

## Investment of Waqf funds in Malaysia: A Descriptive Study of Cultivating Uncultivated Land from Public Interest Perspective

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### Abstract

*Objectives: The research aims to shed light on the role of investment in uncultivated lands and its contribution to improving the standard of living and reducing the poverty rate among farmers and low-income families in Malaysia. Through the legitimate investment model of profits from Waqf funds, which are of a charitable and community nature. Methodology: The research employed a descriptive analytical approach to examine the positive side of benefiting from investing Waqf funds in accordance with the principles of Islamic law. Results: One of the most important findings of the research is identifying the potential social benefits of investing in using uncultivated lands, identifying potential challenges and obstacles, providing recommendations to enhance the public interest and sustainability of investment, and success in managing Waqf fund investments. It is an economic matter that keeps pace with the development of life and meets its requirements. Conclusion: The program seeks to provide small loans to finance potential agricultural activities, such as food crops, medicinal plants or animal husbandry, which can add to the income generated by segments of Malaysian society, including low-income individuals and people with special needs, through financing. Investing in agriculture in vacant and uncultivated lands, which are limited to the Malaysian states. Which requires investment and economic revitalization and benefits from environmental sustainability and the effects of investment on it.*

**Keywords:** Investment, Funds, Islamic Finance, Waqf, Reviving the Land, Social Benefit

## INTRODUCTION

Praise be to Allah, the Lord of the worlds, and prayers and peace be upon the Messenger (s.a.w.), a mercy for the worlds, his family, his companions, his followers and everyone who has good morals, until the Day of Judgment.

In this study, the researchers deal with the investment of Waqf funds and the development of their assets according to Shariah principles in relation to reserved land, which is known as (abandoned land) in the books of Islamic jurisprudence. This refers to land that cannot be cultivated and generally cannot be utilised and is under government administration in the Malaysian states as one of the ways to invest Waqf funds, preserve them from harm and manage them with an economic mindset that creates diverse employment opportunities for sections of the Malaysian Muslim community that rely on returns that can be generated from investing in uncultivated land to convert them into investment projects that achieve sustainable development and improve social welfare. Thanks to its outstanding economic and agricultural development, Malaysia has taken many initiatives aimed at investing Waqf funds in agricultural development that bring social benefits. In Malaysia, there are many unused lands that are under the administration of the state government and are not being utilised. Investing in these lands is for sustainable development and for those who are engaged in occupations

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with quick returns or in exchange for a share of the fruits, as in the Musaqah Funding Formula. The main beneficiaries of this concept are low-income groups, including the unemployed, the poor and needy families. The biggest motivation for the success of this idea is to help young graduates and job seekers, especially after the Covid-19 crisis, and as an incentive for what was previously mentioned in the Sunnah of Prophet Muhammad (SAW) on the authority of Jabir bin Abdullah (RA) who said: The Messenger of Allah (SAW) said, "Whoever revives a dead land will have a reward for it, and for every healthy land that is devoured, there will be alms for him" (Al-Bayhaqi, 2018). Abu Yusuf said, "Reviving dead land can only be done with the permission of the Imam" (Abi Yusuf, 1979). On the authority of Anas (RA), he said: The Messenger of Allah (SAW) said: "There is no Muslim who plants a tree or sows a seed and a bird or a human or an animal eats from it, but Allah considers it a charity for him." (Al-Bukhari, 2002-1423).

The most prominent features of the Waqf system are the development of the Muslim community and spending on good deeds. There are many Islamic formulas for investing waqf funds, including Musharakah with right of ownership, ijarah with right of ownership, parallel istisna' and enlisting the help of Islamic financial institutions such as the (Amanat Ikhtiyar Malaysia) Foundation, which is interested in microfinance (Edris, MMAM.et al. 2021), Bank Islam Malaysia and Malaysian Investment Funds, which are dedicated to community development: "Waqf funds, zakat resource funds, central government funded central funds, investment funds for Malaysian pilgrims, agricultural funds that cater to agricultural production needs, industrial funds that contribute to community development, and trade funds that support Malaysian capital and various commodity markets." (Osamah, 2023).

Strong governance for the investment and management of waqf funds is worthy of good management if it is based on the concept of Islamic Shariah controls, which are based on planning, monitoring and evaluating the investment performance of waqf funds. The jurists have categorised waqf funds into three types: (fixed funds), (movable funds) and (cash funds and the like) (Al-Omer, 2014). The restricted lands that the researchers referred to include dead lands, the revival of which is considered part of the fixed funds that can be invested and used in the service of society. This is what the Holy Quran admonishes in which Allah (swt) says: "It is He who brought you forth from the earth and settled you therein..." (Hud, 61). And Allah (SWT) says: "and make you heirs to the earth so that He may test you by your deeds..." (Al'Aeraf, 129).

All the above evidence calls and motivate the Muslim to reclaim the barren land and utilise it by investing it in useful crops that will benefit the entire creation, so that through this work he may attain Allah's reward in the Hereafter and enjoy its fruits in this world. Utilising idle land is part of the approach of Islam, as it is reported in Sunan Al-Bayhaqi that the Messenger of Allah (SAW) said, "Whoever revives dead land that belongs to no one and to which no one has a right, it belongs to him" (Al-Bayhaqi, 2003). Abu Yusuf said: "Reviving dead land can only be done with the permission of the Imam." He said, "Whoever revives an unused land, it belongs to him." He can cultivate it, lease it, dig rivers from it and develop it in a way that is in his interest. If it is in the land of tithe, he pays tithe on it, and if it is in the land of tax, he pays it. The tax is due on it" (Abi Yusuf, 1979), i.e. the tax demanded by the Sultan.

