



Reconciling Waqf Law and Practice in Malaysia: Introducing a Dual-Mutawalli Framework for Sustainable Asset Management

Jawwad Ali^{1*} and Mohammad Azam Hussain²

¹ UUM College of Law, Government and International Studies Universiti Utara Malaysia,
Kedah, Malaysia

² UUM College of Law, Government and International Studies Universiti Utara Malaysia,
Kedah, Malaysia

jawwad.ali@uum.edu.my

Abstract. *Waqf* is a fundamental institution in Islam that plays a vital role in promoting social welfare, economic development and community well-being. The *mutawalli* (trustee) serves as the key administrator of *waqf* by overseeing the management and preservation of *waqf* assets. In Malaysia, the State Islamic Religious Councils (SIRCs) are legally recognised as the sole *mutawalli* of all *waqf* properties within their respective states. Consequently, SIRCs bear the primary financial responsibility for maintaining and developing these assets, as *wāqif* (donors) generally cease their involvement after dedicating their property. This arrangement often places a significant financial burden on SIRCs, particularly when *waqf* properties require repair, maintenance or redevelopment. As a result, many *waqf* assets face challenges in achieving their full developmental and socio-economic potential. In contrast, India has adopted a more diversified approach to *waqf* governance through a dual-*mutawalli* model, where both individual and institutional trustees play complementary roles. Drawing on this experience, this study proposes the introduction of a similar dual-*mutawalli* framework in Malaysia. Under the proposed model, individual *mutawalli* would manage small-scale, family or community-based *waqf* properties, while institutional *mutawalli*, such as the SIRCs, would oversee high-value, complex or strategically important *waqf* assets. A fixed percentage of income generated from *waqf* properties managed by individual *mutawalli* would be contributed to institutional *mutawalli*, creating a pooled fund to support maintenance, development and emergency needs. This shared governance model aims to decentralise *waqf* administration, distribute financial responsibilities more effectively and strengthen the long-term sustainability of *waqf* in Malaysia. The study adopts a qualitative, document-based research approach to examine the legal and practical issues surrounding *waqf* management, assess the challenges currently faced by SIRCs and evaluate the feasibility of implementing the proposed dual-*mutawalli* framework.

Keywords: Mutawalli (Trustee), Dual-mutawalli, State Islamic Religious Councils (SIRCs), Waqf, Malaysia.

1 Introduction

Waqf has been an integral part of Islamic civilisation since its earliest days, transforming private wealth into a lasting source of public benefit. Throughout history, Muslims have established *waqf* to support mosques, madrasas, roads, water supply systems and a wide range of welfare services, often without relying on

government assistance. However, the success and sustainability of *waqf* depend not only on religious commitment but also on effective governance, sound management and efficient administration [1].

At the heart of *waqf* governance is the *mutawallī*, the trustee entrusted with safeguarding, managing and developing the assets endowed by the *wāqif* (donor). Islamic law has traditionally recognised the role of the *mutawallī* as flexible, allowing it to be undertaken by individuals, families or institutions, depending on the nature of the *waqf* and the needs and circumstances of the local community [2].

In Malaysia, *waqf* management is centralised, with the State Islamic Religious Councils (SIRCs) serving as the sole legal trustees of all *waqf* properties within their respective states. This system was introduced to ensure a better administration, strengthen regulatory oversight and minimise the risk of mismanagement. While these objectives are commendable, the practical realities of the current framework have become increasingly evident. As the sole trustees, SIRCs are responsible for managing thousands of *waqf* properties, many of which generate little or no income while requiring continuous maintenance, preservation and development. This places considerable financial and administrative pressure on the SIRCs, limiting their ability to manage all *waqf* assets effectively and sustainably [3].

This imbalance between responsibility and capacity has made it hard to use *waqf* assets effectively. The situation is compounded because many of the people tend to believe the state should take over all responsibility once property is donated, and so *wāqif* and local communities leave *waqf* to their *wāqif* and local communities, weakening accountability and sustainability. This article therefore suggests Malaysia can try to revisit old principles and learn from other countries of doing things.

