

Replacing the Waqf (religious endowment)

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: A young man has a copy of the Qur'aan, but according to "Warsh" version and he needs a copy according to "Hafs" version. So, can he replace his copy of the Qur'aan by another from the mosque? We hope that your answer will be detailed and may Allaah reward you with good.

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee (*May Allaah preserve him*): All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

Replacing a copy of the Qur'aan by another, similar or better is lawful if the substitution is for a need or a preponderant utility. This is the view of Ahmad and other scholars, it is also the opinion of Ibn Taymeeyah, contrarily to Maalik and As-Shaafi'ee. This view is supported by authentic texts, traditions and Qiyaas (analogical reasoning). Among these, what is established in the two Saheehs (Al-Bukhaaree and Muslim) that the Prophet (*May the peace and blessings of Allaah be upon him*) said to `Aa'ishah¹:

"O `Aa'ishah! Had your nation not been close to the (time of) unbelief, I would have demolished Ka'bah, and made it at a level with the ground. I would also have made two doors for it, one towards the east and the other towards the west, and added to it six cubits from (the area of) Al-Hijr"².

Had it not been a preponderant cause that makes the Prophet (*May the peace and blessings of Allaah be upon him*) rebuild the Ka'bah, he would have done it. Thus, it is permissible to change a Waqf from a certain form to another because of a preponderant utility. Among the traditions supporting this, the act of `Umar and `Uthmaan (*May Allaah be pleased with them both*) who rebuilt the mosque of the Prophet (*May the peace and blessings of Allaah be upon him*) and made some changes on it.

Hereupon, if the copy which is made a Waqf is no longer profitable or it is neglected in a way that the people of this region prefer the version of "Warsh according to Naafi" to that

¹ `Aa'ishah, the Mother of The Believers (*May Allaah be pleased with her*).

² Reported by Muslim, chapter of Hajj (hadeeth 3308) from the hadeeth of `Aa'ishah (*May Allaah be pleased with her*).

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of “Hafs according to `Aassim” as it is the case of people of the Maghreb, or because the copy has ripped papers or is worn out and kept in bookshelves or alike, in this case, it is permissible to replace it with another copy like it or better.

The perfect knowledge belongs to Allaah (*Mighty and Majestic is He*). Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet (*May the peace and blessings of Allaah be upon him*), his Family, his Companions and Brothers till the Day of Resurrection.

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