



## The Role of the Religious Endowment Institution in the Advancement of Islamic Society: An Approach Based on the Higher Objectives of Islamic Law

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**Abstract:** The higher objectives of Islamic law—known as *Maqasid al-Shariah*—are among the most effective guiding principles for revitalizing, reconstructing, and modernizing Islamic society. From the era of the second Caliph of Islam up to the present-day Islamic governments, the principle of public welfare (*Maslaha*) has had a broad and lasting impact on progress and development. This principle has been especially emphasized among Sunni scholars, while in Shia scholarship—due to differences in sources, the structure of legal reasoning (*ijtihad*), and historical context—it has had comparatively less prominence.

A Maqasid-oriented approach within the intellectual tradition of Islamic scholars centers on the benefits and aims of Islamic law, intended to promote human welfare and happiness in three main areas: essential needs (*necessities*), complementary needs (*needs*), and desirable refinements (*enhancements*). Within this framework, the values of charity, altruism, sacrifice, and goodwill are expressed through the noble tradition of religious endowment (*waqf*)—which plays vital roles in religious, social, health, and cultural domains.

Rooted in Islamic values and core legal principles, and guided by the objectives of Islamic law, the institution of endowments can support the development of a modern Islamic society on both local and global scales. Within the broader narrative of Islamic civilization, endowments are seen as gateways to solving many of the challenges faced by Muslim communities.

This study follows a descriptive-analytical method, with data collected through library and document-based research. Information was sourced from credible books, software platforms, and websites, then categorized, examined, and analyzed.

The key finding underscores the importance of revisiting and expanding the scope of the higher objectives of Islamic law in various fields of Islamic jurisprudence—especially in relation to building a renewed Islamic civilization—and in shaping people's lifestyles. Endowments, when guided by these higher objectives, have a significant influence on scientific, cultural, and security affairs across the Muslim world.

**Keywords:** Religious Endowment, Society, Rationality, Integration, Higher Objectives, Islamic Law

### 1. Introduction

Islamic civilization is a priceless heritage passed down from previous generations, and

its valuable manifestations still shape the lifestyles of millions of Muslims today. Undoubtedly, this civilization is the product

of numerous contributing factors. Among these, the noble tradition of religious endowment (waqf) holds a special place in Islamic intellectual history, regarded as one of the essential driving forces behind the flourishing of Islamic civilization. It has significantly contributed to the development of society and to meeting both the material and spiritual needs of Muslim communities, particularly in scientific and cultural domains.

Historically, Muslim scholars often interpreted the usage of endowment assets based strictly on the literal meanings of religious texts. This approach was suitable at a time when Islamic civilization had no serious rival: non-Muslim civilizations had not yet reached advanced stages of development, and Islam stood alone at the forefront of global progress. Therefore, concepts such as modern human rights or social justice were not a pressing concern in that context.

However, the landscape has changed. Today, the emerging Islamic civilization stands in direct confrontation with powerful non-Islamic civilizations. In this competitive and rapidly evolving world, any negligence may result in regression for the Muslim world. Hence, a shift in perspective and approach toward foundational Islamic institutions, including waqf, is urgently required.

This leads us to a fundamental question:

What role does the rational understanding of religious endowment play in shaping a renewed Islamic civilization, especially through the lens of the higher objectives of Islamic law (Maqasid al-Shariah)?

It appears that waqf constitutes one of the main economic and financial infrastructures of modern Islamic civilization. When guided by a maqasid-oriented approach, its role and significance become even more profound.

Waqf is one of the clearest embodiments of generosity and benevolence in Islam. It fulfills the highest values of Islamic ethics—compassion, public welfare, and solidarity—

while breaking down the barriers of indifference and arrogance. As one of the most effective and morally sound means of financial empowerment, waqf becomes a lasting act of kindness, continually serving the needs of the community.

In today's world—where many Muslim societies suffer from a lack of essential social and welfare services—the establishment of waqf-based institutions can address the unmet needs of citizens. While many credible books and articles have explored the concept of waqf from various angles, no existing work has specifically examined its rational dimension and its relation to the formation of a renewed Islamic civilization through the perspective of the objectives of Islamic law.

## 2. Methodology

This research, both theoretical and practical in nature, carefully investigates the rational foundations of waqf in relation to the formation of a renewed Islamic civilization, using a descriptive-analytical method and drawing from both library resources and the analysis of dozens of relevant online sources.

### 2. Conceptual Clarification

In the discussion of conceptual clarification, it is necessary, for a proper explanation and understanding of the topic, to first elaborate on the key and practical terms used in this research. Therefore, certain technical terms will be examined both linguistically and terminologically.

#### 2.1. Definition of Key Terms

##### 2.1. Waqf (Religious Endowment)

The term waqf is derived from the Arabic verb waqaftu-dar (I stopped the house), meaning to detain or hold something. Similarly, waqaftu-dabbah means to restrain an animal in one place, and in a broader sense, the term signifies prohibition or prevention. Likewise, waqaftu-rajul'anal-shay' means "I prevented the man from something." It also carries the meaning of stillness or silence, as in waqaftu-dabbah-taqif ("the animal stood still"). The term mawquf (endowed property)

refers to something that has been permanently dedicated, as individuals dedicate their property to a charitable purpose (Jurjani, 1992, p. 174; Tarabulsi, 1981, p. 7; Ministry of Endowments and Islamic Affairs - Kuwait, 1984, Vol. 44, p. 108).

