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Waqf, its substitution (Istibdal), and selected resolutions of Islamic Fiqh academy India: A Maqa?id al-Shari'ah perspective (Review)

Ali Al-Fijawi, M.F.^a [✉](#), Shah U Tun Aung, M.A.^b [✉](#), Gamon, A.D.^b [✉](#)^aDepartment of Fiqh and Usul Al-Fiqh, Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, Malaysia^bDepartment of Fundamental and Interdisciplinary Studies (FIDS), Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, Malaysia

Abstract

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Waqf is a charity in which corpus is maintained and the usufruct is given to the beneficiaries. The continuity of the usufruct depends on the maintenance and management of the corpus. One of the modes used both in classical and modern times to maintain waqf-properties is substitution of one waqf-property with another known as istibdal. This paper reads into Istibdal, selected resolutions of Fiqh Academy India and scrutinizes them under the Shari'ah objectives of waqf and tabarru'at (donation). The finding shows that modes of Istibdal permitted by Islamic law realize the Shari'ah objectives of waqf concomitantly. Modes which were not permitted oppose the objectives of the Shari'ah. This work is a potential guide for institutions and committees involved with the development of waqf-properties using innovative financing modes. © 2018 International Islamic University Malaysia. All Rights Reserved.

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[Badl \(replacement\) perpetual charity](#) [Everlasting benefits](#) [Istibdal \(substitution\)](#) [Maqasid al-Shari'ah](#)

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References (13)

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- 1 Wadud Mohammad Al-Saraiti, A. (1997) *Al-Wasaya Wal-awqaf Walmawarith Fi Al-Shari'ati Al-Islamiyah*. Cairo: Dar Al-Nahdat Al-'Arabiyyah. Abu Ishaq Al-Shatibi, *Al-Muwafaqat Fi Usul Al-Shariah*, 1-2, p. 429.
- 2 (2008) *Ala' Al-Din Abi Bakr Al-Kasani*. N.d. *Bada'i' Al-Sana' I' Fi Tartib Al-Shara' I'*. Quetta: Maktabah Rashidiyyah. *Badr Al-Din Al-'aini* Nukhb al-Afkar fi Tanqih Mabani al-Akhbar. Qatar: Wizarat al-Awqaf wa al-Shu'un al-Islamiyah

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- 3 Al-Din Abu Muammad Al-Zayla'i, J.
(2002) *Naʿb Al-Raʿyah Takhrij Aʿadith Al-Hidayah*
Beirut: Dar al-Kutub al-'Ilmiyah
-
- 4 Ismail Abdel Mohsin, M.
(2016) *Financing the Development of Old Waqf Properties: Classical Principles and Innovative Practices Around the World*. Cited 2 times.
United Kingdom: Palgrave Macmillan
-
- 5 Al-Fiqhiyyah, A.
(2006) *W-q-f': Al-Kuwait: Wizarah Al-Awqaf Wa Al-Shu'un Al-Islamiyah*
-
- 6 Al-Tahirbn Al-'ashur, M.
(2006) *Treatise on Maqaʿid Al-Shari'ah. Translated from Arabic by Mohammed El-Tahir El-Mesawi. Washington: The International Institute of Islamic Thought*
-
- 7 Islam Qasmi, M.
(2012) *Awqaf Ahkam Wa Masa'il*
India: Islamic Fiqh Academy India IFA
-
- 8 Muy Al-Din Abi Zakariya, B., Al-Nawawi, S.
(2004) *Saʿi? Muslim Bi Shar? Al-Nawawi*
Muhammad M. Tamir (ed.). Cairo: Dar al-Fajr li al-Turath
-
- 9 Amad Palan Puri, S.
(2003) *Raʿmatullahi Wasi'ah Shar? ?Ujjat Al-Allahi Baligah (Urdu*
Deoband, UP: Makatabah ?ijaz
-
- 10 (2018) *Sahih Al-Bukhari, ?Adith No. 2737. Last Modified November 4*
Sunnah. Com
<https://sunnah.com/bukhari/54>
-
- 11 Al-Zuhayli, W.
(2007) *Al-Fiqh Al-Islami Wa Adillatuhu. Damascus: Dar Al-Fikr*
-
- 12 Voice, A.
(2014) *Jamil ?Amdawi. Maqaʿid Fiqh Al-Tabarru'at Al-Watan Voice Arabic*
Cited on 01-03-14
<http://pulpit.alwatanvoice.com>
-