India offers a valuable point of comparison through its dual *waqf* governance system, where individual *mutawallī* continue to manage *waqf* properties under the supervision of institutional *waqf* boards. This balanced approach combines local involvement with institutional oversight, promoting both accountability and efficiency. Drawing on this experience, the present study proposes a dual-*mutawallī* framework that is suitable for Malaysia's legal and institutional environment.

The research adopts a qualitative methodology based on doctrinal analysis, comparative legal study, and selected case examples. It argues that a decentralised yet well-regulated *waqf* governance model can provide a more practical and sustainable solution for the effective management and long-term development of *waqf* assets in Malaysia.

2 Literature Review

2.1 Waqf as a Socio-Economic Institution

Islamic jurists have traditionally regarded *waqf* as more than a charitable institution. They have viewed it as a socio-economic mechanism designed to provide continuous

public benefit through *ṣadaqah jāriyah* (ongoing charity). Accordingly, *waqf* is not merely an administrative arrangement but a legal framework that safeguards social welfare by preserving endowed property and ensuring that its benefits are continuously distributed to beneficiaries recognised under *sharī'ah*. This understanding has been consistently reflected in classical juristic writings on *waqf* [4].

Throughout Islamic history, *waqf* institutions have played a significant role in financing essential public services, including healthcare, education, transportation, water supply and social welfare. They have long served as an important social safety net, supporting communities by providing services that were often beyond the capacity of the state [5]. Even today, *waqf* continues to be recognised as a valuable instrument for promoting social welfare and sustainable community development.

Waqf is a system that is situated between the individual and the state that enables communities to organize social welfare as they see fit [6]. As income-generating endowments that supported marketplaces, public utilities, educational institutions and healthcare facilities, *waqf* played a key role in Ottoman economic and urban development, creating jobs and redistributing wealth [7]. So long as the *waqf* administration is integrated with contemporary governance and financial structures, contemporary reforms in Turkey are as much in line with this historical legacy as the previous ones, and *waqf* institutions contribute to the social and economic development of the country.

Waqf has long been an important socioeconomic institution in South Asia, especially in India, supporting humanitarian, religious, and educational endeavors while also boosting local economies through rental properties, business assets, and agricultural land [8]. Recent studies show that *waqf* in India continues to play a significant role in poverty alleviation, urban development and community welfare despite obstacles brought about by colonial intervention and post-independence regulatory complexities, particularly where decentralized management and community participation are present [9]. Scholars warn that mismanagement, excessive bureaucratization, politicization and inflexible legislative frameworks that were unable to adjust to shifting socioeconomic realities, were the main causes of the downfall of *waqf* institutions in many places. As a result, modern *waqf* literature places more focus on revitalization through professional administration, adaptive governance models, sustainability-oriented reforms and openness [10].

In order to improve socioeconomic effect and long-term sustainability, numerous academics emphasized in this reform-oriented discourse the significance of integrating traditional *waqf* principles with contemporary institutional frameworks, creative finance techniques and inclusive governance models [11]. When paired with relevant legislative reforms and shared governance structures, these studies collectively support the idea that *waqf* can reclaim its historical role as a dynamic engine of social welfare and economic development.

2.2 The Concept and Accountability of the Mutawallī

In Islamic law, the *mutawallī* is generally regarded not as an owner but rather as a fiduciary and should be responsible for the management of *waqf* property as per the *wāqif's* intention and *shariah's* goals. When selecting a *mutawallī*, whether it be an individual or an organization, classical jurists gave *wāqif* considerable latitude as long as the candidate was competent (*kifāyah*), trustworthy ('*adālah*), and had the ability to efficiently manage the *waqf*. This is also a reflection of the legal understanding that the quality of governance as well as the type of trusteeship determines the ability of a *waqf* to function effectively [12].

In traditional Islamic law, the duty of a *mutawallī* is not just to watch over the corpus of the *waqf*. This is to be safe from loss, destruction or encroachment and to maintain and repair the property as much as possible [13]. The *mutawallī* needs to be able to collect and manage *waqf* income. They have to keep accurate and transparent accounting, and to distribute benefits according to beneficiary interests and the conditions of the *waqf* deed (*shurūṭ al-wāqif*). The *mutawallī* is encouraged and some legal opinions even state it is required to increase the productivity of the *waqf* property as much as possible. But it should not threaten the permanence or violate the *wāqif's* terms [14].

