

Document details

[< Back to results](#) | 1 of 1[Export](#) [Download](#) [Print](#) [E-mail](#) [Save to PDF](#) [Add to List](#) [More... >](#)Global Journal Al-Thaqafah [Open Access](#)
Volume 7, Issue 2, 2017, Pages 175-1187

The nature of temporary waqf, its ruling and public interest (Article)

Ab Rahman, M.F.^a [✉](#), Amanullah, M.^b [✉](#) [👤](#)^aFaculty of Shariah and Law, Universiti Sains Islam Malaysia, Malaysia^bDepartment of Fiqh and Usul al-Fiqh, Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, Malaysia

Abstract

[View references \(64\)](#)

Muslim jurists differed in the declaration (sighah) of waqf, specifically on whether a waqf can be made temporary or it is limited to perpetuity. The objectives of this paper are: to critically examine the concept of temporary waqf, to assess the different opinions of the scholars on the issue of temporary waqf and to discuss the evidences relied upon every doctrine, to explore the public interest (maslahah) of contemporary application. A qualitative methodology was employed to analyse the data through inductive and deductive methods. The inductive and deductive methods were used to research the main sources of literatures and to analyse the issues related to the temporary waqf. The findings have shown that an essential features of waqf is not limited only to perpetuity, hence some jurists such as Maliki school of Islami law approves the application of temporary and perpetual waqf. Thus, there is a need for temporary waqf to be enacted and applied as it provides the best interests of donors, beneficiaries and community at large. Impliedly, Islamic legal pronouncements (fatwa's) which were issued by the State Fatwa Committee in Malaysia should not be limited to the view of a single school of Islamic law, especially in the field of waqf.

Author keywords

Juristic Perpetuity Public interest Temporary Waqf

ISSN: 22320474

Source Type: Journal

Original language: Arabic

Document Type: Article

Publisher: Kolej University Islam Sultan Azlan Shah

References (64)

[View in search results format >](#) All [Export](#) [Print](#) [E-mail](#) [Save to PDF](#) [Create bibliography](#)

1 Al-Quran, A., Allah, M.A.M. (1989) *Manhu al-Jalil* Beirut, Lebanon: Dar al-Fikr

2 Abu Zahrah, M. (1959) *Muhadarat fi al-Waqf*. Cited 2 times. Cairo, Egypt: Matbaah Ahmad Ali Mukhimarat

3 Al-Bahuti, M.Y.I. (1982) *Kasyaf al-Qina?* Beirut, Lebanon: Dar al-Fikr

Metrics [?](#)

0 Citations in Scopus

0 Field-Weighted Citation Impact

PlumX Metrics [v](#)

Usage, Captures, Mentions, Social Media and Citations beyond Scopus.

Cited by 0 documents

Inform me when this document is cited in Scopus:

[Set citation alert >](#)[Set citation feed >](#)

Related documents

On Communicative Competence

Farquhar, M.A.

(1992) *Asian Studies Review*

Humanity's ultimate sacrifice: Parallelism between Christ's crucifixion and Islamic Hajj

Galadari, A.

(2010) *International Journal of the Humanities*

The representation of social actors in the story of Bahman's vengeance seeking from Shahnama and Bahmanama (Based on the socio-semantic elements in critical discourse analysis)

Haghparsat, L.

(2012) *Language Related Research*

View all related documents based on references

Find more related documents in Scopus based on:

[Authors >](#) [Keywords >](#)

4 Al-Baghawi, A.A.M.
(1998) *Al-Tahzib fi al-Fiqh al-Imam al-Syafie*
Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah

