

Qasem Qaseer, How to Turn Weakness into Strength: Hajj Tawfiq Hourī as a Model.

[arabi21.](#)

Introductory Bulletin of Al-Imam Al-Ouzai College of Islamic Studies.

Annual Reports Issued by the Center, Highlighting Its Activities and Annual Budget (1990–2023).

Interviews:

Interview with Dr. Námāt Al-Durra, Head of the Graduate Studies Department, at the Al-Imam Al-Ouzai College Building in Beirut, on 4 September 2024.

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The Decision of the Sunni Sharia Court Regarding the Declaration of the Endowment

In the Name of God, the Most Gracious, the Most Merciful

**The Lebanese Republic
Presidency of the Council of Ministers
The Sunni Sharia Courts**

Case No.: 1521

Path:

In the session held at the Sharia Court of Beirut, chaired by Judge Sheikh Faisal Maulawi and in the presence of the court clerk Abdullah Al-Khalidi:

Tawfiq bin Rashid Al-Houri, a Lebanese national known by his identity, appeared and submitted a petition dated September 29, 1979, stating that, in his capacity as Chairman of the Board of Trustees of the Islamic Center for Education, founded on Shawwal 7, 1396 AH, corresponding to October 20, 1976 AD, and based on the full authorization from the members of the Board of Trustees, (attached):

Since endowment (waqf) in Islam is among the acts recommended by Sharia, to which the Noble Messenger, peace and blessings be upon him and his family, called, and which Muslims have adhered to for the past fourteen centuries, I, in my aforementioned capacity, have established a charitable Islamic endowment. This endowment encompasses all matters related to the Islamic Center for Education and its institutions, including real estate and movable properties, present and future.

The Board of Trustees of the aforementioned center shall retain authority over this endowment as long as the center remains operational. However, in the event of the dissolution of the aforementioned Board, authority over the center shall revert to the Directorate General of Islamic Endowments in Beirut.

Accordingly, it was requested to record this declaration, issue a Sharia-compliant legal document affirming it in accordance with procedures, and this was documented on 9th Dhu al-Qi'dah 1399 AH, corresponding to September 29, 1978, AD.

The aforementioned petition, along with the decision of the Board of Trustees granting authorization and a copy of the bylaws of the Islamic Center for Education, was attached to the file:

At that time

It was decided to approve the endower's report, Tawfiq Rashid Al-Houri, in his capacity as specified above, and it was ruled that the aforementioned endowment is valid and binding in both its specific and general aspects. This was recorded on 9th Dhu al-Qi'dah 1399 AH, corresponding to September 29, 1979, AD.

قرار المحكمة الشرعية السنية بإعلان الوقف

الجمهورية اللبنانية
رئاسة مجلس الوزراء
المحاكم الشرعية السنية

أساس: ١٥٢١

سجل:

في المجلس المنعقد في محكمة بيروت الشرعية برئاسة القاضي
الشيخ فيصل مولوي وحضور الكاتب عبد الله الخالدي:

حضر توفيق بن راشد الحوري اللبناني الجنسية المعروف الذات
وقدم استدعاءً مؤرخاً في ١٩٧٩/٩/٢٩ م يتضمن أنه بصفته رئيساً لمجلس
أمناء المركز الإسلامي للتربية والمؤسس بتاريخ ٢٧/شوال/١٣٩٦ هجرية
الموافق في ٢٠/ تشرين الأول/ ١٩٧٦ م وبناء على التفويض الكامل من
أعضاء مجلس الأمناء المرفق: -

إنه لما كان الوقف في الإسلام من الأمور المندوبة شرعاً دعا إليه
الرسول الكريم صلى الله عليه وآله وسلم والتزم به المسلمون خلال
أربعة عشر قرناً خلت من الزمان. لذلك فإني بصفتي المذكورة قد وقفت
وفقاً خيرياً إسلامياً كل ما يتعلق بالمركز الإسلامي للتربية ومؤسساته من
عقارات أو منقولات حاضراً ومستقبلاً، على أن تكون لمجلس أمناء
المركز المذكور الولاية على هذا الوقف طالما بقي المركز قائماً أما في
حال انحلال المجلس المذكور، فإن الولاية على المركز المذكور تعود
لمديرية الأوقاف الإسلامية العامة في بيروت. لذلك فإنه طلب ضبط
إقراره بذلك وإعطاء حجة شرعية به حسب الأصول وحرر في
٩/ ذي القعدة الحرام/ ١٣٩٩ هجرية الموافق في ١٩٧٩/٩/٢٩ م،
ضم للملف الاستدعاء المذكور وقرار مجلس الأمناء بالتفويض مع نسخة
عن النظام الأساسي للمركز الإسلامي للتربية: -

فجيشذ

قررت التصديق على تقرير الواقف توفيق راشد الحوري بصفته
المبينة أعلاه، وحكمت بصحة الوقف المذكور ولزومه في خصوصه
وعمومه وكتب في ٩/ ذي القعدة/ ١٣٩٩ هجرية الموافق في
١٩٧٩/٩/٢٩ م: -

The article has demonstrated that endowments cannot be established or activated without the involvement of the human element (the endower and the administration of the endowment). Professor Tawfiq al-Houri dedicated himself to this field and made significant contributions by revitalizing endowments both academically and practically. He established endowments, encouraged others to do so, and became a reference for many researchers and students by offering guidance, direction, and valuable information.

Thus, the article has shed light on a distinguished personality in the field of endowments, serving as a step towards introducing those involved in this domain, highlighting their experiences and efforts, explaining their achievements, and clarifying the mechanisms they employed to advance and develop endowments.

There are several fields in which professionals have worked to highlight outstanding and distinguished individuals (such as medicine, pharmacy, engineering, literature, and poetry ...). It is, therefore, fitting for those working in the field of endowments to spotlight individuals who have made contributions, rendered services, and achieved accomplishments, as a gesture of gratitude to them and a means of encouragement for others.