Islamic law places great importance on the responsibility and oversight of *mutawallīs*. Judicial or governmental authorities will dismiss a *mutawallī* who is careless, dishonest or incompetent. They may also be held accountable for harm caused by bad management and trust loss [15]. Such accountability demonstrates that Islamic law places efficiency and public interest (*maṣlahah*) over rigid institutional norms or individual rights as the principle of governance structures. Modern scholars say that this flexible, thought-out framework allows *waqf* governance to meet changing social and economic conditions while remaining true to core values of the community [16].

This understanding supports the case for shared or dual *mutawallī* frameworks in today's *waqf* administration. It provides a solid doctrinal and empirical basis for rethinking exclusive institutional mutawalliship.

2.3 Waqf Administration in Malaysia

Malaysia's federal structure, which gives state legislative and administrative authority over Islamic subjects, is the constitutional basis for the state's governance of *waqf*. As a constitutional monarchy, the Yang di-Pertuan Agong has the same powers in federal territories and the Federal Constitution places the Rulers as the heads of Islam in each state. The states have direct legislative power over *waqf* according to Article 74 of the Federal Constitution and the State List (List II) in the Ninth Schedule. Each state has the power to regulate *waqf* using its own institutional framework and legislative mechanisms [17].

The SIRC is usually designated in state law as the only *mutawallī* of all *waqf* properties in the state [18]. This centralization is a regulatory decision from a policy point of view: it is a policy move to have stable monitoring for all *waqf* assets, to avoid the fragmentation of authority and to avoid the intrusion of private entities. Previous research has found that such a policy has contributed to asset registration, legal certainty and formal control of *waqf* administration in many states [19].

In recent decades, several states have strengthened this framework with specific *waqf* laws. Selangor's Wakafs Enactment was passed in 1999 and amended in 2015. In Negeri Sembilan, Melaka, Perak, Terengganu, Sabah and Pahang, similar laws were passed [20].

From doctrinal perspective, the passage of a specific *waqf* law indicates that *waqf* is now considered a separate legal entity and therefore subject to greater regulation than is the case for general administrative regulation under Islamic administration rules. However, the legal environment in the federation is still very patchy in terms of legislation and enforcement.

Nevertheless, the statutory landscape remains uneven across the federation. *Waqf* is still regulated in a number of governments by specific clauses that are incorporated into more comprehensive Islamic administration laws, which prioritize procedural control over substantive governance. The inconsistency of *waqf* management across the country has been undermined by this legislative fragmentation, which has led to different institutional capacities and administrative procedures among SIRC.

Overall, these occurrences indicate that although legal control over *waqf* has been successfully consolidated under Malaysia's constitutional and legislative framework, the limitations of a purely centralized governance approach have also been revealed. The current *mutawallī* system should be reevaluated in light of the significant normative issues raised by the discrepancy between legal control and operational capabilities, including sustainability, accountability and conformity with traditional Islamic norms of *waqf* administration.

2.4 The Role of State Islamic Religious Councils (SIRCs) in Malaysia: State-Level Experiences and Sustainability Challenges

In Malaysia, the State Islamic Religious Councils (SIRCs) play a central role in the governance of *waqf* as the statutory trustees, regulators, and, in many cases, developers of *waqf* assets. Their legal responsibilities include registering *waqf* properties, ensuring their protection and maintenance, planning and implementing development projects, managing investments and taking enforcement action against misuse or encroachment. This centralised governance structure is intended to safeguard *waqf* assets through professional oversight and consistent administration. However, the effectiveness of SIRCs varies considerably from one state to another, particularly in terms of financial capacity, resource availability and the ability to develop and sustain *waqf* assets effectively [21].

The problem of financial sustainability is a recurrent issue in modern *waqf* literature. Many *waqf* institutions struggle to make enough money to cover ongoing maintenance and development expenses, according to empirical studies, particularly when *waqf* assets are inactive, poorly situated or non-income-generating [22]. This problem is exacerbated in Malaysia by the fact that SIRC's mostly rely on small amounts of internally generated revenue and, occasionally, governmental grants, which are frequently insufficient to finance the growing portfolio of *waqf* assets under their supervision [23]. The differences between *waqf* assets that operate well and those that are neglected are made worse by the lack of organized financial pooling or cross-subsidization arrangements.

