can not materialize without realizing real exigencies and grasping every possible opportunity to participate in developing society via religious mortmain endowments. This aims to satisfy the public needs and cover a number of the fields which alleviate and reduce poverty, raise standards of living, strengthen faith in souls and bring stability to homelands.

It is far-sighted and broad-minded to model mortmain endowments as to their wordings and the establishment of their administration, which makes the matter move from the independent reasoning of individuals to studies and institutional planning. One who is interested in religious endowments, founding and spreading them notes that this domain requires a number of dissertations and scientific studies which reinforce and institutionalize mortmain endowments. In my opinion, among the technical terms of related studies is what judge Sa'ad Ibn Muhammad Ibn Sa'ad Al-Mohanna wrote in his book entitled 'Thirty steps to a distinguished waqf: how can you grant some property as a mortmain endowment?', Guidelines, Instructions, and an innovative formula of a waqf contract and a will, I consider it as a scientific and practical study that contributes to enlightening society on the domain of waqf. He exerted praiseworthy effort, benefiting from some authorities and specialists. This kind of dissertations deserves the attention of individuals and the interest of the foundations which look forward to useful and profitable mortmain endowments which purify souls and are of help to people and homelands.

I do plead with Allâh to help everyone planning to benefit people and countries and make us blessed wherever we are. He alone is our Supporter and upon Him we do rely. May Allâh's blessings and peace be upon our Prophet Muhammad, his family and Companions.

Dr. Salih Ibn Abdullah Ibn Humaid

Head of the Supreme Judicial Council (previous)

1- Narrated by Al-Bukhari and Muslim.

introduction

Praise is due to Allâh, the Lord of all worlds. And may Allâh's blessings and peace be upon our Prophet Muhammad, his family, companions and those who modeled themselves on him till the Day of Judgment.

To begin, any kind of property is a great favour which Allâh bestows upon its owner, especially when he handles and spends it properly and charitably. An example of dedicating some of one's property to charitable purposes is mortmain endowments which are a form of continuing charity for which a person gets limitless reward even after his death.

Abu Hurairah¹ was reported to have said that the Prophet (PBUH) said, "When the son of Adam dies, his deeds come to an end except for three things: continuing charity, a beneficial branch of knowledge, or a child who invokes [Allâh] for him."²



1- He is called Abdurrahman Ibn Sakhr Ad-Dousi. He was among the Companions who learned many hadiths by heart and reported from the Prophet. He accepted Islam in the seventh year of Hegira and kept in the company of the Prophet till he died in Medina, in 59 A.H, see 'Seyar A'alam An-Nubalaa, volume 2, page 578

2- Narrated by Muslim in his Sahih, chapter: the testament, what rewards does one get after his demise?, hadith no. 1631

My brother, the donor of a mortmain endowment, I beg Allâh to give you all the best reward in this life and the hereafter for your resolve to grant part of your property for charitable purposes. I also entreat Him to bless you families, wealth, and children and requite your charitable expenditures. It is certain that one who dispossesses himself of part of his property and donates it to charity has a pure soul, sincere and honorable sentiments and obtains the help, mercy and grace of Allâh.

Religious endowments are one of the most important resources of charity and benevolence, which are wider in scope, more rewardable, and more effective. They have noticeable impacts on Muslim societies; they preserved their identity and vitality; they backed the activities of jihad in all ages and satisfied their needs; they supported scholars and preachers. Religious endowments play an important role in the economic and social development throughout Islamic history. Mortmain endowments were responsible for funding a lot of essential needs and public services. Many scholars graduated from schools; libraries contained the most precious books; hospitals treated ill people; asylums were home to orphans. Though their owners passed away, their good repute and remarkable deeds remained. Allâh says,

(Indeed, it is We who bring the dead to life and record what they have put forth and what they left behind, and all things We have enumerated in a clear register) (Yasin: 12)



The reason behind this compilation, and at whom it is aimed

I was looking for an instructional simplified guide that addresses everyone who intends to found or create a mortmain endowment, provides pieces of advice and suggests appropriate formulas of this purpose, and lays down the important guidelines and the practical steps needed to document a waqf. I did not find a book that tackles this subject directly or indirectly. Thus I sought Allâh's guidance and pleaded with Him to help me to present this leaflet in a style that suits the intended category of well-to-do people who wish to donate some of their wealth as mortmain endowments, those who are interested in charity, and the charitable organizations that want to establish mortmain endowments. At the same time I do not mention any of the differences of scholars over the controversial jurisprudential issues as this is not the subject of my writing. I only highlight the views that I see appropriate and correct.

I wrote this guide in the form of steps which are practical, instructional or mere suggestions and ideas so that the reader will find it easy to choose what is suitable for him. There are thirty steps in total.

Finally, I extend my warm thanks to the leaders of success who caused this work to come out, from the moment they supported and enriched the idea and reviewed the material of this leaflet. All my thanks go to His Excellence Dr. Salih Ibn Abdullah Ibn Humaid, the head of the Supreme Judicial Council, and the Board of Trustees of Abdel-Rahman Salih Al-Rajhi and Family Charity Foundation. I also express my gratitude to the judges, experts, and businessmen who kindly revised this leaflet and submitted some distinguished proposals. They are not mentioned by name but their achievements are observed by Allâh who will never let their reward go in vain. I beg Allâh, the Only One to make this leaflet beneficial. Amen!

Written by

Sa'ad Ibn Muhammad Ibn Sa'ad Al-Mohanna

E-mail: saad@waqfconsultations.org

The aims of this leaflet

- 1- To enable you to found a distinguished and successful mortmain endowment
- 2- To answer a lot of the questions that run through the minds of people who wish to grant some of their property for charitable purposes (such as mortmain endowments).



Why is this guide essential?

There is dire need for this guide and its likes for some reasons:

- 1- The volume of the sector of Islamic waqf (mortmain endowments) is globally estimated at 105 billion dollars¹.
- 2- People show noticeable considerable enthusiasm for waqf in our societies and make many wills in this regard.
- 3- To ease the way for those willing to donate mortmain endowments to accomplish them according to definite and clear steps.
- 4- Some people are unfamiliar with the nature of waqf and its injunctions and unaware of the difference between it and wills.
- 5- The contract of waqf is sometimes written in a formula that makes both the donor of waqf and the waqf itself fail to achieve many benefits.
- 6- There are no practical steps that ensure the continuation of mortmain endowments and their resultant benefits.
- 7- Some formulas of waqf and wills cause disputes and disagreement among the heirs of the donor of waqf, which blocks it for many long years.
- 8- Many wealthy people desire to dedicate mortmain endowments for charitable purposes during their lifetimes, organize, preserve and develop them.

¹ - The site of Ernst and Young Company/ The Middle East and North Africa, 13/1/ 1432-19/12/2010

What does this leaflet presents?

This guide propounds remedies for some previously mentioned negatives and sets out to achieve the following goals:

- 1- To answer a lot of the questions that go through the minds of people who donate mortmain endowments
- 2- To preserve the object dedicated as a mortmain and make it continue as long as possible
- 3- To make the revenues of a single mortmain endowment generate numerous mortmain endowments
- 4- To bring together the members of the family of the donor of waqf and avert any disputes that can arise among them
- 5- To clarify the succession of the management of waqf and elucidate who is worthy of supervision without going to court
- 6- To organize and governmentalize mortmain endowments
- 7- To revitalize and invigorate waqf and develop its related works

Why don't you make a mortmain endowment during your lifetime?

Some people delay founding a mortmain endowment during their lifetimes under the claim that they may need all their money they have one day. But the true fact is that the day of need is the time when you are buried in a grave. Moreover, it will be a substantial pleasure and a great blessing when you and your family donate some of what Allâh bestowed upon you to charity.

Let your lamp in this life be in front of you, not behind you!

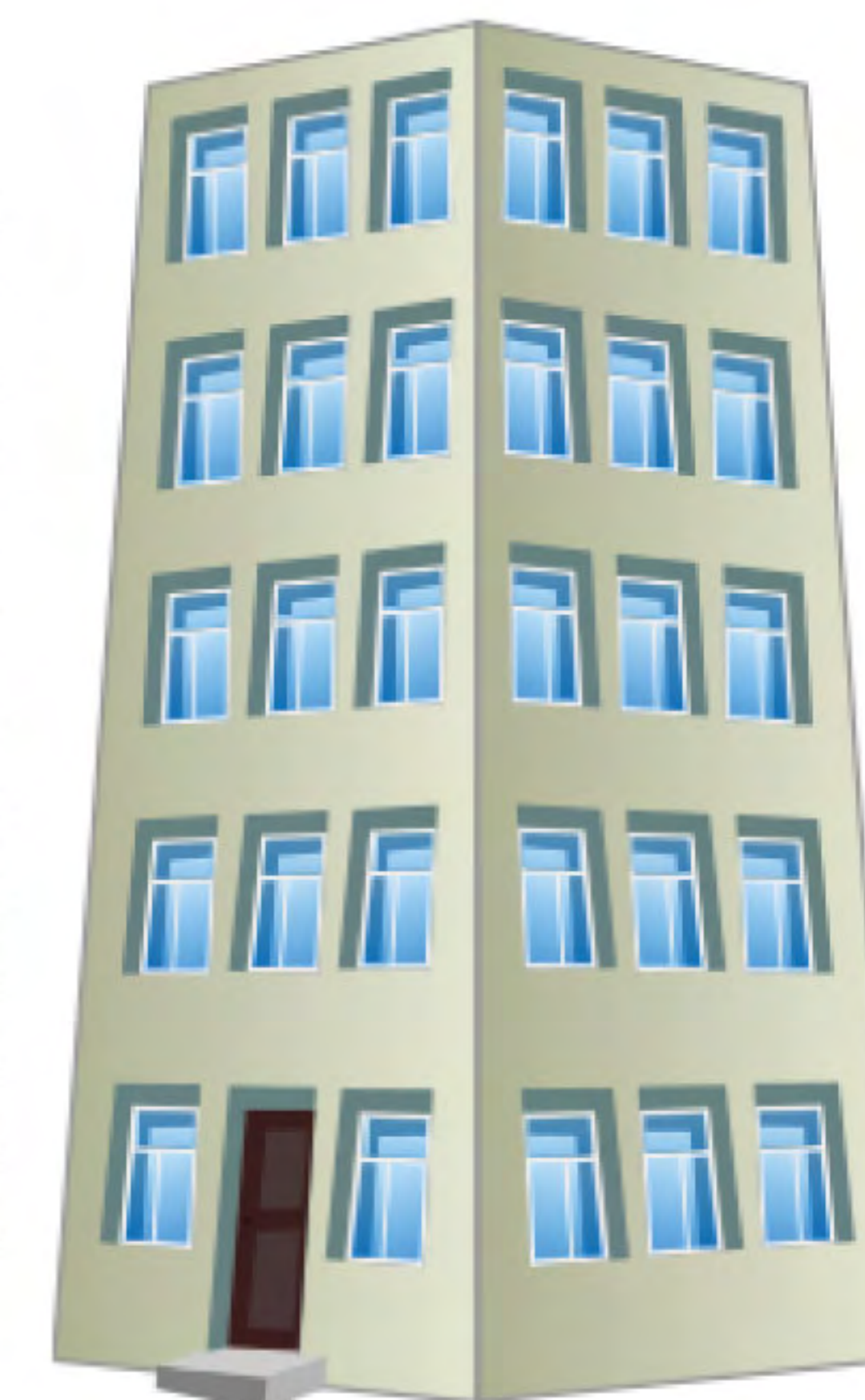
Thirty steps of a distinguished mortmain endowment

Step one: Have a sense!