4. The university has facilitated opportunities for individuals holding various degrees such as: medicine, pharmacy, engineering, law, accounting, management, and media...to pursue postgraduate studies in the field of Islamic studies.
5. In recent years, the university has managed to provide some solutions to the problems of many students, especially those who are unable to come to the capital, Beirut, through its branches in the regions.
6. The university, being a non-governmental institution, has been able to perform tasks parallel to those of official institutions, tasks of equal importance, such as promoting institutional culture with its positive connotations. These include the ability to carry-out university-level work, modern management, developing solutions to meet needs, and attracting top talents.

It must be noted that many graduates of Imam al-Awza'i University have occupied important positions in several Arab and Islamic countries: as Muftis, Ministers, Members of Parliament, Preachers (Do-aat), Deans, Presidents, Directors, Heads of Departments in universities, Journalists, Professors, Writers (novels, stories...), Imams, and orators (speakers).

Summary:

It is no exaggeration to refer to Professor Tawfiq al-Houri as the pioneer of endowments in Lebanon. He is, as the Prophet Muhammad (peace be upon him) said: "People are like a hundred camels; you can hardly find one suitable for riding."

- The Federation of Universities of the Islamic World, and its General Secretariat in the Islamic Educational, Scientific and Cultural Organization (Rabat, Morocco).
- The International Council for Open and Distance Education, one of the non-governmental organizations under UNESCO, with its headquarters in (Oslo, Norway).

The university has been able to solve many problems, including:

1. The inability of the national university to accommodate students eligible for admission. As a result, Imam Al-Awza'i University was able to absorb many of them, providing opportunities for them to continue their studies at very low tuition fees (which cannot be compared with the fees of other universities). The university also assisted many students who were unable to pay the fees. It is important to note that the university served as an open space for students from neighboring countries (Syria and Iraq) to pursue further studies and earn master's and doctoral degrees.
2. The abundance of foreign universities, especially American ones (such as the American University and the Lebanese American University...), and the subsequent distortion, deviation in thought, and misrepresentation of concepts and perspectives.
3. The multiplicity of missionary universities (such as Kaslik, Balamand, Saint Joseph, and others) with the external support and foreign funding they receive, along with the objectives of the activities they conduct.

and discuss the theses and dissertations. Among these specialists were Muhammad Al-Zuhayli, Wahbah Al-Zuhayli, Ahmad Al-Hajji Al-Kurdi, Muhammad Rawwas Qal'aji, Nur Al-Din Al-'Itr, Abduh Al-Rajhi, Mustafa Al-Bugha, Umar Tadmuri, Muhammad Munir Saad Al-Din, Marwan Qabbani, Ali Dahruj, Muhammad Ajaj Al-Khatib, Sarah Mneimneh, Talal Atrisi, Nayef Ma'ruf, Hassan Hallak, Bassam Abdul-Hamid, Hilal Darwish, Samir Al-Shaer, and Hassan Al-Rifa'i⁽¹⁾.

The college is a higher education institution affiliated with the Islamic Educational Center Endowment, established in 1976. Consequently, the endowment oversees its financial policies, sets annual tuition fees, and determines the amounts paid by students, which constitute a small portion of the college's annual budget. The endowment fund

covers the required cash expenses. However, the majority of the college's budget is derived from Zakat al-'Ilm, as prominent university professors volunteer to teach

and supervise research and dissertations in their respective fields of expertise, offering their services as an act of charitable giving through their knowledge⁽²⁾.

Achievements of Al-Imam Al-Ouzai College:

The university is a member of international unions:

- The Association of Islamic Universities, with its General Secretariat at Al-Azhar University (Cairo, Egypt).

(1) See: Alumni Association of Al-Imam Al-Ouzai University, Guide to Graduate Research, Dar Sabeel Al-Rashad, Beirut, 1st edition, 2002.

(2) See: The annual reports issued by the Center, which detail its activities and annual budget. Islamic Educational Center Archives (1990–2023).

Contributions and Fields of the University:

The College of Imam Al-Awza'i, through its prescribed curricula, student research, and the theses and dissertations submitted by its students, seeks to fulfill

the specific objectives outlined in the framework of its parent institution (the Endowment of the Islamic Education Center). The college aims to assist in the advancement of Muslims in Lebanon and around the world by focusing on the educational and social aspects of Muslim life, identifying the needs in these two areas, and working to address them in the shortest time and at the lowest cost. It also directs research and studies towards eliminating disparities among Muslims within a single community. The college includes students from various Islamic sects and the schools associated with those sects.

As an institution of higher education, the college welcomes all students who meet university admission requirements, regardless of their religious affiliation, whether they are Muslims or non-Muslims, provided they choose to study the curricula prescribed by the college⁽¹⁾.

Master's theses and doctoral dissertations often addressed practical problems faced by the Islamic world or shed light on previously unknown topics. This approach aligns with the college's methodology, which avoids focusing on studying manuscripts, books, or research aimed at editing or reviewing a book or reference. The university enlisted specialists from Lebanon and abroad to supervise

(1) See: An introductory brochure about Al-Imam Al-Ouzai College for Islamic Studies, issued by the college administration, containing information about study stages and courses.

As for the statistics of graduates in the college, here is a summary:

- By the end of 2023, the number of graduates from the college at the bachelor's level reached 3528.
- The number of graduates at the master's level by 2023 is 590.
- The number of PhD graduates until 2023 is 294⁽¹⁾.

The fields addressed in the master's theses and doctoral dissertations were distributed across various branches of knowledge: jurisprudence, law, comparative law, principles of jurisprudence, theology, Quranic studies, Prophetic Hadith, da'wah (Islamic call), biographies, personalities, sociology, psychology, political studies, education, history, media, architecture, economics, development, finance, and accounting.

The teaching system at the college: The teaching system differs from one academic stage to another. In the first stage (bachelor's), the study is spread over four years. In the graduate studies stage (master's – doctorate), the student must pass through three different phases. In the first phase, the student must successfully complete supplementary courses at the bachelor's level, with the number and nature of the courses determined based on their previous university studies (i.e., according to the first university degree they have completed). The second phase involves conducting research in various academic fields to develop the student's scientific character. The third phase is the preparation of the thesis or dissertation, and the duration of this final phase does not exceed two years.

(1) See: the brochure about the Islamic Center for Education, pp. 3-4.