Waqf outcomes are influenced by institutional capacity and financial resources, as demonstrated by state-level experiences. A common example of a somewhat successful institutional mutawalliship is the Selangor Islamic Religious Council [24]. The Council has undertaken a variety of socially conscious and revenue-generating *waqf* projects, such as housing, healthcare facilities and commercial developments, through its corporate arm, Perbadanan Wakaf Selangor. These programs show how *waqf* sustainability can be improved, and long-term reliance on public funding can be decreased by having access to financial resources, professional knowledge, and strategic planning [25].

In the same vein, the development of profitable *waqf* assets, especially retail spaces, rental homes and agricultural land, has been given top priority by the Johor Islamic Religious Council. The Council has been able to increase self-financing capacity and partially fulfill maintenance and development needs without unduly relying on outside assistance by concentrating on revenue-generating projects [26]. These illustrations show that when *waqf* portfolios are strategically managed and backed by sufficient financial infrastructure, institutional mutawalliship can be successful.

The Penang Islamic Religious Council's experience also shows the institutional constraints that SIRC's have to face with little funding. Many of the small, historically supported *waqf* assets, in many cases generating little or no revenue, are managed by the Council. When economies of scale and investment capacity are lacking, a centralized *mutawallī* model is not sufficient given the cost of maintaining these assets and lack of development opportunities. In other words, the state-level experiences in Malaysia show that institutional mutawalliship is not always a consistent model and even if SIRC's are an integral part of the Malaysian *waqf* system, they are not as responsible or accountable for those assets with low financial sustainability.

This structural reality underscores the need to reexamine whether centralized mutawalliship can handle sustainability issues across various *waqf* portfolios on its own. So, this adds to the case for alternative or complementary governance structures, which would better allocate managerial and financial responsibility.

2.5 Comparative Literature: Waqf Governance and Mutawalliship in India

In the case of India, where a pluralistic governance framework is still in place, comparative research on *waqf* governance provides important insights into alternate kinds of mutawalliship. In contrast to highly centralized institutions, statutory *waqf* boards and individual *mutawallīs* coexist in Indian *waqf* administration. In this structure, individual *mutawallīs* maintain operational responsibility over numerous *waqf* assets, while *waqf* boards primarily serve as regulatory and supervisory organizations [27].

In the day-to-day management of *waqf* assets in India, the management of maintenance, leasing operation, income collection and distribution of benefits to the designated beneficiaries is entrusted to *mutawallīs*. The requirements to maintain accurate records, keep periodic financial reports and abide by *waqf* board directions strengthen the fiduciary duties of a *mutawallī*. The *waqf* board has the power to take over if management is wrong or if there is abuse and mismanagement by the *mutawallī*. Decentralized operational management is balanced with institutional supervision [28].

The Indian context shows the benefits of decentralized mutawalliship despite its disadvantages such as managerial limitations, internal conflict and the need for constant litigation. Individual *mutawallīs* have intimate knowledge of the physical state of assets and the socioeconomic requirements of beneficiaries, especially when it comes to small and localized *waqf* properties. Compared to completely centralized administration structures, this proximity allows for more responsive decision-making, economical upkeep, and stronger community engagement.

Further empirical research indicates that decentralized *waqf* management can lessen the administrative costs on central authorities and improve the long-term sustainability of *waqf* assets in situations where individual *mutawallīs* operate within a clear regulatory framework and get sufficient institutional support [29]. Importantly, the Indian example shows that accountability can be maintained through statutory reporting and supervisory action and not weakened by decentralization.

Islamic law and similar Indian practice on *waqf* demonstrate that the *mutawallī* position is managerial, fiduciary and accountable. A pluralistic mutawalliship, which combines individual accountability and institutional oversight in Islamic law, is compatible with contemporary practice and can be more relevant to contemporary governance and sustainability issues than a single form of governance in the Indian case. If governments want to re-evaluate their *waqf* governance systems and not just give up regulatory oversight, this comparison of India and other states can be a helpful guide for them.