In legal terminology, multiple definitions of waqf have been presented.

According to Hanafi jurists, waqf is defined as the detention of the physical substance of property by the donor while dedicating its usufruct (benefit) for charitable and social welfare purposes (Zuhayli, n.d., Vol. 10, p. 293).

Based on this definition, ownership of the endowed property does not leave the original owner entirely, and the endower retains the right to revoke the waqf. This is because, according to an authentic narration from Imam Abu Hanifa, waqf is considered similar to a non-binding loan (‘ariyah) contract. However, waqf becomes binding in three cases:

1. When it is confirmed by a ruling authority;
2. When it is stipulated to take effect upon the death of the donor (similar to a will);
3. When it is established for a mosque

(Zuhayli, n.d., Vol. 10, p. 293).

According to the Maliki school, waqf is the act of a property owner, through a specific formula and for a determined period, dedicating property for the benefit of eligible beneficiaries according to the donor's intentions.

The Shafi'i jurists believe that waqf involves detaining a property in such a way that its benefit is utilized while preserving its original substance (Ministry of Endowments and Islamic Affairs - Kuwait, 1984, Vol. 44, p. 108).

The Hanbali and Imami (Shi'a) schools, with slight variations in wording, define waqf based on a famous hadith:

- The Imami jurists state: "Waqf is the detention of the original property and the release of its benefits" (al-Karaki, 1990, Vol. 9, p. 7).
- The Hanbalis define it as: "Detaining the substance and dedicating the yield for public benefit" (al-Maqdisi, 1994, Vol. 5, p. 356).

In both definitions, the essential idea is that the original property is preserved from any sale, gift, or alteration by the donor, while its benefit is made available to the eligible users. Perhaps the most comprehensive definition is:

"Waqf is a contract through which property is donated for charitable and public benefit purposes, allowing its benefit to serve individuals or communities both during the life of the donor and after their death, seeking closeness to God." (al-Abyani, 1925, pp. 3–4)

Examples include dedicating land or buildings for mosques, hospitals, schools, or religious seminaries (hawza). Once a property is endowed in this way, it becomes public utility property, and no one—including the original owner—has the right to sell or transfer it.

Although the specific term waqf does not explicitly appear in the Qur'an, Islamic jurists have inferred the institution of waqf from Quranic verses encouraging charity, benevolence, and the giving of one's beloved possessions, such as:

"You will never achieve true piety until you give from that which you love. And whatever you give, surely

Allah is All-Knowing of it."

(Surah Al-Imran, 3:92)

Additionally, the Prophet Muhammad (peace be upon him) said:

"When a person dies, their deeds come to an end except for three: a continuous charity (sadaqah jariyah), beneficial knowledge, or a righteous child who prays for them." (Qushayri, n.d., Vol. 3, p. 1255)

This hadith forms the foundational reference for the enduring importance of waqf in Islamic tradition.

#### 2.4. Maqasid (Objectives)

The word “maqasid” and “objective” in linguistic studies refer to a place intended to be reached or a destination aimed for. In the Qur'an, the word maqasid is used with the same literal meaning (Mostafavi, 1981/1360 AH, Vol. 9, p. 269).

In the science of Usul al-Fiqh (Principles of Islamic Jurisprudence), maqasid refers to the goals and purposes behind the establishment of laws, and sometimes, maqasid are even referred to as the secrets behind legislation. Some scholars have equated maqasid with hikmah (wisdom) (Raysuni, 1997/1376 AH, p. 39).

However, early scholars of Maqasid, including its pioneering figure, al-Shatibi, did not provide a clear and precise definition of the term. Nevertheless, al-Shatibi states in explanation:

“The Lawgiver (Shari‘) intended through legislation to achieve the worldly and otherworldly interests of humanity” (al-Shatibi, n.d., Vol. 2, p. 25).

Al-Ghazali, in his work al-Mustasfa, writes:

“What we mean by maslahah (benefit) is the preservation of the objectives of the Shari‘ah, which encompass five matters: preservation of religion, life, intellect, lineage, and property. Whatever ensures the protection of these five is deemed beneficial (maslahah), and anything that harms or negates them is deemed harmful (mafsadah), and preventing such harm is a benefit in itself” (al-Ghazali, n.d., Vol. 1, p. 286).

In contrast, contemporary Maqasid scholars have offered more precise definitions. Raysuni (a Moroccan scholar) states:

“The Maqasid of the Shari‘ah are the ultimate goals intended by the Shari‘ah for the benefit of the servants” (Raysuni, 1997/1376 AH, p. 18).