Feel the sense that what you achieve is an act of worship by which you obey the Lord of Earth and Heavens and that cannot be accepted by Him if it is ostentatiously or insincerely done. You must do it for the sake of Allâh from whom alone you get your reward. Don't wait for others to laud, thank you or say that you are benevolent or loyal to your city, country or area.

Anas¹ was reported to have said, "When the Prophet arrived in Medina and ordered the construction of a place of prayer, he said, "Banu An-Nijjar, demand any price you like in return for your grove." They said, "But we swear not to take its price from anyone but Allâh, Glory be to Him." ²

Note how much reward they got from this endowment to date. This endowment became the mosque of the Prophet from whose pulpit he conveyed the message of Islam and inside which he received divine revelations and disseminate his teachings and directives. To offer only one prayer in it is equivalent to one thousand prayers. This endowment lasted for more than one thousand and four hundred years while it is still bearing fruit. So consider the blessing of good intentions which make one reach the highest ranks.



1- Anas Ibn Malik Al-Khazraji who was the Prophet's servant and was born in Medina and died in Basra (Iraq) in 93 A.H. He is one of the six Companions who reported most hadiths from the Prophet. He was the last Companion to pass away. See 'Seyar A'alam An-Nubalaa', volume 3, page 395

2- Narrated by Al-Bukhari in his Sahih, chapter: wills, it is permissible for a group of people to donate a common land as a mortmain property, hadith no. 2771

Step two: Acting according to the Sunnah

You must act according to the Prophet's Sunnah. So begin with asking scholars about this kind of good deeds. Once Omar obtained a piece of land in Khaybar and went to the Prophet and requested him to give him some advice about it. The Prophet said to him, "Cultivate it and donate its yield to charity if you wish." Ibn Omar adds, "Omar gave it to charity and the land itself would not be sold, inherited or donated. He gave it away for the poor, the relatives, the slaves, the cause of Allâh, the guests, and the wayfarers. And it will be blameless for one who administers it if he consumes some of its yield in a proper way or offers food to a friend who does not enrich himself by means of it." ¹



Step three: Don't boast! Don't preen yourself!

Know that it is Allâh who confers all favours upon you and that He helped you do this act of worship while others were prevented from doing it either because of poverty or not spending money charitably and benevolently. So all credit and thanks go to Allâh alone. Beware of bragging about any charitable act you achieve. Allâh says,

(They consider it a favor to you that they have accepted Islam. Say, "Do not consider your [acceptance of] Islam a favor to me. Rather, Allâh has conferred favor upon you that He has guided you to the faith, if you should be truthful.) (Al-Hujurat: 17)

Know that it is you who take advantage of this charitable act, get reward for it, and through it also you purify yourself, family and wealth. Allâh says,

(And whoever purifies himself only purifies himself for [the benefit of] his soul. And to Allâh is the [final] destination.) (Fatir: 18)

1- Narrated by Al-Bukhari, chapter: wills, how can the waqf by registered?, hadith no. 2772. It is narrated also by Muslim, hadith no. 1633

Step four: Supplication

Beg Allâh and plead with Him to help you do all good and useful deeds and make your mortmain endowment beneficial to all people.

Allâh says in a Qudsi hadith, "I do measure up to the expectations My servant have on Me." ¹



Step five: Seeking guidance

Observe Istikharah (guidance) prayer and beg Allâh for proper guidance in the property you choose as a mortmain endowment, the formula you want, and the board of directors. Do everything in your power then refer the whole matter to the Omnipotent and the Omniscient. At this moment Allâh will decree your own choice which will be better, blessed, wise, merciful and successful. Allâh says,

(Indeed, my Lord is Subtle in what He wills. Indeed, it is He who is the Knowing, the Wise.) (Yusof: 100)



1- Narrated by Al-Bukhari, chapter: Monotheism, hadith no. 7405, Muslim, hadith 2675

Step six: Consultation

Ask the advice of anyone who is expert in waqf, skilled at managing it, full of energy, aware of reality, broad-minded and foresighted such as scholars, judges, learned people, supervisors of mortmain endowments, the participants in the Board of Directors and those who invest the funds of waqf. Pay a visit to the mortmain properties which achieved success in this field. Look at their formulas and consider the reasons behind their success. These steps will help you succeed in your mortmain endowment.



Step seven: Note

The object intended as a mortmain endowment must be in the donor's possession and he must have the capacity to handle¹ it at the time when he concludes the contract of waqf and endorses it. It should not be mortgaged by a bank or anyone else. Because one can not handle the object held in pledge unless the mortgagee gives him permission.



1- See 'Kashful Qenaa', 10/11

Step eight: Donating the best of property as waqf

Make sure that the thing you want to donate or grant as a mortmain endowment is from the best items of your property.

Anas was reported to have said, "When Allâh revealed the verse that reads, *(Never will you attain the good [reward] until you spend [in the way of Allâh] from that which you love)* (Al-Imran: 92), Abu Talhah¹ came to the Prophet and said to him, "Allâh's Prophet, Allâh says, (Never will you attain the good [reward] until you spend [in the way of Allâh] from that which you love.) And the best of my property is Bairuhaa (an orchard). I donate it to charity and I hope to attain my reward for it. So handle it, Allâh's Prophet as Allâh orders you." Thereupon the Prophet said,

"Excellent! Excellent, Abu Talhah! This is profitable property. This is profitable property."²

Specify the best item of your property and grant it as a mortmain endowment. Don't donate the item of property which is not good in quality. Allâh says, *(And do not aim toward the defective therefrom, spending [from that] while you would not take it [yourself] except with closed eyes. And know that Allâh is Free of need and Praiseworthy.)* (Al-Baqarah: 267)

Commenting on this verse Ibn Abbas³ says, "Allâh orders believers to give the best and most valuable of their wealth to charity and forbids them from spending the worst of it charitably."⁴



1- He is called Zaid Ibn Sahl Al-Ansari Al-Khazraji who took part in the battle of Badr and the military expeditions that followed it. He was also one of the twelve representatives on the occasion of Al-Aqabah. He died in 34 A.H. See 'Seyar A'alam An-Nubalaa', 2/27

2- Narrated by Al-Bukhari, chapter: the Interpretation of the Qur'an, hadith no. 4555, Muslim, chapter: Zakat, hadith no. 988

3- He is called Abdullah Ibn Abbas Ibn Abdul-Muttalib Al-Qurashi Al-Hashimi, the paternal cousin of the Prophet. He was a well-versed scholar who was knowledgeable about the Qur'an. He died in 68 A.H. See "Seyar A'alam An-Nubalaa', 3/331

4- See: Tafsir Ibn Kathir, volume 1, page 697



Step nine: The 120-day team

Set up a working group of two or three people. It is preferable to appoint one of your children as one of the members of this group to make him love charity and benevolence. It is better to choose the members who are bursting with energy and have grim determination in order for them to study your desire of granting a waqf, the best manner of founding it, consider the formulas of waqf, and meet the managers and donors of mortmain endowments both at home and abroad. You can listen to their aspirations and proposals and put into effect their final decisions. Before the members of this working group begin their work, explain to them your aim of forming it and ask them to propound the objectives of the team and its plan, set a duration, determine its tasks and the main pivots they should concentrate on, prepare the questions they will raise at their meetings, the outputs which the team is expected to achieve, prepare a report on each meeting and visit they pay. Ask them to carry out a feasibility study on the property dedicated as a mortmain endowment and the scheduled project of waqf or appeal for the help of a specialized office.



Step ten: Looking to the future

How do you want your mortmain endowment to be after five or ten years with respect to growth, management, organization, its beneficiaries, its impacts and so on? Your answer will determine the instruments and means you will use to reach your goal. and you will have a clear goal which you will try hard to, God willing, actualize.



Step eleven: Quality

Run your mortmain endowment and any charitable project as exactly as you do your own business. This can be through making use of the competent, experienced and trustworthy experts. Try very hard to benefit from the minds of expert men to achieve excellent results in production and superiority and realize the desired goals. Devote much time and effort to your waqf project so that you can reap the best fruits. The excellence of planning and the precision of processes are two key factors in the quality of your waqf. Be sure that your waqf will be a model in the field of remarkable mortmain endowments, God willing.



Step twelve: Who should manage and supervise waqf?

The manager of waqf or the Board of Directors is eligible for taking over and organizing waqf both administratively and financially. They are also responsible for putting into effect the conditions of the donor of waqf and other related affairs.

The supervision and management of mortmain endowments can be under:

- 1- A competent authority such as Awqaf Authority, Ministry of Mortmain Endowments or Ministry of Social Affairs. This is if the donor of waqf does not appoint someone as a supervisor or he designated a particular person who died later and he did not state who should succeed him as a supervisor.
- 2- People who are appointed by the donor of waqf himself if he stipulates this. In this case no judge or any official authorities can handle the endowment with the presence of the supervisor. because private supervision is stronger than public management. ¹

His Excellency the Chief Justice and Mufti of Saudi Arabia Muhammad Ibn Ibrahim Al-Sheikh says, "The mortmain endowments which are under a special supervisor cannot be managed by Ministry of Mortmain Endowments." ²



1- See 'Kashful Qenaa', 10/67.