3 Analysis and Discussion: Towards a Dual-Mutawalli Framework

The analysis highlights a fundamental structural disconnect between the practical administration capacity of the State Islamic Religious Councils (SIRCs) and their wide legislative responsibilities. Centralization of mutawalliship has brought more uniformity to the legal system and improved regulatory control, but it has also taken the SIRCs on a direct basis to manage thousands of *waqf* assets, many of which are small-scale, dispersed or non-income producing. These over-centralization issues have diluted the institutional focus and led to poor use of *waqf* assets, particularly at the community level, delayed maintenance and few development activities.

Both doctrinal analysis and practical experience suggest that the challenges facing Malaysia's *waqf* governance extend beyond administrative issues and are, in fact, structural in nature. The current SIRC model tends to combine the functions of *mudīr* (manager) and *nāzīr* (supervisor) within a single institution. While centralised oversight is important for safeguarding the integrity and objectives of *waqf*, effective supervision also requires continuous local engagement, regular monitoring and a clear understanding of community needs. These are responsibilities that large bureaucratic institutions often find difficult to fulfil. Consequently, under a fully centralised *mutawallī* system, *waqf* assets that depend on local knowledge, close supervision and active community participation are less likely to receive the attention needed for their effective management and long-term sustainability.

To address these deficiencies, this article proposes a dual-*mutawallī* framework that distinguishes between managerial and supervisory functions in addition to institutional accountability. Under this concept, mutawalliship would be in two complementary and interdependent forms.

First, small-scale, family-based or community *waqf* assets would be managed by individual *mutawallīs*. Based on *sharʿ al-wāqif* principle, the *wāqif* may appoint these *mutawallīs* by himself or the SIRC may approve and register them. They would be responsible for regular administration, maintenance, leasing, revenue collection and preliminary reporting. Individual *mutawallīs* would be better able to respond quickly to operating needs, maintain the *waqf*'s functionality and be in keeping with the local socioeconomic realities because of the close connection to the *waqf* asset and its beneficiaries.

Second, high-value, complicated or strategically important *waqf* assets, such as commercial developments, large land banks and multipurpose *waqf* projects, would be under the control of institutional *mutawallīs* (SIRCs). But more importantly, SIRCs would be the coordinators, supervisors and regulators in the *waqf* ecosystem. All *mutawallī* registration and accreditation, governance rules, auditing and compliance monitoring, dispute resolution and strategy planning are under the control of the SIRCs. Since the recalibration that has been made, SIRCs can now have significant oversight without having to deal with small-scale management duties.

The establishment of a central *waqf* sustainability fund is a key element of the framework. A certain amount of net *waqf* income would be contributed annually by individual *mutawallīs* in a shared fund to the institutional *mutawallī*. The fund would help to build capacity for *mutawallīs*, to help *waqf* assets that do not generate income, to finance emergency repairs, and to finance small-scale development projects. It provides a way to have decentralized operations but to create financial solidarity (*ta 'āwun māli*) among *waqf* assets and the institutionalization of cross-subsidization.

This model has a solid foundation in classical jurisprudence that we can apply from an Islamic legal perspective. All *mutawallīs*, delegated management and judicial or institutional involvement in case of incompetence, carelessness or public interest were accepted by pre-modern jurists. A strong doctrinal support for a diverse governance system that puts effectiveness above formal centralization is the emphasis on *maṣlaḥah*, fiduciary accountability (*amānah*), and beneficiary protection. Most importantly, the framework realizes state authority in a manner that is consistent with *Shari'ah* aims (*maqāṣid al-Shari'ah*) and not contrary.

A dual-*mutawallī* system would need to be changed from one side to the other legally and from the other. The current *waqf* laws would have to specify minimum competency and reporting, clearly identify individual *mutawallīs* as legally legitimate actors under SIRC supervision, and provide a procedure for non-compliance. If a reform in the law can be made to reflect administrative reality, then it will reinforce governance and not weaken state power.