## **Problem Statement**

The process of investing the profits from the waqf funds while preserving their origin is considered a collective obligation and the decision on the obligation to invest the waqf funds stems from the benefits that their investments bring to workers from the low-income strata of Malaysian society. If the Waqf funds are not invested and developed, they cannot fulfill their purpose and thus their existence becomes meaningless. It is well known that the waqf has a charitable social function, so it is necessary to utilize the profits from the waqf funds to empower the unemployed groups and uplift them economically. The problem is that waqf funds are interrupted or not invested because they are hoarded, depriving the waqf owner of the benefit of his property as the profits benefit society. The harm caused by the destruction of Waqf goes beyond the society as the productive capacity contained in the Waqf monies is wasted and the society is deprived of an important wealth which is the goods and services produced by the Waqf monies invested in revitalizing the abandoned lands in the Malaysian states whose statistics show (69,734) lands with an estimated area of (119273.38) hectares. (<http://www.doa.gov.my>). Leaving these lands and not revitalizing them through investment hinders the social

capital available in the Waqf funds and their development for the prosperity of the society. Moreover, agricultural investment does not contradict the texts of Islamic Shariah. According to this concept, it is not permissible for the Malaysian Muslim nation, the government and the people, to leave abandoned lands without investment, as the objectives of Shariah call to preserve the money and invest it as a model for the utilization of the land through agriculture, and expand the wealth base and growth process at all Malaysian levels, thus achieving the goal of the Malaysian Development Plan by the year 2050 that Malaysia is among the developed countries, and the basic rules encourage work in the agricultural program, as the jurisprudential rule states: (That without which an obligation cannot be fulfilled is itself an obligation) (Al-Zarkashi, 2000)

Undoubtedly, investing the profits from the Waqf funds helps in employing sections of the Malaysian society as attention is given to them and funding them by investing from the Waqf profits and encouraging them to work and compete in what is permissible, which reduces the occurrence of negative phenomena in the society. The Prophet (s.a.w.) said, "A higher hand is better than a lower hand, and start with those who are dependent on you. The best charity comes from the back of wealth. And whoever is chaste, Allah will help him in his chastity, and whoever is needy, Allah will make him rich." (Al-Bukhari, 1987), Al-Nawawi said in his explanation: "The upper hand is the giver, and the lower hand is the beggar." (An-Nawawi, 1994). The value and scope of the Waqf increases with investment as it contributes to the achievement of the Waqf's social, economic, educational and developmental goals.

Activating the land through agricultural investment is an objective that guarantees the continuity and permanence of the Waqf and can only be achieved through successful and feasible investments in accordance with the Islamic financing formulas approved in the field of agricultural investment by the experts of the Shariah Supervisory Board of the Central Bank of Malaysia, who witness an expansion in the application and development of the methods and for the success and effectiveness of the idea. The Waqf must be managed economically based on good governance that ensures integrity and transparency in the management of investment projects. Abu Yusuf referred to this in his book "Al-Kharaj" with Caliph Harun Al-Rashid, in which he ordered him to investigate the demands of the farmers and the people of the kharaj in everything that is in their interest, such as digging wells, and the treasury is obliged to incur the expenditure to finance these investment projects" (Abi Yusuf, 1979). In this way, Abu Yusuf created a comprehensive tax system that complies with the provisions of Islamic Shariah.

### **Research Questions**

What is the rightful investment of Waqf money?

What is invested from Waqf money? How is it protected from danger?

What is the uncultivated land in Malaysia? What is the social perspective?

### **Research Objectives**

To strengthen and develop the economic aspects by converting wasteland into land suitable for production and cultivation, thereby encouraging low-income groups in Malaysian society to engage in profitable activities made possible by funding from waqf profits and employing them in the abandoned land areas.

To preserve the original Waqf and invest its profits to develop the Malaysian economy and contribute nationally to rebuilding the environment in a way that is beneficial and permissible, enabling self-sufficiency for all sections of society and protecting the money from risk.

To provide a successful model for the investment of Waqf funds in uncultivated land in Malaysia by applying a special method and mechanism for the utilisation of land for agriculture so that agricultural investment contributes to the achievement of the social, economic, educational and developmental objectives of the Waqf in Malaysia.

## **Significance of Research**

The significance of the research is that it shows the real practice of investing Waqf funds legitimately with controlled management and transparent governance, managing and investing them for the benefit of the target social groups, which contributes to the success of the funds being invested in undeveloped properties in the Malaysian states and protecting them from risks. There is also an urgent need to develop recognised Islamic financing formulas in the area of agricultural investment. Emphasising the positive aspects of waqf and maintaining the provision of a sufficient minimum amount to beneficiaries from the proceeds of waqf funds in areas of barren land, legally known as the revival of dead lands, thereby achieving a sufficient amount of cultivated produce and its fruits, preserving the principle of circulation of money and benefits, and entrenching the concept of waqf and its developmental role in advancing society and meeting its needs. waqf as a pioneering and beneficial institution has an automatic safeguard that protects the money invested from the risks of administrative corruption. Also, the concept of land revitalization is considered one of the objectives of Islamic law and includes the use of land and the preservation of the environment. Islam encourages the reconstruction and revitalization of land because of the public benefits it contains. Allah (SWT) says: "It is He who has created for you all that is on the earth" (Al-Baqarah, 29). The study focused on investing Waqf funds in abandoned land areas based on the Islamic order of priorities (necessities - needs - improvements) according to the needs of the targeted segments of society.

## **Research Scope**

The research framework does not go beyond the scope of the legitimate investment product of the Waqf funds and their investments in undeveloped land, with transparent and rational management that protects the Waqf funds, their revenues and returns from the expected risks. The spatial scope of the study lies in activating the abandoned and restricted lands in the Malaysian states, known in jurisprudence and custom as "reviving the dead land" (Al-Qarafi, 1994), by reclaiming the lands, harnessing the natural resources there, and investing the profits from the Waqf funds in what is pleasing to Allah (SWT) and beneficial to all creation, according to Shariah methods. To achieve this, the researchers will discuss the research framework from the jurisprudential aspect and the historical aspect of Waqf.

**The Jurisprudential Aspect:** here the main issues discussed by the jurists on the disputed waqf issues in wasteland will be presented.

**The Historical Aspect:** the main stages that the waqf has gone through in different eras will be presented, focusing on its development in Malaysia. From a practical perspective, the investment of waqf funds will cover diverse and permissible areas that can improve aspects of social life and provide welfare and income to the vulnerable sections of society. The research framework will also encompass the continuous development of society and the environmental development of the Malaysian state. (Fares, M. 2022) and community development: through the effective participation of all in the development of Waqf institutions (Al-Salahat, 2020), especially the groups that invest Waqf funds by providing the necessary financial resources and asking them to rely on themselves in earning money, following the example of what the Companion Abdul Rahman bin Awf (RA) did with his brother from the Ansar when he said, "Show me the market" (Al-Nadawi, 1989) when he was not financially stable. In an authentic hadith, the Prophet (SAW) was asked, "Which merit is better?" He replied, "The labour of man with his own hands and any permitted sale" (Al-Hakim, 1990).

**Ecological Development of The State:** it is about utilising the natural resources of unused land and using them to benefit society and rebuild the Malaysian state without investing in legal prohibitions.

## **Research Hypotheses**

The Waqf contributes to the formation of a productive agricultural initiative that is used for charitable purposes and takes into account the needs of the needy.

The activation of the enclosed land contributes to it being used for beneficial purposes. Allah (swt) says: “It is He who has created for you all that is on the earth” (Al-Baqarah, 29). This is done through development for the benefit of the community and the environment.

