

ARABIC LINGUISTIC CONNOTATION AND IMPLICATION OF THE TERM “WAQF” IN ISLAMIC PRINCIPLES OF SOCIAL SECURITY

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Abstract: *The term “Waqf” in Arabic linguistic connotation is one of the most important terms for charity in which Muslim endower draws closer to Allāh if it is rightly implemented according to Islamic principles. Linguistically, it is a word derived from the Arabic verb “waqafa” [i.e. stood, stopped, held, prohibited, locked up, prevented etc.] Through waqf, the donated assets based on Charitable Islamic Endowment can be given out but held for the purpose of helping those who are in need and relieve their miseries continuously and institutionally on specified agreement. Usually, Islamic endowment known as Waqf plays a crucial role in achieving educational goals, infrastructural development, economic growth, industrial booming, technological advancement and social security in an entity. Thus, it characteristically fills the need of a wide range of social groups as well as accomplishing social solidarity and developing economy. If supported by the government and practised by the individuals, it can save those who are in need from breaking the law in their endeavours to meet their life requirement or creating social strife in our societies. This study aims to define the Waqf as an Islamic terms and proving its legitimacy based on Islamic original sources. The research work has focused on its connotation due to various implications the term indicates in its root. It has also discussed the prominent role of the Waqf in achieving various goals in all aspects of human welfares as well as scientific and economic renaissance. Conclusively, the research outcome has highlighted some points and suggestions that could contribute to activating Waqf today and restore its role as it was in the past.*

Keywords: *Connotation, linguistic, endowment, social security, welfare.*

INTRODUCTION:

It is undoubtedly deduced that some Arabic words and terms are given connotative meanings rather than denotation. Such terms are influenced by Islamic technical implications as seen in the term ‘*waqf*’ or *awqāf*.

Unlike the root meaning, the Islamic endowment known as *Waqf* is one of the major acts of piety through which a servant can sacrifice to Almighty Allah; because of the benefits it provides to the endowed fellows, the reliefs it discharges against their sorrows and solutions it gives to their needs in a permanent institutional way not a temporary way (of solution). Therefore, *Waqf* is regarded as one of the contracts of agreement for donation which are very much important in fulfilling some desired necessities in the society.

It is unanimously proved by great scholars that a large number of contributed endowments in the world were initiated by Muslim philanthropists and scholars for the purpose of life betterment on the destitute in any particular Islamic entity. The application of those Islamic endowments is not limited to the benefits of the Muslim nations but it also contributes to a rebirth of western ways of life on economic improvement, social moderation, humanitarian charities, scientific disseminations and technological advancements as a result of the holistic

and revelation-inspired civilization which are visible in the Glorious Qur'an, Sunnah and histories of the Muslim orthodoxies and predecessors.

However, according to Dr. Nafees S.M.M, “Islamic financial institutions have the duty to ensure the compliance with *Sharī'ah* principles in all aspects of their products, instruments, operations, practices and management which will be achieved by the establishment of a proper *Sharī'ah* governance framework”. (Nafees, 2019/68).

Consequently, *waqf* has various domains which include endowment to satisfy the needs of destitute, or orphans, or widows, or disables, or special necessitous needy. It may also be educational endowment, or health endowment, or mosque endowment, or for the circles of Quranic memorization, the propagation to the cause of Almighty Allah, or for the distribution of books of knowledge. In addition, it may be made for the purpose of aiding the scholars who might have cut off from knowledge and learning, or for the wayfarers, or for the Jihad on the cause of Allah, or for any other sphere in areas of human necessities in which individuals or organization may be deficient and which may enhance the social security.

The Islamic endowment *Waqf* had previously played an important role in the Islamic History as it had served as one of the basic socio economic institutions in the Islamic society. Meantime, the establishment of numerous public utilities, educational citadels, health facilities and social institutions and others were perfected. It had largely contributed in building the Islamic civilization. Also every set of people in the Muslim community like rulers, scholars, riches have meaningfully participated in their various capacities (Ad-Dawrī).

