WAQAF MANAGEMENT IN BRUNEI DARUSSALAM

ABDUL HAADI ARIF BIN HAJI ABD LAKIM

FACULTY OF BUSINESS AND MANAGEMENT SCIENCE SULTAN SHARIF ALI ISLAMIC UNIVERSITY BRUNEI DARUSSALAM



PERPUSTAKAAN UNIVERSITI ISLAM SULTAN SHARIF ALI		
No. Panggilan:		
No. Perolehan: <u>\</u> OਮO	002313	
Diterima pada: 20.3	3.2018	
Harga:		

بسم الله الرحمن الرحيم

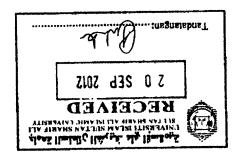
WAQAF MANAGEMENT IN BRUNEI DARUSSALAM

OBB0720 VEDOL HAADI ARIF BIN HAJI ABD LAKIM

An academic exercise submitted in partial fulfillment of the requirements for the degree of

Faculty of Business and Management Sciences Sultan Sharif Ali Islamic University Brunei Darussalam

08 Jamadilakhir 1433 / 30th April 2012



SUPERVISION

WAQAF MANAGEMENT IN BRUNEI DARUSSALAM

ABDUL HAADI ARIF BIN HAJI ABD LAKIM 08B0250

Supervisor: <u>HJ</u>	H ROSE ABDULLAH			
Signature:	J.	Date:	22/9/12	
	/			
Faculty Dean	DR FADZLIWATI MOH	IIDDIN		
racuity Dean.	OKTADEEI WAII MOII	HDDIN		
Signature:		Date: _	20-09-12	

DECLARATION

بسم الله السرحين السرحيم

I hereby declare that the work in this academic exercise is my own except for quotations and summaries which have been duly acknowledged.

Signature : Signature

Mame : Abdul Haadi Arif Bin Haji Abd Lakim

Registration Number : 08B0250

Date of submission : 08 lamadilakhir 1433/ $: 30^{th}$ April 2012

DECLARATION OF COPYRIGHT AND AFFIRMATION OF FAIR USE OF UNPUBLISHED RESEARCH

Copyright © 2012 by Abdul Haadi Arif Bin Haji Abd Lakim. All rights reserved.

WAQAF MANAGEMENT IN BRUNEI DARUSSALAM

Affirmed by: Abdul Haadi Arif Bin Haji Abd Lakim

No part of this unpublished research may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without prior written permission of the copyright holder except as provided below:

- 1. Any material contained in or derived from this unpublished research may only be used by others in their writing with due acknowledgement.
- 2. UNISSA or its library will have the right to make and transmit copies (print and electronic) for institutional and academic purposes.
- 3. The UNISSA library will have the right to make, store in retrieval system and supply copies of this unpublished research if requested by other universities and research libraries.

O8 Jamadilakhir 1433/ 30th April 2012
Date:

ACKNOWLEDGEMENT

I am thankful to Allah the Almighty, for giving me the spiritual and physical strength and health to me for completing this study.

Precisely, this research would not possible to be done if I am doing it alone except with the astonishing aid from several people who have assisted and contributed their undividable effort as well as their constructive admonition and upbringing ideas in the progress of this study.

First and foremost, I would to thanks millions and my utmost appreciation to Ustazah Hjh Rose Abdullah, Deputy Dean, Faculty of Business and Management Sciences, UNISSA as my supervisor, who always willing to give helpful admonition with offering constructive and pithy ideas for me to do this study.

Mohd Adly Kashfullah bin Haji Mohd. Jaafar, Religious Officer of the Unit *Wakaf* and Baitulmal at Brunei Islamic Religious Council or Majlis Ugama Islam Brunei (MUIB), for his compliance in answering all my questions and doubts.

Hjh Azlina Bte Pehin Orang Kaya Maharaja Kerna Dato Paduka Seri Hj Yaakub, as the Acting Director Badan Tanmiah Harta MUIB, as well as the staffs of Financial Section and Investment and Business Growth Section for their kind assistance and willingness to accommodate to my queries on a very short period.

Thanks to the head village in Kampong Jerudong, Haji Rais Hj Ishak in giving some advise on the procedures of the protocol and policy before conducting the interview session as well as thanks to all the interviewees for their willingness to answer all my questionnaires during the interview session as my additional resource for the study.

Not also to forget to thanks to Ibrahim, one of the Master student in the Faculty of Business and Management Sciences who is always assist my study and provide sources from the other countries, and not to forget the third year students in the same Faculty which are Zawanah Wajihah and Ak Mohd Norhalim, as they provides facts of the selected types of wakaf; to all my companions in arms in the same course, for their helpful ideas and information that their contributed and as well as the Faculty's members and its staffs, Nurathirah Salihah binti Haji Mohd Salleh, Sister Juliana binti Mesri that helped contribute their energy and ideas to help me in organizing this research.

Last but not least, to my family and friends for their unfailing patience in giving me support, strength and ideas to complete this research and I am sincerely in sorry to all for the inconvenience that I have done with or without my notice during the period of the completion of this research and also. I deeply apologized for of my occasional habit of procrastination and thanks to all. May Allah the Most Merciful reward and bless you all. Amin!