Applying the Islamic investment finance formula and practicing it correctly supports its viability in agricultural investments that achieve growth as a legitimate goal that is in line with the interests of the disabled community.

### **Research Methodology**

The researchers rely on the descriptive method to explain the reasons for stopping waqf funds and abandoning them without utilizing them on uncultivated land or benefiting from their profits, as this does not contradict the provisions of Islamic law that lead to prosperity and development. The researchers cannot abandon the Islamic method of analysis in expressing the opinion of the jurists about investing in the profits of waqf funds as a model for revitalizing the land and reviving it by investing in agricultural crops that can contribute to the development of society and encouraging them to work on the uncultivated land according to their capabilities. The researchers hope to discover the idea of the economic and social problems of the poor and their needs so that they can be involved in small business opportunities from the profits of the Waqf.

### **LITERATURE REVIEW**

The researchers begin by discussing contemporary research and the books that have discussed the topic in order to find a gap in the research.

One of the contemporary writings that can be used in examining the investment of Waqf funds is an article by Muhammad Abd Rabbuh Al-Subhi (Al-Subhi, 2015) in which he refers to the definition of reviving dead land, i.e. land that is not owned and is not used properly, whether because the water has been cut off from it or because it has been overgrown by trees or because it contains water and sand.”

One of the writings that deals with investing in waqf funds is an article by Malik Barah (Barah, 2017), in which he points out that “investing in waqf funds is an economic factor of production and explains that waqf is one of the most important factors of development when it is invested through leasing, Musaqah and the permissible Istisna contract for needs.” The researchers add that sharecropping is a product that can benefit low-income earners. In Malaysia, which consists of thirteen states and three federal regions, there is a lot of unutilized land according to the Malaysian Ministry of Agriculture's statistics, as the land reported by the Ministry is estimated to be between 4 to 10 hectares located within the Malaysian states or in the wilderness and its fringes (<http://www.doa.gov.my>). Most of Malaysia's land consists of tropical forests and has beaches that stretch for thousands of kilometers, as well as rivers, highlands, lakes and continuous rainfall.

Contemporary researchers (Wan Amir Azlan, et al. 2023) found that it is estimated that the size of waqf assets in Malaysia has grown to an estimated 30 thousand hectares, which is equivalent to 300 thousand square kilometers of total waqf land in Malaysia, and despite the benefits that waqf funds provide to the community, their potential is not fully realized due to the difficulties in managing waqf funds. The registration, operation, development, monitoring and management of their assets with fair administration. (Wan Amir Azlan, et al. 2023).

With this idea, the researchers seek to utilize and develop these spaces by investing the proceeds of the Waqf and its harvest for the benefit of groups with low wages or those who cannot work due to the economic situation and some of the Covid-19 pandemic, the global financial crisis or others. Islam encourages the revitalization of dead land as one of the means of bringing benefit and averting harm. The Messenger of Allah (SAW) said: “Whoever revives a dead land, it belongs to him, and oppressive people have no right” (Abi Dawod, 2009) and on the authority of Aisha (RA) that the Prophet (SAW) said: “Whoever revives a land that does not belong to anyone has more right to it” (Al-Bukhari, 2009).

Among the studies related to the project is a doctoral thesis by “Abdul Qadir Bin Azouz” entitled: “The Jurisprudence of Waqf Investment and Financing in Islam, an Applied Study” (Abdul Qadir, 2004). Among the author's studies is the investment of Waqf funds in the form of a partnership that ends with ownership, as one of the contemporary financing formulas in the revival of dead land, which is a short-term financing formula.

The practice of this formula is based on the signing of a partnership agreement between the waqf management institution and the funder from sections of the Malay Muslim community with the aim of developing the waqf funds and ends with the ownership of the contracted area of neglected lands for either party in a lump sum or in installments according to the contract document (Shabir, 2007). Contemporary legal scholars had no objection to the investment of Waqf funding through a partnership contract that ends with ownership, and this was recommended by the series of workshops on the investment of Waqf property held in Jeddah - Saudi Arabia during the period from 20/03/1993 AD to 05/01/1984 AD. It is permissible to use the partnership contract that ends with the property in the development of Waqf as these investments are of great importance to the Muslim community. (Workshop-Arbeiten, 1993-1984).

The decision of the Islamic Fiqh Academy in Jeddah to approve and support this recommendation was made in Resolution No. 30 (5/4) at its fourth meeting. The correct decision of the committee agreed with the opinions of the jurists of the Islamic Academy to apply the formula of partnership ending with ownership as a funding formula for the investment of waqf funds and the management of waqf funds in Malaysia could benefit from it.

Among the studies that deal with investments in Waqf funds is a work by Muhammad Abdel Halim Omar. (Abdel Halim, 2004), with whom he participated in the fifteenth session of the Islamic Fiqh Academy, a symposium held for the Academy in the Sultanate of Oman. In his lecture, he pointed out that the real aim of investing in waqf funds is to “preserve the original waqf” and that this is what the jurists agreed on when they said “to preserve the essence of the waqf” before disbursing it to the beneficiaries.

Among the writings that deal with the management of endowment funds and their investment is a study by Fouad Abdullah Al-Omar (Al-Omar, N.D.) entitled: Rules of Waqf Governance - The Waqf Institution's Supervisory Board as an Example. This study is a research project funded by the Sheikh Rashid bin Zayed Chair of Waqf Studies. Among the aspects raised by the author that are related to the researchers' study are: his comments on governance, in which he pointed out that it is about appointing the most righteous, and that achieving maturity is defined by actions and righteousness in deeds. Therefore, the provisions of the waqf are also based on maturity, and this is what the jurists have relied on, as they believe that if the overseer of the waqf is responsible and sensible, he is more worthy than others (Ibn Qudamah, 2010). By this, they mean that competent individuals are in charge of managing waqf funds, investing them and protecting them from risks. One of the principles of governance is accountability for what the governing body has done in managing waqf funds, and this is one of the foundations of the values of the Muslim individual as well as society. Allah (swt) said, “But stop them, for they must be asked.” (Al-Safat, 24).

Among the writings dealing with the investment of Waqf funds is an article published under the title: Waqf and modern methods of investing it, by Professor Dr. Abdullah Bin Bayyah (Bin Bayh, 2016), in which the author explained the simplified definition of Waqf, namely “withholding the property and releasing the fruits for the benefit of the recipients of Waqf”. Author Bin Bayyah's definition is in line with the researchers' claims, as part of the profits from the Waqf origin is made available for investment for the benefit of the low-income groups in society, including the disabled and unemployed, so that they can trade with it on the allocated lands and in the appropriate formulas for Islamic finance and its investment method.