Ibn Jubayr said while describing his popular excursion: that he saw in Damascus some gardens, farms and shops endowed on mosques, schools and residences for wayfarers which are commonly widespread in Damascus to the extent that the city is on the verge of being engrossed with *Awqāf* [endowments] and that every mosque or school or building modernised are endowed on together with their inhabitants (Ibn Jubayr, 614AH/248).

Surely, the Islamic endowment has a great role in the preservation of social security, fulfilling the needs of broad sector of social classes which can hinder their deviation or revolt against the government and origination of social blooms in society. It has been eventually noted that *Waqf* institution nowadays has no much impact and role that it was carrying out previously. Thus, it is inevitable to undertake research for the purpose of activating it and resuscitation of its role.

In the research work, the researcher has successfully exploited historical analytical methodology through investigation into cases of the Islamic endowment in Islamic history from the era of the Messenger of Almighty Allah (SAW) up to date. Added to that is the explanation on how the Islamic endowment has contributed immensely to the facilitation of developmental movement in the Islamic world. Likewise, the exploitation of the descriptive methodology is apparent in the work on the basis of the description of the reality of Islamic endowments called *Al-Awqāf* between past and present. Thirdly, the exploitation of the comparative methodology is visibly demonstrated in the work on the basis of the reviews made on the statements of the four schools of thoughts in this domain, its comparison and in giving preponderance among them, while observing situational and conditional changes and *Maqāsid Ash-Sharī'ah* in favouring an opinion.

Usually, Islamic endowment known as *Waqfis* hypothetically expected to play a crucial role in achieving educational goals, infrastructural development, economic growth, industrial booming, technological advancement and social security in an entity. Eventually, the

research study here focuses on the aspect of social security as it is highly accruing meaningful and tangible benefits from *Waqf* usufructs in the Muslim worlds.

PREVIOUS STUDIES:

Surely, Islamic endowment is an important issue as it has an enormous role to play in the service to the society and its security, and that is the reason why it is greatly focused by the scholars and researchers who have embarked seriously on researches to the various aspects of *Waqf* jurisprudentially, economically and socially. Among such successful research works on *Waqf* are the following:

1- *Al-Waqf Al-Khayrī wa atharuhu fī At-Tanmiyyati Al-Iqtisādiyyah* is a Master's thesis presented by the student researcher Muḥammad Ahmad 'Uthmān in the Faculty of Laws of the University of Damascus in the year 2005 CE. The student researcher discussed therein the linguistic concept of *Waqf* in terms of its literal and technical indications. He also stressed on discussion of the legality and development of the Islamic endowment across Islamic history in respect to the connotative meaning the term *waqf* bears. In addition, he discussed the conditions, forms and areas of the Islamic endowment. He elaborated on the endowment of immaterial rights, establishment of endowment boxes, investment of endowed properties, investment areas, endowment exchanges, national role in preservation of endowment and surveillance of the expenditure of its revenues on the endowment recipients. He also treated some *Waqf* experiments in Kuwait, Syria and Turkey.

2- *Al-Waqf fī Ash-Sharī'ah Al-Islāmiyyah wa atharuhu fī Tanmiyyati Al-Mujtama'*. It is a book authored by Dr. Muhammad Aḥmad Ṣāliḥ in 2001 CE, where he conducted research on *Waqf* [Islamic endowment], its linguistic definition, legality, and rulings in terms of its elements and the custodianship on it. He also touched the verdicts on the inspector of *Waqf*, sale and exchange of it. In addition, he explained its role in the development of society between the past and present times in the Islamic propagative mission [*Da'wah*], teaching, health care and social responsibility. Likewise, he further discussed causes of retrogression of the Islamic endowment and the method of its resuscitation as well as he treated some modern forms of the *Waqf*.

3- *Al-Waqf Al-Islāmī: Taṭawwuruḥu, wa idāratuḥu wa tanmiyatuhu*. It is a book written by Dr. Mundhir Qaḥf in 2000 CE. Therein, he discussed the concept of *Waqf* and the historical background behind the idea. He concentrated on the economic aspect of *Waqf* and its role in development. Also, he worked on means of *Waqf* development and growth as well as he treated the necessity of reviewing of numerous juristic rulings which are connected to the conditions of the Islamic endowment, the endowed property and the issues of expansion, facilitation and simplification in those conditions.