Each of these centers, institutions, and units has a specific framework within which it operates, collaborating with hundreds of local, foreign, and international institutions⁽¹⁾.

6. One of the important centers is the Imam Al-Awza'i is the University Library, which is considered one of the best libraries in Lebanon. It is distinguished by the following features:

- It houses approximately two hundred thousand (200,000) books, distributed across Arabic, French, English, languages of the Islamic world, and various European languages.
- Nineteen thousand (19,000) Arabic and foreign periodicals.
- A special section for reporting global knowledge – 150 global indexes.
- Archives on the countries and cities of the Islamic world.
- Archive of associations, institutions, and publishing houses.
- Bibliographic guides and indexes for Arabic and Islamic manuscripts.
- Geographical, political, and economic maps of the Islamic world and its regions.
- Two thousand audio-visual tapes or CDs.

Thus, the library has become one of the primary libraries visited by researchers, university students, and schools⁽²⁾.

(1) Interview with Dr. Nemat Al-Durra, Head of the Graduate Studies Department, at the Imam Al-Awzai College Building in Beirut, dated 4-9-2024.

(2) See: the brochure about the Islamic Center for Education, pp. 2-3.

of information about the Islamic world, both in terms of its land and people, and the various fields related to it in different aspects of life. The center gathers and indexes information by countries and regions, either through correspondence with official and non-governmental institutions in various countries or by cooperating with existing institutions to exchange bibliographies or contribute to the production of publications in this field, which cover various aspects of the required information about Islam and the Islamic world. The center began its work in 1983 and contributes to the publication of the Islamic Bibliography Index, the first issue of which was released in the month of Muharram 1410 AH, corresponding to September 1989. It is a bibliographic magazine.

2. **The Islamic Food Control Authority:** This institution began its operations in 1979 as a step to help Muslims overcome the confusion they faced regarding the safety of food and beverages from prohibited substances. The institution was established to verify the religious compliance of products available in the markets, in collaboration with producers, exporters, importers, and consumers. It has established a network of relationships and communications with more than four hundred chambers of commerce and industry around the world, aiming to promote halal products, expose haram ones, and meet the needs of Muslims.
3. Center for Documenting Information on International Banks.
4. Center for Documenting Information on Major Cities of the World.
5. Post-Doctoral Research Center.

Imam Al-Ouzai College:

Imam Al-Ouzai College for Islamic Studies was established in 1979. It was named after Imam Al-Ouzai (88-157 AH/707-747 CE) due to his scientific, religious, jurisprudential, and humanitarian stature among the people of the Levant in general, and Lebanon in particular. He was born in Baalbek, grew up in Al-Karak, and lived in Beirut for twenty-five years until his death. He was buried in Hantous, a Beirut suburb now known as the Ouzai area.

Imam Al-Ouzai College for Islamic Studies is a non-traditional college that focuses on Islam and its applications in various aspects of life. For this reason, the college offers courses on

Islam and related fields, including theology, jurisprudence, law, sharia, organization, history, archaeology, politics, international relations, sociology, education, anthropology, economics, management, philosophy, civilization, geography, da'wah (Islamic outreach), training of preachers, linguistic diversity, racial diversity, architecture, art and ethics, transactions, history of sciences, transmission of knowledge and civilizations, applied sciences, comparative studies, and other disciplines related to Islam.

Imam Al-Ouzai College stands out from other colleges of sharia and Islamic studies in the Arab countries because it includes several specialized centers and

units that are not directly related to teaching, but they contribute to knowledge in general. These institutions are:

1. **Center for Bibliographic Documentation on Islam and the Islamic World:** This center was established considering the lack

deposited with the Sharia Court on 9 Dhu al-Qi'dah 1399 AH, corresponding to September 29, 1979, under number 1521, including all its institutions⁽¹⁾.

The Islamic Center for Education is the first charitable public endowment institution established by Muslims in Lebanon since the fall of the Islamic

Caliphate⁽²⁾. Through this center, several institutions were founded, including the Imam Al-Ouzai College for Islamic Studies and the College of Islamic Business Administration.

The objective it strives to achieve is enabling institutions to attain self-sufficiency. Support through endowments must not be aimless; rather, it should take a form that drives various established and newly founded institutions to become capable of funding their projects through endowments. In other words, these institutions must reach a stage of maturity and development, becoming active contributors to their communities rather than burdens on society, both in Lebanon and beyond⁽³⁾. Additionally, this approach addresses the recurring issue or justification often cited: the lack of resources and reliance on external support.

In this chapter, I will highlight one of the significant endowment institutions that serve as a model for the endowment projects established by Professor Tawfiq Al-Houri, namely:

(1) Houri, Tawfiq, Recent Developments in the Establishment and Management of Islamic Charitable Endowments in Lebanon (1400-1425 AH), unpublished lecture, p. 10.

(2) See: Endowment of the Islamic Center for Education (Regulations and Affiliated Institutions), unpublished, pp. 8-11.

(3) Houri, Tawfiq, The Condition of Muslims in Lebanon, unpublished lecture, p.3.

endowment and how a new trustee will be appointed. Alternatively, if there is a permanent vacancy in the trustee position, the trusteeship will revert to the General Directorate of Islamic Endowments.

Duties of the General Directorate of Endowments:

If the General Directorate of Endowments assumes the role of trustee for a charitable endowment-whether by a ruling from the Supreme Sharia Court or due to the permanent vacancy of the trustee's position- this authority does not permit altering the nature of the endowment or changing the purpose for which it was established. Rather, this authority solely signifies that the General Directorate of Islamic Endowments has become the trustee of the established charitable endowment, bearing responsibility for its management in the same manner as public endowments.

The endowment is treated as an annexed endowment, even if it is not inherently annexed, and it must maintain its own independent records and financial accounts, as it has its own distinct legal identity that remains valid and continuous, regardless of the name or nature of the trustee⁽¹⁾.

Chapter Two:

His Contributions in the Practical Field

Professor Tawfiq Al-Houri established the Islamic Center for Education, which became a charitable endowment serving the public interest in accordance with its article of association

(1) Houri, Tawfiq, Endowment Institutions: A Modern-Traditional Perspective, unpublished lecture, p. 8.

