

Potent Potential of *Awqāf* in Social and Economic Development

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Abstract: Muslim societies and communities in all Islamic countries and most of the other regions of the world are having *awqaf* properties inherited from their ancestors. However, presently the *waqf* properties are passing through a trend characterized by usurpation, neglect and unproductive use. Prof Khalid Rashid in his lead paper has rightly emphasized need to protect and develop the existing *awqaf* and to consider certain measures which may enhance the income generation capability and administrative well-being of *awqaf*. Thus, a reform of the *waqf* system in the contemporary Islamic world is absolutely necessary. In a post-economic and financial liberalization environment at the global level, it is important to utilize *awqaf* for poverty reduction, capacity building and economic empowerment of Muslim communities. The *waqf* fund can be channeled through educational, social and cultural development. In this context, this paper discusses that in modern times, the economic dimensions of *waqf* institution need attention of scholars and economists to explore its potential role in economic life of Muslims. In a country like India *waqf* institutions have been playing a very significant role and have still great potentiality to do so in the religious, social and economic life of Muslims. However, they need to be cleansed of corruption and mismanagement. The control by government organization and the state interference sometimes pose another problem in the way of proper utilization of the *awqaf* properties in an effective way.

Keywords: *Waqf*, Social development, Economic development, Education, Cash waqf, Islamic microfinance institutions.

KAUJIE Classification: E22, E23

1. Introduction

Researchers in recent years have shown how the recent interest in *awqāf* marks a reversal of a trend of neglect of the productive use of Muslim endowment for almost a century in most Muslim countries. Muslim societies and communities in many areas of the world are rich in their inherited *awqāf* properties and now it is time to utilize them effectively as rightly pointed out by Syed Khalid Rashid in his lead paper entitled 'Potential of *Waqf* in Contemporary World' (Rashid, 2018). No doubt, discovering *awqāf* and attempting to enhance their role in social and economic development in the present time to make it beneficial for the needy Muslims is a big challenge. In India too, where the largest number of Muslims live, *waqf* has lost its significance as it is full with corruption and mismanagement. The government's interference makes it more difficult to utilize the *awqāf* properties in an effective way. Perhaps, this is the reason that Muslim NGOs find the trust type of institutions more workable under the prevailing legal system.

However, *fiqh* and laws both in Muslim and Non-Muslim countries should have dealt with the problems of corruption, fragmentation of beneficiaries, and cost of locating beneficiaries in relation to the revenues in a mere dynamic way that allows for the promotion of private *waqf* and for turning it into a *waqf* for the poor and needy over time, instead of looking at it negatively. It is rightly pointed out that the main focus is needed on the legal entity of the ownership of *awqāf*, which under a non-profit organization can be liquidated (Kahf, 1999).

In this regard, Islamic economists in modern times have rightly pointed that a reform of the *waqf* system in the contemporary Muslim world is absolutely necessary with the concept of subsidiary leading to powerful NGO activity, incorporated cash *waqfs* (Cizakca, 2002). History shows how the *awqāf* in Central Asian region have played an important role in the uplift of Muslims extending its influence into political, social and economic spheres. In fact, the *waqf* proved a stabilizing factor, giving Muslim businessmen a comparative edge, promoting the articulation of Islamic economic power (McChesney, 1991).

As far as South Asia and particularly India is concerned, this region has more than 300 million Muslims. They have created in the past a very large number of *awqāf* in this region. In India alone, for instance, there are 297,000 known *awqāf* which have survived the vagaries of changing government and times. One can find the changing legislation on *awqāf* from the British colonial to the present time. Recent studies in this context provide a comprehensive discussion on the important aspects of *waqf* including its objectives, forms, legislative developments, administrative control and socio-economic implications (Rashid, 2002; Qureshi, 1990).

2. *Awqāf* for Economic Development

In modern times, the economic dimensions of *waqf* institution need attention of scholars and economists to explore its potential role in economic life of Muslims. Rashid (2018) does not properly address this very important aspect. In its economic sense, *waqf* could be defined as diverting funds and other resources into productive and prospective assets to generate revenues for future consumption by individuals or society at large. *Waqf* is therefore, a peculiar combination between the act of saving and the act of investment. Presumably, the *waqf* assets continually increase and at the same time, they are not permitted to decline due to its nature of perpetuity.