ABSTRACT

WAQAF MANAGEMENT IN BRUNEI DARUSSALAM

This study will discuss the importance of wakaf management, on how the management of wakaf is prepared by the wakaf manager (Brunei Islamic Religious Council). This study starts with explaining the concept of endowment where, the researcher focused on several types of endowment and endowment assets. The researcher also states some of the mauquf 'alaihi or the recipients of the endowment in the country in general. The researcher also explains some of the problems and challenges faced by the wakaf manager (Brunei Islamic Religious Council) in this country and the problems faced by the developer (Badan Tanmiah Harta MUIB) in developing the endowment assets, as well as preserving on its perpetuity. In this study, the researcher also discussed how the wakaf properties contributes to the socioeconomic of Brunei and the researcher explains whether the existing wakaf properties could help in alleviating poverty and unemployment and to know whether the cash awqaf can be another way of Islamic financial tools in the poverty alleviation and unemployment as one types of wakaf properties available in this country, which based on the existing types of wakaf properties till the year 2011 only. The methodology applied for this study is qualitative which is based on interviews with the managers, developers of wakaf and this also supported from different types of resources such as books and also information gathered from the interviews. At the end of the study, the researcher gave some suggestions for overcoming the problems being faced by the manager of endowment and gives some suggestions to overcome poverty and unemployment in this country through the existing wakaf properties, particularly by the general endowment.

ABSTRAK

PENGURUSAN WAKAF DI BRUNEI DARUSSALAM

Kajian ini akan membincangkan kepentingan pengurusan wakaf, bagaimana pengurusan wakaf yang disediakan oleh pengurus wakaf (Majlis Agama Islam Brunei). Kajian ini bermula dengan menerangkan konsep wakaf di mana, pengkaji memberi tumpuan kepada beberapa jenis aset endowmen dan endowmen. Penyelidik juga menyatakan beberapa mauquf 'alaihi atau penerima wakaf di negara ini secara umum. Penyelidik juga menerangkan beberapa masalah dan cabaran yang dihadapi oleh pengurus wakaf (Majlis Agama Islam Brunei) di negara ini dan masalah yang dihadapi oleh pemaju (Badan Tanmiah Harta MUIB) dalam membangunkan aset wakaf, serta memelihara pada selamalamanya . Dalam kajian ini, penyelidik juga membincangkan bagaimana hartanah wakaf menyumbang kepada sosio-ekonomi Brunei dan penyelidik menerangkan sama ada hartanah wakaf yang sedia ada dapat membantu dalam membasmi kemiskinan dan pengangguran dan untuk mengetahui sama ada Wakaf tunai boleh menjadi satu lagi cara alat kewangan Islam dalam pembasmian kemiskinan dan pengangguran sebagai salah satu jenis hartanah wakaf yang disediakan di negara ini, yang berdasarkan jenis sedia ada hartanah wakaf sehingga tahun 2011 sahaja. Kaedah yang digunakan untuk kajian ini adalah kualitatif yang berdasarkan temubual dengan pengurus, pemaju wakaf dan ini juga disokong dari pelbagai sumber seperti buku-buku dan juga maklumat yang dikumpul daripada temu bual. Pada akhir kajian, penyelidik memberi beberapa cadangan untuk mengatasi masalah yang dihadapi oleh pengurus endowmen dan memberikan beberapa cadangan untuk mengatasi masalah kemiskinan dan pengangguran di negara ini melalui sifat-sifat wakaf yang sedia ada, terutamanya oleh endowmen umum.

الملخص

ادارة الوقف في بروناي دارالسلام

في هذا البحث، يبدأ الباحث بتعريف، مفهوم وفكرة عامة للوقف. وبعد ذلك، اهتم الباحث على أنواع وأصول الوقف. ثم يشرح الباحث عن كيفية التنفيذ والإدارة الوقف في بلاد بروناي دارالسلام ويبين عن الموقوف عليه أو المتسلمون بوحه العام في هذا البلاد. وذكر الباحث عن القانون في البروناي الذي يتعلقبمسائل وتحدّيات التي واجهه المدبر الوقف (المجلس الديني الاسلامي في بروناي) في هذا البلاد.

والسائل التي واجهه المطوّر (بحلس تنمية المال بمجلس الديني الاسلامي في بروناي) لتطوير الأموال الوقف. في هذا البحث، يفسّر الباحث عن كيف أملاك الوقف يتبرّع بالإقتصادية البروناوية والباحث يريد أن يعرف هل أملاك الوقف في بروناي يستطيع أن يساعد الفقر والبطالة ويريد أيضا لمعرفة هل الأوقاف النقدية يمكن أن يكون وسيلة أخرى من الأدوات المالية الاسلامية التي يمكن أن تساعد على تخفيف قدر الفقر والبطالة من أنواع الوقف المبني على أساس الموجود في بروناي حتى عام 2011 فقط.

ومصادر هذه المعلومات المقدمة لهذا البحث مبني على مقابلة مع المديرون والمطوّرون من الأوقاف. ودعّم هذا البحث بكتب ومعلومات المختلفة التي تم جمعها من خلال المقابلة. وفي نهاية البحث، أعطى الباحث الاقتراحات ليحلّ المسائل الفقر الاقتراحات ليحلّ المسائل الفقر والبطالة في هذا البلاد من خلال الوقف الموجود خصوصا الوقف الخاص.

TABLE OF CONTENTS

CONTENT	PAGE
SUPERVISION	iii
DECLARATION	iv
ACKNOWLEDGEMENT	vi
ABSTRACT	vii
ABSTRAK	viii
اللخص	ix
LIST OF TABLE	xiii
LIST OF CHART	xiv
LIST OF APPENDICES	xv
ABBREVIATION	xvi
CHAPTER I	1
INTRODUCTION	1
1.1. Introduction	1
1.1.1. Overview on Economy in Islam	1
1.1.2. Definition	4
1.1.2.1. Meaning and Concept of Wakaf	4
1.1.3. What is management?	5
1.1.3.1. Why do we need management?	5
1.2. Responsible Agency on Wakaf Management (Nazir or al-Mutawalli)	7
1.2.1. Its organization structure and its functions	8
1.2.2. Importance of <i>Wakaf</i> 1.2.3. The Purpose of Endowment	10
1.3. About the study	10
1.4. Problem statement	11
1.5. Importance of the study	12
1.6. Scope and Limitations	12
1.7. Content of each chapter	14
CHAPTER II	15
LITERATURE REVIEW	15
2.1. Background of Wakaf in Brunei Darussalam	15
2.2. Wakaf Management in General	16
2.3 Duties of Nazir	17