2- See 'Fatwas by His Excellency Sheikh Ibrahim All Ash-Sheikh, 9/86, see as well the statement of His Excellence the deputy of the Ministry of Islamic Affairs and Mortmain Endowments, published in Riyadh newspaper, issue 15569, dating 5/3/1432 A.H.

Step thirteen: Obstruct any possible disputes as far as you can!

Among the disputes that often arise regarding mortmain endowments is the dispute on the rights to supervision and management and the beneficiaries of waqf. So it is better to appoint the supervisor or the Board of Directors by their names, specify the beneficiaries of waqf and mention in the contract of waqf the specifications of supervisors and its beneficiaries. You should also stipulate that the determination of these specifications and the choice of supervisors reside in the Board of Directors. Thus you should specify them by name to prevent any possible conflicts and disagreements and smooth the way for successful and trouble-free waqf .

Beginning is one of the most important causes on which success is based. This will be discussed later regarding the formula of waqf.



Step fourteen: What is waqf? What's the difference between it and wills?

Waqf means to endow an asset as a mortmain property and dedicate its yield to charitable purposes ¹. This means that the endowed asset itself which generates revenue can not be disposed in any way; it can not be sold, mortgaged, granted or inherited after it is donated as a mortmain endowment. As for the yield that comes from it, it goes to charity and the public interest. All that should be according to the conditions set by the donor of waqf. This also means that the benefit of an endowed asset is granted for charitable purposes, not the asset itself.



As regards the will, it means what one orders to be done regarding the disposition of his property after his death ². The difference between wills and waqf in this respect is that waqf is a binding contract that can not be dissolved or annulled and it can not be sold, granted, inherited or mortgaged. The Prophet (PBUH) was reported to have said, "The donated asset ³ can not be sold, granted or inherited." ⁴ The will is an unbinding contract and is to be implemented after the death of its maker. In addition, a testator can change, modify, or cancel his will. He also can add or decrease anything in it. Another distinction is that one is allowed to make a testament concerning one third of his property at the most. What is more than that amount depends upon the permission and consent of the legal heirs. The Prophet (PBUH) said, "One third is good and it is much as well." ⁵

As for waqf, it has no maximum limit and thus a Muslim can endow whatever property he wishes even if it exceeds one third. However, we stress that when one donates some of his property as a mortmain endowment, this should not cause any harm whatsoever to his heirs.

1- See 'Al-Mughni, 8/184

2- See Kashful-Qenaa', 10/197

3- Narrated by Al-Bukhari, chapter: Wills, hadith no. 2772, Muslim, hadith no. 1633

4- See Kashful-Qenaa', 10/104

5- Sahih Al-Bukhari

This is based on the advice which the Prophet (PBUH) gave to Sa'ad Ibn Abu Waqqas¹ who said, "After the Farewell Pilgrimage, the Prophet visited me during my serious illness and I said to him, "Allâh's Prophet, I am suffering from a serious illness, and I am wealthy and have only one daughter who will inherit me. Can I donate one third of my wealth to charity?" The Prophet (PBUH) replied, "No." I said, "Can I give half of it to charity?" He replied, "No, One-third is much, for if you leave your heirs better off, it will be better than leaving them poor and beggars. Whatever money you spend as charity for the sake of Allâh, you will be rewarded for it even if it is a mouthful of food you put into your wife's mouth." ²



1- Sahih Al-Bukhari

2- He is called Sa'ad Ibn Abu Waqqas Al-Qurashi Az-Zuhri who is one of the early Muslims and one of the ten Companions who were informed by the Prophet that they would certainly enter Paradise. He embraced when he was seventeen years of age. He attended all the battles along with the Prophet and fought very heroically and bravely on the day of Uhud. Omar Ibn Al-Khattab appointed him as the commander of the army he sent to fight Persians and Sa'ad defeated them at Al-Qadesiyyah. Among his exploits is that he opened Al-Madaen of Chosroes. He died in 55 A.H. See 'Seyar A'alam An-Nubalaa', 1/93

3- Narrated by Muslim, hadith no.1628

Step fifteen: Specify your one third in your will

If you don't donate anything as a mortmain endowment in your lifetime but you do so in your will to be put into effect after your demise, I advise you to specify the third of your wealth you want to endow so that heirs will not disagree or differ over the division of the estate later. So specify the third by saying for example, "One third of my estate which is equivalent to such-and-such a piece of real estate or the stocks of such-and-such a company." This also will be detailed in the proposed formulas.



Step sixteen: Types of the beneficiaries of Waqf

Waqf is divided according to the entity it is initially endowed for into three categories:

- 1- Family waqf in which the founder of a waqf makes the beneficiaries his family and relatives, or himself then his relatives.
- 2- Charitable waqf which is originally devoted to charitable causes such as the poor and the needy and the construction of public utilities like mosques, hospitals, orphanages and the like.
- 3- Common waqf in which the beneficiaries are at first charities for some period of time then the proceeds of the waqf go to the family and relatives of the donor. This occurs when he, for example, says, "I endow this building to the poor and the needy for one year, then myself and my children¹." The founder of the waqf can also endow part of his property to his family and relatives for some length of time then it goes to a charity, or to himself then to a charity.

There is an important point which most people may not note. A person can endow some property as waqf and benefit from its yield throughout his lifetime then the same yield goes to charity after his death.

1- See 'Al-Mughni', 8/191.

Step seventeen: The validity of waqf

Family waqf Considering the conditions of mortmain endowments and their related problems, it becomes evident that some family endowments were a source of disputes and dissension that arise among the family of the donor of waqf. In this way the waqf produces the results that run counter to the donor's aims. This is on one hand. On the other, the numerousness of the beneficiaries (through the succession of generations) leads to the fragmentation of shares and causes disputes among the members of a single family. Therefore, one must look at the outcomes of his waqf and avoid anything that may bring about animosity and breakup. If one resolves to make a family waqf, he should choose one of the following suggestions if it suits him:

The first suggestion: To dedicate the endowed asset to one's children (males and females) only or one's children and grandchildren then charities

The second suggestion: To set a percentage of the revenue for the family like dedicating twenty percent of it to one's children, then the needy only then charities

The third suggestion: To fix the rate of 80 percent then reduce it to 60 percent then reduce it with each generation till the yield of the waqf goes to charity completely

The fourth suggestion: To separate family waqf from charitable one and make each independent of the other

The fifth suggestion: To dedicate the waqf to the pursuers of knowledge of the third generation of the members of your family alone



Step eighteen: Dividing the disbursement avenues of waqf

Divide the disbursement avenues of the waqf into appropriate percentages between:

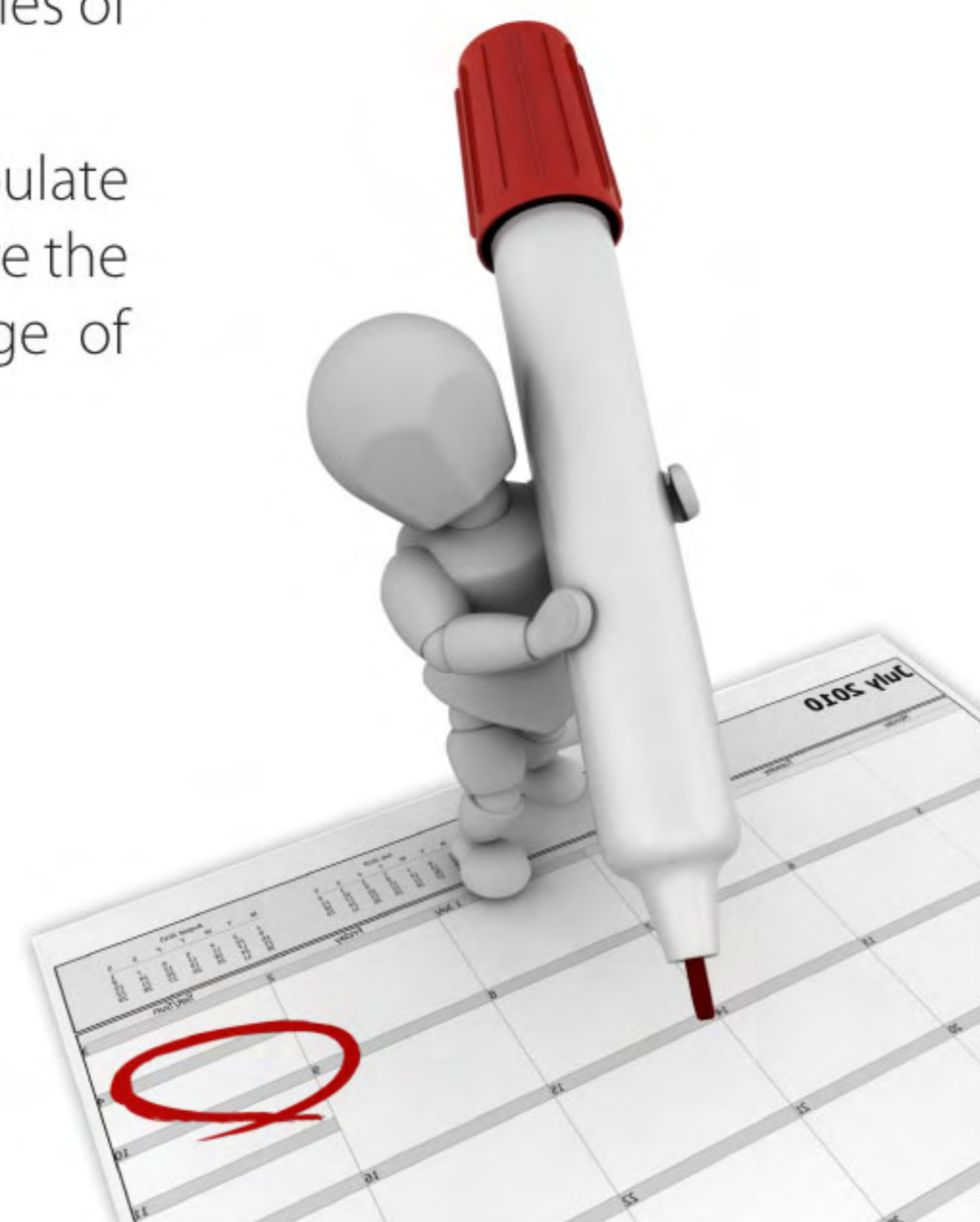
- 1- The maintenance and improvement of the waqf if it is in need for this.
- 2- The development and investment of the revenues coming from the waqf.