Similarly, al-Yubi explains:

“The Maqasid of the Shari‘ah consist of meanings, wisdoms, and other similar objectives that the Lawgiver has taken into account—generally and specifically—for the realization of human welfare” (al-Yubi, 1998, p. 37).

Furthermore, Nur al-Din Khadimi, after presenting various views, concludes:

“In summary, the Maqasid of the Shari‘ah are the collective interests and objectives of the Shari‘ah, aimed at the betterment and happiness of humanity in this world and the Hereafter” (Khadimi, 2018/1397 AH, p. 47).

#### 2.5. Shari‘ah (Islamic Law)

Linguistically, Shari‘ah refers to the path leading to water, the spring or source of water to which thirsty individuals turn (Jawhari, 1990, Vol. [1], p. 1236). The reason for calling a water source Shari‘ah is because water is the source of life for humans, animals, and plants. Similarly, Islamic Shari‘ah is seen as the source of spiritual and material life, advancement, well-being, and salvation in both worlds.

Allah Almighty states:

“O you who believe! Respond to Allah and the Messenger when he calls you to that which gives you life. And know that Allah intervenes between a person and their heart, and that to Him you will be gathered.” (Al-Anfal, 8:24)

In religious texts, the terms Shari‘ah, Shar‘, and

Shir‘ah are used interchangeably and broadly mean religion (din) or concepts closely associated with it (Raghib Isfahani, 1413 AH, p. 265).

In the terminology of jurists, scholars of Islamic principles, and Arabic linguists, there is a consensus that “religion” and “Shari‘ah” are synonymous and inseparable. In this application, Shari‘ah refers to the entirety of the divine religion.

Allah says:

“Then We set you, [O Muhammad], on a clear Shari‘ah of command; so follow it and do not follow

the desires of those who do not know.” (Al-Jathiyah, 45:18)

However, some scholars emphasize a distinction between the terms “din” (religion) and “Shari‘ah,” considering Shari‘ah to refer specifically to legal rulings, which are only part of the broader concept of religion.

For instance, Allama Tabatabai argues that the meaning of Shari‘ah in the Qur'an is more specific than that of din (Tabatabai, 2014/1393 AH, Vol. 5, pp. 380–381).

Beyond these differences, Shari‘ah can be defined as:

“The totality of divinely revealed knowledge, systematically legislated by Allah for human life in the fields of worship, transactions, ethics, and social dealings, to organize a prosperous life in this world and the Hereafter” (Mana‘, 2001, p. 10).

According to this comprehensive definition, Islamic Shari‘ah is a complete life system, not merely a set of simple moral teachings limited to commands and prohibitions. Instead, through an epistemic perspective, Shari‘ah embraces and accommodates all areas of human knowledge and life.

Waqf is a social and ethical system prescribed by the Lawgiver (Shari‘) for every time and place. It embodies high objectives and noble purposes for the Islamic community, motivating the wealthy and affluent to contribute to it with specific noble intentions.

Through waqf, the core elements of human welfare—religion, progeny, intellect, and wealth—are preserved (al-Khatib, 2019/1398 AH, p. 14).

Since the Maqasid approach assesses all issues based on the interests (masalih) and harms (mafasid) they bring, waqf is considered a legitimate and valid religious act because it seeks to promote social and

individual welfare and prevent harm. As Imam Ghazali states:

“Anything that preserves these five essentials (religion, life, intellect, progeny, wealth) is a maslahah (benefit), and anything that leads to their loss is a mafsadah (harm), and removing such harm is itself a maslahah” (al-Ghazali, 1996/1417 AH, Vol. 1, p. 417).

Thus, most scholars agree that waqf is not merely a devotional act but rather a rational action, encompassing both individual and societal interests.

Ibn Ashur writes:

“The fundamental purpose of the Shari‘ah is to preserve the order of the community and ensure its continuity, in harmony with human well-being” (Ibn Ashur, 1978, p. 218).

This well-being is unattainable without the attraction of benefits and the prevention of harm. In this regard, waqf is one of the legal instruments that tangibly realizes these goals (al-Sayyid, 1984/1404 AH, p. 82).

According to Islamic scholars, the Maqasid al-Shari‘ah, based on the impact of benefits (masalih) on material and spiritual life, are classified into three categories:

- Daruriyyat (Essentials)
- Hajiyyat (Needs)
- Tahsiniyyat

(Complementary/Beautifications)

The institution of waqf has a direct relationship with each of these categories, and the connection between waqf and each will be examined in detail below.