Among the relevant writings is an article by writer Sami Al-Salhat (Al-Salhat, 2005) in which he presents the viewpoint of some Malaysian muftis on the issue of investing waqf funds and expresses reservations about the opinion of the majority of jurists and muftis in the various Malaysian states, with the exception of the states of Johor and Kuala Lumpur. According to the writer's observation, they see “the unlawfulness of waqf of money and unused or forfeited waqf, based on the Shafi'i doctrine which prohibits waqf of money and substitution at all. The researchers agree with the words of the writer Sami Al-Salhat, who limits himself to adopting the opinion of a single school of thought when it comes to complex financial transactions”. Adhering to the opinion of one school of thought without considering the opinions of other schools of thought leads to restrictions on ijihad, especially in financial transactions, investments and trade. It is also contrary to what Islamic jurisprudence is based on, which provides ease and relief to the people. Therefore, it is permissible to abandon the opinion of the recognised school of thought and adopt the opinion of the Maliki doctrine, for example,

when it comes to relieving the taxpayer of hardships. The public interest requires this, and the opinion of the majority of legal scholars takes precedence over the opinion of a single school of thought or the opinion of an individual. It should be noted that most issues related to waqf and financial transactions, investment or otherwise, are based on care, interpretation and suspicion. They are therefore debatable, unlike acts of worship, which are suspensive and cannot be interpreted and debated. Kindness and facilitation is required from those responsible in contemporary legal matters related to Waqf and financial transactions that are of interest and do not cause harm.

Among the writings related to the topic of research is a study by Othman Juma Damiriyah. (Damiriyah, 2011) in which he discusses modern investment formulas that would fulfill the purpose of investing in abandoned lands for the benefit of needy members of society. The author referred to the relevant funding formulas, including the Istisna' formula for Waqf land: it consists of the Waqf administration announcing to a funding institution to allow construction on the abandoned land, and the ownership of the building goes to the institution that built it. After completion, the Waqf administration acquires the building from the entity that built it in deferred installments over a year or a month, and the price of the building is gradually recovered through the returns from the rents for the benefit of the groups funded by microfinance projects, and it is a legal contract for the benefits involved. It is already used in some countries such as Sudan and Mauritania. There are similar Islamic financing formulas that can be used to invest in the revitalization of idle land in Malaysia.

### **Organizational Division**

Among the studies that deal with investments in Waqf funds is a work by Muhammad Abdel Halim Omar. (Abdel Halim, 2004), with whom he participated in the fifteenth session of the Islamic Fiqh Academy, a symposium held for the Academy in the Sultanate of Oman. In his lecture, he pointed out that the real aim of investing in waqf funds is to "preserve the original waqf" and that this is what the jurists agreed on when they said "to preserve the essence of the waqf" before disbursing it to the beneficiaries.

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### **The First Part: The Concept of Dead or Uncultivated Land**

Dead land: "It is land that has no owner or usufructuary" (Al-Kharshi, 2014). Ibn Arafa called it the revival of the dead and said, "It is a title for the restoration of the soil of the earth in a manner that presupposes that the one who cultivates it does not deviate from its use," and he meant when he said, "What is meant by the restoration of the soil of the earth is that which involves the extraction of water and the like" (Khalil, 2005). According to Ibn Arafa, what is useful in our time falls under this concept of facilities provided by the ruling authorities, which include agricultural investments for the benefit of the vulnerable groups in society. Ibn Rushd said, Ibn Ghanem narrated, "The dead of the earth is that which has no vegetation, because of the saying of Allah (swt): "And revive the earth therewith After its death" (Fater, 9). Revival is only valid in barren areas.

The meaning of "dead land" is "abandoned or uncultivated land that has no significant use, either because it has been deprived of water, or because it is not settled and usable, for example because it is filled with stones and trees, or because the soil is unsuitable, which has been proven by modern science, or because the land has been abandoned or destroyed after its use. The general opinion of the legal scholars is that the dead land is the property of the revival, even if they differ in their terms, except for the dead land of the Haram and Arafat, which is not the property of the revival due to the restrictions on performing the rituals. (Al-Subhi, 2015).

The revival of dead land means the reclamation of wasteland. Wasteland is anything that is not owned by a person and is not used in any way and is located outside the city. What belongs to a person or what is inside or outside the land is not considered dead land but is attached to it like a woodshed for its inhabitants or a pasture for their livestock." (Al-Zuhaili, 1985). "Financing through the revitalization of dead land is considered one of the most appropriate sources of funding compatible with the nature of reclaiming wasteland, investing in it and utilising its fruits. Governments need to encourage small entrepreneurs to utilise idle land as it is compatible with the nature and characteristics of these promising projects" (Farhani, 2003).



Barren land can be alienated, but land obtained by force does not belong to it and is considered waqf and cannot be divided or possessed (Al-Qurtubi, 1988). The basis for this is the tradition that the Messenger of Allah (s.a.w.) disposed of land for Bilal ibn al-Harith that was suitable for work, but he did not use it. Then Omar ibn al-Khattab said: If you are strong enough to do it, then do it, otherwise I will dispossess it for the people. So, he said to him: The Messenger of God (SAW) has alienated it for me. And Omar (RA) said: The Messenger of Allah (s.a.w.) has imposed a condition on you, so Omar alienated it for the people, but Bilal did not do anything (Ben Salam, 2007).

According to the tradition of Urwah, according to the tradition of Aisha (RA), the Prophet (SAW) said: "Whoever revives land that does not belong to anyone has more right to it." Urwah said, "Omar decreed it during his caliphate" (Al-Bukhari, 2002). The Messenger (SAW) said: "Whoever revives a dead land, it belongs to him, and oppressive people have no right" to it" (Al-Tirmidhi, 1996). This hadith has a jurisprudential basis which states: (An unjust man has no right). What is meant is an unjust man who goes to a land that was revived by a man before him and plants trees on it that do not belong to the owner, and by his action he becomes an oppressor because he planted them on someone else's land even though he knows that it belongs to someone else. Therefore, he must uproot what he has planted, and if the landowner is satisfied with what is left of the crop, he pays the usurper the value of the trees planted." (Al Borno, 1996). Ibn Rushd said, narrated by Ibn Ghanem: A dead land is one that has no plants (Alish, 1989). Allah (swt) says: "And so He revived the earth after its death" (Al-Baqarah, 164). Revival is only valid in times of destruction. (Alish, 1989). Allah (swt) said, "It is He who brought you forth from the earth and settled you therein" (Hud, 61). Al-Shaarawi says in the interpretation of this verse: "And He settled you in it" means: "He asked you to develop it, and that requires two things: that people maintain the good as it was, or increase it in its goodness." (Al-Shaarawy, 2013), and Al-Shaarawy continues, "When we reclaim the barren land, we increase the area of land suitable for food production to meet the population growth" (Al-Shaarawy, 2013), and the low-income earners of today need to reclaim abandoned land so that they can invest in it and revitalise it.