Give priority to the two abovementioned divisions even if they cover the whole yield for some years. The mortmain endowments which have no financial resource lead to the damage of endowed asset itself over time. It is proven that 81 percent of the mortmain property of the city of Bursa (Turkey) was maintained and preserved with the passage of centuries through investing part of their proceeds in maintenance works.¹

- 3- The fees of directors are essential to motivate them to preserve and develop the waqf and do their best for the benefit of it. This percentage can vary according to the size of the waqf and its returns.

- 4- The remaining percentage should be dedicated to the beneficiaries of the waqf.

- 5- The donor of waqf can stipulate that the Board of Directors have the right to allotting a percentage of the yield to exigencies.



1- See 'The Forced Disappearance of Mortmain Endowments' by Dr. Abdullah Ibn Nasir As-Sadhan, page 74.

Step nineteen: Types of the endowed asset

The asset endowed as a waqf can be of the following types:

- 1- Real estate such as buildings, hotels, commercial complexes, apartment blocks, houses and the like
- 2- Cash which is known as 'cash waqf' such as stock portfolios, used in commercial transactions and sums of money¹
- 3- Stocks in businesses, industrial companies or real estate firms
- 4- A combination of some of the abovementioned resources or all of them such as endowing a bank, factory, company, enterprise or the like. This is commendable and correct according to the views of scholars.



Step twenty: Particularization

Specify and particularize the endowed asset in a way that makes it unambiguously identifiable and recognizable. If it is a property, mention its location, the source of its title deed, its number and date. If the donated object is a sum of money, mention its kind and how much it is. If your endowment is in the form of stocks, mention the name of the company, the number of the stocks you own, their portfolio, the name of the bank and the account number. In doing so you prevent your heirs from disagreeing on which item of your property is designated as a waqf.

1- A large group of scholars are of the mind that cash can be endowed as a waqf. Revise this subject in Sahih Al-Bukhari, chapter: wills, hadith no. 1020, Fathul Qadir, 6/216, Hashiyat Ibn Abdin, 4/364, Al-Mudawwana Al-Kubra, 2/343, Hashiyat Ad-Dosouqi ala Ash-Sharh Al-Kabir, 4/77, The Jurisprudential Selections, by Ibn Taymeyah, page 171. The Islamic Fiqh Academy issued a fatwa allowing donating cash as waqf at its fifteenth session, held in 1425 A.H, Resolution no. 140/6/15.

Step twenty one: Lawful wealth

Endow the asset or the money you obtained through lawful earnings and keep away from anything that comes from ill-gotten gains. Allâh is Munificent and accepts what is licit and good.

Abu Hurairah was reported to have said, "Allâh's Prophet (PBUH) said, "Allâh is good and accepts nothing but that which is good. And He ordered believers to do what He commanded Prophets to do; He said, *(O messengers, eat from the good foods and do good deeds, for I am aware of what you do.)* (Al-Mu'eminun: 51) [He also said], *(O you who have believed, eat from the good [i.e., lawful] things which We have provided for you and show your gratitude to Allâh if you indeed worship Him alone.)* (Al-Baqarah: 172) Then he (the Prophet (PBUH)) mentioned the example of a disheveled dust-covered man who makes a long journey raising his hands towards the sky [supplicating], 'O my Lord! O my Lord!' But his food is unlawful; his drink is unlawful; he was nourished from illicit things. So how can his prayers be answered?"¹

It is worth emphasizing that the Board of Directors must invest the funds of mortmain property in a lawful and legal way. Through true belief and piety Allâh's bestowals and favours descend from heaven and land produces its best yields. Allâh says, *(And if only the people of the cities had believed and feared Allâh, We would have opened [i.e., bestowed] upon them blessings from the heaven and the earth; but they denied [the messengers], so We seized them for what they were doing.)* (Al-A'araf: 96)



1- Narrated by Muslim, chapter: Zakat, hadith no. 1015, narrated by At-Termidhi, hadith no. 2989

Step twenty two: Confirming the Waqf

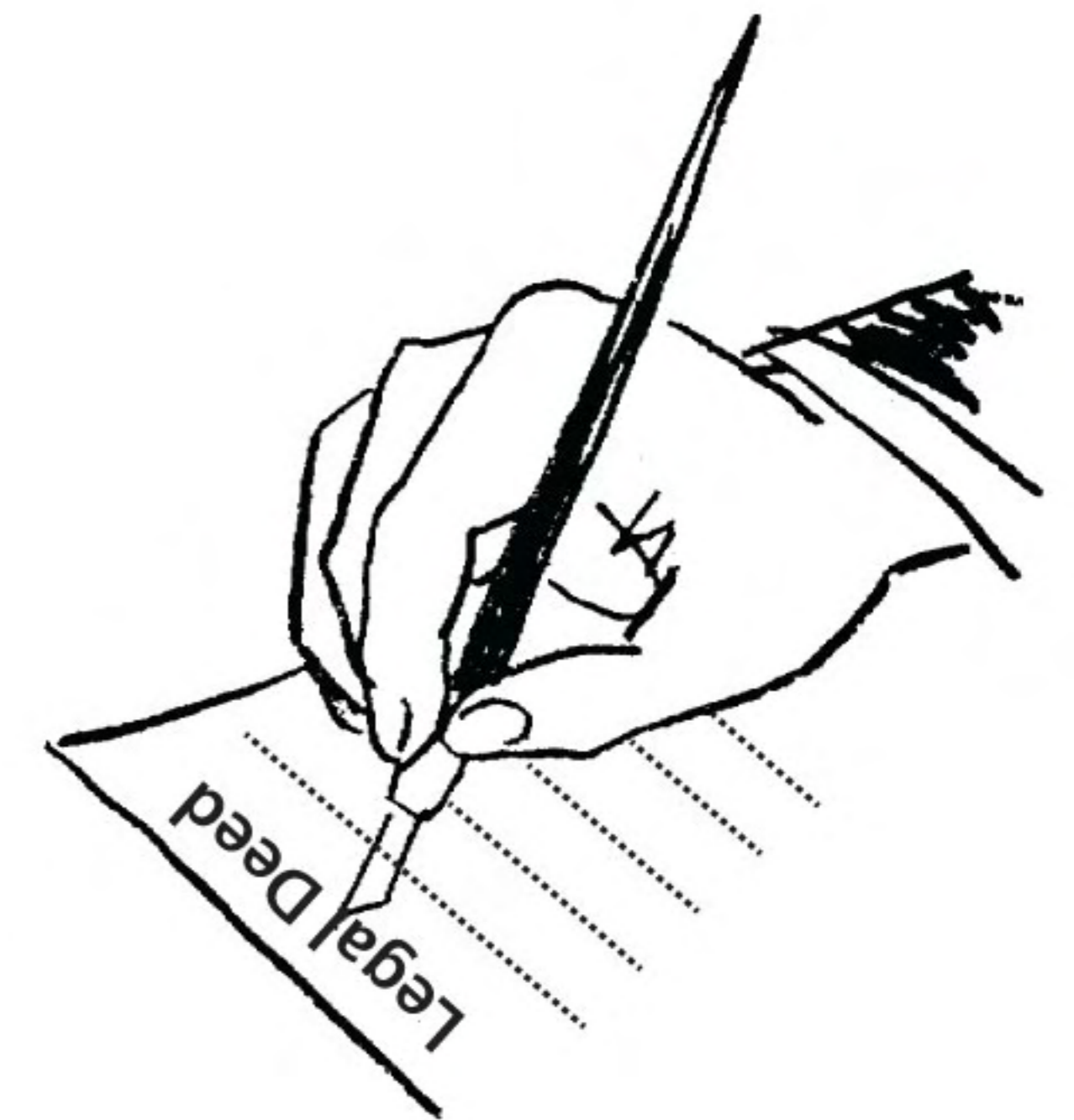


This matter is of paramount importance as heirs very often deny the waqf of their legator in courts. The confirmation of a waqf can be through two ways:

1- Writing down the contract of the waqf on a document. One can register his waqf on the official documents pertaining to the company or the corporation he owns. Then the donor of waqf must sign the documents and make other people attest to his certification and his signature to each document. Witnesses should not be less than two. It is worth mentioning that the witnesses must hear the donor of waqf confirm his declaration of endowment and read it before them all.

Note: It is considerably important to document your waqf at a specialized sharia court lest it should be lost with the passage of time and the death of the supervisors and the heirs think that it is part of the estate. A lot of mortmain endowments became extinct because they were not registered at courts.

2- Confirming the contract of waqf through the sharia judge of the court of your area. The system of the legal proceedings and the executive regulations does not stipulate that the waqf and its documentation process should be in the place where the endowed property exists. If the property exists, for example, in Mecca, it is allowed to register it in Riyadh. If it is in Jeddah, it can be registered in Dammam.¹



1- Article 1/246 of the executive regulations of the system of the legal proceedings states: the waqf can be documented in the city where the donor lives even if the property exists in another city.



Step twenty three: The formula of the contract of waqf

This is an important step because the clauses and stipulations you state in your waqf contract will be binding for the supervisors who must put them into effect and turn to unless they contravene Sharia or law. Also the stipulation of the donor of the waqf is as binding as the texts of Sharia.¹

The formula of the waqf refers to the expressions which indicate the donor's intention to make a mortmain endowment and how it can be disposed. So the formula is the basic element and the system to which everyone turn such as the donor of the waqf, the board of directors, the beneficiaries of waqf, the judge when any disputes arise and anyone who can have something to do with the waqf. The formula also works as an instructional and organizational guide and a roadmap. On it also are based the strategies, the future plans, the investments, and the best disbursement avenues of waqf. So one should give considerable care and attention to it and submit it to experts and those who are specialized in judgeship, planning and management before you register it.



1- See 'Kashshaf Al-Qenaa' 10/41.

Step twenty four: Don't limit the scope of the disbursement avenues of your Waqf!

Be broad-minded and don't narrow the scope of your waqf as some did by saying for example, 'I dedicated my waqf to the service of the mosque of such-and-such a family or the imam of such-and-such a mosque.' Such mortmain endowments can produce high revenues while their disbursement avenues are very limited. On the other hand, the beneficiary of your waqf may cease to exist after your demise and in this case we need a religious judgment (fatwa) to search for another disbursement avenue. Mention what you want and extend the scope of your waqf by saying, for example, "I dedicate my waqf to the Center for Research and Scientific Studies at such-and-such a university. When it ceases to exist, my waqf should go to the Center for Research and Studies in such-and-such a city, then such-and-such area, then such-and-such a country or it is to be dedicated to the orphans living in such-and-such a city, if there are not any, then it should go to the orphans of such-and-such an area.'