5 Al-Bukhari, M.I.I.
(1993) *Sahih al-Bukhari*
Damascus, Syria: Dar Ibnu Kathir, Hadis No. 2537

6 Al-Dardir, A.M.A.
(1995) *Al-Syarh al-Saqir*
Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah

7 Al-Dusuqi, S.M.A.
Hasyiah al-Dusuki. Damascus, Syria: Dar Ihya al-Kutub

8 Al-Fayruz Abadi, M.Y.
al-Khamus al-Muhit. Cairo, Egypt: al-Muassasah al-Halabi Wa Syarikatuhu

9 Al-Jurjani, A.M.A.
(1983) *Al-Ta'rifat*. Cited 10 times.
Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah

10 Al-Kasani, A.A.M.
(1982) *Badai' al-Sanai'*
Beirut, Lebanon: Dar al-Kutub al-'Arabi

11 Al-Kharashi, M.A.
(1988) *Syarh Mukhtasar Khalil*
Damascus, Syria: Dar al-Fikr

12 Al-Manawi, Z.M.
(1990) *Al-Tauqit Ala Muhimmat al-Ta'rif*. Cited 2 times.
Cairo, Egypt: Alam al-Kutub

13 Al-Maghribi, M.A.
(1978) *Mawahub al-Jalil*
Beirut, Lebanon: Dar al-Fikr

14 Al-Mardawi, A.A.S.
(n.d.). *al-Insaf*. Beirut, Lebanon: Dar al-Ihya al-Turath al-Arabi

15 Al-Marghinani, B.A.A.
(1998) *Al-Hidayah*
Cairo, Egypt: al-Matbaah al-khairiyyah

- 16 Al-Mawaq, A.M.Y.
(n.d.). *al-Taj wa al-Ikli*. Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah
-
- 17 Al-Mawardi, A.M.H.
(1999) *Al-Hawi al-Kabir*. Cited 7 times.
Beirut, Lebanon Dar al-Kutub al-'Ilmiyyah
-
- 18 Al-Nujimi, M.Y.
(2006) *Al-Waqf al-Muaqqat Hukmuhu wa Nitaqahu wa Asbabuhu*
Paper presented at the al-Buhuth al-'Ilmiyyah li al-Mu'tamar al-Thani li al-Awqaf. Jamiah Ummu al-Qura, Mecca, Saudi Arabia
-
- 19 Al-Nawawi, A.Y.S.
(n.d.). *al-Majmuk Syarh al-Muhazzab*. Cairo, Egypt: Mathbah al-Munirah
-
- 20 Al-Nawawi, Y.S.M.
(1985) *Raudhatu at-Talibin*
Beirut, Lebanon: al-Maktab al-Islami
-
- 21 Al-Qarafi, A.S.A.
(1994) *Al-Zakhirah*
Beirut, Lebanon: Dar-al-Arab al-Islami
-
- 22 Al-Raysuni, A.
(2013) *Al-Waqf al-Islami Majallatuhi wa Abaaduhu*
Cairo, Egypt: Dar al-Kalimah li al-Nasyr wa al-Tauzi'
-
- 23 Al-Rifa'i, H.M.
(2006) *Al-Waqf al-'Amal al-Muaqqat fi al-Fiqh al-Islami*
Paper presented at the al-Buhuth al-'Ilmiyyah li al-Mu'tamar al-Thani li al-Awqaf. Jamiah Ummu al-Qura, Mecca, Saudi Arabia
-
- 24 Al-Salahat, S.
(2005) *Daur al-Muassasah al-Waqfiyyah fi Tanmiyah al-Mujtamaat al-Islamiyyah al-Muaasarah*
Paper presented at the University al-Malik Abdul Aziz Journal, Saudi Arabia
-
- 25 Al-Sariti, A.M.
(1997) *Al-Wasaya wa al-Awqaf wa al-Mirath fi al-Syariah al-Islamiyah*
Beirut, Lebanon: Dar al-Nahdhah al-Rabiyah
-
- 26 Al-Sarkhasi, M.A.
(1993) *Al-Mabsut*. Cited 13 times.
Beirut, Lebanon: Dar al-Ma'rifah
-

27 Al-Shaybani, M.H.
(n.d.). *Syarh al-Siar al-Kabir*. Cairo, Egypt: al-Syarikah al-Syarqiyyah li al-'Ilanat

28 Al-Sharbini al-Khatib, M.A.
(n.d.). *Mughni Muhtaj*. Cairo, Egypt: Matba'ah al-Babi al-Halbi

29 Al-'Umar, A.M.
al-Waqf wa Dauruhu fi al-Tanmiyah al-Iqtisadiyyah
(2005) *Syariah and Islamic Studies Journal*, 20 (60).