2.4. To Allocate The Return From The <i>Wakaf</i> 2.5. Transparency	17 18
2.6. Issues in <i>Waqf</i> Development: An Analysis in Malaysia	19
2.6.1. Baitul Mal Management	19
2.6.2. Remedies for the idled lands in Malaysia	20
2.7. Types of wakaf	22
2.7.1. Wakaf Ahli or Family endowments	22
2.7.2. Religious <i>Wakaf</i>	23
2.7.3. Wakaf Khairi or Charitable Endowments	23 24
2.8. Poverty Alleviation and unemployment through wakaf	24
CHAPTER III	27
METHODOLOGY AND DATA SOURCES	27
3.1. Analytical Frameworks	27
3.1.1. Identifying the Potential Donors	28
3.1.2. Objectives of the Questionnaires	28
3.1.3. The Questionnaires	30
3.1.4. The Likert Scale	31
3.2. Data Collection	31
CHAPTER IV	34
FINDINGS	34
4.1. Wakaf Management in Brunei Darussalam	34
4.1.1. Brunei Islamic Religious Council or MUIB (Nazir)	35
4.1.2. Endowment and Treasury Unit	36
4.1.3. Relating Agencies for Wakaf Management and Development	36
4.1.3.1. Mosque Affairs Department	36
4.1.3.2. Land Department	37
4.1.3.3. Islamic Studies Department	37
4.1.3.4. Town and Country Planning Department	37
4.1.3.5. Cemetery Department	38
4.1.3.6. Badan Tanmiah, Property of Brunei Islamic Religious Council.	38
4.2. Systems of Endowing in Brunei	39
4.2.1. Register Wakaf	39
4.2.2. Unregister Wakaf	40
4.3. Types of Wakaf in Brunei Darussalam	41
4.3.1. General Endowments	41
4.3.2. Specific Endowments	41
4.4. Current Development Wakaf Properties in Brunei	42
4.4.1. Specific Endowments Property	42
4.4.1.1. Land	42

4.4.1.2. Electrical equipment	44
4.4.1.3. Non-electrical Equipment	44
4.4.1.4. Cash / expenses	44
4.4.1.5. Hearse	45
4.4.2. General Endowment Property	45
4.4.2.1. Commercial Treasury Building	46
4.4.2.2. Housing Treasury Building	46
4.5. TPOR (Tekad Pemedulian Orang Ramai)	47
4.6. Procedures of Wakaf management	48
4.6.1. Procedure for endowing cash by registered at Brunei Islamic Religiou	
	48
4.6.2. Procedure for endowing a land by registered at Brunei Islamic Religion	ous
Council.	49
4.7. Challenges in wakaf management and development faced by MUIB and	Badan
Tanmiah HMUIB	51
4.7.1. Challenges in wakaf management and development faced by MUIB	52
4.7.1.1. Shortage of Competent Staff at the Council	52
4.7.1.2. Public Awareness	52
4.7.2. Challenges in wakaf development faced by Badan Tanmiah HMUIB	53
4.7.2.1. Lack of Domestic Islamic Institution for Islamic Investment	53
4.7.2.2. Issues on Scholar's Opinion Regarding Istibdal	54
4.8. Cash Wakaf Funds	55
4.8.1. Raising Cash Wakaf Funds	55
CHAPTER V	57
CONCLUSION AND RECOMMENDATIONS	57
5.1. Conclusion	57
5.2. Recommendation	60
BIBLIOGRAPHY	63
APPENDIX A	67
APPENDIX B	72
APPENDIX C	75
APPENDIX D	77
APPENDIX E	78
APPENDIX F	93

LIST OF TABLE

NUMBER	TITLE	PAGE
Table 1	The Usage Of Specific Endowed Land Till 2011	42
Table 2	The Usage Of General Endowed Land Till 2011	43
Table 3	The Usage Of Specific Cash Wakaf At MUIB.	45

LIST OF CHART

NUMBER	TITLE	PAGE
	Organization Structure Of Brunei Islamic Religious Council	8
Chart 2	Procedure In Endowing Cash	49

LIST OF APPENDICES

NUMBER	TITLE	PAGE
Appendix A	Questionnaire Distributed	67
Appendix B	Likert Scale's Sample	72
Appendix C	List Of Targeted Potential Donors	75
Appendix D	Badan Tanmiah's Organization Structure	77
Appendix E	Endowment Properties	78
Appendix F	List Of Statutes	93

ABBREVIATION

BIBD Bank Islam Brunei Darussalam

BND Brunei Dollar Chap. Chapter E.g. Example Ed. Editor ed. Edition

EDR Estate Density Residential

Fig. Figure hp horse power i.e. that is

Ibid ion beam induced deposition

JLN Jalan (Road)

KDYMM Kebawah Duli Yang Maha Mulia

KG. Kampong (Village)

LTS Lesen Tumpang Sementara

HMUIB Harta Majlis Ugama Islam Brunei
MUIB Majlis Ugama Islam Brunei

n.d. no date/ no year n.pl. no publisher

NGO non-government organization

No. Number

Op. Cit opus citatum est

p. page

pbuh Peace be Upon Him

pp. pages Sec. Section

Sdn Bhd.Sendirian BerhadSpg.Simpang (Junction)SWTSubhana wa Ta'ala

TAIB Tabung Amanah Islam Brunei
TOL Temporary Occupation License

v. verse
Vol. Volume
...etc. et cetera

CHAPTER I

INTRODUCTION

1.1 Introduction

This chapter will explain management of *Wakaf* institution in Brunei Darussalam; define the concept and characteristics of *Wakaf*. This chapter also clarifies the responsible agencies for the management of *Wakaf* and its properties in Brunei Darussalam generally. This chapter includes the objective, problem statement, importance, scope and limitation of the study.