### 3. Results and Discussion:

Waqf and the Essential Objectives (Ḍarūriyyāt) of Religion in the Modern Islamic Civilization

The essential objectives (Ḍarūriyyāt) refer to those Sharia rulings that aim to preserve the five necessities: religion (dīn), life (nafs), lineage (nasl), intellect (‘aql), and wealth (māl) (Subkī, 1404 AH, vol. 3, p. 55). These are



also the set of regulations that ensure the survival of human life, such as the law of retribution (qīṣās) which was legislated to protect human life (Suyūṭī, 1403 AH, p. 85). Imam Juwaynī was a pioneer among his contemporaries in uncovering these five necessities and made significant innovations and lasting impacts on later scholars of Maqāṣid al-Sharī‘ah. Following him, scholars like Imam Ghazālī, Fakhr al-Dīn al-Rāzī, and others devoted efforts to understanding the five necessities. The discussion of these necessities initiated by Imam Juwaynī became a central focus for scholars (Raysūnī, 1376 AH, pp. 35–36). This section examines how each of the five essential objectives relates to the institution of waqf. 3.1.1. Waqf and the Preservation of Religion

Waqf paves the way for achieving the goals of modern Islamic civilization and its objectives, as some areas and uses of waqf directly contribute to the preservation of religion. The most prominent examples of this soft civilizational power are discussed below:

3.1.1.1. Mosques Religious spaces, especially mosques, are among the most important religious and social institutions of Islamic civilization. The civilizational capacities of mosques have been evident from the early days of Islam until today. Across Islamic countries, thousands of mosques—both materially and spiritually pure—gather countless Muslims under one roof. Charitable Muslims, seeking divine reward, have donated the finest lands to build mosques. In the modern Islamic civilization, mosques play a key role and are considered prime headquarters for modern civil society organizations. Psychologically, mosques are sanctuaries that bring spiritual and emotional peace to the citizens of Islamic civilization. Socially, mosques act as bridges of unity and solidarity among Muslims; active participation in mosques helps to eliminate prejudice, hatred, discord, and social disorder. Furthermore, mosques vividly express the artistic determination and aspirations of Muslim artisans to revive the religion through

emotional and aesthetic beauty, attracting tourists, archaeologists, and researchers. In addition to showcasing Islamic architectural styles and the religious culture, mosques foster self-confidence, creativity, diligence, and perseverance in Muslims, under the light of pure monotheistic spirituality. Major civil and social decisions often take form within mosques, making them hubs of knowledge and community awareness, as daily prayers create strong social fabrics by bringing people closer together. Moreover, mosques also serve as centers for education, where circles of learning and Qur'anic memorization are conducted (Riyāhī, 1382 AH, pp. 23–25). Therefore, waqf contributions to the establishment and maintenance of mosques effectively plant the seeds of faith and belief in hearts.

3.1.1.2. Schools and Universities One of the major pillars of the soft power of civilization is education and learning. Schools, universities, and religious seminaries play a critical role in the realization of the modern Islamic civilization. Education cannot be achieved without physical spaces and institutions. At the beginning of Islam and in earlier times, formal academic institutions (like today's universities, schools, and madrasahs) did not exist; education was conducted in mosques and homes. Despite this, Islamic civilization produced jurists, physicians, philosophers, and scholars across various fields (Zaydān, 1396 AH, p. 626). Even today, many mosques maintain study circles and Qur'anic memorization classes. Eventually, Muslims began establishing dedicated schools. From the very beginning, religious institutions that contributed to preserving the religion were funded through waqf (al-Darājī, 2001 AD, p. 15). Most schools and their maintenance costs were covered by waqf organizations. Muslim historians unanimously agree that the first independent Islamic school separate from a mosque was established by Khwaja Nizām al-Mulk Tūsī, vizier to Malik-Shāh Seljuk, in the mid-fifth century AH. Although schools existed before the Nizāmiyyahs, Khwaja

Nizām alMulk was the first to offer free education and provide stipends to students, which helped these schools endure over time. Prominent examples include the Nizāmiyyah schools of Balkh, Nishapur, and Baghdad. Particularly, the Nizāmiyyah of Baghdad was built beside the Tigris River, funded through the purchase and endowment of markets, caravanserais, bathhouses, houses, and more, generating an annual income of about sixty thousand dinars (Hā'irī Yazdī, 1380 AH, p. 424). These prestigious schools produced leading figures in Islamic history, such as Abu Ishāq Shirāzī, Abu Naṣr al-Ṣabbāgh, Abu alQāsim Dabūsī, Abu Hāmid al-Ghazālī, Shāshī, Suhrawardī, and others, all of whom played major roles (Zaydan, 1396 AH, p. 628).

### 3.1.1.3. Libraries

This section focuses on the impact of waqf (endowment) on the establishment and development of libraries. Undoubtedly, libraries have been a key factor in promoting a culture of reading and research within Islamic civilization. Moreover, Islamic scholars have considered the preservation of religion as one of the essential objectives of Shari'ah. However, it is important to note that religion itself, being an abstract concept, cannot be preserved directly. Rather, what must be preserved are the fundamental principles and intellectual foundations that Shari'ah has introduced as the core guidelines for living.

These principles are acquired through education and learning. Given Islam's special emphasis on knowledge and learning, it is only natural that books and libraries—as essential tools for spreading knowledge—have been highly valued. From the moment Muslims became a civilized society, they prioritized the collection and preservation of books (Zaydan, 2017, p. 628).