### **Opinions Of Legal Scholars On The Permissibility Of Investing In Dead Land And The Question Of Whether Permission From The Imam Is Required**

The scholars (RA) agree that it is permissible to use dead land and invest in it, and it is permissible to revive what was dead in Islam for a Muslim by agreement. "Is it permissible for a non-Muslim to invest in it? All three said: It is not permissible. Abu Hanifa and his companions said: It is permissible." (Al-Zuhaili, 1985), and they disagreed as to whether the Imam's permission is required or not? "Abu Hanifa said: He needs the permission of the Imam to invest in it. Malik said: What is in the desert and where people do not argue about it does not need the permission of the imam. And that which is near urban areas or where people argue about it needs the permission of the Imam. Al-Shafi'i and Ahmed said: He does not need the permission of the imam." (Al-Assiouti, 1996).

### **The Legal Scholars Were Divided as To Whether the Seeds Belonged to The Worker or To Them**

Among the issues on which the jurists disagreed was the land on which palm trees are located: Is it permissible to cultivate it in the manner mentioned? Abu Hanifa forbade the cultivation of land on which there are palm trees (Al-Sarakhsi, 2000). "Malik said: if it is in accordance with the principles, then it is permissible to cultivate the land on which the palm trees stand according to the Musaqah" (Malik, 2014), "Al-Shafi'i and Ahmad permitted it, except that Al-Shafi'i stipulated that the whiteness should be low." (Al-Shaibani, 2002). And on the authority of Ibn Abbas (RA): that the Messenger of Allah (SAW) "did not forbid agriculture but ordered people to be kind to each other" (Al-Bayhaqi, 2018).

### **The Second Part: How Islam Promoted the Revival of The Dead Land Through Reconstruction and Investment**

Al-Subhi says: "Islam urged Muslims to work and motivated them to revive the dead land and invest in it, through a special method which is to link a Muslim's investment in the land to the reward in the hereafter, and this is an educational benefit that a person can only find in the great Islamic religion, which is to encourage you

to do worldly work that there is hope for a great reward in the hereafter that will last until the Day of Resurrection.” (Al-Subhi, 2015).

Bukhari narrated in his Sahih: “On the authority of Anas bin Malik (RA) who said: The Messenger of Allah (SAW) said: “There is no Muslim who plants a tree or sows a seed and a bird or a human or an animal eats from it unless it is considered alms for him.” (Al- Bukhari,2013).

The Messenger of Allah (s.a.w.) - said: “Whoever revives a dead land will have a reward from it, and whatever the wild animals eat from it is alms for him.” (BenHambal, 1999).

Reported by Jabir, he said: The Messenger of Allah (s.a.w.) said: “No Muslim plants a tree unless what is eaten from it is alms for him, and what is stolen from it is a reward for him.” And whatever a wild animal eats from it is alms for him, and whatever a bird eats is alms for him, and no one will visit him unless it is alms for him.” (Muslim, 2006).

One of the approaches of Islam is to promote the Hereafter and the worldly reward simultaneously by reclaiming dead land and reviving it. The Prophet (SAW) said, “Whoever revives a dead land, it belongs to him, and oppressive people have no right to it.” (Al-Bayhaqi, 2001).

Abu al-Darda’ reported that a man passed by him while he was planting a tree in Damascus, and he said to him, " Are you doing this even though you are the companion of the Messenger of Allah (s.a.w.)? He said, “Do not be hasty with me.” I heard the Messenger of Allah (SAW) say: “Whoever plants a tree, no human being or any of Allah’s creatures will eat from it unless it is his reward.” (Ahmed, 1999).

On the authority of Anas (RA), on the authority of the Prophet (SAW), he said, “When the Hour comes and one of you has a shoot in his hand, let him, if he can, not let the Hour come until he plants it” (Al-Busiri, N-D).

Amara bin Khuzaymah bin Thabit narrated: “I heard Omar bin Al-Khattab say to my father: What prevents you from planting your land? My father answered him: I am an old man and will die tomorrow. Omar said to him: I urge you to plant it. I saw Omar bin Al-Khattab planting it with my father's hand. " (Al-Suyuti, N-D).

## **The second theme: The rationale behind the cultivation of wasteland in Malaysia before and after British colonialism.**

### **The first part: The legal system of land administration in the period before British colonialism**

Prior to British colonization, Malaysians owned and controlled their land and Malaysians had a guideline based on their custom for the management and development of their land. The concept of the principle of reviving dead land was practiced in Malaysia at that time. The Islamic influence was present in the system of land management, application and acquisition of unused land through the exploration of lands where the forests were located, in addition to the abandoned lands and inactive lands, also known as dead lands, or in their language, what is traditionally referred to as (revival of dead lands). From this, it can be seen that the principle of the concept of dead land revival was applied and practiced in Malaysia before the British.

### **The Second Part: The Emergence Of Malaysian Land Administration Law In The Post-British Colonial Era**

The system of so-called (Torrens) is the Australian land law system, and Malaysia follows Australia in “Land Registration”. This land system (Torrens) began in South Australia by Sir Robert Richard Torrens in 1858, and the system was named after him. (Johari, 2014).

The Torrens system first came to Peninsular Malaysia in 1864, where it remains in place throughout Malaysia today through the enactment of the National Land Act. The system for land acquisition and ownership emphasizes the importance of land registration. One of the features of the system is that it takes into account the keeping of land title deeds and their details, especially the owner of the deeds, so that no person can dispute the ownership of the said property. (Rabiah Muhammad Serji, 2020).

This Torrens system reflects all the important and necessary details related to land ownership. This includes the name of the owner, the land area, the location of the land and other necessary details that a person needs to know when buying and selling land. This system facilitates the processing of land transactions as the documents can be found in any regional office or in any of the Malaysian states. Another principle of Australian land law is the so-called “screen”, which is lodged at the Land Registry. This is beneficial for a prospective buyer who is interested in purchasing a piece of land and wants to check the condition of the land and needs to look at the Land Registry to do so. According to Section 340 (1) of the National Land Code 1965, the names listed in the register acquire the irrevocable title to the land in question. (Fuadah Johari, 2014).