In India too, if *awqāf* are properly used for the community's development, the government may find more financing budget for other development work. Since eradicating poverty and income inequality have always been among the most critical and enduring problems that the societies face, *waqf* institution can also play an important role to achieve a just distribution of wealth and income in the economy.

Khalid Rashid (2018) has rightly pointed towards cash *waqf*'s emergence out of a long hibernation. The scholars have explored the cash-*waqf* certificate of Social Investment Bank as an innovation in Islamic Social Finance. In this context, voluntary-sector Islamic banking can help mobilize savings and investments. The idea is, in the Islamic socio-economic concept, that there is a source of social fund that is economically and politically free of charge, namely cash-*waqf*. The problem is how to collect the fund

from *waqf* and invest it in the real sector or in any Shari'ah-compliant investment opportunity especially in helping SME's development efforts (Masyita, Tasrif, & Telaga, 2005).

The floating of cash-*waqf* certificates can help in monetizing Islamic voluntary sector, and can also serve as the most effective and perpetual mode of accumulation of social capital and national wealth. In this way, the profit from them can be used for strategic social investments (Abdel Mohsin et al., 2016b).

The cash *waqf* management is expected to become one of the alternative instruments for poverty alleviation programs for the developing economies even in Muslim majority countries. This is seen as a potential instrument to develop and expand Muslim economic enterprises and as the potential factor that influences human resource (Haron, Kamarudin, Fauzi, Ariff, & Zainuddin, 2016).

Another dimension of understanding this is through the potential of *zakāh* and *waqf* combined, for poverty reduction in a country like India, where the majority of Muslims belong to low income group but with skilled labor. This needs to be much explored in order to generate sufficient revenue for pro-poor expenditures. Interestingly, both the '*ulamā*' and social scientists are emphasizing this aspect of Shari'ah-based financing for the uplift of Muslims in India.

The institutions of *zakāh* and *waqf* need to be integrated into the poverty reduction strategy involving the Indian government. In India, to form a non-government voluntary organization, there are three options: (1) A Company [non-profit company may be public or private], (2) A Registered Society, (3) A Registered Trust.

However, in India, a trust is generally created under the Indian Trusts Act, 1882, or the Charitable and Religious Trusts Act, 1920, by annexing an obligation to some property. The trust has primarily three parties: the donor(s), the trustees and the beneficiaries.

In India, *waqf* institutions are controlled by government organizations. *Waqf* institutions deal with the religious, social and economic life of Muslims. For this purpose, the Central *Waqf* Council was established in 1964 by the government to derive

its income from the contributions received by it from the various State *Waqf* Boards. The contributions to the *waqf* in India are more in the nature of donations, where the donor has absolutely no effective or practical association with the direct utilization of funds. It may be added that the Public Trusts are not free from the laws of the land, and are presently governed by the Indian Trust Act, 1882, and further the Charitable and Religious Trusts Act, 1920. For example, for educational activities and/or for establishment and management of an educational institution, Trusts are suitable in India as these go by their own rules and regulations of the land (Post Sachar Evaluation Committee, 2014)⁽¹⁾.

3. *Awqāf* in Social Sectors

Awqāf have also been used as a social tool that not only finances business enterprises for the needy people, but also has social economic alternatives to assist poor and underprivileged groups through its accumulated funds in the society. Thus, the institution of *waqf* can fill the gap as a social finance institution by providing intermediation services for effectively utilizing perpetual social savings. There are a good deal of researches on the application of *waqf* (endowment) in the social finance sector. Here, the institution of *waqf* can harness the potential of selfless charitable giving through private sector financial institution in an effective way for better economic impact in the targeted social segments of society.

Moreover, the establishment of *waqf*-based training and vocational centers will increase opportunities of self-employment and contribute in upward social mobility of beneficiaries (Shaikh, Ismail, & Shafiai, 2017). In this regard, there is much focus now to investigate the utilization of both *zakāh* and *waqf* funds as external resources to ensure micro-*takāful* services to the underserved communities in an effective and sustainable manner. These Shari'ah-based insurance facilities can provide some kind of socio-economic support to low-income households in societies.

(1) In this regard, a Post Sachar Evaluation Committee (also known as the Kundu Committee) also submitted its report on the process of implementation of the recommendation of the Prime Minister's High Level Committee (popularly known as Sachar Committee) on *Social, Economic and Educational Status of the Muslim Community in India: A Report*.