5. **Lack of clarity in collaboration between public endowments and charitable endowments:** Charitable endowments suffer from a lack of willingness to collaborate with them on the part of public endowments. Some public endowment workers perceive the activities of charitable endowments as competition, as charitable endowments exhibit seriousness in their work, while public endowments display monotony. This has led to a general perception among people that the management of charitable endowments is trustworthy, whereas the management of public endowments is not. This perception needs to be addressed before it evolves into an intractable issue⁽¹⁾.

Seventh: Dissolution of the Charitable Endowment

Professor Tawfiq Houri did not neglect the possibility of encountering problems and surprises that could lead to the dissolution of the endowment. He presented his perspective on this matter, which he referred to as "voluntary relinquishment and its consequences":

If the trustee of a charitable endowment (whether an individual, board of trustees, or board of management) wishes to relinquish their responsibilities due to personal circumstances, they cannot be forced to continue in their position, as the trusteeship is originally a task related to the affairs of the Muslim community, and no one can be coerced into taking it on.

In the case of voluntary relinquishment, it is essential to review the endowment deed to determine who will take over the affairs of the

(1) Houri, Tawfiq, Islamic Charitable Endowment in Lebanon (The Lebanese Endowment Experience), Kuwaiti Civil Week (30-9-1998/3-10-1998), p.6.

We believe that such coordination is essential for the progress of Islamic efforts, as it helps each endowment achieve the purpose for which it was established by benefiting from the experiences of preceding charitable endowments, whether in the fields of organization, administration, or acquired expertise.

3. **The lack of distinction between endowments and associations among some charitable endowment boards of trustees:** Many boards of trustees of charitable endowments still operate based on a flawed administrative approach, as they think with the mindset of a self-contained association instead of recognizing their responsibility toward the Sharia judge and the broader Islamic accountability represented by the authority of the Sharia judge.
4. **Reliance on donations instead of generating income:** Many endowment institutions still rely on external funding, despite the numerous risks associated with external financing, particularly in cases of conflict between funding states. These institutions often fail to attempt to generate their own income domestically through affiliated productive entities.

Some major endowment institutions, however, adopt their own financial policies that help them grow, expand, and sustain their operations, while not rejecting unconditional assistance. The most notable example of this is when the Al-Birr and Ihsan Endowment, which owns Beirut Arab University, purchased land measuring 1.3 million square meters to establish a new university. The purchase was made for 13 million dollars without the need for external assistance or financing loans.

- Clause 5 – A register for Sharia-compliant deeds that do not include rulings.

No reference is made to the creation of an independent register for endowment deeds, resulting in the loss of these deeds among various Sharia-compliant documents.

To facilitate the linking of records between Sharia courts and the General Directorate of Islamic Endowments, we recommend separating endowment deeds from other Sharia-compliant legal deeds in an independent, sequential register. A dedicated ledger should be allocated for recording endowments, with notification sent to the General Directorate of Islamic Endowments. This would enable the General Directorate of Islamic Endowments to establish supplementary registers, ensuring it remains consistently informed about the developments in Islamic endowment real estate ownership, as well as other Islamic properties, including rights and licenses.

This is because the General Directorate of Islamic Endowments functions similarly to the public sector in economic terms, while

charitable endowments represent the private sector within the same economic framework⁽¹⁾.

2. Every sector of society has an organization that unites its components and facilitates the exchange of experiences among its parts. For instance, we find labor unions, professional associations, and chambers of commerce. So why is there no coordination among charitable endowment institutions?

(1) Houri, Tawfiq, Islamic Charitable Endowment in Lebanon, p.7.

vessels. The task of the caretaker was to provide a sound pottery vessel to a boy, girl, or poor person in exchange for a broken one.

The wisdom behind this was that, for example, if a boy was sent by his teacher to fill a pottery jug and, for some reason, it broke, instead of exposing the boy to scolding, or perhaps beating and humiliation, he could take the broken jug to Waqf Al-Kasoura and receive a new one.

- **Endowment for Preserving Inanimate Objects for Human Benefit:** This endowment involved the Hejaz Railway Waqf located in Sahat Al-Burj, the largest single property. Its purpose was to secure annual funds for the maintenance of the Hejaz Railway, which extended from Damascus to Al-Madinah Al-Munawwarah, facilitating the pilgrimage route⁽¹⁾.

Sixth: Challenges Facing Endowment Experiences in Lebanon:

Given Haj Tawfiq Al-Houri's active involvement in the field of endowments and his communication with practitioners and regulations, he outlined several challenges faced by the endowment experience, including:

1. **Lack of Proper Regulation of Endowment Records Between Sharia Courts and the General Directorate of Endowments:** The Sharia Courts Law, issued in 1962, stipulates in Article 132 that the courts, in their acquisition of records, must maintain:
 - Clause 2 – The basic register for legal deeds and other Sharia-compliant documents.

(1) Houri, Tawfiq, Endowment Institutions from a Modern-Traditional Perspective, Unpublished Lecture, pp. 5-6.

Sharia court. If the endowment is based on a will, the will is sufficient to be recorded in the Sharia court⁽¹⁾. Therefore, the advice given by Professor Al-Houri to several institutions and associations to convert into endowments was aimed at safeguarding their funds, properties, and assets, and ensuring the stability of their operations and activities.

Fifth: Civilizational Endowments:

Professor Al-Houri has always sought to highlight the bright aspects of endowments and the services they have provided for various purposes, such as mosques, institutes, and various charitable institutions. These endowments extended to support patients and individuals with disabilities. The concept was not limited to human beings alone but went beyond to deliver benefits to animals, plants, and even inanimate objects.

We present examples of this from Beirut:

- **Charitable Endowment for Humanitarian Purpose:** In the area where the Capitol Building was later constructed in Riyad El Solh Square, there was a shop that distributed bread. It provided bread for those in need, allowing them to take what they required and leave without being questioned or humiliated.
- **Charitable Endowment for Another Humanitarian Purpose:** This endowment was known in some accounts as Waqf Al-Fakhoura and in others as Waqf Al-Kasoura. It was a shop located near the bread distribution shop, dedicated to distributing pottery

(1) Islamic Center Endowment, Islamic Charitable Endowment, n.p. p. 7.