30 Al-Zubydi, M.M.A.
Taj al-Urus Min Jawahir al-Qamus. Cited 19 times.
Alexender, Egypt: Dar al-Hidayah

31 Al-Zarqa, M.A.
(1998) *Ahkam al-Awqaf*
Amman, Jordan: Dar Ammar

32 Al-Zarqa, M.A.
(2006) *Al-Waqf al-Muaqqat li al-Nuqut litamwil al-Masyru'at al-Syuqra li al-Fuqara*
Paper presented at the al-Buhuth al-'Ilmiyyah li al-Mu'tamar al-Thani li al-Awqaf. Jamiah Ummu al-Qura,
Mecca, Saudi Arabia

33 Al-Zuhayli, W.
(1997) *Ruyah Ijtihadiyyah fi al-Masail al-Fiqhiyyah al-Muaasarah li al-Waqf*
Damascus, Syria: Dar al-Maktabi

34 Bik, A.I.
(1943) *Kitab al-Waqf*
Cairo, Egypt: Maktabah Abdullah Wahbah

35 (2005) *Kamus Dewan Edisi Keempat*. Cited 11 times.
Kuala Lumpur, Malaysia: Dewan Bahasa Pustaka

36 Rahman, M.F.A., Rahman, A.A., Thaidi, H.A.A., Abdullah, L.H., Anwar, S.M., Bakar, M.F.A., Ahmad, U.S.
The inconsistency of assessing agricultural zakat
(2014) *Global Journal Al-Thaqafah*, 4 (1), pp. 17-31.
<http://www.gjat.my/gjat062014/5120140401.pdf>
doi: 10.7187/GJAT512014.04.01

View at Publisher

37 Hammad, N.
(1995) *Mu'jama al-Mustalahat al-Iqtisadiyyah fi Luqah al-Fuqaha*
Virginia, United State of America: al-Maahad al-Alamiyy li al-Fikr al-Islamiyy Herdon

38 Hiza, M.M.
(2006) *Al-Waqf al-Muaqqat Bahs Fiqhi Muqaran*
Paper presented at the al-Buhuth al-'Ilmiyyah li al-Mu'tamar al-Thani li al-Awqaf, Jamiah Ummu al-Qura,
Mecca, Saudi Arabia

39 Husayin, A.F.
(2003) *Ahkam al-Wasaya wa al-Awqaf fi al-Syariah al-Islamiyyah*
Alexander, Egypt: Dar al-Jamiah al-Jadidah li al-Nasyar

40 Ibn 'Abidin, M.A.
(1995) *Rad al-Muhtar Ala al-Rad al-Mukhtar*
Beirut, Lebanon: Dar al-Kutub al-'Ilmiyyah

41 Ibn Humam, M.A.
(n.d.). *Syarh Fathu al-Qadir*. Beirut, Lebanon: Dar al-Fikr

42 Ibn Shash, A.J.A.
(2003) *'Aqdu al-Jawahir al-Thamaniyah*
Beirut, Lebanon: Dar al-Kharb al-Islami

43 Ibn Hazm, A.A.A.
(n.d.). *al-Muhalla*. Beirut, Lebanon: Dar al-Fikr

44 Ibn Manzur, M.M.
(n.d.). *Lisan al-Arab*. Beirut, Lebanon: Dar Shadir

45 Ibn Qudamah, M.A.A.
(1981) *Al-Muqhnī*
Riyadh, Saudi Arabia: Maktabah al-Riyad al-Hadithah

46 Ibn Qudamah, M.A.A.
(1985) *Al-Kafi*
Beirut, Lebanon: al-Maktab al-Islami

47 Imam, M.K.
(1998) *Al-Wasaya wa al-Awqaf wa fi al-Fiqh al-Islami*
Beirut, Lebanon: al-Muassasah al-Jamiah li al-Dirasat wa al-Nasyar wa al-Tauzi'