In a post-economic and financial liberalization environment at the global level, it is important to integrate corporate social responsibility, *waqf* system, and *zakāh* system in a Sharī'ah-based framework for poverty reduction, enterprise development, and economic empowerment of Muslim communities. Poverty is a plague which has continental manifestation, but its impact can be heavily felt in several Muslim majority countries, where unemployment, illiteracy, chronic diseases, food shortage, sectarian wars and waves of militancy are surging at alarming rates. In order to find a viable solution and also face challenges, a faith-based model can be developed to complement the conventional poverty reduction models. Recent experiments have shown that faith-based models find more acceptability among Muslim nations because they have theoretical and theological underpinnings from the Qur'ān and *ḥadīth*, as opposed to conventional models that are often viewed with suspicion, sequel to Islamic revivalism.

The theoretical researches in this area have shown how such a model would be practically viable for a corporate social investment, which would be heavily funded by *zakāh* payers, donations and *waqf*. The funds would be deployed to poverty reduction in a number of ways ranging from training, micro-credit support for SMEs, apprenticeships, setting up technology business incubation centers, cluster development, infrastructural development in industrial parks, as well as providing welfare support services to the poor, marginalized communities, and other economically disadvantaged groups (Raimi, Patel, & Adelopo, 2014).

Similarly, the concept of cash-*waqf* could be used for the operation of a *waqf* bank. There was a tendency among the given group of practitioners towards a corporate international social bank, capitalized by the *waqf* and *non-waqf* assets, sought after from the public and private sectors, to the effectiveness of *waqf* institutions in their delivery of public good to the poor and society (Mohammad, 2015).

In this regard, the *Waqf* Fund Scheme can play a vital role towards a comprehensive scheme of economic development, namely, in terms of the economic, spiritual and social welfare of the Muslim community. This has been successfully experimented in Malaysia, where the *Waqf* Fund Scheme contributes

by way of providing a financing facility towards the acquisition of *waqf* assets or through cash support channeled to associations or committees of a Masjid (Suhaimi, Abdul Rahman, & Marican, 2014).

Therefore, cash-*waqf* based Islamic microfinance needs to be sustainable. As the donors of cash-*waqf* do not aim to make financial profit, *waqf*-based Islamic Microfinance institutions (MFIs) will be able to provide low-cost capital to the poor entrepreneurs and help the micro entrepreneurs to get low-cost capital without collateral (Abdullah & Ismail, 2017). This is projected to be more viable in comparison to interest-based MFIs which have been constrained by the high cost of funds, high interest rate charges and poor human resource quality of the recipients. Islamic MFIs have recently evolved with the hope of overcoming these financial, ethical, and human capital deficiencies faced by the conventional financial institutions. The current researches in these areas indicate that there are significant relationships between Sharī'ah -based micro-finance, *takāful*, *waqf* resources, and human resource development (Haneef, Pramanik, Mohammed, Amin, & Muhammad, 2015).

4. *Awqāf* in Education

Education is very important for the development of human capital and achievement of economic well-being for oneself, society, and nation at large, and the idea of establishing an Islamic *waqf* bank for education financing is very attractive and timely. The permissibility of cash-*waqf* and suitability of capital structure of Islamic bank can be considered as *waqf* instrument in solving the financing problem of talented Muslim students especially from the low-income group (Yusof, Abdul Aziz, & Johari, 2013).

Recent researches have also emphasized that the *waqf* fund can be channeled through educational, social, and cultural development. Since education is very important for the development of human capital for Muslim community, *waqf*-based financial institutions can play an important role in financing student's education in term of fees and cost of living. In this regard, various experiments have already been made in the Muslim world. For example, the Jeddah-based Islamic Development Bank (IDB) Group is engaged in strengthening the global *waqf* sector by undertaking cutting-edge research and training of human resources; engineering *waqfs* as part of its developmental operations to provide microfinance; and

managing a fund to raise resources for asset development using state-of-the-art financial structures (Abdel Mohsin et al., 2016c). Thus, Khalid Rashid (2018) has rightly held the IDB and its department Islamic Research and Training Institute (IRTI) in his lead discussion paper as “the obvious choice to chart out the new development strategy” (p. 55).

Recently the revival of the cash-*waqf* institutions have found their way in financing different goods and services in different Muslim minority countries without depending on the government to provide their needs. The potential of these cash-*waqf* are not only financing religious areas but also different goods and services such as education, health, social care, commercial activities, and basic infrastructures without exhausting government budget (Abdel Mohsin, 2013).