1.1.1 Overview on Economy in Islam

In the Holy Quran state, "O you, who have believed, enter into Islam completely [and perfectly] and do not follow the footsteps of Satan. Indeed, he is to you a clear enemy..."

From this verse, we can see Islam is one complete religion, which embracing all the facets of activities in this world and hereafter. In essence, it is a command of Allah the Almighty encompassing all aspects of human life including the essence of economic well-being and development of Muslims at the individual, family, community, society and state levels Khir, Gupta, & Shanmugam (2008)².

Underlying Islam, there are three foundations for the guidance which are Aqidah³, Akhlaq⁴ and Syariah. As in this chapter of Wakaf, the author will straightforward to the understanding of Syariah. Under Syariah, it is divided into two categories i.e. Ibadat (Man-to-God) and Mu'amalat Ammdh (Man-to-Man activities) Khir et al (2008)⁵.

¹ Λl-Bagarah, 2:208, (All Our anic translations in this writing are based from: http://quran.com/2).

³ See: Khir.K., Gupta.L., & Shanmugam.B.(2008). Longman Islamic Banking A Practical Perspective. Selangor: Pearson Malaysia.pp.14-18.

¹ Aqidah means faith and belief.

⁴ Akhlag means moralities and ethics.

Soc: Khir.K., Gupta.L., & Shanmugam.B.(2008). Longman Islamic Banking A Practical Perspective. Solungor: Pearson Malaysia.pp. 14-18.

Ibadat can be simply defined as 'servant and slave' Khir et al (2008)⁶, and can be simply understood by the activities between men to his God or in Arabic word is Hablumminallah. The activities are mainly spiritual and religious or in a form of ritual purification such as prayer, pilgrimage, fasting, war (jihad) and some other forms of worship are dealt with under this category Khir et al (2008)⁷.

While, Mu'amalat Ammdh, this can be simply defined as 'servant and servant', where it is the relationship between the human with other mankind. The activities involved will be the daily activities and jobs that had relation amongst mankind with the implementation of Syariah or Islamic law. As under the Mu'amalat Ammdh, it can be categorized into three sections i.e. munakahat-marriage and family related matters; mu'amalat-related to business activities; and jinayat-related to criminal actions Khir et al (2008)⁸.

As in Mu'amalat, it is divided into several categories where it also includes economy in the way of Islam or 'Islamic economy'. Islamic economy plays an important role of Islam in organizing and utilizing the wealth in this world in the right place and for the particular community, because Islam has taught several ways for the Muslim to obtain lawful wealth in this world which Allah SWT said, "But seek, through that which Allah has given you, the home of the Hereafter; and [yet], do not forget your share of the world."

Again, in the Holy Quran states, "And when the prayer has been concluded, disperse within the land and seek from the bounty of Allah, and remember Allah often that you may succeed" that the search of property is a need in life, which Muslims should moderately possess the property because a property could cause Muslims neglect to the command of Allah, and this proves Islam encourages Muslims to find and utilize the wealth in wasatiyyah (moderately). Furthermore, Islam also teaches us how to enrich

⁶ *Ibid.*.p.17.

⁷ Ibid..p.17.

^{*} *Ihid.*.p.17.

^v Al-Qasas, 28:77. (All Qur'anic translations in this writing are based from: http://quran.com/28).

¹⁰ Al-Jumu'ah, 62:10. (All Qur'anic translations in this writing are based from: http://quran.com/62).

legally by not only in the world but also make a direct investment in the hereafter where the wealth is "halalan toyyiban" or (which is lawful and good).¹¹

However, with the knowledge of Islamic economy will enable the 'halal' property to be given to its proper place, which will allow Muslims to spend thrifty and wisely. Hence, with the extra wealth, this will allow them to 'infaq' (spend) their wealth in the way of Allah by doing charity or Wakaf and pay tithe or Zakat, where this should be done by the Muslims.

Islam encourages its followers to do good deeds and charity (amal jariyyah) by donating their property as in terms of worship, as it was mentioned in the hadith of Rasulullah (pbuh) by Abu Hurairah (may Allah be pleased with him) reported Prophet Muhammad (pbuh) as saying: "When a man dies, his acts come to an end, but three, recurring charity, or knowledge (by which people) benefit, or a pious son, who prays for him (for the deceased)." 12

Many previous researchers have different opinions (*ikhtilaf*) about the above hadith. Some suggest that the term 'amal jariyyah' means Sadaqah jariyyah (ongoing charity) made by the deceased during his lifetime and some researchers stated this term as the philanthropy or Wakaf. Hence, by what can be taken from here is, the act of amal jarriyah is a practice done in seeking the love of Allah alone by doing charity (Sadaqah) and philanthropic act or Wakaf to the public for the benefit of mankind in which the reward will be ongoing till hereafter.

As in Islam, there are 6 pillars of faith or *Rukun Iman*, one of it is to have faith in angels of Allah, so every good deed that the human's had done will be recorded by the Angel *Atid* on the Right side, while all the bad deeds will be recorded by the angel Raqib on the left side, and all these records will be submitted to Allah the Almighty where

¹¹ An-Nahl, 16:114. (All Qur'anic translations in this writing are based from: http://quran.com/16).