Ministry of the Interior by receiving what is known as a license and notice is referred to as an association. It becomes subject to the authority of the Ministry of the Interior, and after its establishment, laws, decrees, decisions, and regulations are issued that define the nature and scope of the association's work. The Ministry of the Interior also has the right to terminate the association and confiscate its funds and properties. However, the board of directors of the association can object to the Ministry of the Interior's decision to terminate or confiscate before the State Council, without suspending the dissolution/termination or confiscation decision⁽¹⁾.

As for the charitable endowment institution that has been registered with the Sharia courts by obtaining a decision (Sharia ruling), it is known as a charitable endowment. Thus, the charitable endowment becomes part of the Muslim endowments and enjoys all the immunities and exemptions that endowments possess. However, it is not subject to the authority of the General Directorate of Islamic Endowments or the authority of the Fatwa, if it falls under the exempted endowments, meaning those not entrusted with administration. The administrator of the endowment (whether an individual, a board of directors, or a board of trustees) is accountable before the Sharia judge. The Sharia judge does not have the authority to dissolve or confiscate the endowment or change the purpose for which it was established. However, the judge has the authority to remove the administrator if misconduct is proven and appoint a new administrator according to the endowment's system registered in the

(1) Hour, Tawfiq, Islamic Charitable Endowment in Lebanon (The Lebanese Endowment Experience), Kuwaiti National Week (30-9-1998 / 3-10-1998), pp. 5-6.

It is not required to make these reports public for everyone to see, although this would be ideal. What is required is for these reports to be ready for review by the legitimate judge, to be presented to him if the event that any Muslim files a complaint accusing the endowment superintendent of negligence, laxity, or poor administration.

The public, brief, or limited publication of reports, or the preparation of annual reports and their storage in the endowment files, gives the endowment

superintendent the opportunity to assess the activities carried out by the endowment administration. It also provides a chance for self-accountability before public accountability⁽¹⁾.

Fourth: The Difference Between a Association and an Endowment:

Tawfiq Al-Houri had a far-reaching vision and was a reference for many institutions and organizations that consulted him for advice, guidance, and direction. Some of these organizations transformed into endowments. His vision can be clarified through the following points:

Understanding the difference between a association established based on a license and notice issued by the Ministry of the Interior and a charitable endowment created by a decision from the Sharia court under the Presidency of the Council of Ministers, it is best to begin with the decision of licensing and establishment. The Islamic institution that obtains permission for its establishment from the

(1) Houri, Tawfiq, Islamic Charitable Endowment in Lebanon (The Lebanese Endowment Experience), previously cited source, p. 2.

Since Islamic work requires perseverance over many years, a volunteer team alone cannot ensure continuity. However, by securing a dedicated, paid administrative team, continuity can be guaranteed due to the nature of their roles.

3. Annual Reports:

One of the important issues addressed by Al-Houri is transparency and clarity. An indicator of effective administrative control in any institution, whether charitable or commercial, is the preparation of an annual administrative and financial report that outlines the activities undertaken, the results achieved, and the challenges encountered. The report should also mention points of success, failure, and setbacks in the projects executed or those being sponsored.

Since charitable endowment institutions are subject to oversight by the public of Muslims, it is the duty of the endowment supervisors to prepare their annual reports as a means of clearing their accountability before Allah and then before the Muslims. This is also to enable Muslims in general to assess their work and determine their suitability to continue managing these charitable endowments.

It is preferable for the administrative and financial reports to include:

- Cash account.
- In-kind donations account.
- Account estimating the value of effort and volunteer work.
- Report on activities over the year.

systems for the institutions affiliated with the endowment, as well as for the types of activities carried out by the endowment. These systems evolve over time. There is no doubt about the development of endowment work and its scope. Therefore, it is crucial, when submitting a request for declaring an endowment before the Sharia court, to pay attention to future developments in the endowment's activities so that the document issued by the Sharia court does not hinder the work by imposing rigid and inflexible provisions⁽¹⁾.

2. Exercising Administrative and Financial Authorities:

Through his profound experience in administrative and charitable work, Professor Al-Houri presented essential principles, methods, and policies for distributing

administrative and financial authorities. It is not only important to announce the establishment of an endowment, but equally crucial is the effective management of the endowment by assuming its responsibilities to achieve the goals for which it was created. To accomplish these goals, it is necessary to have a team of paid staff members alongside the volunteer team, with salaries that reflect the work they do and are in line with wage standards in similar institutions. The endowment management must also consider its available financial resources to avoid hiring individuals only to later underpay them or fail to provide the necessary compensation. Having a paid executive team enables the endowment manager to monitor the team's productivity and discipline, whereas it is more challenging to hold a volunteer team accountable.

(1) The same reference, p. 3, 4.

annulment lawsuit as previously mentioned, because we are dealing with a request for a judicial decision that resulted in the registration of the endowment deed⁽¹⁾.

Third: Endowment Management:

Professor Hourì presented ideas and mechanisms for success and proper management of the endowment, which help ensure the success of charitable endowment institutions. The most important of these include:

1. Regulations for Affiliated Institutions:

The trustee of the endowment must establish an internal system for the endowment if the trustee is a group of people. However, if the trustee is an individual, there is no need for such a system. But since the management of the endowment deals with operations in the Islamic field, it often finds itself compelled to regulate matters by establishing subsidiary systems, each specific to an activity it undertakes. For example, if the endowment is distributing food aid to needy families, it is better, to avoid rumors and gossip, to create a list of needy families and set an internal system that specifies how a family's name is added to the list and how it can be removed in the future.

If the endowment manages a school, it needs to establish a clear internal system for the students, teachers, and administrators.

Therefore, to ensure the success of Islamic endowment institutions, Professor Hourì emphasizes the necessity of establishing

(1) See: Islamic Center Endowment, Islamic Charitable Endowment, n.d., pp. 20, 21.

principles. These principles for an endowment include the legal eligibility of the endower to act.

the compatibility of the purpose for establishing the endowment with Islamic objectives, and the absence of any Sharia impediment that prohibits the establishment of the endowment⁽¹⁾.