**Abandoned and unused lands and their location in Malaysia**

The table below provides an overview of the unused land in the Malaysian states

No	State	Lot no	(Area Hectares)
1	Johor	4561	10,098
2	Kedah	1774	2655
3	Kelantan	3690	4815
4	Melaka	1915	2332
5	Negeri Sembilan	5885	11324
6	Pahang	11292	29391
7	Perak	4004	11013
8	Perlis	14	12
9	Pulau Pinang	877	2622
10	Selangor	4485	20058
11	Terengganu	7027	7862
12	Federal Territory of Labuan	858	1381
	Total	<b>46382</b>	<b>103563</b>

(Rabiah Muhammad Serji,2020)

**The Third Topic: The Acquisition and Investment in Barren Land and Its Development with The Help of Microfinance and Its Challenges**

Investment institutions that cater to the need for microfinance to reduce poverty in a community seeking halal income usually offer reasonable financing rates ranging from 2,000 Malaysian ringgit to 50,000 Malaysian ringgit to start commercial investments or other ventures. The aim is to increase and improve income earnings. A bank account must be opened to save the money and use it in businesses that expect investment profits. With the receipt of the funds allocated for financing, the employee must know the market and how to increase the profit of the money by developing the abandoned property. In fact, profitable ideas must be implemented by taking full advantage of utilising fertile land to make and increase profits. (Edris, MMAM.et al. 2023).

**The First Part: Methods of Financial Acquisition**

There are many ways to acquire and develop vacant land, and here are the permissible methods of acquisition:

**The First Method of Acquisition:** opening a kiosk to invest in brownfield land and develop it with the help of microloans. Opening a kiosk as a business has advantages that can be seen in the profit returns that the investor finds immediately after starting work on the abandoned land, which requires enthusiasm and the discovery of profitable ideas, and the kiosk that a person works on does not require a foundation built on rocks, you only need money and the proper and profitable investment, even if a person opens a kiosk with a tent, especially for beginners in the field of business. Other advantages of selling under a tent are the savings on electricity and water bills. This is a common trend as people in Malaysia tend to open a food stall that is pre-cooked at home. There are many delicious foods that can be prepared at home and offered for sale such as traditional, western, Arabic and many other different foods. Malaysia is famous for its traditional foods and fruits that are specific to its climate, and before the Covid-19 pandemic, many tourists came to Malaysia to try the dishes. This motivates Malaysian chefs to offer delicious traditional foods and diversify them to supplement their daily income, and thus such work benefits the workers whose budget does not allow them to buy ready-made food with their goods, which usually requires a large sum that is disproportionate to the little funding they receive.

## **The Second Method of Acquisition: Activating The Necessary Conditions For Small Businesses, Represented By The Value Of Trading Kiosks**

Financial requirements for kiosks that prepare and sell food on brownfield sites and revitalize them with permitted investment activity.

The total position of financial needs for opening a stall that prepares food for hawkers and street vendors at the same time, plus the approximate amount earmarked for this task.

**First:** Purchase of one (1) tent and its one-time use as well as the purchase of inexpensive materials to assist in the work in the tent, as long as they are not fragile utensils. Amount paid: RM230.

**Second:** Purchase of one (1) table and chair for one-time use. Amount paid: RM100.

**Third:** Purchase a pack of paper to wrap the burger sandwich that is usually sold in the evening. Amount paid: RM100.

**Fourth:** Buy (cakes and vegetables) to complement the food on display and also buy a packet of paper to cover the cakes and vegetables prepared for sale. Amount paid: RM400.

**Fifth:** what the investor needs to prepare and cook food. This is a one-time purchase of a pipe (for gas, a stove for a fire and other related cooking utensils...). Amount allocated: RM300. (Edris, MMAM.et al. 2023).

**The third way to earn money:** a mobile car, selling food or working from a mobile truck. This is one of the ideas that allows you to earn money with little effort by selling food you cook at home and driving the truck around the allotted properties. This idea is very popular in Malaysia and does not require the owner to put in much effort or rent a stall which costs a lot of money. Some people use this idea at the evening markets known as Pasar Malam in Malaysia (which means night market in their language). I think the idea of using a mobile car is positive, but it also has disadvantages, namely the high price of the car compared to the price of a tent, which does not cost as much money. (Edris, MMAM.et al. 2023).

**The fourth method of acquisition, planting or cultivation,** is one of the ways to earn a permissible income and develop abandoned land with the help of microfinance for planting and cultivation. The most obvious benefit of farming on abandoned and non-state land is the idea of revitalizing that land and planting it with the agricultural crops that people need to improve their diet, i.e. the vegetables that we eat and that are added to our food. The farmer who practices this profession will make a great profit and his income will increase, as he will not have to pay property taxes to the state and will save a lot of money. The recent cultivation of beans, okra, watercress, parsley and tomatoes are considered fast-yielding crops that require little effort and time, as is the planting of profitable trees, including the Malaysian palm, which yields large profits because people need to propagate it for its oil. However, the work involved in palm cultivation is very laborious, and the cultivation requires a high input of people as well as dedicated machinery and trucks to export the palms to the commercial industry. As the researchers have already mentioned, in addition to the vegetables mentioned above, carrots, watermelons, mangosteen and many other fruits can also be grown, which are easy to cultivate and require little effort in terms of facilities, effort and time, and can be grown in the traditional way if the person prefers to do it in this way to save money. (Aznan, 2021).

There are many verses in the Qur'an that mention gratitude for planting and sprouting. Among them is the saying of Allah (swt): "Have you seen what you plant? Have you planted it, or is it We who make it grow?" (Al-Waqiah: 63,64). And Allah (swt) says: "And We send down from the sky rain of blessing, and We bring forth with it gardens and grain for the harvest, and tall palm trees with fruit stacks piled on top of each other as food for the servants (of Allah), and We revive with it the dead land" (Qaf: 9-11).

Prophet Muhammad (SAW) recommended in a great and amazing hadith to plant trees even if they do not grow until the Day of Resurrection. On the authority of Anas (RA), on the authority of the Prophet (SAW),

he said, “When the Hour comes and one of you has a sprout in his hand, if he cannot get up until he has planted it, let him do so” (Ibn Hanbal, 1969).

Al-Sarakhsi said, “It is prescribed for the Muslim to earn through agriculture and planting” (Al-Sarakhsi, 483H) and that through this earning he will attain a reward in the Hereafter. (Al-Serjani, 2017). Allah (swt) said: “The Hereafter is best for those who do what is right” (Al-Nisa, 77).