¹² n.a.(2012). "Chapter 4: What Reward Man Gets After His Death". Sahih Muslim, Book 13: Bequest (Wills) (Kitab Al-Wasiyya). http://www.iium.edu.my/deed/hadith/muslim/013 smt.html.

Allah SWT will judge His servant later in the hereafter at the Mahsyar field (Padang Mahsyar)¹³ according to the reports.

1.1.2. Definition

1.1.2.1 Meaning and Concept of Wakaf.

Wakaf is an Arabic context which is the singular of 'Awqaf' and 'wuquf' and its verb is 'Waqafa'¹⁴. As in definition, Wakaf literally means 'to detain' and 'to prevent'. As from the Syariah view point, it means the implication a form of gift in which the corpus is detained and the usufruct is set free. As for the four eminent Islamic scholars (four schools of thought which have different meaning of Wakaf or endowment. The concept of Wakaf is the devotion to the purpose mentioned by the Waqif (donor) without any financial return. The elements of wakaf are waqif (donor), mauquf (property), mauquf 'alaih (beneficiaries or place to donate) and ijab (pledge).

As in the Quran and Hadith, this is related to Al-Qur'an which means: "Never will you attain the good [reward] until you spend [in the way of Allah] from that which you love." and from Abu Hurairah r.a. in the Hadith of the Prophet Muhammad S.A.W. said as narrated by Imam Muslim which means: "When a man dies, his acts come to an end, but three, recurring charity, or knowledge (by which people) benefit, or a pious son, who prays for him (for the deceased)." As from the "recurring charity" which means the concept of Wakaf such as Wakaf of land, mosque, and buildings and so on.

The Wakaf system is a system where it helps to accept and implement the wants and need of the Waqif (donor) under their mutual consent and this system allows the diminishing of bad attitudes such as greediness, which creates the sense of loving between each other and good relationship.

¹¹ Mahsyar is the gathering place, a field of human post-resurrection from the dead, certainly after the doomsday.

¹⁴ Ilusain. A.S., (2011). "Waqf-The Lasting Charity". Alfalah Consulting http://www.alfalahconsulting.com 2011/04/waqf-lasting-charity.html.

Ali-Imran, 3:92. (All Qur'anic translations in this writing are based from: http://quran.com/3).

¹⁶ n.u.(2012). "Chapter 4: What Reward Man Gets After His Death". Sahih Muslim, Book 13: Bequest (Wills) (Kitab Al-Wasiyya). http://www.iium.edu.my/deed/hadith/muslim/013 smt.html.

1.1.3 What is management?

According to the *dictionary.com*, management can be defined as 'the act or manner of managing; handling, direction, or control; skill in managing; executive ability: great management and tact; or the person or persons controlling and directing the affairs of a business, institution, etc.'¹⁷ Management is also defined as the process of coordinating and integrating work activities so that they're completed efficiently and effectively through other people¹⁸. Management is a need in order to make mankind live in organization and which gives out preferential results of living in comfort and prosperity.

Islam has its own perspective in regard to management fields. When relating to management, most researchers and scholars will relate management with Surah Al-'Asr, as in the Surah al-'Asr, it's a reminder for the Muslims to be prepared for the five things before the five things come, which are "your youth, before you become old; and your health, before you fall sick; and your richness, before you become poor; and your free time before you become busy; and your life, before your death." Hence, management is a vital tool for the Muslims, if they waste of time it is just the same as self torture. Indeed, there is a need for *Wakaf* management.

1.1.3.1 Why do we need management?

As for the study, the demand for good and well management is to strive for the low resource waste which indicates high efficiency and also endeavor for high goal attainment which signifies the high effectiveness of the organization in realizing their goals and mission.

This study need to identify the efficiency of the resources and effectiveness of the organization as with the knowledge of existing resources will discover what resources

¹⁷ n.a.(2012). "Management". Dictionary.com. http://dictionary.reference.com/browse/management?s=t.

See: Robbins, S. P., & Coulter, M. (1999). Management. New Jersey: Prentice hall.pp.8-9

¹⁸ Isirjas, Y.(n.d)." Take Advantage Five Before Five". Khutbah.com- Khutbahs by Almaghrib Institution Institution. http://www.khutbah.com/en/sunnah_seerah/five.php.

[&]quot;Shalala snow (n.d). "Masa Itu Emas". Masa Itu Emas. http://www.smant.edu.my/v3/index.php?topic=1637.0;wap2.

can be developed as well as grab the benefits in eliminating the poverty by fully utilizing the endowments properties for the poor and needy. Thus, this opened the door for employment in decreasing the problem of unemployment in Brunei Darussalam where the rate of unemployment for 2011 was about 3.7% ²¹ of the population. This rate was said as the indicators for unemployment as it was originally based on the jobseekers.

With managing the endowment properties, the author will be able to see the weakness of *Wakaf* properties for some reason which may threaten the sanctity of these *Wakaf* properties. If this management is done, this enables the researcher to organize the endowment properties, and planning for the endowment properties in enhancing the development of the *Wakaf* properties in the absence of any problems and also to do maintenance of the endowment properties in order to keep the substance to be perpetual and to commercialize the endowment properties as by only in this way, this non-economic mechanisms, could help poor citizens and the needy which according to the study mentioned by Pehin Orang Kaya Pekerma Laila Diraja Dato Paduka Hj Hazair Hj Abdullah²² during the 8th Legislation Council in the capital that the total families that lives in poverty is about 5,472 families as the age breakdown of that families shows 11.75 percent to be aged between 30 to 40, and he added that the aged 50 are 32.39 percent and those aged 60 and above are 55.86 per cent²³.

