22181 - Accepting a gift with strings attached from a non-Muslim

the question

I am a Muslim student studying in America. We are planning to build an Islamic center in the town where I am staying. The university has donated the land where the center is to be built, but they have stipulated a number of conditions in the contract according to which we may get the land and build our center on it. This has made some of the brothers object to accepting this land.
These conditions include the following:
1- That the administration of the center be subject to state and university laws.
2- That the university has the right to take back its gift and resume ownership of the land.
3- That the center should not be only for Muslims, rather it should be for Muslims and others.
Is it permissible to accept this land under these conditions?.

Detailed answer

Praise be to Allah.

If the matter is as described, then it is not permissible to accept this gift, because of the evil consequences which will result from implementation of these conditions, such as the subjection of the center to university laws and regulations, which are unknown to the recipients and some of which may go against Islam. The same applies to the subjection of the center to state laws; it is well known that some of their laws go against Islam. Similarly, their stipulation that the center should be for Muslims and others, such as Jews, which means that the Muslims will be building a center in which Christian and Jewish rituals will be observed. This will cause many problems. They have also stipulated that the giver has the right to take back the gift and ownership of the land will revert to the university, and other stipulations mentioned in the contract. This is also contrary to Islamic sharee’ah.

And Allaah is the Source of strength.