Step twenty five: Flexibility

Set broad outlines in the clauses and stipulations of your waqf and leave the details to the discretion of the board of directors as matters vary according to time, circumstances, people's customs and needs.

Write down your waqf contract in flexible and suitable terms which match all times, places, individuals, conditions and changes. The examples of the suggested outlines of your waqf can be the disbursement avenue, the specified percentages of disbursement avenues and the fees of supervisors. So you can state in your formula of the waqf contract, "All that I state and stipulate is for the sake and I mean by it the pleasure of Allâh, the most perfect and best objectives of sharia and the public interest. Whenever and wherever the public interest exists, the board of directors should act according to it even if it disagrees with my provisions and statements."

Step twenty six: An innovative formula of Waqf

The formula varies according to the type of waqf and its size. So derive from this sample formula below what suits your waqf.

A certification of a waqf

Praise is due to Allâh, the Lord of all worlds. May Allâh's blessings and peace be upon our Prophet Muhammad, his family, Companions and all those who follow them tenaciously till the Day of Judgment.

I certify..... Nationality: according to civil registry office no:..... the card issued by..... on / /14 A.H, with the height of my powers and my complete will at this meeting held in the city of..... and attended by the witnesses who are:

- 1- Nationality:..... civil registry office no: ()
- 2- Nationality:..... civil registry office no: ()
- 3- Nationality:..... civil registry office no: ()

That I fully endow some of my property as waqf and this is as follows:

No.	The particularization of the endowed asset	Asset Instrument No.	Date	Source
1				notary public of ...
2				general tribunal of...
3				notary public of
4				notary public of
5				notary public of
6				notary public of

I donate the above as a mortmain endowment that can not be sold, inherited or granted. These mortmain endowments in addition to what I will endow or any money or property I bequeath later comply with the rules and conditions stated in this contract of waqf, and they are:

First: The board of directors:

1- The appointment of directors:

1-1- I appoint a board that consists of me in my capacity as the donor of the waqf, my sons, and the experts on this subject and they are:

- 1- His Eminence Sheikh.....
- 2- His Eminence Sheikh.....
- 3-
- 4-
- 5-

1-2- The board of directors is permanently composed of only three members of my family and two specialized persons.

2- Their qualities:

- 2-1- Strength of character, honesty and piousness
- 2-2- All or some of my sons should have some experience in doing and running a business where possible.
- 2-3- One of the specialists should be of religious and judicial knowledge while the other should have proper experience in charitable work and administration.
- 2-4- They must belong to the Sunnis and the Community.
- 2-5- If any of the directors proves untrustworthy or dishonest, he takes no responsibility for these mortmain endowments and the board of directors is entitled to decide this and choose his substitute.

3- The succession and sequence of directors:

- 3-1- When one of my sons who is one of the directors dies, asks to be exempted from responsibility or is incompetent, the rest of the members of the board of directors have the right to dismiss him and appoint only one member of his family who takes the place of his father and this should continue generation after generation. ¹
- 3-2- When one of the descendants of my sons is incompetent because of minority, unrighteousness or the like, the board of directors must nominate one of them (the directors) to replace the one who has died, asked to be exempted or has been dismissed till one of his sons proves competent.
- 3-3- If he has no male descendants, supervision and management will pass to the female children of that son.
- 3-4- If there are not any of his female children, my children who work as directors should nominate one of the sons of my daughters, their descendants or one of the sons of my children who work as directors in order for him to replace the one who is absent provided that he is honest, upright and competent.

1- See' Al-Eqnaa', 3/16, Al-Insaf, 7/46, Mughnil Muhtaj, 4/382, Bilughat As-Salik, 4/24, Matalib Ulin Nuha, 4/329.

- 3-5- If my female descendants discontinue, management passes to the children and descendants of my daughters.
- 3-6- If my offspring discontinues altogether, management passes to the nearest of my agnates or the nearest of my relatives on the maternal side.
- 3-7- If there is none of my relatives, the management passes to the sharia judge of my city together with two other judicial members.
- 3-8- They must have the same qualities I previously mentioned and what goes for the directors applies to them as I stated above.

4- The end of the membership of a director in the board:

- 4-1- The membership of one of the directors in the board expires through one of the following:
 - 4-1-1- Death.
 - 4-1-2- When the board (half of the members) agree to remove him from his job according to their discretion.
 - 4-1-3- Lack of competency.
 - 4-1-4- Resignation.
 - 4-1-5- A breach of trust.
 - 4-1-6- Physical incapacity to carry out the tasks of direction and supervision.
 - 4-1-7- The board of directors have the right to decide all the above.

5- The tasks of the board of directors:

- 5-1- To do their best in the management of the waqf through the conventional best methods.
- 5-2- To make regulations and rules that govern the supervision of the mortmain property in a way that bears fruit and ensures the continuation of its benefits in the future.
- 5-3- To run investments in a way that produces a yield within the guidelines of sharia.
- 5-4- If the board of directors sees that interest or need requires selling the mortmain property or part of it because of its decreasing income or the emergence of a better alternative and purchasing with the price properties or the like, they are allowed to do so.
- 5-5- To elect two members of them as a head and his deputy.
- 5-6- To appoint an executive manager or any employees that the mortmain endowments need.
- 5-7- To open accounts and conduct all bank transactions according to their rates and deals.
- 5-8- To set up advisory committees to achieve the interests of the waqf.
- 5-9- To determine the sides of charitable expenditure and investment as well as their sums.

- 5-10- To do all that which serves the interests of the waqf.
- 5-11- To appoint executive and advisory boards that are composed of specialized experts in need be or entrust this task to specialized offices or entities.
- 5-12- To employ experts who can be consulted by the board of directors.
- 5-13- To establish companies with all their types and foundations.
- 5-14- To sell, buy, lease, mortgage and develop any property.
- 5-15- To prosecute, claim, plead, file lawsuits or drop them, deal with and rebut suits, provide proofs, make reconciliation, demand experts, challenge and examine documents, accept or object to judgments, appeal, demand the examination of the supreme court and take all legal proceedings before courts, bodies or committees both at home and abroad.
- 5-16- To represent the waqf before the judicial and administrative authorities, bodies, committees, and all governmental organs, and to appoint someone else as proxy, maintain the waqf and do other things that actualize its interests.
- 5-17- They have the right to appoint one of them or someone else as a deputy.
- 5-18- To set up a department of accounting to prepare accounts, annual financial reports, budgets and financial statements.
- 5-19- To appoint an internal auditor and an external one who has excellent experience in auditing.
- 5-20- All that is included in the operating and administrative expenses which are appraised by the board of directors.

6- The personal duties of the directors:

- 6-1- Directors must be pious and fear Allâh regarding everything that concerns the mortmain endowments, bearing in mind the Prophet's words: "The honest storekeeper who acts or hands in full and with goodwill what he is ordered to give and delivers it to its recipient is rewarded as if he were an almsgiver." ¹
- 6-2- To declare the resolutions that are in his personal interest.
- 6-3- No member of the board of directors should attend, participate or vote when debating over a resolution that achieves a personal interest for himself or one of his sons or causes harm to them.
- 6-4- Each director must be careful to prevent any harm that may befall the waqf and not to neglect the funds, documents or other things in their custody.
- 6-5- To entrust all the rights related to the waqf to his relatives in case he becomes physically or mentally disabled.
- 6-6- All the above is assessed and resolved by the board of directors, and if they do something by mistake or forgetfully, they will be absolved of it.

1- Narrated by Al-Bukhari, chapter: Zakat, hadith no.1438, Muslim, chapter: Zakat, hadith no.1023.

7- The resolutions of the board of directors:

- 7-1- The view of the directors about any decision or resolution they take is binding and effective by consensus; if they disagree, it can be adopted by majority.
- 7-2- When votes are equal, the side of the chairman is given priority.
- 7-3- No governmental or private entity or individuals have the right to litigate them.
- 7-4- Their opinions settle any disputes or differences; thus no lawsuit should be filed against them before the judicial and administrative authorities, bodies, committees, and all governmental organs.
- 7-5- The board of directors should use a secretariat for the council and a manual or electronic record in which all that is related to the meetings, their details and stipulations, resolutions, recommendations, the durations and costs of the same meetings can be written down or recorded.

8- The disbursement avenues of the waqf:

- 8-1- The directors must disburse the net revenues-after subtracting the administrative and operating costs and the like-according to a report certified by the auditor as follows:
 - 8-1-1- Ten percent ¹ of the net income is allocated as a premium for the directors and it should be equally apportioned among them, in return for their effort and management; if one of the directors forgoes his bonus, it should be added to the other items of the waqf; if the percentage allotted to the directors is small or big at any time or in any place, they can estimate their proper wages; a portion of this percentage should also be earmarked for their training, qualification and the development of their skills and abilities regarding all the tasks and activities of the board of directors.
 - 8-1-2- Ten percent should be spent on the maintenance, reparation and development of the properties as they see. The reparation and maintenance of the waqf are preferred to all other disbursement avenues. Unless this section is fully disbursed, the directors can convert it to the section of investment or expend it as they like.
 - 8-1-3- To reinvest forty percent of the net proceeds to develop them and increase their returns.
 - 8-1-4- The remaining forty percent of the net income should be expended on charitable causes in accordance with the beliefs of the Sunnis and the Community and the Early Muslims, such as:
 - The construction and maintenance of mosques and building other related annexes like dwellings for the imams and the muezzins.
 - Giving assistance to the poor, the needy and the widows.

1- This percentage varies according to the volume of the waqf and the amount of its revenues.

- Fostering and taking care of the needy orphans.
 - Backing the domain of missionary work in all its types.
 - Providing food aid and drinking water and digging wells in the places that need this.
 - Satisfying the needs of scholars and students.
 - Establishing institutes and schools to teach the Holy Qur'ân and the seminars of the memorization of the Qur'ân.
 - Scholarships, scientific sessions, scientific research in schools, institutes, and universities, libraries, centers of scientific research and the religious and cultural competitions.
 - Printing and distributing the copies of the Qur'ân, the beneficial books and tapes.
 - Missionary programmes, mission offices and the edification of communities.
 - Pilgrimages and Umrah.
 - The promotion of virtue and the prevention of vice.
 - The useful media which abide by the principles and norms of sharia, be they visible, audible, legible, or electronic.
 - The establishment and equipping of hospitals and health centers and providing all their requirements.
 - Helping the needy, treating the destitute ill people, establishing nursing homes, infirmaries and constructing habitations for the poor.
- There are many other charities and acts of kindness which bring much benefit to the living and a great deal of reward to the dead. The board of the directors can give precedence to some disbursement avenues to others or dedicate the whole revenue to one only.
- 8-2- The board of directors can increase or decrease the percentages mentioned above even if one section absorbs all the revenue according to the public interest, time, place and circumstances.