Muslims showed great interest in book collection as early as the late second century AH (after Hijrah). However, the exact time when formal libraries began in Islamic civilization is unclear. What is certain is that

public libraries emerged during the fourth century AH. Generally, libraries in the Islamic world can be categorized into four types:

- **Personal Libraries:** Established by scholars and intellectuals for personal use.
- **Mosque Libraries:** Since mosques were the earliest educational centers in Islam, many books were endowed to them.
- **Public Libraries:** Open for public use. Notably, the "Bayt al-Hikmah" (House of Wisdom) founded by Caliph Harun al-

Rashid was among the first public libraries.

- **Semi-Public Libraries:** Accessible to select groups of people.

In Islamic civilization, libraries were utilized in the best possible ways, contributing to the nurturing of enlightened individuals (Abbasi, n.d., p. 81). Unfortunately, many grand libraries—such as those of Baghdad, Aleppo, Nishapur, Andalusia, and Egypt—were destroyed due to foreign invasions and internal conflicts (Zaydan, 2017, p. 628).

Nevertheless, some surviving manuscripts from these libraries drew Western scholars toward Islamic lands from the 11th century AH onward, eager to find rare manuscripts.

In the modern Islamic civilization, establishing specialized libraries is vital for the advancement of knowledge and scientific production. Although some Muslim countries have developed specialized libraries, there is an urgent need to revive a strong culture of reading. The waqf system, as in the past, can again play a crucial role—by supporting the creation of modern physical libraries and virtual libraries in multiple languages accessible to people worldwide. Thus, the new Islamic civilization continues to rely on endowments to create environments that foster learning and scientific advancement.

### 3.1.3. Waqf and the Preservation of Intellect

The intellect ('aql) is the foundation of moral responsibility, enabling humans to discern benefit from harm. Islamic Shari'ah places great emphasis on the preservation of the intellect. Waqf (endowment) plays a significant and diverse role in protecting the intellect, because unless the human mind remains healthy and sound, it cannot serve either the individual or society effectively.

Thus, one of the objectives of religion is to safeguard human intellect, a matter to which great attention has been given. In this regard, the institution of waqf has made a clear contribution. Intellect fosters rational thinking in accordance with the rulings of Shari'ah, and the scientific, cultural, and educational institutions established through endowed properties serve to nurture human intellect. These institutions not only promote intellectual growth but also protect individuals from corrupt superstitions (Adam, 2005, Vol. 1, p. 238).

Today, under the banner of rationalism, numerous ideologies have entered Islamic countries, raising doubts in various areas of religion and distancing young Muslims from Islamic civilization. Addressing such challenges is also one of the goals supported through waqf (Sayyid, 1404 AH, p. 244).

#### 3.1.4. Waqf and the Preservation of Lineage

The preservation of lineage and honor is among the most important pillars of Islamic civilization. Every civilization is sustained through procreation and continuation of generations. Islamic Shari'ah legislated proper marriage to ensure a pure and healthy lineage, whereby legitimate offspring are born through lawful marriage. Parents and guardians are commanded to care for and nurture children until they become independent (Zalmi, 2015, p. 215).

The Qur'an states:

"And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy" (Surah Ar-Rum: 21).

Waqf contributes to the preservation and continuity of lineage, particularly in areas such as upbringing, livelihood, and promoting social equality.

3.1.4.1. Orphanages Islamic teachings place great emphasis on the care and protection of orphans. The Qur'an states: "And [recall] when We took the covenant from the Children of Israel, [enjoining upon them]: Do not worship except Allah; and to parents do good and to relatives, orphans, and the needy..." (Surah Al-Baqarah: 83).

Additionally, it is narrated from Sahl ibn Sa'd (may Allah be pleased with him) that the Prophet Muhammad (peace and blessings be upon him) said:

"I and the one who takes care of an orphan will be in Paradise like this," and he gestured with his index and middle fingers, separating them slightly (Bukhari, 1422 AH, Vol. 13, p. 311).

Sometimes it is not feasible to care for orphans at home; thus, the construction of orphanages becomes necessary. Islamic countries have established orphanages funded by waqf assets. In Islamic civilization, motivation for donating towards orphanages was often inspired by religious encouragements and the promises of reward found in the Prophet's sayings, as mentioned above. For example, during his reign, Salahuddin Ayyubi founded schools for educating and caring for the children of the poor and orphans, appointed teachers to teach them Qur'an and other sciences, and provided them with food, drink, and educational materials (Ibn Jubayr, n.d., p. 27). 3.1.4.2. Establishment and Preservation of Families

Islamic Shari'ah has placed strong emphasis on preserving lineage. In earlier times, forming a family was much easier compared to today, with people satisfied with minimal means for marriage. The Prophet (peace be upon him) said: "Whoever among you can afford to marry, let him do so" (Nasa'i, 2001, Vol. 5, p. 150).



However, today the exorbitant costs of marriage have caused many young men and women to remain unmarried. The absence of marriage not only decreases the human capital of a country but also leads to moral corruption and social immorality.

The Qur'an warns:

"Certainly will the believers have succeeded... those who guard their private parts except from their wives or those the right-handers possess, for indeed, they are not to be blamed. But whoever seeks beyond that, then those are the transgressors" (Surah AlMu'minun: 1, 5-7).