In practice, the dual-*mutawallī* framework is a reasonable and realistic way of conducting *waqf* governance. It improves efficiency and accountability and sustainability by integrating decentralized structure of management with centralized monitoring and financial solidarity. And more importantly, it brings *waqf* management back to an earlier socioeconomic objective to be able to support communities and that is to give up charity.

Table 1. Roles of Individual and Institutional Mutawallīs.

Aspect	Individual Mutawallī (Proposed Recognition)	Institutional Mutawallī (SIRC)
Legal Basis	To be expressly recognised through amendment to State <i>Waqf</i> Enactments	Recognised by statute as sole trustee/mutawallī of <i>waqf</i> within the state
Source of Appointment	Appointed by the <i>wāqif</i> in accordance with <i>sharṭ al-wāqif</i> and approved/registered by the SIRC	Vested automatically by law in the SIRC
Legal Status	Delegated or subsidiary mutawallī acting under SIRC supervision	Principal institutional mutawallī with statutory authority

Aspect	Individual Mutawalli (Proposed Recognition)	Institutional Mutawalli (SIRC)
Type of Waqf Assets Managed	Small-scale, family, mosque-adjacent, graveyard, or community-based <i>waqf</i>	High-value, commercial, development-oriented, or strategic <i>waqf</i> assets
Operational Responsibilities	Day-to-day administration, maintenance, leasing, rent collection, and beneficiary distribution	Direct management of major projects; approval of leases, development, and disposal
Ownership and Control	No legal ownership; acts as fiduciary manager (<i>amīn</i>)	Legal trustee holding <i>waqf</i> assets on behalf of the Muslim community
Financial Management	Manages operational income and contributes a fixed percentage to the central <i>waqf</i> sustainability fund	Administers central <i>waqf</i> accounts, investment vehicles, and pooled funds
Reporting Obligations	Required to maintain accounts and submit periodic financial and activity reports to the SIRC	Statutory duty to audit <i>waqf</i> accounts and report to state authorities
Disciplinary Control	May be suspended or removed by the SIRC for negligence or breach of trust	Empowered to intervene, replace managers, or assume direct control
Dispute Resolution	Handles minor local disputes subject to escalation	Primary authority for dispute resolution; may refer matters to Shari'ah courts

6 Conclusion and Recommendation

This article has suggested that the structural design of *waqf* governance, rather than Islamic legal philosophy, is the source of the sustainability issues facing Malaysian *waqf* administration. Particularly about modest and non-income-generating *waqf* assets, the sole concentration of mutawallīship in State Islamic Religious Councils has placed financial and administrative constraints beyond institutional capabilities. The essay has shown that a dual-*mutawallī* framework provides a practical and Shariah-compliant answer by drawing on ancient Islamic jurisprudence and comparative experience from India. The suggested solution decentralizes operational administration, reinstates community involvement, and encourages shared financial responsibility through a central sustainability fund by acknowledging both individual and institutional *mutawallīs* within a regulated structure. Efficiency is increased without sacrificing responsibility when SIRC are repositioned as strategic overseers, regulators, and developers rather than as the exclusive managers of all *waqf* assets. The dual-*mutawallī* structure has the potential to revitalize Malaysia's *waqf* sector and restore its historical function as a sustainable tool of social welfare and socioeconomic development if it is put into practice through thoroughly thought-out legal reforms and regulatory guidelines. The following suggestions are put forth:

First, in order to properly recognize individual *mutawallīs* under the oversight of State Islamic Religious Councils, especially for small-scale and community-based *waqf* assets, Malaysian *waqf* enactments should be modified.

Second, rather than serving as the exclusive managers of all *waqf* assets, State Islamic Religious Councils should be reoriented to concentrate mainly on strategic monitoring, regulation, auditing, and the development of high-value and difficult *waqf* projects.

Third, in order to maintain upkeep, capacity building, and non-income-generating *waqf* properties, a centrally managed *waqf* sustainability fund should be created and funded by mandated payments from income-generating *waqf* assets.

Authors' Contributions. Conceptualization and Design of the Study: Author 1 contributed the initial research idea and theoretical framing, and the conceptual framework and methodological approach. Review & Supervision: Author 2 provided overall research oversight, academic direction, and oversaw the final revisions.

