

Sabaih Waqf At Oshaiqar since 747 AH

A publication issued by Sae Foundation for the Development of Waqfs (11)

Prepared By: Dr. Abdul Halim bin Abdulaziz Mazi

The endowment of Sabaih is classified as a general one, and its spending channels were detailed in the endowment instrument (deed). Sabaih's will was characterized by clear formulations, and a style that reflects the high academic level of judges and religious sheikhs during the period of its codification.

There are several copies of Sabaih's will, as scholars and students of knowledge in Ushaiqer worked to protect it from damage, as its text is considered an influential sermon for the reader, and among those who handwrite it: sheikh Muhammad bin Abdul Latif Al-Bahli (d. 1278 AH) sheikh Muhammad bin Abdullah bin Fantoukh (d. 1322 AH) sheikh Abdulaziz bin Abdullah bin Amer (d. 1356 AH) and these three assumed the imamate and the rhetoric in the Masjed (mosque) of Ushaiqer. Also, among those who copied it was sheikh Abdul Rahman bin Abdulaziz Al-Husayn (d. 1368 AH) who was one of the script writers in Ushaiqer.

Talking about Sabih's endowment is not new. Rather, the reader finds various sources of information enriching in covering the topic. In terms of endowment content, the instrument (will/deed) tightened its spending channels the one who looked after it (the guardian), and other controls in accordance with what has been in place for more than seven hundred years. However, there are many questions that the reader may look for, e.g. estimating the area of the lands (gardens), what are the coordinates (longitude and latitude) of its boundaries and corners, as well as what are the coordinates of some of the sites mentioned in the deed, such as al-Ghatfa well, al-Esamiyah, etc. Current days units equivalent to the old days unit for watering the lands (gardens).

The book provided answers to the above questions. It can be said that what distinguishes this book of Sabih's endowment from previous writeups (or articles) is the following:

1. Determine the boundaries (corners) of the gardens according to geographical coordinates (longitude and latitude) and identifying the five sections (gardens) referred to in the endowment instrument, as well as the areas of each of the five gardens, and the total area of the endowment land.

2. Identifying the sites mentioned in the will, which has a direct relationship to the endowment (such as Al-Ghatfa well, Al- Esamiyah, etc.) with GPS references (longitude

and latitude).

3. Clarification and interpretation of the amount of water allocated to Sabih gardens, along with the shares of the rest of farms that share water supply with Sabih's gardens.

Spending channels of Sabih endowment is classified as a (public or charitable) endowment and not (family or private endowment). The instrument explained the spending yield of the gardens, and they were specified in six spending channels as follows:

- * The first: coverage of endowment maintenance cost and all that increases its growth.

- * The second: whatever remains (after the first spending channel), Allocation of funds for the maintenance of al-Esamiyah well. If the al-Esamiyah well is broken, the fund should be placed on another well that Muslims benefit from.

- * The third: sixty Saa'a (volume measure), which are shrouds for those who die and did not leave behind what they shroud from the people of Akl, the people of al-Fur'a, and the people of Shaqra. This spending channel is dedicated for shrouds only, and if it is not spent, it considers a surplus, and can be spent in other channels.

- * The fourth: What is left then, the guardian should make Iftar during the holy month of Ramadan, on Friday nights,

Thursday nights, and Monday nights. The amount to be spent is left to the guardian judgment. It also contains an explanation that there is nothing wrong with eating it, whether is rich or poor, Bedouin or urban.

- * The Fifth: Thirty Saa'a is distributed from it for widows who are desperate and covetous. This is a specific spending channel for widows, and it comes in order before the fourth spending channel that mentioned above.

- * The Sixth: If a famine strikes people at a time other than Ramadan, the (guardian) has the right to spend for that cause, and there is nothing wrong on guardian and whoever attended for eating.

It is understood from the details of these spending channels (the possibility of some yield remaining without being spent), and it is also understood (that it may not be possible to cover all aspects of the banks), so it is obvious that the spending channels are limited to the most important causes.

Waqf deeds text contain deterrent and forbidding phrases for those who tended to attack the endowment and its spending channels. Also, the deeds contain supplication, praise, and reward from almighty Allah for those who maintaining the endowment from

lost or extinction.

The Sabaih endowment deed included the expressions of threatening and warning to those who object to the endowment in any way, and the affirmation of great reckoning and punishment from God Almighty on the Day of the Afterlife, as a deterrent force from committing any action that would waste the endowment and remove it from its spending channels or disrupt it according to what came in the folds of the will.

The topics for this book hasbeen gathered from various sources and has been strengthened by a field visit with the help of virtuous people from the region who are fully aware of its location and effects, and during the field visit, the endowment land (Sabih's gardens) was visited, as well as other places

mentioned in the endowment instrument. Documenting all of there locations using modern methods of positioning, imaging and dimensional placement.

It has been with the grace of God and his success in this book, some information that was not previously noted or mentioned (according to the knowledge of the author) has been included, and the credit for that, after God Almighty, is due to the efforts of those who arranged the field visit and meeting with some of the honorable who provided me with a lot of documents, photos and information. The contributions of this book could be said as:

- * Estimating the total area of Sabih's Waqf (area of the five gardens) at (38003900-square meters).
- * The area of the first garden is approximately 889 square meters.
- * The area of the second garden is approximately 1020 square meters.
- * The area of the third garden is approximately 738 square meters.
- * The area of the fourth garden is approximately 489 square meters.
- * The area of the Fifth garden is approximately 445 square meters.
- * Identifying the coordinates of the boundaries and corners and sides of the property (gardens).
- * Identifying the coordinates of Al-Ghatfa and Al-Esamiyah wells.
- * Quantifying in current days unit, the share of the Sabih gardens from Al Ghatfa well, as well as the share of neighboring gardens.
- * The inclusion of a number of documents explaining types of joint work on Sabih's endowment.