When widespread unemployment and high marriage expenses promote immorality, resulting in crimes like murder and assault, the fundamental objective of preserving lineage—essential to Islamic law—is threatened. In such situations, charitable and waqf foundations are tasked with funding mass weddings or supporting marriage through interest-free loan funds (Qard Hasan), facilitating marriage for young men and women. Thus, waqf plays a vital role in safeguarding lineage (Al-Saad, 2009, p. 50).

One of the major impacts of the waqf system is reducing social disparities, strengthening social relations, and eliminating materialism and class divisions. In Islamic civilization, waqf served as a means of fairly distributing wealth among the community, preventing the concentration of wealth in the hands of a few. This practice helped avert material competition detrimental to society and mitigated the emergence of harmful class divides, which often lead to insecurity and violence.

Through waqf and charitable donations, there has been a profound influence on the moral and behavioral aspects of society in Islamic civilization. In Islamic ethics, preventing individuals from falling into immorality and corruption is a fundamental principle. For instance, if a family's breadwinner dies or disappears, waqf properties are used to meet their needs, ensuring they do not resort to immoral behavior for survival.

Similarly, waqf funds have been used to support Muslim prisoners and their families, cover educational expenses for detainees, pay off the debts of those unable to repay, and address many other societal needs (Ahmad, 1415 AH, p. 256).

3.1.4.3. A blood bank is a special storage facility where different donated blood groups are kept in cold storage units and used when necessary (Al-Tayyar, 1414 AH, p. 232). In the past, this practice was not common, but during the First and Second World Wars, blood transfusions for wounded soldiers saved many lives. Consequently, blood banks were established (The Global Arabic Encyclopedia, 1419 AH, Vol. 10, p. 364). The relationship between endowment (waqf) and the establishment of blood banks is as follows:

1. In urgent situations, only the blood already stored in blood banks can save the life of an injured person. Collecting blood outside of blood banks takes time, as the health of the donor must first be assessed, and potential risks evaluated before blood can be drawn — all of which are time-consuming. Without prepared blood banks, some patients may die from blood shortages (Nasimi, n.d., p. 79).
2. The reasons and motivations for establishing blood banks are numerous today: from ongoing wars to traffic accidents, deadly diseases, and incurable viruses — all of these require blood in the field of medicine. Therefore, people must donate blood voluntarily to blood banks, where it can be preserved in well-equipped freezers and used to prevent various emergencies that endanger lives (Ali Anas, n.d., p. 103; Fahmi, 1408 AH, p. 24).

For this reason, contemporary jurists unanimously agree that establishing blood banks has no religious prohibition. The Council of Senior Scholars of Saudi Arabia issued a fatwa stating that creating blood

banks to collect donated blood for immediate care of critical patients without financial compensation is commendable and serves the public interest. However, they stipulated two conditions: first, that the purpose should not be for financial profit, and second, that blood banks should not charge patients or their guardians (Al-Sukari, 1989 CE, p. 185).

Without a doubt, dedicating funds for blood banks in our time to save lives fulfills one of the essential objectives of Islamic law. Many patients have died due to the absence or shortage of blood. Since one of the purposes of Shariah is to bring benefits and prevent harm, establishing blood banks prevents the harm of death and brings the benefit of preserving life (Al-Nansha, 1422 AH, Vol. 2, p. 359).

As discussed above, modern Islamic civilization, while offering many conveniences, also faces complex challenges. In the past, if someone died from blood loss, there was no blame placed on the medical system. However, today, such matters are scrutinized, making it imperative for modern Islamic civilization to utilize endowment opportunities in the medical field to save lives.

### 3.1.5. Endowment and Preservation of Wealth

Preserving people's wealth and property is one of the objectives of Islamic law, which has provided legitimate means for acquiring wealth and has prescribed punishments — either fixed or discretionary — for those who acquire it unlawfully. Furthermore, if someone damages another's property, Islamic law mandates compensation (Zalmi, 2015, p. 216).

In the Islamic system, wealth is considered essential to life, fulfilling individual and societal needs. Islam neither supports the unchecked capitalism, which leads to corruption and fails to eradicate poverty, nor does it embrace the restrictions on individual ownership found in socialism. Rather, it presents an independent system that attends comprehensively to human needs and avoids

the flaws of both capitalist and socialist systems (Haeri, 2001, p. 397).

According to Islamic teachings, wealth should not be confined to a specific class, as the Qur'an says: "So that it will not circulate solely among the rich among you" (Al-Hashr: 7).

In the context of the higher objectives of Shariah (Maqasid al-Shariah), preserving the wealth of society's citizens is vital to prevent assaults by the poor or others on the rich. To maintain security over property and wealth, alongside other factors, the institution of waqf can contribute in two main ways:

1. Economic independence and growth based on Islamic principles naturally lead to public welfare and a significant reduction in poverty and deprivation.
2. Historically, most endowed properties (awqaf) were aimed at public welfare, poverty alleviation, and promoting social justice. True poverty eradication and the eventual achievement of reasonable public welfare are key goals (Haeri, 2001, p. 397).