4- *Al-Islām wa Al-Amnu Al-Ijtimā'ī* by Dr. Muhammad 'Ammārah in 1998 CE. Therein, he treated the concept of social security, its importance, means of promoting its provision, attention of Islam to the provision of social security and the dangers that threaten it.

The addition made by this study is manifesting in the combination between the original juristic side of *Waqf* and the socio economic effects of it. Likewise, the study proceeds from the *Maqāṣid Ash-Sharī'ah* in investigation and preponderance [strong probability] as it observes the role of the *Waqf* in achieving the *Maqāṣid Ash-Sharī'ah*.

LINGUISTIC CONCEPT OF WAQF:

Linguistic Meaning of *Waqf*: The word *Waqf* is rooted from the Arabic verb *waqafa*. Thus, it is a verbal noun of three letters (*wa/q/f*) which is pluralized into *Awqāf* or *wuqūf* (Al-Fayūmī, 2/669); it has various meanings among of which are:

1- **Al-Ḥabs** [i.e. lockup or apprehension]. It is usually said, "*Waqafu Ad-Dāra 'alā Al-Masākīn*", i.e. "I locked up the house on them [the poor people]" (Al-Fayrūz Abādī, 2009/860, Az-Zabīdī, & Al-Fayūmī, 2/669). In regard to that meaning, Almighty Allah said, **{but stop them, verily, they are to be questioned}** Aṣ-Ṣāffāt Q37: 24.

2- **Al-Man'u** [i.e. prevention, prohibition and/ obstruction]. It is commonly ushered, "*Waqafu Fulāna 'ani Ash-Shay'i*", i.e. "I prevented a particular person from it" (Al-Fayūmī, 2/669).

3- **As-Sukūn wa 'adamu Al-Ḥarakah** [i.e. calmness and immovability]. It is usually stated, "*Waqafati Ad-Dābbat*" i.e. "The animal calmed down (Al-Fayūmī, 2/669)", and "*Waqafa Ar-Rajul*" i.e. "The man halted" which means that the man stopped after trekking (Muṣṭaphā, 2/1052).

If we scrutinize the linguistic meanings (of the term *Waqf*) very well, we shall discover that it revolves around two meanings which are either *Al-Ḥabs* [i.e. lockup/ apprehension] or *Al-Man'u* [i.e. prevention].

LINGUISTIC VERSUS ISLAMIC TECHNICAL MEANING OF WAQF:

The jurists have given various convergent definitions to the concept of *Al-Waqf* (in Islam), however the definitions differ occasionally due to their differences on the endowed property; whether it will be transformed to possession of Almighty Allah [divine ownership] or it will remain as possession of the endower? Whether the endowment [*Waqf*] is mandatory and imperative or escapable? (Al-'Uthmān, 2005/18 & Ṣāliḥ, 2001/20). Among those definitions are the followings:

1- **Abū Ḥanīfah** defines it as "Withholding the property to the possession of the endower while giving out its benefit in charity" (Ibn Nujaym, 5/202).

2- **Aṣ-Ṣāhibān** defines it as "Removal of the property from the ownership/ possession of the endower while withholding it by virtue of possession of Almighty Allah so that its benefits can reach His needing servants" (Ibn Mawdūd, 1426AH-2005CE, 3/46).

3- *Al-Waqf* according to the **Mālikī** School of Thoughts is known as *Al-Hubsu* with its plural *Aḥbās* [i.e. endowment, mortmain] (An-Nafrāwī, 1415AH, 2/160 & Al-Jawharī, 1407AH-1987CE, 5/56). It is defined by them as "An act of giving charity by human being with whatever he so wishes from properties while confining and retaining their benefits in form of a charity, philanthropy and benefaction for the purpose of transforming the original asset into an endowed property which should neither be sold nor donated nor inherited forever inasmuch anything of it is still remains" (Ibn 'Abdīl Barr, 1407AH/536).

4- According to **Ash-Shāfi'iyyah**, the words *Al-Waqf* [endowment], *at-Taḥbīs* [donation] and *at-Tasbīl* [dedication to charitable purposes] are all identical (Ash- Sharbīnī, 2/376). The concept is "the act of withholding a property that can be beneficiary while retaining its assets by halting its action on any existing permissible bank" (Ash-Sharbīnī, 2/376).