9- Additional powers for the donor of the waqf and directors:

- 9-1- The board of the directors can amend or add to the aforementioned guidelines and provisions of the waqf and management for ten years beginning from the date of the signature and formulation of the waqf contract.
- 9-2- The board of directors and I are allowed to make amendments to the contract of waqf if they are better ¹.

1- Ibn Taymeyah says: "It is allowed to change the stipulations of the donor of the waqf for the better even if this varies according to time. Even if he dedicates his waqf to jurisprudents and Sufis and people need assistance for jihad, the yield of the waqf must go to the fighters. It is also stated that if one donated a well for a charitable purpose, one can perform wudu' from it." See 'The Jurisprudential Selections', 1/509, Al-Insaf, 7/45.

9-3- All that I state and stipulate is for the sake and I mean by it the pleasure of Allâh, the most perfect and best objectives of sharia and the public interest. Whenever and wherever the public interest exists, the board of directors should act according to it even if it disagrees with my provisions and statements."

I do beg Allâh, Glory be to Him, to accept this deed from me and make it a safeguard for me against Hell. I do hope to gain the pleasure of the Most Gracious through this act of mine and have my lifetime, children, property, parents, wife and all Muslims blessed. I plead with Allâh to invest me, my parents and family with its reward and help my offspring to preserve this mortmain endowment whose reward they share and take care of it and back those in charge of it. I do beg Him to make this waqf a source of bliss for me and them in this life and hereafter. I do grant these properties as mortmain endowments till the Day of Judgment. I do not allow anyone to object to them, disrupt their interests or change them. *(Then whoever alters it [i.e., the bequest] after he has heard it - the sin is only upon those who have altered it. Indeed, Allâh is Hearing and Knowing.)* (Al-Baqarah: 181)

This certification of the waqf is formulated, recited and signed before the witnesses.

Day:..... Corresponding to:.....

I beg Allâh for forgiveness and good end. May Allâh's blessings and peace be upon our Prophet Muhammad, his family and Companions.

The donor of the waqf:.....

Signature:.....

Witnesses/

- 1- Signature.....
- 2- Signature.....
- 3- Signature.....

Step twenty seven: An innovative formula of a will

A testament concerning minors and one third of my property

Praise belongs to Allâh, and may Allâh's blessings and peace be upon our Prophet Muhammad, his family and Companions. To begin,

this is the will the one who needs humbly the mercy of Allâh makes/.....
I carry ID card with a civil registry no..... issued by..... and
portfolio no.....in.....issued by.....

I am at the height of my powers and I bear witness that there is no god but Allâh, the Only One and that Muhammad is His servant and Prophet, that Jesus is the servant and messenger of Allâh, the word He breathed into Mary and a spirit from Him, that Paradise is true, Hell is true, the Domsday will certainly come and that Allâh resurrects those who are inside graves.

I do advise my family to act piously and fear Allâh publicly and privately, perform prayer regularly, fulfill their religious obligations properly, shun sins and acts of disobedience, show mercy towards one another and keep good relations with one another.

First: a will concerning my underage children:

1- The testamentary guardian and his powers:

1-1- I order by this will that the testamentary guardian of all my underage male and female children should be.....

1-1-1- He has complete and general guardianship over them till they reach the age of majority and act maturely with respect to all their affairs and their scientific, practical, and financial activities.

1-1-2- He is to look after their affairs and protect their interests.

1-1-3- He has the right to do business, receive cash, deliver commodities, lease, receive rents, profits and sign contracts.

1-1-4- He is to receive all their rights, withdraw or deposit money in banks, open accounts, commercial registers and apply for permits.

1-1-5- He has the right to establish companies or have shares in them, trade in property, movables, stocks and the like.

1-1-6- He has the right to endorsement, conciliation, pleading for them, litigation, the presentation of evidence, taking legal proceedings regarding any lawsuit filed for or against them in courts, all degrees of litigation, and committees.

- 1-1-7- He has the right to consulting government departments, institutions, corporations, banks, individuals or any bodies about all the transactions that are related to them and the conclusion of all the related legal and administrative procedures.
- 1-1-8- To be careful about everything that is useful for them in their religion and life, to fear Allâh in this respect and ask the advice of righteous and wise people.
- 1-1-9- He has the right to the estimation of need and legal benefit.
- 1-1-10- To do everything in his power to develop the property of the minors.
- 1-1-11- He has the right to restoring rights and giving back deposits to their owners and repaying debts on behalf of me.
- 1-1-12- If he asks to be excused from this or goes back on his consent to the testament or is dismissed, the new guardian will be.....
- 1-1-13- The testamentary guardian has the absolute right to handling all the things I entrust to him or some of them when the need arises.
- 1-1-14- He has the right to deputizing a suitable person to replace him regarding the disposition of the tasks he is assigned or some of them if need be.
- 1-5- The testamentary guardian must present to my family the following:
 - 1-5-1- A final annual budget that includes revenues and expenses during the Islamic (Hegira) year or the calendar year.
 - 1-5-2- An annual report on the meetings.....
 - 1-5-3- A statement regarding the person who deputizes for him in court, the official authorities and boards

Secondly: Bequest of one third of my property:

2- I donate one third of my property as a bequest, as follows:

No.	The particularization of the endowed asset	Asset Instrument No.	Date	Source
1				notary public of
2				general tribunal of...
3				notary public of
4				notary public of
5				notary public of
6				notary public of

- 2-1- This bequeathed portion must be extracted from my estate immediately after my demise.
- 2-2- It is a permanent mortmain endowment that can not be sold, inherited or granted.

2-3- This will as well as any money or property I add to it will by a written or oral testament that must be appended to it later comply with the rules, stipulations and regulations mentioned in it, as follows:

Thirdly: The board of directors:

3- The appointment of directors:

- 3-1- I appoint a board that consists of me in my capacity as the donor of the waqf, my sons, and the experts on this subject and they are:
 - 1- His Eminence Sheikh.....
 - 2- His Eminence Sheikh.....
 - 3-
 - 4-
 - 5-

3-3- The board of directors are permanently composed of only three members of my family and two specialized persons.

4- Their qualities:

- 4-1- Strength of character, honesty and piousness.
- 4-2- All or some of my sons should have some experience in doing and running a business where possible.
- 4-3- One of the specialists should be of religious and judicial knowledge while the other should have proper experience in charitable works and administration.
- 4-4- They must belong to the Sunnis and the Community.
- 4-5- If any of the directors proves untrustworthy or dishonest, he takes no responsibility for these mortmain endowments and the board of directors are entitled to decide this and choose his substitute.

5- The succession and sequence of directors:

- 5-1- When one of my sons who is one of the directors dies, asks to be exempted from responsibility or is incompetent, the rest of the members of the board of directors have the right to dismiss him and appoint only one member of his family who takes the place of his father and this should continue generation after generation.
- 5-2- When one of the descendants of my sons is incompetent because of minority, unrighteousness or the like, the board of directors must nominate one of them (the directors) to replace the one who has died, asked to be exempted or has been dismissed till one of his sons proves competent.
- 5-3- If he has no male descendants, supervision and management are passed to the female children of that son.
- 5-4- If there are not any of his female children, my children who work as directors should nominate one of the sons of my daughters, their descendants or one of the sons of my children who work as directors in order for him to replace the one who is absent provided that he is honest, upright and competent.

- 5-5- If my female descendants discontinue, management passes to the children and descendants of my daughters.
- 5-6- If my offspring discontinues altogether, management passes to nearest of my agnates or the nearest of the relatives on the maternal side.
- 5-7- If there is none of my relatives, the management passes to the sharia judge of my city together with two judicial members.
- 5-8- They have the same qualities I previously mentioned and what goes for the directors applies to them as I stated above.

6- The end of the membership of a director in the board:

- 6-1- The membership of one of the directors in the board expires through one of the following:
 - 6-1-1- Death
 - 6-1-2- When the board (half of the members) agree to remove him from his job according to their discretion
 - 6-1-3- Lack of competency
 - 6-1-4- Resignation
 - 6-1-5- A breach of trust
 - 6-1-6- Physical incapacity to carry out the tasks of direction and supervision
 - 6-1-7- The board of directors have the right to decide all the above.

7- The tasks of the board of directors:

- 7-1- To do their best in the management of the waqf through the conventional best methods.
- 7-2- To make regulations rules that govern the supervision of the mortmain property in a way that bears fruit and ensures the continuation of their benefits in the future.
- 7-3- To run investments in a way that produces a yield within the guidelines of sharia.
- 7-4- If the board of directors see that it interest or need requires selling the mortmain property or part of it because of its decreasing income or the emergence of a better alternative and purchasing with the price properties or the like, they are allowed to do so.
- 7-5- To elect two members of them as a head and his deputy.
- 7-6- To appoint an executive manager or any employees that the mortmain endowments need.
- 7-7- To open accounts and conduct all bank transactions according to their rates and deals.
- 7-8- To set up advisory committees to achieve the interests of the waqf.

- 7-9- To determine the sides of charitable expenditure and investment as well as their sums.
- 7-10- To do all that which serves the interests of the waqf.
- 7-11- To appoint executive and advisory boards that are composed of specialized experts in need be or entrust this task to specialized offices or entities.
- 7-12- To employ experts who can be consulted by the board of directors.
- 7-13- To establish companies with all their types and foundations.
- 7-14- To sell, buy, lease, mortgage and develop any property.
- 7-15- To prosecute, claim, plead, file lawsuits or drop them, deal with and rebut suits, provide proofs, make reconciliation, demand experts, challenge and examine documents, accept or object to judgments, appeal, demand the examination of the supreme court and take all legal proceedings before courts, bodies or committees both at home and abroad.
- 7-16- To represent the waqf before the judicial and administrative authorities, bodies, committees, and all governmental organs, and to appoint someone else as proxy, maintain the waqf and do other things that actualize the interests of the waqf.
- 7-17- They have the right to appoint one of them or someone else as a deputy.
- 7-18- To set up a department of accounting to prepare accounts, annual financial reports, budgets and financial statements.
- 7-19- To appoint an internal auditor and an external one who has excellent experience in auditing.
- 7-20- All that is included in the operating and administrative expenses which is appraised by the board of directors.