5. Conclusion

Islamic economists in recent decades have paid serious attention to the utilization of Muslim endowments for the socio-economic uplift of the down-trodden Muslim communities. One recent study has pointed out the economic impacts of *waqf* for Muslim society in the context of the present economic scenarios around the globe. Now it is time to frame the models and strategy on how *waqf*-based entrepreneurship can be developed. In this regard, scholars have done both theoretical as well as practical exercises to introduce a model of *waqf*-based entrepreneurship which is synthesized from various models, as an alternative for the socio-economic framework of society’s wellbeing (see the details in, Iman & Mohammad, 2017).

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It is rightly pointed out that the democratization and decentralization of *waqf* administration shall be the first step towards the revival of *awqāf*, followed by a coordinated effort to raise a huge amount out of developed *waqf* properties for Muslim causes. This must be done through Islamic financial instruments and in order to make its impact global, a World *Waqf* Academy may be established to undertake research and preparation of *awqāf*.

In India too, there is now a forum for constructive dialogue on the challenges and opportunities for developing Islamic social capital market on a global scale. The introduction of the cash-*waqf* certificate is highly suggestive in the context of the developing Muslim countries. In a secular environment like India, the concept of cash-*waqf* certificates can play a vital role in financing the development of human and social infrastructure (Mannan, 1999).

Muslim jurists have given the details of switching the revenue of the *waqf* from one beneficiary to another according to the needs of different societies. The main issue is how these movable and immovable types of *waqf* properties could be invested in order to finance the specified beneficiaries (Abdel Mohsin et al., 2016a, pp. 7-8).

According to Khalid Rashid, much of what has happened to *awqāf* during the last century may be attributed to the westernization of Muslim societies and consequent dilution of Islamic behavioral norms which governed the mind of every Muslim. However, the challenges facing *awqāf* today and the possible remedial measures need continuous attention of scholars and professionals to bring about the needed reform and improvements (Rashid, 2003).

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إمكانيات قوية للأوقاف في التنمية الاجتماعية والاقتصادية

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المستخلص. إن المجتمعات المسلمة في الدول الإسلامية وفي العديد من مناطق العالم غنية بأراضي الأوقاف الموروثة من الأجيال السابقة. إلا أن هذه الممتلكات الوقفية تعاني من "الاغتصاب"، والإهمال والاستخدام غير المنتج. الأستاذ خالد رشيد في الورقة الرئيسية التي أعدها لمنتدى النقاش أشار وشدد بحق على أهمية حماية وتطوير الأوقاف القائمة، والعمل على القيام ببعض الإجراءات التي من شأنها أن تزيد في غلة الأصول الوقفية، وتحسن من طرق إدارتها. ومن ثم فإن إصلاح منظومة الأوقاف في العالم الإسلامي أمر في غاية الأهمية، وذلك لأن بيئة ما بعد التحرير الاقتصادي والمالي "الجارف" على المستوى العالمي، فرضت أهمية الالتفات إلى إحياء دور الوقف الاقتصادي والاجتماعي في المجتمعات المسلمة، والذي يمكن أن يستخدم في مجالات عدة: تعليمية، واجتماعية وثقافية. في هذا الإطار تسلط الورقة الحالية الضوء وبشكل رئيس على الدور والبعد الاقتصادي للأوقاف، من أجل لفت أنظار الفقهاء والاقتصاديين إلى إيلاء هذا البعد العناية التي يستحقها لتفعيل دوره واستغلال إمكانياته في الواقع المعيش للمجتمعات المسلمة المعاصرة. ففي بلد كالهند - على سبيل المثال- لعبت وما تزال المؤسسات الوقفية دوراً غاية في الأهمية في حياة المسلمين على المستوى الديني، والاجتماعي، والاقتصادي. إلا أن الوضع القائم يتطلب تطهير هذه المؤسسات من الفساد وسوء الإدارة. كما أن تدخل الدولة في بعض الأحيان في هذا القطاع -أي الأوقاف- يشكل عقبة أخرى تحول دون الاستغلال الأمثل لأصول الأوقاف وغلته.

الكلمات الدالة: الوقف، التنمية الاجتماعية، التنمية الاقتصادية، التعليم، وقف النقود، مؤسسات التمويل الأصغر الإسلامية.

تصنيف KAUIE: E22, E23