One of the poverty problems is the difficulties for the low-income people to make louns and borrow some money from banks either from Islamic banks or conventional banks as their start-up capital for their business as capital, especially for the small medium enterprise, because most banks do not want to take risk when lending to them. They fear that the borrowers would unable to settle their payments in a timely manner and this will cause the bank to give a charge to the borrower and this leads to another 'chain-problem' when the poor face difficulty to pay the charges.

Heo: Bandial, Q,-A. (May 16, 2011) "Unemployed Numbers May Be Higher Than Registered" *The Brunei Times.* http://www.bt.com.bn/news-national/2011/05/16/unemployed-numbers-may-be-higher-registered.

The current Minister at the Ministry of Culture, Youth and Sports in Brunei Darussalam.

¹¹ lloo: Malai Hassan, S.R. (February 16, 2011)" Tackling unemployment, poverty". *The Brunei Times*. http://www.bt.com.bn/news-national/2012/02/16/tackling-unemployment-poverty.

Thus, with the presence of this non-economic mechanism which is Wakaf, Wakaf properties could be commercialized especially for the general Wakaf where it is not specific and less binding in regards to the terms and condition for the utilization of properties which cash Wakaf is the better choice of Wakaf properties to be developed and used in assists the needs of the borrowers. Why? It is a movable Wakaf property which is convenience to be carried and easy to obtain and collected.

The type for this Wakaf property should be in order to make the terms and conditions to be less binding in giving to the mauquf alaihi. As from there, then the author will suggest on how the collection and disbursement of the cash Wakaf in the next chapter in order for the cash Wakaf to be well managed and do not create further difficulties in order to make this one of the choice that the nazir in the country should do.

1.2. Responsible Agency on Wakaf Management (Nazir or al-Mutawalli)

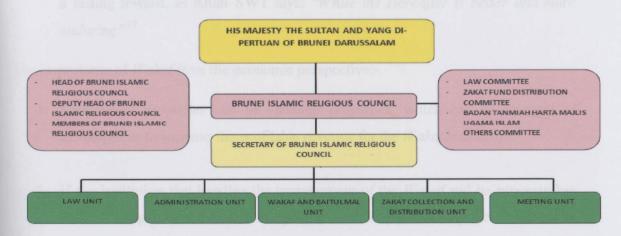
In Brunei Darussalam, the responsible agency that carries the *amanah*²⁴ for managing, allocating and maintenance for the related matters about *Wakaf* is Brunei Islamic Religious Council or *Majlis Ugama Islam Brunei* (MUIB).

²⁴ Amanah means trust.

1.2.1. Organization structure and its functions

Chart.1
Organization structure of Brunei Islamic Religious Council

ORGANIZATION STRUCTURE OF BRUNEI ISLAMIC RELIGIOUS COUNCIL



Source: Majlis Ugama Islam Brunei (2011)²⁵

1.2.2. Importance of Wakaf

Sabran (2002)²⁶ stated that the importance of *Wakaf* can be categorized into three perspectives i.e. Islamic, Economic and Social:-

The importance of Wakaf from Islamic perspective:-

1. Every *wakif* hopes that their *Wakaf* i.e. *amal jariah* will be continued and give perpetual benefits to the people who are using it and believes it is the best investment for both in this world and hereafter which creates profit in both places.

²⁵ n.a.(n.d.)."Carta Struktur Majlis". *Kementerian Hal Ehwal Ugama* Retrieved on October 2011, 20 from: http://www.muib.gov.bn/Majlis/CartaStrukturMajlis.htm.

²⁶ Sabran, O. (2002). Pengurusan Harta Wakaf. A.S.Rosman (Ed.). Johor:UMIDA Industries Sdn.Bhd. pp.65-75.

- 2. Any institution that handles the endowment properties should provide various alternative ways for the Islamic community to avoid or prevent them to waste off their property to the unworthy expenses by spending their properties onto disobedience or *maksiat* and vain things; where this act should be removed and transferred the spending into endowing property by donating it to a proper place, which are beneficial and encouraged by Islam.
- 3. An endowment to the path of Allah SWT is a better option for them and will have a lasting reward, as Allah SWT says: "While the Hereafter is better and more enduring."²⁷

The importance of Wakaf from the economic perspective:-

- 1. Endowment properties can be valuable properties, which can be invested or developed as to increase the profitable revenue for the *Wakaf* institution.
- 2. If the institution that handles the management of the *Wakaf* and its property has sufficient capacity in terms of manpower, financial, and management skills, then these institutions can play a wider role effectively. Even more, the importance of wakaf is to take back the lands that were owned by the Muslims which fell into the hands of foreign nations, whether by rent it, and to receive charge or purchasing and use it as *Wakaf* under the ownership of the Council or by developing a mini-estate projects, development projects, investments and others.
- Endowments are for the Muslim's general activities and are not limited to
 mosques and prayer halls only which are potential to develop the economic life of
 Muslims.

[&]quot; Al-'Ala, 87:17. (All Qur'anic translations in this writing are based from: http://quran.com/87).

The importance of Wakaf from the social perspective:-

- 1. With Wakaf, it can strengthen the social ties (silaturrahim) between the communities.
- 2. To eliminate the attitude of hostile, selfish people and do not want to be united in philanthropic work; which destroy harmony in a society.
- 3. Also, the social efforts in ensuring the people could live in peace and safety, thus this prevents them from involving themselves in bad deeds that disturbs the peace within communities.

1.2.3. The Purpose of Endowment²⁸

- 1. The purpose of *Wakaf* in management is to increase profit and revenue from the property endowed to the institution of *Wakaf* by keeping the property invested and developed.
- 2. Understanding the role of endowment properties being used or given is a way to achieve the pleasure of Allah SWT and an alternative way to be near to Him.
- 3. In Islam, wealth is a thing that must be sacrificed for the purpose of "qurbah"; closer to Allah SWT, as a proof of his (wakif) love to God greater than his love for the world and the property by passing over his property to be Wakaf property.