The matters that allow a judge to refuse approval of a request to establish a charitable endowment are well-defined and not far from being objective, ensuring the judge does not have the right to reject the request without justification. However, these matters permit the judge to establish guidelines and interpretations concerning the principles of creating and regulating the endowment deed.

4. Mandatory Objective:

Once the legal deed for the establishment of the endowment is issued in accordance with the goal mentioned in the request for creating the charitable endowment and based on the principle: "The endower's text is like the text of the legislator," the trustee is obligated to work towards achieving the goal of the endowment's establishment.

If anyone has an objection, the natural course of action for the objection is to file a lawsuit for an annulment with the Sharia judge through a primary lawsuit in accordance with Article 298 of the Sharia Courts Law.

If the goal of establishing the endowment causes harm to the rights of other parties, it is natural to challenge it by filing an

(1) Islamic Center for Education Endowment, "Islamic Charitable Endowment," unpublished, Beirut, pages 12-13.

2. The objectives of the endowment and the purpose of its establishment.

- The custodian of the endowment (or the formation of its administrative council or board of trustees) and the method of renewal or continuation of custodianship.
- The administrative powers of the custodian, including the extent to which these powers encompass selling, purchasing, or exchanging endowed real estate and managing movable assets.
- The authority to establish the internal systems and regulations of the endowment and its affiliated institutions.
- The entity responsible for overseeing the endowment in the event of the dissolution of the governing council or its voluntary relinquishment of custodianship.
- The title of the individual authorized to register the endowment and sign the documents related to its establishment⁽¹⁾.

3. The Judge's Decision: Professor Hourri emphasized in his lectures the importance of the judge, his mission, and his effectiveness:

- The Sharia judge, pursuant to Article 17, Paragraph 18 of the Law on Sharia Courts issued in 1962, is the authority entrusted with (organizing and registering the deed of a will or endowment according to their proper principles). Therefore, the judge does not have the right to reject the request to establish a charitable endowment except within the limits of interpreting these

(1) See: Hourri, Tawfiq, "Recent Developments in the Creation and Management of Islamic Endowments in Lebanon (1400-1425)," unpublished lecture, pages 8-9.

Accordingly, the Sunni Shari'a court serves as the competent authority to approve or deny the establishment of a charitable endowment after reviewing the reputation and capability of the applicant(s) for establishing the endowment (whether an individual or a group of individuals), as well as the purpose of establishing the endowment. If the Shari'a judge rejects the request to issue a decision for establishing the endowment, the applicant(s) have the right to appeal the judge's decision to the Higher Shari'a Court, whose decision shall be final.

1. Conditions of the Endower: Professor Houri formulated the conditions in a modern Language that can be understood and applied:

One of the important matters when drafting a request for establishing an endowment is that the conditions of the endower must be clear. This is because the condition of the endower holds the same status as a legislator's provision. Therefore, it is essential to elaborate extensively on the conditions of the endowment to clarify the following:

- The name by which the endowment will be identified, allowing the endower to gain legal and personal recognition after its declaration.
- The real estate, movable assets, rights, licenses, and other properties to be endowed, if any, with detailed mention of each. This facilitates future real estate and banking transactions.

Model),” Ph.D. thesis, Imam al-Awza’i University for Islamic Studies, Beirut, 2004, supervised by Hassan Halaq, p. 30.

Second: The regulations and steps for establishing charitable endowments, which many organizations and individuals have relied on.

The Law on the Organization of Shari’a Courts in Lebanon, issued in 1962, stipulated that the jurisdiction over the establishment of exempted endowments, their preservation, and the removal of their trustees lies solely with the Shari’a courts. No other court or entity has the right to challenge the jurisdiction of the Shari’a court in this matter.

Accordingly, the General Directorate of Awqaf, the Local Awqaf Council, the Supreme Shari’a Council, or the Grand Mufti of the Republic do not have the authority to intervene in the management of charitable endowments (the exempt

endowment), direct its funds, or exercise moral oversight over it. However, any of these entities, like any Muslim, has the right to submit a complaint to the Shari’a judge regarding poor management of the endowment or misconduct by its trustee. It is then up to the Shari’a judge to examine the complaint.

This level of accountability, namely the accountability of the trustee of the charitable endowment before the entire Muslim community, represents the highest form of accountability. It is not feared by those who work for the good, but it is feared by those who do not wish for good⁽¹⁾.

(1) Waqf Islamic Center for Education, “Islamic Charitable Endowment,” no publication information, Beirut, p. 7 and 8.

who would carry out the French policy under the supervision of the Endowment Affairs Adviser.

The French officer "Philippe Ginardi," who was the adviser for real estate affairs, was chosen to become the Endowment Affairs Adviser. Ginardi continued in this role from the start of the mandate until the fall of the Vichy regime in Lebanon. As a continuation of this narrative, he announced his conversion to Islam, adopting the name Muhammad Abdullah Philippe Ginardi. He married a Muslim woman, and his conversion was publicly announced in a grand ceremony that lasted for a week, during which lavish feasts were held. At every banquet, an Ottoman gold lira was placed in each glass of drink to honor the participants in the event.

To make the picture clearer, "Ginardi" appointed a personal translator named "Jamil Sasson," who was Jewish.

Thus, the endowment was besieged, and Muslims were prevented from using their endowment funds and annual revenues by appointing a French officer as an adviser for endowment affairs and a Jew as his right-hand man⁽¹⁾.

See: Al-Shoum, Mohammad Qassem, "Islamic Endowment in Lebanon (1943-2000): Its Management and Investment Methods (Beqaa Governorate as a Model)," Ph.D. thesis, Imam al-Awza'i University for Islamic Studies, Beirut, 2003, supervised by Hassan Halaq, p. 22.

See also: Mansour, Salim, "The Role of Waqf in Development in Contemporary Islamic Society (South Lebanon Governorate as a

(1) Houry, Tawfiq, "Waqf Institutions from a Modern-Old Perspective," unpublished lecture, p. 2 and 3. This incident has been referred to by several researchers when discussing the impact of the French mandate in weakening the endowments.