References

1. Aziz, Anwar, and Jawwad Ali. "A comparative study of waqf institutions governance in India and Malaysia." *Intellectual Discourse* (2018): 1229-1246.
2. Ali, J. "The management of Waqf in India with a special reference to Delhi Waqf board: a critical analysis." *IIUM Thesis, Malaysia* (2019).
3. Aziz, Anwar, and Jawwad Ali. "A comparative study of waqf institutions governance in India and Malaysia." *Intellectual Discourse* (2018): 1229-1246; Nor Asiah Mohamad, *Waqf Law and Administration in Malaysia* (Kuala Lumpur: Pustaka Salam Sdn. Bhd. 2018).
4. Kahf, Monzer. *Al-Waqf: Its Role in the Development of the Muslim Community*. Jeddah: Islamic Research and Training Institute, 1998; Hassan, Rusni, Jawwad Ali, and Fatimah Mohamad Noor. "Cash Awqaf: How It May Contribute to SDGs?." In *Islamic Wealth and the SDGs: Global Strategies for Socio-economic Impact*, pp. 559-577. Cham: Springer International Publishing, 2021.
5. Çizakça, Murat. *A History of Philanthropic Foundations: The Islamic World from the Seventh Century to the Present*. Istanbul: Boğaziçi University Press, 2000; Owais, Mohd, and Jawwad Ali. "Waqf management reform: A pathway to alleviate poverty within Muslim societies." *Journal of Emerging Economies & Islamic Research* 11, no. 1 (2023): 57-70.
6. Hoexter, Miriam. *Endowments, Rulers and Community: Waqf al-Ḥaramayn in Ottoman Algiers*. Leiden: Brill, 1998.
7. Çizakça, Murat. *Islamic Capitalism and Finance: Origins, Evolution and the Future*. Cheltenham: Edward Elgar, 2014; Kuran, Timur. *Islam and Economic Performance: Historical and Contemporary Links*. *Journal of Economic Literature* 56, no. 4 (2018): 1292-1359.
8. Fyzee, Asaf A. A. *Outlines of Muhammadan Law*. 5th ed. Oxford: Oxford University Press, 2008; Engineer, Asghar Ali. *Islam and Muslims: Issues of Identity and Reform*. New Delhi: Manohar, 2016.
9. Cattani, Henry. *The Law of Waqf*. London: Allen & Unwin, 2016; Ahmad Husain and Sayyed Khalid Rashid, *Waqf Laws and Administration in India* (Lucknow: Eastern Book Company 1979) 15-48; Jawwad Ali, *Uniformity of Waqf Laws Based on*

