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Section : (A)

Assignment : Islamic Personal Law II

Department : B.A LLB

Submitted To : Madam Sadia Sattar

Topic : Importance of waqf and its implementation in society

Introduction :

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Waqf is an important institution in islamic law that plays a significant role in social welfare and economic justice. It refers to the permanent dedication of property by a Muslim for religious charitable or public purposes. Once property is declared as waqf it becomes inalienable meaning it cannot be sold gifted or inherited.

Definition of Waqf:

The word "Waqf" literally means "to stop" or "to hold". According to islamic jurists, waqf is:

"The permanent dedication of a property for purposes recognized by islamic law as pious, religious or charitable".

Essential Elements of Waqf:

For a valid waqf, the following elements must be present:

1. **Waqif (Donor):** The person who creates the waqf must be a Muslim, of sound mind and competent.
2. **Property:** The property must be tangible, lawful and capable of being used without being consumed.

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3. Purpose: The purpose must be religious pious or charitable.

4. Beneficiaries: These may include the public or specific individuals.

5. Permanency: Waqf must be permanent and irrevocable.

Importance of Waqf in Society:

1) Social Welfare:

Waqf plays a major role in providing welfare services such as education, healthcare and poverty relief. Many schools, hospitals and mosques are built through waqf.

2) Poverty Alleviation:

Through waqf wealth is redistributed in society. It helps the poor, widows, orphan and needy individuals by providing them with financial and social support.

3) Economic Stability:

Waqf contributes to economic development by creating sustainable resources. It reduces the burden on the government by funding public services.

4) Religious Significance:

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Waqf strengthens religious values by supporting masques, madrasas and other religion institutions. It is considered a form of Sadaqah Jariyah which continues to reward the donar even after death.

5) Community Development:

Promotes unity and the cooperation.

Implementation:

1) Establishment of Waqf institution:

Government and Private individuals establish waqf boards and institutions to manage waqf properties effectively.

2) Legel Framework:

In many Muslim countries, including Pakistan waqf is regulated under specific laws to ensure transparency and proper administrative.

3) Management of Waqf Property:

Proper Management is essential for the success of waqf. A manager (Mutawalli) is appointed to oversee the property and ensure it is used to according to its purpose

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4) Modern Utilization:

Waqf properties can be used for modern purposes:

- Educational institutions
- Hospitals
- Welfare organization
- Housing projects for the poor

5) Public Awareness:

Educating people about the importance of waqf encourages more individuals to participate in charitable activities.

Challenges in Implementation:

Despite its importance, waqf faces several challenges.

- Mismanagement and corruption.
- Lack of Awareness.
- Illegal occupation of waqf properties.
- Weak legel enforcement.

Suggestions for Improvement:

- Strengthening legel supervision.
- Digitization of waqf records.
- Professional management of waqf assests.

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- Public awareness compaigns.
- Transparency and accountability in administration.

Conclusion:

Waqf is a powerful tool in islamic personal law that promotes social justice, economic stability and community welfare. Its proper implementation can significantly improves the living standards of society and reduces poverty. By addressing the challenges and ensuring effective management, waqf can continue to serve as a sustainable source of benefit for future generations.

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