This can be clarified as follows:

On March 2, 1921, just less than seven months after the declaration of the Greater Lebanon state, the French Mandate government issued decision number 753, specifically regulating the endowments of Muslims and their charitable associations. However, the High Commissioner did not issue any decision to regulate the endowments and associations of non-Muslims. Why?

The French colonial experience in Muslim North Africa taught the French that Islamic charitable endowments, with the resources they generate (whether financial or material), formed a source of funding for the successive revolutions against colonial rule since the French colonization of Algeria in 1830. Fearing that Islamic endowments in Lebanon would become a funding source for movements against the Mandate, the French High Commissioner hurried to issue decree number 353, which stipulated in Article 21 that: The General Supervisor of Endowments, in addition to his endowment-related tasks, shall supervise the work of the directors of Islamic associations, regardless of their purposes. The supervisor is to obligate them to implement their activities according to the institutions' deeds and ensure that the revenues of Islamic endowments and charitable associations are not diverted from their intended purpose. He also has the authority to conduct audits, either personally or through a representative, to

manage the affairs of the directors and trustees of Islamic endowments and charity associations.

The next step required by the mandate, based on this decree, was the appointment of the General Supervisor of Endowments,

superintendent, or directly managed by the Endowment supervision until a custodian is appointed for them.

- **Excluded endowments (such as the Islamic Center Endowment that established Imam al-Awza'i University):** These are endowments that are exempted from regulation and affiliation based on the conditions set by the endower, who entrusted the supervision to specific individuals. These endowments are subject to the oversight and accountability of the legitimate judge⁽¹⁾.

Professor (the most commonly used title for him is: Hajj) Tawfiq al-Houri focused on his studies and lectures on the excluded endowment, considering it an independent endowment that can be managed and invested away from administrative constraints and bureaucracy. This type of endowment possesses a wide range of freedom in its establishment, specify its purpose, and determination of its beneficiaries.

Professor Tawfiq al-Houri had valuable knowledge, ideas, and administrative insights, along with descriptive and analytical contributions in the field of endowments, which could be built upon. Those working in this field benefited from and sought his guidance.

First: Colonization:

Professor al-Houri's expertise had a significant impact in highlighting the French colonization's objectives of weakening the endowments.

(1) See: Yakin, Zuhdi, Endowment in Sharia and Law, Dar Al-Nahda Al-Arabiya, Beirut, 1388 AH, p. 19.

Al-Houry has delivered numerous lectures, seminars, and research papers at Lebanese, Arab, and international conferences. He has also received recognition from several academic institutions,

including the Arab University of Beirut, Alexandria University, and others.

His Death:

He passed away, may God have mercy on him, on January 28, 2023, at the age of ninety.

Chapter One:

Scientific and Intellectual Contributions in the Endowment Field

Islamic endowments during the Ottoman era are divided into three types:

Islamic endowments during the Ottoman era were divided into three distinct types, each with its own characteristics and features, as follows:

- **Regulated endowments:** These are endowments managed by the Sultans, with the administration entrusted to the state, or endowments whose funds have been regulated by the Endowments supervision due to the lack of a custodian, the extinction of those designated to manage them, or where it became clear that regulating them was in the best interest of the charitable endowment.
- **Affiliated endowments:** These are endowments managed by a custodian, but under the supervision of the Endowment

He also contributed to the establishment of the Bekaa Development Endowment to be an Islamic charitable endowment, hoping that this endowment would be a foundational kernel would serve as the core foundation for incorporating new Muslim endowments that would benefit the people of the Bekaa⁽¹⁾. Additionally, Al-Houry contributed to guiding and advising several students to write research in the field of endowments, both during their pre-master's studies and through master's theses and doctoral dissertations.

May God benefit through him countless numbers of students of knowledge in the East and West, and thousands in the fields of knowledge, especially Islamic studies, with a modern approach that preceded the project of Islamization of knowledge. He worked on the Islamization of knowledge through the programs of Imam Al-Awza'i

College of Islamic Studies and the College of Islamic Business Administration, particularly at the master's and doctoral levels⁽²⁾.

His concern was to build institutions, develop capabilities, and cultivate the culture of endowments, as well as to find ways to utilize scattered and individual resources and transform them into an integrated institution, becoming an influential force in society⁽³⁾.

= endowments we see today, foremost among them the endowment of the Islamic Welfare Organization, which he advised me to register as an endowment for community service in 1985. See Arqa Dan, Salah, When the Great Depart Quietly, Haj Tofiq Al-Houri, Saidon News.

(1) A group of authors, Biographical Dictionary of Endowment Figures, Vol. 3, General Secretariat for Endowments, Kuwait, 2024, pp. 95-96.

(2) See: Arqa Dan, Salah, When the Great Depart Quietly for Haj Tofiq Hour, Op. Cit.

(3) Qasir, Qasim, How to Turn Weakness into Strength: Haj Tofiq Hour as a Model, Arabi21.com.

sphere, whether within the framework of Islamic, national, social, or humanitarian work⁽¹⁾.

His contributions in the field of endowments and charitable work:

He chaired the Board of Trustees of the Endowment for Charity and Goodness from 2000 to 2015.

He then transformed the Al-Birr and Al-Ihsan Society, the owner of the Arab University of Beirut, into a legitimate Sunni endowment, which is considered one of the largest and most impactful endowment properties in Lebanon.

He established the Islamic Center for Education Endowment and declared it an Islamic endowment in 1396 AH, corresponding to 1976 AD⁽²⁾. He chaired the Board of Trustees of the Islamic Center for Education Endowment from its founding until the end of 2022.

The Islamic Center for Education is the one that established Imam Al-Awza'i College of Islamic Studies, followed by the College of Islamic Business Administration, to serve as a model for a new generation of Islamic colleges and universities that adopted the experience and followed its lead, such as: Tripoli University, Al-Jinan

University, the Faculty of Islamic Sharia, the Islamic Da'wah University, and the Lebanese International University. Additionally, his contributions to several other endowments⁽³⁾.

(1) See: Halaq, Hassan, Encyclopedia of Beirut Families, Volume 1, Dar Al-Nahda Al-Arabiya, Beirut, 1st edition, 2010, p. 444-445.

(2) See: The Endowment Text, p. 27.