1.3. About the study

The main aim of the study is to explore the management of Wakaf in MUIB. Hence, the researcher will be able to do further investigation on the management and development of Wakaf property in Brunei Darussalam. Therefore, the researcher can analyze the Wakaf properties on to what extent do the development of Wakaf properties contribute to the

⁷⁸ Sabran, O. (2002). Pengurusan Harta Wakaf. A.S.Rosman (Ed.).Johor:UMIDA Industries Sdn. Bhd. pp.65-75.

economy of Brunei. Next, the researcher is eager to do some findings about this non-economic mechanism in Brunei Darussalam i.e. whether this Islamic traditional financial tool is still eligible to the socio-economy of Brunei. Then, if there is any deficiency in terms of the performance, the researcher shall give some recommendations or how *Wakaf* properties can generate another source of income for the socioeconomic of Brunei in making zero poverty by 2035.

1.4 Problem statement.

There are some issues raised regarding the study such as the problem of Wakaf lands that are left idle and also some Wakaf properties are left without maintenance and any development of it. Thus, this research the researcher to find out what are the solutions made by the Endowment and Treasury Unit or Unit Wakaf dan Baitulmal regarding these matters. As well as know the performance of Wakaf, the management of endowment properties and what are the challenges and obstacles of the development of wakaf in Brunei Darussalam.

Furthermore, the researcher eager to know how MUIB as the sole trustee manage In receiving and delivering the responsibility that they receive from the waqif (donor). Plus the researcher would be able to observe the service that is performed by Endowment and Treasury Unit that enables the researcher to see to what extent are the matters of transparency and honesty in performing their works and also after receiving service. In making the trust to be ongoing, what are the initiatives done by the Endowment and Treasury Unit regarding these matters.

In Brunei, Wakaf is a non economic mechanism, so the researcher would like to know how Wakaf could contribute to some current socio-economic problems which are poverty and unemployment which only focus on these two problems. The researcher would like to know what are the Endowment and Treasury Unit strategic planning in concountering these two setbacks.

BIBLIOGRAPHY

English References:

- Khir.K., Gupta.L., and Shanmugam.B.(2008). Longman Islamic Banking A Practical Perspective. Selangor: Pearson Malaysia.
- (n.a.) (2011). Borneo Bulletin Yearbook The Guide to Brunei Darussalam. n.pl: Brunei Press Sdn Bhd.
- Monzer Kahf, Siti Mashitoh Mahamood (Ed.). (2011). Essential Readings In Waqf Issues. Kuala Lumpur: CERT Publications Sdn Bhd.
- Al-Sallabi, Ali Muhammad. (2007). 'Umar ibn al-Khattab-His Life & Times. Nasiruddin al-Khattab (trans.). Riyadh: International Islamic Publishing House (IIPH).
- Imtiaz Ahmad Khan. (1988). What is Wakf?. Delhi: Delhi: Idarah-i-Adabiyat-i-Delli.
- n.a. (2000). Monetary issues Compilation of State Mufti's Fatwa on monetary issues 1962-1999 Brunei Darussalam. Bandar Seri Begawan: State Mufti's Office.
- Robbins, S.P., Coulter.M. (1999). *Management*. David Shafer (Ed.) 6th ed. London: Prentice-Hall International (UK) Limited.

Malay References:

- Prof.Dr.Muhammad Al-Sayyid Yusuf. (2008). *Tafsir Ekonomi Islam*. Murtadho Ridwan (trans.) Thailand:Bin Halabi Press.
- Hailani Muji Tahir. (1988). Pengenalan Tamadun Islam Dalam Institusi Kewangan. 2nd ed. Selangor: Dewan Bahasa dan Pustaka.
- Sayyid Sabiq. (2009). Fiqih Sunnah. Mujahidin Muhayan, Lc (trans.) Jakarta Pusat: P.T. Pena Pundi Askara.
- Osman Sabran. (2002). *Pengurusan Harta Wakaf*. Arieff Salleh Rosman (Ed.). Johor: UMIDA Industries Sdn.Bhd.
- Haji Rajid Bin Haji Abd. Kadir. (1999). Waqaf. Brunei: Kementerian Hal Ehwal Ugama.
- Faizah Hj. Ismail. (2006). Asas-Asas Muamalat Dalam Islam. 3rd ed. Selangor: Dawama Sdn. Bhd.

Magazine references:

Warga Kerja Buletin Tanmiah. (2009). Buletin Tanmiah. Ibrahim bin Hj. Metusin (Ed.) n.pl:n.pb.

Internet references:

http://guran.com/87

http://quran.com/2

http://quran.com/28

http://quran.com/62

http://quran.com/3

http://quran.com/16

http://www.answers.com/topic/imam

http://www.answers.com/topic/fatwa#ixzz1tHmwgPmZ

http://dictionary.reference.com/browse/management?s=t.

http://www.scribd.com/doc/54812276/8/Wayfarer-lbn-as-Sabeel.

Articles from Website:

- n.a.(n.d.). Jenis-Jenis Wakaf Di Negara Brunei Darussalam. *Kementerian Hal Ehwal Ugama*. Retrieved on October 2011, 20. from http://www.muib.gov.bn/Wakaf]Jenis2Wakaf.htm.
- n.a.(2008). TAIB Deposit Certificate. TAIB Perbadanan Tabung Amanah Islam Brunei. http://www.taib.com.bn/productsservices/tdc.htm
- n.a.(2012). Term Deposit BND. Bank Islam Brunei Darussalam. http://www.bibd.com.bn/corporate/investments/term-deposit-bnd/
- n.a.(2012). "Chapter 4: What Reward Man Gets After His Death". Sahih Muslim, Book 13: Bequest (Wills) (Kitab Al-Wasiyya).

 http://www.iium.edu.my/deed/hadith/muslim/013_smt.html.
- n.a.(n.d.)."Wakaf". Kementerian Hal Ehwal Ugama. Retrieved on October 2011, 20 from: http://www.muib.gov.bn/Wakaf/Wakaf.htm.