## **The Second Part: Agricultural Aids and The Necessary Tools**

All plants need nutrients to grow well, and in conventional agriculture, plants receive what they are fed. Many plants can be grown using hydroponics to revive things that have died, including vegetables, herbs and houseplants.

The total amount of one-time microfinance needed, and the approximate amount expected to be repeated to plant the seeds.

The amount earmarked for vegetable and fruit seed funding is RM150, which is expected to increase. If we repeat the funding amount for the fertilizer package, the microfinance for this purpose amounts to an amount of (RM400), Malaysian Ringgit. As for the funding requirement for pesticides, the amount allocated is expected to increase. An amount of (RM180), Malaysian ringgit.

### **Agricultural Tools**

Anticipated funding for the following farming tools (sickle or hoe, tractor, harvester, plough, fertiliser machine, seeder, cane harrow, corn harrow, log harrow, wheelbarrow, shoes), i.e., tools needed by farmers for planting and seeding. The allocated funding amount is 350 Malaysian ringgit, with the possibility of an increase. The researchers conclude that there are various ways to develop idle land with lower financial resources and higher income expectations.

## **Part Three: Islamic Financing Formulas in The Field of Agricultural Investment**

Agricultural financing formulas are characterised by their compatibility with the principles of Islamic Shariah, as they enable the financing of agricultural projects in innovative ways that are compatible with Islamic Shariah. Some well-known Islamic financing formulas in the field of agricultural investments are presented below:

**Musharakah:** The Musharakah formula is considered one of the most well-known Islamic financing formulas in agriculture. It is based on the principle of equal sharing of capital, profits and losses between the investor and the owner of the agricultural project. Both parties participate in the financing of the project and share in the management and profits. “Agricultural financing is based on participation and is carried out between two or more parties through a joint investment contract. The participation in the project capital is represented by (the land) in which the investment is made, and the participation in profit and loss is proportional to the participation in the capital. Islamic banks enter into contracts to participate in investment projects by contributing a certain percentage of the project capital, and the sharing of profits and losses is based on a prior agreement between the partners. Musharakah contracts are one of the methods used by Islamic banks to finance the agricultural sector, as the bank enters into a partnership with land-owning farmers with a percentage of the project capital that includes the specific value of the land that is the subject of the contract, the profit and loss ratio and the project duration.” (Kunduz, Abdul Karim. et al. 2022).

**Ijarah:** This formula is based on the lease of agricultural assets for a certain period of time, whereby the investor leases land or agricultural equipment to the owner of the agricultural project and the project owner can purchase the assets at a predetermined price at the end of the lease period.

**Financial Lease:** (Ijarah Muntahia Bittamleek) is similar to the traditional lease but includes the option to purchase the agricultural assets at the end of the lease period. The two parties agree on the terms of the lease and the predetermined purchase amount, and at the end of the lease period, the investor can purchase the assets for the predetermined amount. “In practise, Ijara, which ends with ownership, is used in financing the agricultural sector in favour of land, and it is one of the services that the Islamic bank must provide as a means of financing the customer through the lease of non-agricultural land and its ownership at the end of the period

agreed between the two parties, which ranges from 7 to 25 years, provided that his ownership of land is for the purpose of agriculture or construction of investment projects. (Ishraq, 2022).

**Murabaha:** is considered a financing formula that is usually used for the purchase of agricultural materials and equipment. The investor buys the products on behalf of the project owner at a known price, and they are transferred to the project owner in an amount that includes a certain profit. One of the most important types of Islamic financing through purchase contracts is Murabaha financing: “In this, the beneficiary asks the financing party to buy a commodity from another party at the spot price (in cash) and promises to buy the commodity at a deferred price in which the financing party receives a profit or an agreed percentage. This formula, although there are differing opinions on its adoption, is an appropriate formula for financing commercial projects or for providing raw materials for small industrial projects or service projects intended for agricultural investment in undeveloped areas.” (Farhani, 2003).

Financial instruments that can be used in agricultural investments include:

**Musaqah:** is considered a contractual formula used in the agricultural sector based on the leasing of agricultural land by the owner to an irrigator or farmer in exchange for a certain share of production. The irrigator bears all costs associated with the agricultural project, including the costs of cultivation, maintenance and harvesting. At the end of the growing season, the production, i.e. the fruit, is divided according to the agreement made between the two parties when the contract was signed. Regarding the permissibility of Musaqaq, Ibn Nujaym says in his book *Al-Bahr Al-Raiq*: “If “the sowing was done by the labourer, the Musaqaq is invalid because it is two contracts, one of which was stipulated in the other, and if the sowing was done by the owner of the land, one contract is permissible because he hired him to work on his land and palms and instructed him to search in the area, and the Musaqaq is invalidated by death.” ” (Ibn Najim, 1997).

**Cultivation (Muzara'ah):** is another contractual formula used in agriculture. In cultivation, agricultural land is leased from the owner to the farmer, who is responsible for the management of the agricultural project. Production is divided between the landowner and the farmer with predetermined obligations, whereby a fixed percentage can be agreed for both parties or a percentage that changes according to actual production. Agriculture is an agricultural investment contract in which the main factors of agricultural production come together, namely the land and the work on it, as well as the means of production, seeds and fertilizers, with the owner providing the land, seeds and fertilizers that produce the crops, and the worker planting, working and producing in a ratio agreed between them. The land belongs to the owner, the seeds and the agricultural machinery belong to the worker, and the shares are adjusted according to the contribution of each of them to the effort, investment and independence of the land. Muzara'ah is similar to Mudarabah, where one party provides the capital in the form of the land and the other party works on the land and receives a return from the labor in the form of fruits.” (Boutoura, F. et al. 2020). Mahmoud pointed out that “agriculture is the most appropriate practical application to develop immovable property such as land and invest it through Muzara'ah and Musaqaq.” (Mahmoud Idris, 2020). To encourage planting and cultivation, the Messenger of Allah (SAW) said: “There is no Muslim who plants a tree or sows grain and then eats a bird, human or animal from it, unless it is due to him as alms” (Muslim, 2006).

#### **Part Four: Challenges For Microfinance in The Implementation of Small-Scale Agricultural Investment Projects for Low-Income Earners**

There are many challenges faced by microfinance institutions in Malaysia and even in other regions of the world. Among the financial challenges faced by the society in the post Covid-19 pandemic era, which is considered as one of the biggest challenges as it is a global crisis and has caused a recession that negatively affects the inventory of goods in the markets, is the deterioration of the local currency, the Malaysian ringgit, against the US dollar, high unemployment and the lack of businesses and jobs with quick returns. There are many challenges, for example:

**The first challenge: over-indebtedness,** as microfinance institutions struggled with the debts that burdened them. Over-indebtedness is a major obstacle to the growth of the microfinance sector as it targets

disadvantaged populations who want to improve their standard of living. One of the main reasons that confirm the aspirations of microfinance institutions is the increasing tendency for clients to have multiple debts and the ineffectiveness of risk management.