8- The personal duties of the directors:

- 8-1- The directors must be pious and fear Allâh regarding everything that concerns the mortmain endowments, bearing in mind the Prophet's words: "The honest storekeeper who acts or hands in full and with goodwill what he is ordered to give and delivers it to its recipient is rewarded as if he were an almsgiver." ¹
- 8-2- To declare the resolutions that are in his personal interest.
- 8-3- No member of the board of directors should attend, participate or vote when debating over a resolution that achieves a personal interest for himself or one of his sons or causes harm to them.
- 8-4- Each director must be careful to prevent any harm that may befall the waqf and not to neglect the funds, documents or other things in their custody.

1- Narrated by Al-Bukhari and Muslim.

- 8-5- To entrust all the rights related to the waqf to his relatives in case he becomes physically or mentally disabled.
- 8-6- All the above is assessed and resolved by the board of directors, and if they do something by mistake or forgetfully, they will be absolved of it.
- 9- The resolutions of the board of directors:
- 9-1- The view of the directors about any decision or resolution they take is binding and effective by consensus; if they disagree, it can be adopted by majority.
- 9-2- When votes are equal, the side of the chairman is given priority.
- 9-3- No governmental or private entity or individuals have the right to litigate them.
- 9-4- Their opinions settle any disputes or differences; thus no lawsuit should be filed against them before the judicial and administrative authorities, bodies, committees, and all governmental organs.
- 9-5- The board of directors should use a secretariat for the council and a manual or electronic record in which all that is related to the meetings, their details and stipulations, resolutions, recommendations, the durations and costs of the same meetings can be written down or recorded.

10- The disbursement avenues of the waqf:

- 10-1- The directors must disburse the net revenues-after subtracting the administrative and operating costs and the like-according to a report certified by the auditor as follows:
- 10-1-1- Ten percent of the net income is allocated as a premium for the directors and it should be equally apportioned among them in return for their effort and management; if one of the directors forgoes his bonus, it should be added to the other items of the waqf; if the percentage allotted to the directors is small or big at any time or in any place, they can estimate their proper wages; portion of this percentage should also be earmarked for their training, qualification and the development of their skills and abilities regarding all the tasks and activities of the board of directors.
- 10-1-2- Ten percent should be spent on the maintenance, reparation and development of the properties as they see. The reparation and maintenance of the waqf is preferred to all other disbursement avenues. Unless this section is fully disbursed, the directors can convert it to the section of investment or expend it as they like.
- 10-1-3- To reinvest forty percent of the net proceeds to develop it and increase its returns.
- 10-1-4- The remaining forty percent of the net income should be expended on charitable causes in accordance with the beliefs of the Sunnis and the Community and the Early Muslims such as:

- The construction and maintenance of mosques and building other related annexes like dwellings for the imams and the muezzins.
- Giving assistance to the poor, the needy and the widows.
- Fostering and taking care of the needy orphans.
- Backing the domain of preaching in all its types.
- Providing food aid and drinking water and digging wells in the places that need this.
- Satisfying the needs of scholars and students.
- Establishing institutes and schools to teach the Holy Qur'ân and the seminars of the memorization of the Qur'ân.
- Scholarships, scientific sessions, scientific research in schools, institutes, universities, libraries, centers of scientific research and the religious and cultural competitions.
- Printing and distributing the copies of the Qur'ân, the beneficial books and tapes.
- Missionary programmes, mission offices and the edification of communities.
- Pilgrimages and umrah.
- The promotion of virtue and the prevention of vice.
- The useful media which abides by the principles of sharia, be they visible, audible, legible, or electronic.
- The establishment and equipping of hospitals and health centers and providing all their requirements.
- Helping the needy, treating the destitute ill people, establishing nursing homes, infirmaries and constructing habitations for the poor.

There are many other charities and acts of kindness which bring much benefit to the living and a great deal of reward to the dead. The board of the directors can give precedence to some disbursement avenues to others or dedicate the whole revenue to one only.

- 10-2- The board of directors can increase or decrease the percentages mentioned above even if one section absorbs all the revenue according to the public interest, time, place and circumstances.

11- Additional powers for the donor of the waqf and directors:

- 11-1- The board of the directors can amend or add to the aforementioned guidelines and provisions of the waqf and management for ten years beginning from the date of the signature and formulation of the waqf contract.

11-2- The board of directors and I are allowed to make amendments to the contract of waqf if they are better. ¹

11-3- All that I state and stipulate is for the sake and I mean by it the pleasure of Allâh, the most perfect and best objectives of sharia and the public interest. Whenever and wherever the public interest exists, the board of directors should act according to it even if it disagrees with my provisions and statements.

Having I read this will to them, the following witnesses bore witness to it:

- 1- Nationality:..... civil registry office no: ()
- 2- Nationality:..... civil registry office no: ()
- 3- Nationality:..... civil registry office no: ()

1- Ibn Taymeyah says: "It is allowed to change the stipulations of the donor of the waqf for the better even if this varies according to time. Even if he dedicates his waqf to jurisprudents and Sufis and people need assistance for jihad, the yield of the waqf must go to the fighters. It is also stated that if one donated a well for a charitable purpose, one can perform wudu' from it."

In conclusion,

I do advise all the members of my family-my wife, sons and daughters-to act piously and treat one another nicely, cooperate with one another in advocating truth and right, and be a good family and faithful house. If they wish to be dutiful to me after my death, they should treat one another amicably, kindly and mercifully; the elder member should take care of and edify the young one sincerely and wholeheartedly. They should ward off any problems that can arise among them and pardon one another; **(and if one pardons and acts piously, his reward resides in Allâh.)** (Ash-Shura: 40)

I also advise them to be one cemented entity and an embodiment of amity, harmony and mercy.

I also recommend that they invoke Allâh for me and my parents as often as possible. The Prophet said that when a person dies, his actions come to an end, with the exception of three things, including a righteous child who invokes [Allâh] for him. Thus righteousness makes one's invocations answerable. I advise my wife in particular to take care of my sons and daughters, urge them to offer prayer, adhere to the obligations and commands of sharia and establish normal and friendly relations between them as far as she can.

I recommend as well that you all should keep good ties with your relatives, give assistance to them if they are needy and single out your paternal uncles and aunts and their children for special good relations, care and respect. Allâh says, **(And fear Allâh, through whom you ask one another, and the kith and kin. Indeed Allâh is ever, over you, an Observer.)** (An-Nisaa: 1)

The Prophet (PBUH) said, "If one likes to have his sustenance increased and his lifetime extended, he should keep good relations with his relatives."¹ He (PBUH) also said, "The one who maintains close and friendly relations with [his relatives] is not only the one who returns good ties, but he also is the one who keeps on good terms with his kith and kin if relations are severed."² My children, keep friendly relations with your paternal uncles and treat them as your father used to do. Keep also good ties with the favorites and intimate friends of your father, for the Prophet (PBUH) said, "Among the best acts of dutifulness is that a son keeps on good terms with the favorites of his father."³

I do not allow anyone whoever he is to change my will. If one changes or alters it deliberately and for no good reason, he will get the blame and bring upon himself loss and punishment. This is according to the words of Allâh: **(Then whoever alters it [i.e., the bequest] after he has heard it - the sin is only upon those who have altered it. Indeed, Allâh is Hearing and Knowing.)** (Al-Baqarah: 181)

1- Narrated by Al-Bukhari.
2- Narrated by Al-Bukhari in his Sahih, chapter: Proprieties, hadith no. 5991.
3- Sahih Muslim, chapter: Dutifulness, keep good relations with kith and kin, and proprieties, hadith no. 2552.

(Indeed, my Lord is Subtle in what He wills. Indeed, it is He who is the Knowing, the Wise.) (Yusuf: 100)

This will invalidate any previous wills if any. I entreat Allâh with His Best Names, and His Highest Attributes to confer His care upon you, make obedience close to your hearts and bring all of us together in the abode of His mercy. Amen!

This will was made on.../.../14... corresponding to // 20...

I authorized witnesses to bear witness. Allâh alone is asked for help and upon Him alone we do rely. May Allâh's blessings and peace be upon our Prophet Muhammad, his family and Companions.

Testator/

Signature/

Witness/ name/

Signature/

Witness/name/

Signature/

Step twenty eight: Mistakes made by some heirs

Among the common mistakes are:

- 1- Postponing the execution of the will
- 2- Not adding the growing assets or the profits to the bequest, especially in the companies that lack liquidity and pay the third bequeathed in installments without their growing yield. This may take some time and growth can be ten percent or more. So the growing money should be added to the bequest and the property must be delivered to the executor as immediately as possible
- 3- Not bringing witnesses to testify the will
- 4- Not appointing competent and skilled directors
- 5- Not differentiating between the waqf and the will
- 6- Making the will in words that have no indication of mortmain endowments or in equivocal terms that imply many interpretations and thus lead to disagreement and disputes



Step twenty nine: Documentation

All financial transactions, the resolutions of the board of directors, administrative activities, investments, contracts, the processes of development and construction and fatwas must be documented and certified so as to be turned to as the need arises.



Step thirty: Some suggestions for the management of the Waqf

The following suggestions are exclusive to the large-scale Waqf:

■ Suggestion one:

The waqf and the board of directors should be the supreme entity in reality, organizationally and structurally. They should not be under a company or a foundation. Alternatively, the company or the foundation may be used as an arm to carry out the tasks and operations of the waqf.



■ Suggestion two:

Separate ownership (it here refers figuratively to the board of directors) from management and work as in joint-stock companies.

■ Suggestion three:

Establish an independent charitable institution which can disburse the income of the waqf in its own way. This is more advantageous for both the donor of the waqf and the money that comes from it. I say so from the experiences we underwent in courts and many foundations in addition to those which we were sometimes consulted about.



■ Suggestion four:

Earmark a department for investment, which will be responsible for investing the waqf and its revenues. It is also possible to designate one company or more for the same purpose.

■ Suggestion five:

The disbursement of the income of the waqf should not be singled out for a particular foundation or specific official body without making mention of other institutions or entities.

■ Suggestion six:

There must be a specialized accountant for the waqf and special records.