- n.a.(n.d.)."Carta Struktur Majlis". Kementerian Hal Ehwal Ugama http://www.muib.gov.bn/Majlis/CartaStrukturMajlis.htm.
- n.a.(2012)."Pentadbiran dan Pengurusan Wakaf". *Kementerian Hal Ehwal Ugama*. http://www.religious-affairs.gov.bn/index.php?ch=bm_muib&pg=bm_muib_profil&ac=1667.
- n.a.(n.d.). Jenis-Jenis Wakaf Di Negara Brunei Darussalam. *Kementerian Hal Ehwal Ugama*. Retrieved on October 2011, 20. From http://www.muib.gov.bn/Wakaf]Jenis2Wakaf.htm.
- Bandial,Q,-A. (May 16, 2011) "Unemployed Numbers May Be Higher Than Registered" *The Brunei Times*. http://www.bt.com.bn/news-national/2011/05/16/unemployed-numbers-may-be-higher-registered.
- Birjas, Y.(n.d)." Take Advantage Five Before Five". Khutbah.com- Khutbahs by Almaghrib Institution
 Instruction. http://www.khutbah.com/en/sunnah_seerah/five.php.
- Husain. A.S,. (2011). "Waqf-The Lasting Charity". *Alfalah Consulting* http://www.alfalahconsulting.com/2011/04/waqf-lasting-charity.html.
- Ibrahim, Y.A. (n.d.). "The Seven Under the Shade of Allah (SWT)". *Islamic Network*. Retrieved February 2012, 29. From: http://www.islaam.net/main/display.php?id=606&category=90.
- Malai Hassan, S.R. (February 16, 2011) "Tackling unemployment, poverty". *The Brunei Times*. http://www.bt.com.bn/news-national/2012/02/16/tackling-unemployment-poverty.
- Shalala_snow (n.d). "Masa Itu Emas". *Masa Itu Emas*. http://www.smant.edu.my/v3/index.php?topic=1637.0;wap2.

Documents from Website:

- Bello Dogarawa, A. (2009). Poverty Alleviation through Zakah and Waaf Institutions: A Case for the Muslim Ummah in Ghana. First National Muslim Summit organized by Al-Furqan Foundation. Tamale.p.18. Retrieved on March 2012, 18 from: http://mpra.ub.uni-muenchen.de/23191/
- Chowdhury, M. R., Ghazali, M. F., & Ibrahim, M. F. (2011). Economics of Cash WAQF management in Malaysia: A proposed Cash WAQF model for practitioners and future researchers. African Journal of Business Management Vol.5(30), p.12156. Retrieved on March 2012, 2. From http://www.academicjournals.org/AJBM/contents/2011cont/30Nov.htm.

- Dafterdar, H. (2010). Towards Effective Legal Regulation and Enabling Environment for Awqaf. Retrieved March 22, 2012, from http://ebookbrowse.com/towards-effective-legal-regulations-and-enabling-environment-for-awqaf-hisham-dafterdar-doc-d139847212.
- Hasan, Z., & Abdullah, M. N. (2008). The Investment Of Waqf Land As An Instrument Of Muslims' Economic Development In Malaysia. Dubai International Conference on Endowments' Investment. Dubai.p.6 Retrieved August 2, 2011 from http://pdffinder.net/THE-INVESTMENT-OF-WAQF-LAND-AS-AN-INSTRUMENT-OF-MUSLIMS'-ECONOMIC-....html.
- Hassan, M. (2010). An Integrated Poverty Alleviation Model Combining Zakat, Awqaf and MicroFinance. Seventh International Conference The Tawhidi Epistemology. Bangi, Selangor. pp.263-265 Retrieved on August 2011, 23. From: http://www.ukm.my/hadhari/sites/default/files/prosiding/p14.pdf.
- Karim, M. F. (2010). Waqf Estates In Bangladesh Analyzing Socio-Economic Profile And Exploring Potential But Unexplored Expenditure Options. Seventh International Conference The Tawhidi Epistemology: Zakat and Waqf Economy, Bangi, Selangor.p.346. Retrieved on March 2012, 19. From: http://www.ukm.my/hadhari/sites/default/files/prosiding/p17.pdf
- Mohd Hanefah et al (2009). Financing the Development of Waqf Property: The experience of Malaysia and Singapore. International Conference on Waqf Laws and Management: Reality and Prospects, October 20-22. Management Center IIUM, International Islamic University Malaysia. Retrieved on February, 2012 from: http://ebookbrowse.com/financing-the-development-of-waqf-property-the-experience-of-malaysia-and-singapore-pdf-d316139326.
- Obaidullah, M., & Khan, T. (2008). *Islamic Microfinance Development: Challenges and Initiatives.* Jeddah: Policy Dialogue Paper No.2.p.46. Retrieved on March 2012, 12 from: http://ebookfreetoday.com/view-pdf.php?bt=ISLAMIC-MICROFINANCE-DEVELOPMENT&lj=http://www.imad.in/mf-obaidullah1.pdf.
- Yalawae, D., & Mohd Tahir, D.(n.d.). The Role of Islamic Institution in Achieving Equality and Human Development: Waqf or Endowment. Kuala Terengganu.p.11. Retrieved on March 2012, 17 from: http://www.capabilityapproach.com/pubs/Asming%20Yalawae,%20and%20Izah%20TahirWaqfAsmeng.pdf.