48 Kabis, M.A.
(1977) *Ahkam al-Waqf fi al-Syariah al-Islamiyyah*
Baghdad, Iraq: Matbaah al-Arsyad

49 Kahf, M.
(1998) *Fiqhi Issues in the Revival of Awqaf*
Retrieved from monzer.kahf.com/papers/./revival_of_awqaf_-_islamic_horizon.pdf

-
- 50 Kahf, M.
(2000) *L-Waqf al-Islami Tathawwaruhu wa Idaratuhu wa Tanmiyatuhu*
Beirut, Lebanon: Dar al-Fikr al-Muaasir
-
- 51 Murtada, M.M.A.
(n.d.) *Taj al-'Uruz*. Alexander, Egypt: Dar al-Hidayah
-
- 52 Muslim, H.A.A.
Sahih Muslim. Cited 75 times.
Beirut, Lebanon Dar Ihya' al-Turath al-Arabi. Hadis No. 1631
-
- 53 Mustafa, I., Al-Ziyat, A., 'Abd al-Qadir, H.
(n.d.). *al-Mu'jam al-Wasit*. Cairo, Egypt: Dar al-Da'wah
-
- 54 (2014)
<http://waqaf.org.my/wp/fatwa-negeripulau-pinang>
-
- 55 Richards, J., Platt, J., Weber, H.
(1989) *Longman Dictionary of Applied Linguistics*. Cited 142 times.
United Kingdom: Longman
-
- 56 Sa'di, A.
(1993) *Al-Qamus al-Fiqhi*
Damascus, Syria: Dar al-Fikr
-
- 57 Sabri, A.S.
(2008) *Al-Waqf al-Islamiyy Baina al-Nazariyyah wa al-Tatbiq*
Amman, Jordan: Dar al-Nafais
-
- 58 (1980) *Fatawa al-Azhar wa Dar al-Ifta fi Miah 'Aam*. Cited 2 times.
Cairo, Egypt: Supreme Council for Islamic Affair
-
- 59 Sha'ban, Z., Al-Khundur, A.
(1989) *Ahkam al-Wasiyyah wal-Mirath wa-Alwaqf fi al-Syariah al-Islamiyyah*
Kuwait: Maktabah al-Falah
-
- 60 Tanti, T.
(n.d.). *Wakaf Ahli Dalam Konsep Fikih Traditional*. Journal Al-Irsyad
-
- 61 (2014)
<http://waqaf.org.my/wp/fatwanegeri-terengganu>
-

□ 62 Umar, M.A.
(2011) *Sanadat al-Waqf Muqtarah Li ihya Daur al-Waqf fi al-Mujatama' al-Islamiyy*
Cairo, Egypt: Markaz Soleh Abdullah Kamil li al-Iqtisad al-Islamiyy

□ 63 al-Mi'yar al-Mu'rab. Beirut, Lebanon: Dar al-Kharab al-Islami

□ 64 Yusuf, Y.I.
(2006) *Majallat Waqfiyyah Muqtarihah litanmiyyah Mustadamah al-Waqf al-Muaqqat*
Paper presented at the al-Buhuth al-'Ilmiyyah li al-Mu'tamar al-Thani li al-Awqaf, Jamiah Ummu al-Qura,
Mecca, Saudi Arabia

🔍 Ab Rahman, M.F.; Faculty of Shariah and Law, Universiti Sains Islam Malaysia, Malaysia;
email:firdaus_srcisum@yahoo.com

© Copyright 2018 Elsevier B.V., All rights reserved.

< Back to results | 1 of 1

^ Top of page

About Scopus

What is Scopus
Content coverage
Scopus blog
Scopus API
Privacy matters

Language

日本語に切り替える
切换到简体中文
切换到繁體中文
Русский язык

Customer Service

Help
Contact us

ELSEVIER

[Terms and conditions](#) [Privacy policy](#)

Copyright © 2018 Elsevier B.V. All rights reserved. Scopus® is a registered trademark of Elsevier B.V.

Cookies are set by this site. To decline them or learn more, visit our [Cookies page](#).

 RELX Group™