■ Suggestion seven:

The waqf must have a management that is independent of the main management of the commercial property; competent individuals can be in charge of the mortmain endowments to manage and develop them. Meanwhile they are not obligated to supervise the management of your property or the charitable institutions and their activities. They are responsible for the management of the waqf operations only. This means that responsibility for managing the waqf does not lie with the person in charge of the charity, the charitable foundation or the family waqf. He is responsible for running its businesses and supervising the work of the working group of the waqf from time to time.

It is known that the scale of the human resources required for the management of the waqf depends upon the volume, type, and investments of the waqf and its economic size. When establishing a management for the waqf, the same management should have a definite, planned and organized structure to be familiar with its duties and rights

and in order for the staff not to be dispersed or conflict with other managements concerning their resolutions.

■ **Suggestion eight:**

Set up an accounting system for your waqf and governmentalize it together with its relations with the remaining charitable activities such the investment committee, the board of directors and the charitable organization which disburses the revenue.

■ **Suggestion nine:**

Be innovative in terms of your waqf, the disbursement of its yield and the means of investment. The income of the waqf should be expended in a way that meets the current and future needs of the inhabitants of your area and the Muslim countries. Also the best and more beneficial avenues of charity and benevolence must be searched for.



■ **Suggestion ten:**

Lay down policies and guidelines. Clarify the tasks and the goals for which your waqf is founded.

■ **Suggestion eleven:**

Ways of teaching your family to practice charity:

Don't forget to make your parents, sons, daughters and wife to take part in the charity which Allâh guided you to so that they can take pleasure in charity work, good life and attain bliss in this life and the hereafter. In doing so, each member of your family will like participating in charitable activities and promoting charity. This can come true through the following ways:



- 1- To appoint some of the members of your family in the one-hundred-and-twenty-day working group referred to in step nine.
- 2- To name the charitable foundation that offers donations after you and them; it can be said, 'The Charitable Foundation of so-and-so and his Family'.
- 3- To appoint them as members at the board of trustees of the donor charitable foundation.
- 4- To appoint some of them as members at the board of directors.

- 5- To represent the charitable foundation at the general meetings and the signature to the memorandums of understanding and cooperation.
- 6- To represent the charitable foundation when honoring someone.
- 7- To pay visit to charities and charitable organizations and the projects that are backed.
- 8- To attend the conferences, forums and workshops that are related to mortmain endowments, charity work and the donor foundations.
- 9- To share the preparation and writing of reports
- 10- To entrust some of the files of school and transactions to them.
- 11- To provide them with reports and the results of their support.
- 12- To arrange for them internal and external trips to meet the families that give donations and participate in charitable programmes.
- 13- To authorize them to distribute a specified sum of money annually according to the regulations and criteria they determine and the results they expect.

There are other methods that make them take part in charity work and like it.

Recommendations

- 1- To establish advisory centers specialized in mortmain endowments and formulate the certifications of waqf.
- 2- To lay down strategies for mortmain endowments, set plans for and organize them and work to manage and governmentalize them.
- 3- To give more attention to the formulas of waqf contracts, select their terms and provide numerous samples of them.
- 4- To study the successful experiences of waqf at home and abroad and promote them.
- 5- To try tirelessly to remove the systematic obstacles that block people's interest in mortmain endowments and their certification at specialized authorities.
- 6- To mount a media awareness campaign on the importance of waqf, its benefits, the practical ways and the recommendations that are linked to this regard
- 7- To set practical guides for the donors of waqf.
- 8- To single out the waqf for a conference to clarify the role of the mortmain endowments in backing charitable entities and suggest the ways for activating this role in our current age.
- 9- To introduce systems to the ministry of commerce that allow the establishment of non-profit mortmain companies.
- 10- To incorporate the regulations and systems of mortmain endowments and testaments into those of the family enterprises as many of the founders of companies make similar endowments or recommend this in their wills.
- 11- To establish an academy where the directors and those in charge of the mortmain endowments can be trained.



Conclusions

Muslim narrated in his Sahih on the authority of Abu Hurairah that the Prophet (PBUH) said, "I saw a man walking about in Paradise by virtue of cutting down a tree that used to stand in middle of road and cause harm to Muslims."¹ If this is the reward of one who just logged a tree that was harmful, how will be the reward of a person who donates his money to charity so as to protect Muslims against moral and intellectual dangers and work to propagate charity among them? We do hope that such a person obtain the grace of Allâh and His mercy and enter Paradise.

My blessed brother and blessed sister, in case you make organized and regulated waqf with skilled board of trustees, constant steps, distinguished investments and blessed disbursement avenues this will not only be a success of your waqf but it will be also a successful example of an exceptional waqf which will be a great and imitable achievement for which you will be rewarded till the Day of Judgment. This will be a rectification of the work of some of those in charge of mortmain endowments and who presented unsuitable examples. Go ahead with the thirty steps discussed in this leaflet and ask your Lord to help you and make you succeed.



1- Narrated by Imam Muslim, chapter: Charity, keeping good ties with kith and kin, and proprieties, hadith no. 1914.

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- 13- Hasheyat Addosouqi ala Ash-Sharh Al-Kabir, by Muhammad Ibn Ahmad Ibn Arafah Addosouqi , Dar Al Fikr, Beirut.
- 14- Al-Mudawwana Al-Kubra, by Imam Malik Ibn Anas, Sadir House, Beirut, first edition.
- 15- Kashshaf Al-Qinaa' 'an Al-Eqnaa', by Sheikh Mansour Ibn Yunis Al-Bohouti, Ministry of Justice of Saudi Arabia, first edition 1428-2007.
- 16- A Digest on Awqaf and some Related Examples, by His Excellence Sheikh Abdul-Aziz Ibn Ibrahim Ibn Qasim, Asalah Al-Hadir House, first edition 1428-2007.
- 17- Bilughat Assalik Li Aqrab Al-Masalik, by Sheikh Ahmad As-Sawi, Dar al-Kotob Al Ilmeya, Beirut, first edition 1415.
- 18- Matalib Uli An-Nuha fi Sahrh Ghayat Al-Muntaha, by Sheikh Mustafa As-Soyouti Ar-Ruhaibani, Islamic Bureau press, Damascus, 1961 AD.
- 19- Mughni Al-Muhtaj ela Ma'arefat Ma'ani Al-Faz Al-Minhaj, by Sheikh Muhammad Al-Khatib Ash-Sherbini, Dar Al Fikr.

Curriculum Vitae for the Author

Saad Mohammed Saad Al-Muhana

Academic Qualifications:

- Bachelor of Islamic Law (Sharia) from Imam Mohammed Bin Saud Islamic University- 1414-1415H.
- Master degree in comparative doctrine from Judges Higher Institute - Imam Mohammed Bin Saud Islamic University- Riyadh- 1417H.

Practical Experiences:

- Official Work: Head of a general court in the Kingdom of Saudi Arabia.
- Experience in judgment field for more than 20 years.

Charitable Sector:

- Member of Board of Trustees in Prince Mohammed Bin Fahad Al-Saud Prize for persuading for Islam and mosques.
- Secretary General of Abdulrahman Saleh Al-Rajhi & Family Charitable Est.
- General Supervisor of Manarat Al-Ataa for Persuading to Islam & Guidance.
- Reviewing and improving of endowment method for a group of endowments with more than ten billion Saudi Riyals value (for local and Gulf area).
- General Supervisor for an intensive course for memorization of Holy Koran in Dammam.
- Board of director assistant for Cooperative Office of Persuading to Islam & Guidance and awareness of foreign communities in western Dammam (NOOR)
- Sharing in the establishment of Charitable Judgment Councils in family companies and endowments in more than 32 endowments.
- Member in the board of directors in number of endowments.

Have a look on international, regional and local endowment experiences:

- I have executed several field visits for the famous successful endowments to know its experiences in: U.K., Germany, Southern Korea, Malaysia, Turkey, Saudi Arabia, U.A.S.E., Kuwait, Qatar, Bahrain and Egypt.

Training Courses, Workshops, Seminars and Conferences :

- Third Endowment Conference in Medina Munawara under the title of: (Islamic Endowment: Economy, Management and building of Civilization).in 1431/2010.
- Islamic World Linkage Conference and looking for future in the period from 19-21/08/1431H corresponding to 31/07-02/08/2010 in Mecca Mukarama.
- Ninth Conference of International Council for 3rd Sector Researches held in Turkey under the title of (Facing of Crisis, chances and defies that face 3rd sector and civil communities institutions organized by ISTR in cooperation with the 3rd sector Turkish Council and Qader Has University in Istanbul, 1431H (2010).
- Visiting donor institutions in Y.K. in the period from 09/07/1430H to 17/07/1430H corresponding to 02/07/2009 to 10/07/2009).
- Visiting donor institutions in Turkey. in the period from 05/07/2010 to 10/07/2010.
- Visiting donor institutions in Germany in the period from 11/07/2010 to 17/07/2010.
- Visiting the General Organization of Endowments and some of donor institutions in Qatar in the period from 16/01/1432H to 17/01/1432H.
- First workshop in Riyadh under the title of "Future Investment Office for Endowments and Legacies" in 24/03/1432H corresponding to 27/02/2011.
- I attended a conference under the title of (Islamic Endowments effects on Education Civilization) in Sharga in the period from 9-10/05/2011 corresponding to 06-07/05/1432H organized by Sharia & Islamic Studies College in Sharga University.
- I attended many of conferences, training courses, workshops and seminars.

Most important participations, memberships consults and activities:

- I presented a work paper titled " Practical steps for a distinctive charitable endowment" in the second meeting of Charitable Associations in the period from 18-19/11/1431H corresponding to 26-27/10/2010 in Meridian Hotel in Al-Khobar organized by Charitable Association in Eastern Province under the custody of The Custodian of the Two Holy Mosques King/ Abdullah Bin Abdulaziz.

- I participated in the establishment of Abdulrahman Bin Saleh Al-Rajhy & Family Charitable Est. affiliated to Abdulrahman Saleh Al-Rajhy & Partners Co.
- I participated in many of conferences, seminars, discussion meetings and workshops inside and outside the Kingdom on Endowment.
- I presented work paper in the Organization of Endowments Meeting held in Riyadh under the title of : " New texts of Endowments and legal opinion in it" in 05/05/2012.
- Attending a seminar on "Distinctive Endowment" in Yousuf Bin Ahmad Bin Rashed Al-Dossary Divan.
- Counselor in several charitable institutions.
- I participated in the establishment of number of projects, organizations and charitable offices.
- I Lead number of delegations, and work teams inside and outside Saudi Arabia.



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