- Contemporary Ijtihād: A Study of Malaysian and Indian Laws* (unpublished PhD thesis, IIUM 2024).
10. Mohsin, Magda Ismail Abdel. *Financing through Cash-Waqf: A Revitalization to Finance Different Needs*. Kuala Lumpur: IIUM Press, 2013; Kahf, Monzer, and Shaikh M. Ghazali Mohamed. "Revitalizing *Waqf* for Socio-Economic Development." *Humanomics* 33, no. 4 (2017): 419–430.
 11. Aziz, Anwar, and Jawwad Ali. "A comparative study of waqf institutions governance in India and Malaysia." *Intellectual Discourse* (2018): 1229-1246.
 12. Jawwad Ali, *Uniformity of Waqf Laws Based on Contemporary Ijtihād: A Study of Malaysian and Indian Laws* (unpublished PhD thesis, IIUM 2024); Muhammad Abu Zahra, *Muḥāḍarāt fī al-Waqf* (Cairo: Dār al-Fikr al-‘Arabī 2005) 9–11.
 13. Al-Zuhaylī, Wabbah. *Al-Fiqh al-Islāmī wa Adillatuh*. Damascus: Dār al-Fikr, 2007.
 14. Jawwad Ali, Yusuf Azeem Siddiqi, Noor Asia Mohamad and Rusni Hassan, 'Shari'ah Heterogeneity of Indian Islamic Waqf Law (IIWL) and Accounting and Auditing Organization for Islamic Financial Institution (AAOIFI) Standard: A Comparative Study in Light of Classical Rulings' (2023) 12 (1) *Journal of Islamic Finance* 96-108. ; Muhammad Abu Zahra, *Muḥāḍarāt fī al-Waqf* (Cairo: Dār al-Fikr al-‘Arabī 2005) 9–11.
 15. Al-Zuhaylī, Wabbah. *Al-Fiqh al-Islāmī wa Adillatuh*. Damascus: Dār al-Fikr, 2007.
 16. Hassan, Rusni, and Yusoff, Zaini. "Governance and Accountability in *Waqf* Institutions." *Journal of Islamic Accounting and Business Research* 10, no. 3 (2019): 359–373.
 17. Siti Mashitoh Mahmood, *Waqf in Malaysia: Legal and Administrative Perspective* (Kuala Lumpur: University Malaya Press 2006) 2; Anwar Aziz and Jawwad Ali, 'A Comparative Study of Waqf Institutions Governance in India and Malaysia' (2018) 26 (Special Issue) *Intellectual Discourse* 1229-1246
 18. *Wakaf* (Pahang) Enactment 2022; *Wakaf* (Terengganu) Enactment 2016; *Wakaf* (Selangor) Enactment 2015; *Wakaf* (Perak) Enactment 2015; *Wakaf* (Sabah) Enactment 2018.
 19. Ahmad, Mohamed, and Muhamed, Noor. "*Waqf* Administration in Malaysia." *Journal of Islamic Law Studies* 5 (2011): 45–67.
 20. *Wakaf* (Pahang) Enactment 2022; *Wakaf* (Terengganu) Enactment 2016; *Wakaf* (Selangor) Enactment 2015; *Wakaf* (Perak) Enactment 2015; *Wakaf* (Sabah) Enactment 2018; Jawwad Ali, *Uniformity of Waqf Laws Based on Contemporary Ijtihād: A Study of Malaysian and Indian Laws* (unpublished PhD thesis, IIUM 2024).
 21. Hasan, Zulkifli, and Abdullah, Nurul Huda. "Institutional Roles of SIRC's in *Waqf* Development." *ISRA International Journal of Islamic Finance* 12, no. 2 (2020): 185–202; Nor Asiah Mohamad, *Waqf Law and Administration in Malaysia* (Kuala Lumpur: Pustaka Salam Sdn. Bhd. 2018).
 22. Kahf, Monzer. "*Waqf* Development and Financial Sustainability." *Islamic Economic Studies* 23, no. 2 (2015): 1–15.
 23. Sulaiman, Mohd Noor et al. "Financial Constraints in Malaysian *Waqf* Institutions." *International Journal of Social Economics* 46, no. 9 (2019): 1157–1174.
 24. Ismail, Abdul Ghafar, and Possumah, Bayu Taufiq. "Sustainability Challenges of *Waqf* Institutions in Malaysia." *Journal of Islamic Monetary Economics and Finance* 6, no. 3 (2020): 573–594.
 25. Noor, Asiah, and Haron, Razali. "Corporate *Waqf* Development in Selangor." *Journal of Waqf Studies* 3, no. 1 (2021): 23–41.
 26. Abdul Rahman, Azman. "Productive *Waqf* Development in Johor." *Malaysian Journal of Islamic Economics* 10, no. 2 (2018): 89–104

27. Anwar Aziz and Jawwad Ali, 'A Comparative Study of Waqf Institutions Governance in India and Malaysia' (2018) 26 (Special Issue) Intellectual Discourse 1229-1246; Hasanuddin Ahmed and Ahmadullah Khan, *Strategies to Develop Waqf Administration in India* (Jeddah: The Islamic Research and Teaching Institute 1998).
28. Fyzee, Asaf A. A. *Outlines of Muhammadan Law*. 5th ed. Oxford: Oxford University Press, 2008; Engineer, Asghar Ali. *Islam and Muslims: Issues of Identity and Reform*. New Delhi: Manohar, 2016.
29. Nadwi, Abu'l Hasan Ali. *Muslim Philanthropy and Waqf Administration in India*. Lucknow: Academy of Islamic Research, 2014; Alam, Md. Shah, and Rahman, Fauziah. "Decentralised *Waqf* Governance in India." *Journal of Islamic Social Finance* 4, no. 2 (2021): 1–18.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