Thus, a strong connection exists between waqf and the preservation of wealth, as waqf institutions help address the needs of the poor and contribute to economic security for society.

### 3.2. Endowment and Religious Needs

Religious needs refer to the types of rulings that fulfill the general necessities of people's lives. These interests or objectives represent the values and goals necessary to remove hardship from practical living. While their absence may not be as devastating as the absence of essential interests, they still cause significant hardship and problems.

Thus, these objectives include all factors that ease obligations, reduce hardship, and simplify daily transactions and living. Their scope includes acts of worship, transactions, and criminal law, divided into primary and secondary categories (Zuhayli, 1421 AH, Vol. 2, p. 772).

In summary, the benefits of addressing religious needs include lifting burdens from individuals and supporting the preservation of essentials by counteracting elements that might harm them (Shatibi, 1997 CE, Vol. 2, p. 16; Maqdisi, n.d., Vol. 1, p. 413).

The role of waqf in religious needs is to alleviate hardships and remove difficulties from citizens' lives. Since needs vary according to circumstances and eras, some important examples are categorized below:

### 3.2.1. Endowment and the Need to Preserve Religion

Whenever a society faces issues regarding religion or ethical foundations, waqf resources can be used to address them. In many countries, education is free and government-provided according to law. However, there are often gaps — such as the need for supplementary classes or additional language instruction. In such cases, waqf organizations offer educational programs funded by endowments (AlUmr, 2000 CE, p. 28).

Similarly, the religious needs tied to mosques are critical. Mosques play effective and constructive roles in education, culture, society, and politics. However, in many towns and villages, mosques are basic and lack sufficient facilities, which hampers their fundamental functions. Hence, waqf institutions work to alleviate these hardships.

Moreover, because education is often not entirely free, waqf organizations provide educational opportunities for the poor through schools and educational centers — sometimes even allocating endowments specifically for the educational needs of impoverished families. Many distinguished scholars in the Islamic world emerged from such centers (Shawqi, 1415 AH, p. 136).

Ibn Khaldun, describing social conditions in Cairo during the rule of Salah al-Din al-Ayyubi, mentions that the construction of schools and Sufi lodges funded by waqf greatly increased. Students traveled from all parts of the Islamic world to Cairo to pursue

knowledge, leading to the flourishing of sciences, cultural exchange, and the decentralization of civilization across the Islamic world (Ibn Khaldun, 1986 CE, p. 276).

### 3.2.2. Waqf and the Need for Health

Regarding needs related to the preservation of life, such as health, prevention, treatment, and care for various diseases, the role of waqf institutions manifests itself in this way: Government hospitals often face challenges in providing healthcare services due to limited budgets and the costs of employees and doctors, which may lead to the death of patients. By granting endowed properties, additional support and services are provided. Similarly, necessary care for children, widows, and other underprivileged groups in society is carried out through waqf institutions.

### 3.2.3. Waqf and the Need for Preservation of Wealth

The needs related to wealth, which Islamic law has expanded upon through contracts and their conditions—for example, it is difficult to trade without having a shop, though not impossible—are addressed through waqf. To alleviate the hardship and difficulties faced by traders, some locations are endowed specifically to support them (Al-Saad, 2009, p. 50).

### 3.2.4. Waqf and the Need for Preservation of Lineage

#### Lineage

Needs related to the preservation of lineage are numerous, such as establishing separate schools for boys and girls in Islamic societies. Although some believe that co-education promotes fairness and equal access to educational opportunities, the conditions of certain subjects necessitate separate classes for better understanding. From the perspective of most Islamic scholars, the goals and objectives of Sharia demand separate classes for boys and girls. Since the university is a sacred place for acquiring knowledge, students should attend with the sole purpose of learning, as God Almighty says: "And

when you ask [the Prophet's wives] for something, ask them from behind a partition; that is purer for your hearts and their hearts" (Al-Ahzab: 53).

Some Islamic scholars have permitted co-education with certain conditions and limitations, but from the principle of 'blocking the means to corruption' (sadd al-dhara'i), mixing of genders gradually erodes modesty and leads to corruption in society. Therefore, to ensure a well-educated and morally sound generation, waqf institutions allocate funds for this purpose (Al-Saad, 2009, p. 67).

### 3.2.5. Waqf and the Needs Related to the Preservation of Intellect

#### Preservation of Intellect

Human beings are distinguished from other creatures by their intellect, and astounding advancements and discoveries are the result of human intellect. The progress and prosperity of any civilization depend on the advancement of the intellect of its leaders. Therefore, one of the civilizational goals of religion is to protect human intellect. Anything that destroys intellect, such as drugs and intoxicants, falls under needs related to the preservation of intellect (Zalmi, 2015, p. 219).

Since rationality is a fundamental pillar of the modern Islamic civilization, waqf institutions create conditions to protect citizens from anything that might endanger their intellect. In fact, the waqf system aims to establish a stable society based on equality among individuals. Waqf institutions have performed commendable work in education and in meeting the living needs of the poor, producing many scholars and intellectuals for the Islamic society (Shawqi, 1415 AH, p. 136).