The microfinance sector also grants loans without collateral, which increases the risk of bad debts. The rapid expansion of financial institutions requires good infrastructure planning, which is clearly lacking in the microfinance sector.

In addition, the lack of control of MFIs by established institutions is one of the main causes of over-indebtedness. Excessive indebtedness exposes MFIs to credit risk and increases the monitoring costs that financial institutions must bear in order to be profitable in the long term. (Muhammad A, 2019).

Compared to commercial banks, the financial performance of MFIs is modest, as the century-old financial system is built on a solid foundation and is gradually adapting to modern requirements. Compared to traditional banks, we find that most microfinance institutions charge relatively high interest rates. Regulators have issued regulations to lift the cap on loans granted by microfinance institutions, which puts borrowers in a bad position. The indebtedness of borrowers due to high interest rates on loans has led to many farmers committing suicide in the states. Sympathising with what is happening to the farmers, the researcher quotes a proverb of our master Omar bin Al-Khattab (RA) which says: "Beware of debt, for its beginning is worry and its end is war." (Malik, 1991).

**The second challenge: the collection of administrative fees for funding by the Qard Al-Hassan.** This is one of the challenges faced by Islamic microfinance institutions in Malaysia. They charge an administration fee when they approve the Qard Al-Hassan, which for these institutions is one of the Islamic financing that does not bring any benefit or surplus interest because it is a good loan with no benefit. However, the Islamic microfinance institutions charge administrative fees that are comparable to rent, and since the loan is an investment and charity that may not be increased, and there is also no condition for an increase, this practice has raised concerns and questions among researchers as to whether this practice is consistent with Islamic law.

Someone might say that the price is proportional to the amount borrowed, but not to the administrative costs. As a result, one might think that this practice is similar to usurious lending. This strategy can also discourage Muslim clients from approaching microfinance institutions. To correct the course, MFIs in Malaysia need to change their offerings based on various Shariah principles to become sustainable and highly credible institutions.

It has mostly been observed that MFIs in Malaysia provide loans to clients, but they do not provide additional services.

Microfinance institutions can provide small insurance and savings services, but the regulations governing financial activities in Malaysia do not allow any institution to accept deposits from individuals, with the exception of banks that accept deposits from individuals. Microfinance institutions are also not allowed to accept deposits from customers. For this reason, the laws must be changed, and microfinance institutions must be allowed to offer microinsurance services to consumers. This would benefit MFIs as they could provide excellent support to low-income people and help reduce the number of defaults. (Noor Zahirah, 2019).

**The third challenge: the withholding of Waqf funds or their scarcity.** A challenge for Islamic microfinance institutions is the withholding of Waqf funds or their scarcity, in addition to the limited Zakat funds that do not meet the needs of the eight categories of Zakat beneficiaries, which is a burden, and this is after the (Covid-19) pandemic crisis in the world, the lack of resources and the cessation of operations, which led to a doubling of the number of people in need of assistance. There is also no integration of Waqf and Zakat with microfinance institutions. Waqf and Zakat in Malaysia are administered by religious affairs authorities. A combination of Waqf and Zakat would further improve the performance of Islamic microfinance institutions and distribute their roles and responsibilities in a satisfactory manner. This approach requires formal coordination between the Islamic microfinance institutions and the country's religious affairs authorities.

**Fourth challenge:** The lack of up-to-date data on Waqf assets as there is no comprehensive and accurate national census of Waqf funds. (Fares, J. et al. 2022).

## **CONCLUSION**

### **First: the Conclusion**

Praise be to Allah (SWT), by whose grace good deeds are accomplished, and prayers and peace be upon the Messenger as mercy for the worlds (SAW). In this study, the researchers addressed the topic: 'The investment of Waqf funds in Malaysia: a descriptive study on the cultivation of uncultivated land from the perspective of social interest' and its activation for the benefit of sections of society. The researchers sought to shed light on the role of investment in reducing the poverty rate among low-income families and individuals in Malaysia. Through the legitimate investment model created by the researchers for the profits of Waqf funds.

The study aimed to provide small loans to finance activities that could contribute to the economic income and development of segments of Malaysian society, including poor families or individuals with limited income and people with special needs, by financing investments in vacant land, known as wasteland, which were limited to all states. Malaysia, which needs to be economically revitalized and used for the benefit of low-income populations. In this conclusion, the researchers summarize the results.

### **Secondly: Study Results**

Achieving sustainable social development through the contribution of segments of Malaysian society and encouraging them to invest through the establishment of small and micro enterprises financed by Islamic banks and microfinance institutions, utilising all available Islamic financial instruments to finance small and micro enterprises.

The study revealed a method to develop investment opportunities in renewable waqf institutions such as investment through developing waqf and temporary waqf that extend people's efforts and donations. Example: If the Malaysian government were to say to the investing groups in society, "I will give you this abandoned land and invest in it for one year," then this is the thing, it is permissible; because this does not contradict any legal text and is "in accordance with "the principle of permissibility in everything."

The development of investment funds and Waqf instruments according to which these lands are given to businessmen who invest through the Bhutto system. Issuing instruments to finance these Waqf. The expected beneficiaries of this idea are members of the low-income community, including, for example, graduates, the unemployed and large institutions. Like the Waqf of universities and Islamic affairs in the Malaysian states, this expected method will be used to invest in the development and revitalization of wastelands and increase investments for the benefit of the segments of Malaysian society affected by the study.

The development of Waqf of scientific patents in Malaysian universities that will generate the highest financial and social returns for the Malaysian state and its research institutions.

Knowing the legitimate and legal reasons for blocking the Waqf funds and confiscating them without capitalising them by investing them and benefiting from their profits and fruits for the benefit of the Malaysian society and revitalising the economy of the Malaysian state.

### **Thirdly: Recommendations And Suggestions**

We summarize the most important recommendations as follows:

Expanding the investment of Waqf funds and developing their assets according to Shariah rules in reserved or idle land (uncultivated land).

Investing in uncultivated land with new products that are widely used in the Islamic Shariah books, protecting this money from the expected risks from which no invested money is free.



Provision of small loans to finance activities that can help increase economic income and development of sections of Malaysian society, especially poor families or individuals with limited income and people with special needs.

To finance those in need by investing in the revitalization of abandoned lands, limited to the Malaysian states that are in need of economic revitalization and employment for the benefit of low-income sections of Malaysian society.

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