



جامعة السلطان الشريف علي الإسلامية  
UNIVERSITI ISLAM SULTAN SHARIF ALI  
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

**Faculty of Shariah and Law**  
**Semester III, 2022/2023 Academic Session**

**Final Examination Question Paper**

**Course Code : LS2303**

**Course Name : Fiqh of Will, Endowment and Donation**

**Course Level : Bachelor of Laws (LL.B) & Bachelor of  
Shariah Law (BSL)**

**Time : 3 hours**

**Note:**

Answer any **four (4)** of the following questions.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**QUESTION 1 (15 Marks)**

1. State what is the meaning of the will or *al-wasiah*.  
(2 marks)
2. The pillars of the will are four which are the testator (*al-wasi*), the beneficiary (*al-musa lahu*), the bequeathed property (*al-musa*) and offer and acceptance (*sighah*). Explain the conditions that should exist on each of them.  
(13 marks)

**QUESTION 2 (15 Marks)**

1. Define the gift or *al-hibah*.  
(2 marks)
2. Explain the difference between the gift (*al-hibah*), the present (*al-hadiyyah*) and the charity (*al-sadaqah*)?  
(3 Marks)
3. Discuss the stance of *shara* ' regarding the withdrawal of a gift before and after the recipient receiving it?  
(6 Marks)
4. Ahmad has given a car as a gift to his son. Then he has withdrawn such gift. Discuss whether Islam allows such withdrawal.  
(4 Marks)

**QUESTION 3 (15 Marks)**

1. Illustrate briefly an endowment or *al-waqf*?  
(2 Marks)

2. There are a number of proofs from *al-Quran*, *al-Sunnah* and the action of companions of the Prophet that show the legality of endowment. Discuss such proofs.

(7 Marks)

3. Discuss the meaning of *waqf* of *al-khairi*, *waqf* of *al-ahli* and *waqf* of *al-musytarak*?

(6 Marks)

**QUESTION 4 (15 Marks)**

1. State who *mutawwali* or *nazir*?

(2 Marks)

2. Discuss the main duties of *mutawwali* or *nazir*?

(8 Marks)

3. Explain the requirements that should be available on *mutawwali* or *nazir*.

(5 Marks)

**QUESTION 5 (15 Marks)**

1. Clarify about the rate or amount which is allowed by *shara'* for the will, the gift and the endowment. Strengthen your answer with a proof.

(8 Marks)

2. Explain the features of the gift.

(7 Marks)

بالتوفيق والنجاح