### 3.2.6. Waqf and the Needs Related to the Preservation of Honor and Dignity

#### Preservation of Honor and Dignity

Although endowing property without registering it with waqf organizations is not religiously problematic, the philosophy and wisdom behind waqf lie in serving all people,

without distinction between rich and poor. The true essence of waqf is to benefit all humanity.

Historically, even members of the People of the Book and other communities have been beneficiaries of waqf. In modern Islamic civilization, it is emphasized that properties should be endowed through waqf institutions. Some may wonder why properties aren't directly given to the needy or used for public benefit. The subtle point here is that institutional work has a greater impact on society than individual efforts. Furthermore, beneficiaries do not confront the donor directly, thereby protecting their dignity and avoiding humiliation. Additionally, institutional waqf ensures that social goals and programs remain lasting and sustainable (Al-Duhayan, 1420 AH, p. 18).

### 3.3. Waqf and Tahsiniyyat in the Modern Islamic Civilization

#### Civilization

Tahsiniyyat (beautifications) are those values that are rationally admirable and a requirement of human decency and morality. Their focus is primarily on moral virtues and commendable practices in worship and transactions.

Although the absence of these values does not endanger human life or cause hardship like the loss of necessities (daruriyyat) or needs (hajiyyat), it distances human life from natural human purity and noble habits. Examples include wearing rings or using perfumes, which are not essential for life but enhance its beauty. (Jannati, 1991, p. 335).

The domain of tahsiniyyat spans worship, transactions, and criminal matters, and can be categorized into primary and complementary.

The benefits of tahsiniyyat are:

First, they display the beauty, ethics, and refined order of the Islamic community, attracting others toward Islam (Ibn Ashur, 2004, p. 82). Second, they serve the necessities and needs. Third, a disruption in



tahsiniyyat can cause a disruption in needs (hajiyyat) (Al-Shatibi, 1997, Vol. 2, p. 17).

The aspects of beauty, decoration, and perfection are prominent in tahsiniyyat. While their existence and absence are technically equal, preference is naturally given to beauty because of human nature. For instance, in waqf-related tahsiniyyat, a donor may not only endow a house but also its decorative objects, allowing the user to enjoy both necessity and beauty.

Waqf plays a valuable role in the growth of industries and the advancement of architecture. In many Muslim mosques, crafts like chandelier and domemaking, and other decorations have been funded by waqf. Furthermore, in order to familiarize Arab Muslims with the cultures of non-Arabs, waqf has financed these efforts. All these examples fall under tahsiniyyat, providing comfort and beauty to people's lives through endowed wealth (Al-Saad, 2009, p. 53).

#### 4. Conclusion

From the above discussion, it is understood that among the types of properties in society that have no specific private owner, but whose use, preservation, and management are governed by special jurisprudential rulings, are endowed properties (awqaf). This research discussed the expenditures of endowed properties with a maqasid (objectives-based) approach because waqf is one of the contracts that fulfills the higher objectives of Sharia. When waqf is executed with a maqasid perspective in an Islamic society, it carries immense value and yields great benefits.

Waqf plays a vital role in preserving the five essentials (maqasid al-shari'ah): preservation of religion, life, intellect, wealth, and lineage, which are considered the primary objectives of Sharia. Additionally, hajiyyat (needs) and tahsiniyyat (beautifications) also grow and flourish through waqf. In every legal area where preserving the objectives of Sharia is considered, waqf has a significant role. The proper method of waqf is based on the Islamic worldview. Historically, waqf has played a

crucial role in building and maintaining mosques, lodges, seminaries, and hospitals, and in supporting the livelihood of their staff and assisting the poor and needy in Islamic civilization.

In the modern Islamic civilization, standing against the secular Western civilization, new methods for collecting, spending, managing, and reporting waqf assets have been added. Islamic law has provided waqf with the flexibility to adapt to the needs of both traditional and modern civilizations. However, in the modern Islamic civilization, waqf must break free from old restrictions and revitalize its civilizational role in political, social, cultural, and other spheres, primarily through a maqasid-oriented approach.

Studies show that in the past, waqf institutions played a very effective and active role in Muslim societies. However, today, this focus has diminished, and our understanding of the philosophy behind waqf has weakened.

Therefore, the following suggestions are proposed for institutionalizing waqf in modern Islamic civilization:

#### 5. Suggestions and Recommendations

1. When issuing a fatwa regarding waqf and being asked about the uses of waqf properties, the fatwa should be issued with a maqāsid-oriented (objectives of Sharia) perspective.
2. Islamic Studies universities should require their students to write their academic theses on the subject of waqf.
3. Academic and research conferences should be held, and multiple articles should be written on various aspects of waqf, so that this concept becomes institutionalized in the modern Islamic civilization.
4. Analyzing the foundations of waqf institutions and their role in the development of modern Islamic civilization.

5. Establishing an international waqf organization on a global level, similar to the International Monetary Fund.

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