(3) Dr. Salahuddin Arqa Dan mentions: That Haj Tofiq Al-Houri had the credit for the =

I divided the article into a prelude and two chapters:

The prelude includes an overview of the life of Professor Tawfiq Al-Houry. As for the first chapter, it addresses his intellectual and scientific contributions, his role in highlighting the French Mandate, the importance of legal immunity for endowments, and the impact of modern administrative systems on endowment investment. It also emphasizes that those responsible for managing endowments must adhere to oversight, accountability, follow-up, and the submission of reports and budgets.

The second chapter focuses on one of the endowments established and overseen by Professor Al-Houry: Imam Al-Awza'i University. It highlights the number of graduates, activities, lectures, and courses taught across different years. Additionally, it includes an overview of the university's library and its significance.

Prelude

Tawfiq Al-Houry (1933-2023):

He is Professor Tawfiq Rashid Al-Houry, may God have mercy on him, born in Beirut in 1933 (before Lebanon's independence). He received his early education at the schools and high schools of the Islamic Charitable Society of Al-Maqasid in Beirut. He then continued his studies at the American University of Beirut, where he earned a degree in economics. Later, he completed a master's degree in economic and financial sciences at British universities in 1955.

Professor Al-Houry established several economic projects and worked with his father in general trade. He was skilled in the public

Al-Houri, who made a significant contribution to endowment work in Lebanon, from two perspectives:

1. **The intellectual and academic perspective** focused on affirming the endowed property's distinct legal personality, emphasizing that it is safeguarded against violation, expropriation, interference in its affairs, or annulment. It ensures that the superintendent (board of trustees) can perform their duties and activities without fear or restriction. Additionally, the legitimate judge is entitled to monitor and hold it accountable within the framework of Islamic laws and regulations.

Tawfiq Al-Houry, who hailed from a distinguished family with contributions to the Ottoman Empire and possessed extensive knowledge about Beirut, Lebanon, endowments, and the French Mandate, succeeded in exposing France's greed, aggression, and authoritarian control over endowments, as well as its attempts to disperse and sell them. Through his dynamism, vitality, and cultural insight, he provided examples of rare and remarkable endowments previously unheard of.

2. **The practical prospective:** Al-Houry did not neglect this aspect; instead, he engaged in endowment-related actions and initiatives to avoid being among those described by God: {How despicable it is in the sight of Allah that you say what you do not do!} He established several endowments, encouraged associations and universities to create endowments, and exerted significant efforts to ensure success, growth, and development of endowment institutions.

friendship, or intercession. Those who disbelieve are truly the wrongdoers}⁽¹⁾ Similarly, there are hadiths from the Prophet, peace and blessings be upon him, the most famous of which is: (When the son of Adam dies, his deeds come to an end except for three: a continuous charity, knowledge that benefits others, or a righteous child who prays for him)⁽²⁾ Endowments multiplied over the centuries. During the era of the Companions, it was not reported that any Companion with the means failed to establish an endowment⁽³⁾. The endowments continued and increased during the Umayyad, Abbasid, Mamluk, Ayyubid, and Ottoman eras.

However, the modern state in most Arab countries has worked to restrict endowments and attach them to the Ministry of Endowments. Therefore, reviving the concept of endowments and establishing new endowments has become a matter of great importance, especially with their investment and utilization in areas, purposes, and activities that benefit society.

It is a mark of loyalty to the endowment and its people to shed light on the individuals who contributed to elevating the status of endowments, managing them, and highlighting their importance. In this context, I will focus on the personality of Professor Tawfiq.

(1) Al-Baqarah, verse 254.

(2) Narrated by Muslim on the authority of Abu Huraira (1631), Book of Wills, Chapter: What rewards continue to reach a person after their death; Al-Tirmithy (1376), Book of Rulings, Chapter: On endowments; Abu Dawood (2880), Book of Wills, Chapter: On charity for the deceased; and Imam Ahmad in Al-Musnad (2/372), Hadith number (8831). Edition, 1999, p. 178.

(3) Refer to: Al-Khassaf, Ahmad bin Umar Al-Shaybani, Ahkam Al-Awqaf, Dar Al-Kutub Al-Ilmiyyah, Beirut, 1st.

initiatives. Additionally, his contributions to education and scholarships are noteworthy.

The article was driven by a central issue: To what extent did Professor Tawfiq Al-Houri contribute, both academically and practically, to the field of endowment? Through this article, an answer to this question was provided, along with responses to other inquiries, which led to several key conclusions, the most notable of which are:

The impact of one of the endowment institutions, Al-Imam Al-Awza'i College, lies in producing graduates with (bachelor's, master's, and PhD) degrees from Arab and Islamic countries. It has made significant contributions to guiding young individuals toward Islamic studies, moving away from traditional models. Additionally, the contributions of Professor Tawfiq Al-Houri were highlighted, emphasizing the importance of the human, academic, and practical aspects within this domain.

The researcher adopted the descriptive-analytical method, which involves collecting information, verifying its accuracy, and analyzing it to reach several conclusions in this field. The study resulted in various recommendations and proposals in this domain.

The Introduction

Endowments are grounded in their legislation on evidence from the Qur'an and Sunnah. In the Book of Allah, there are verses encouraging goodness, abundant giving, and spending. Allah Almighty says: {O believers! Donate from what We have provided for you before the arrival of a Day when there will be no bargaining,

Contributions of Professor Dr. Tawfiq Al-Houry in the Field of Endowments The Imam Al-Awza-ee University for Islamic Studies as a Model

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Article summary

The article highlights a significant aspect, namely the substantial contribution of Professor Tawfiq Al-Houry to enriching the culture of endowments and presenting diverse scholarly efforts to emphasize the unique nature of exceptional endowments (charitable endowments, a term originating from laws enacted during the Ottoman era). It further explores their management, care, and innovative utilization through modern approaches, as well as the judiciary's role in preserving, sustaining, and defending them in cases of encroachment.

The article aims to shed light on a Lebanese personality who has rendered distinguished services to Lebanese society through endowments. Professor Tawfiq Al-Houry is considered one of the foremost pioneers in establishing public-benefit endowments and guiding many entities toward using endowments as a formula for ensuring the continuity and stability of educational and social