5- The **Hambalis** defined it as "Donation made by the owner of absolute disposition on his useful property with preservation while halting the compulsory disposition of the endower with the intention of diversion its returns / revenues into philanthropic cause in devotion to Almighty Allah" (Al-Bahūtī, 1402AH, 4/241).

Thus, if we ponder deeply into the above definitions, we shall note that the difference between Abī Ḥanīfah and other juristic scholars among Abū Yūsuf and Muḥammad were included, on the concept of *Al-Waqf* is that the endowed property according to Abī Ḥanīfah remains in the possession of the endower and it will not be discontinued from his ownership, while giving it out as charity is only restricted to the benefit, while it may be eventually revoked by him and he can even sell it. If he dies, the property can be legally retrieved by his inheritors; as it is not imperative according to him, and that was the view of Imām Zufar as well (Ibn Mawdūd, 3/46 & Ibn Ābidīn, 2000, 4/338). However, mosque issue is exempted because it is unanimously agreed that endowed mosque is excluded from the possession of the endower to the ownership of Almighty Allah (Ibn Ābidīn, 2000, 4/337). But other majority juristic scholars ruled that the endowed property has gone beyond the ownership of the endower to the possession of Almighty Allah. Therefore, it is imperative and irrevocable according to them (Ibn Mawdūd, 3/46, Ibn Ābidīn, 2000 & Ibn ‘Abdīl Barr, 1407AH/536).

Likewise, the Jordanian Civil Law defined *Al-Waqf* as "*An act of holding back the possession of the actual property from disposition while dedicating its benefits for the act of philanthropy/ benefaction even if it is a return*" (Al-Qānūn, 1233). It is excerpted from this definition that it has excluded the endowment of benefits and restricted the endowment onto the endowment of the actual assets.

A researcher has made efforts to lay its definition that would focus on the economical content, as he said, "It is a transfer or diversion of certain properties from consumption to investment in productive capital assets which will yield benefits and funds [revenues] in the future" (Abu Qūṭaysh, 33). It is consequently extracted from that definition that it has skipped the aspect of benefaction and charity in the endowment but rather viewed it as an act of investment only.

But the erudite scholar **Mundhir Qaḥf** defined the *Waqf* Endowment based on general meaning as he stated, "Setting up fruitful properties and assets in detachment from personal disposition with them while dedicating its resources and benefits for charitable purposes" (Qaḥf, 2000/17). It is noted on this definition that *Waqf* endowment and immaterial rights are broadened like the right of formation and right of invention; because he used what can be accurately termed as *Waqf* that it is whatever can be regarded as assets. However, the probable view is that immaterial rights are the properties. Also, he did not stipulate condition of permanency in the *Waqf* endowment.

Likewise, he defined it with peculiar meaning while stating, "It is both permanent and temporary withholding for a property of repetitive usefulness or with its product in one of the phases of the general or special benefaction" (Qaḥf, 2000/62). It is noted on that definition that it discusses about all shapes of endowment and its types. Thus, it encloses the endowment of all properties which include estates (immovable properties), movable properties, benefits, immaterial rights, monetary cashes, as well as temporary and permanent endowments, and charitable and atomic endowments (Qaḥf, 2000/62).

LEGALITY OF AL-WAQF (ISLAMIC ENDOWMENT):

Majority of the scholars ruled that *Al-Waqf* is a legal and recommendable act (Ibn Mawdūd, 3/46, Ash-Sharbīnī, 2/376 & Ibn Quddāmah, 1312) except the verdict reported that *Shurayh* viewed it as illegal saying that the principle of *Waqf* had been abrogated after the revelation of the issue of inheritances (Ibn Quddāmah, 1312) quoting, as evidence, the *ḥadīth* of Ibn ‘Abbās that he said, ‘When the law of *Al-Farā’id* was revealed in *Sūrat An-Nisā’* Quran Chapter Four, the Prophet said: “There is no withholding in the obligatory statutory portions of inheritance prescribed by Allah”¹.

Meanwhile, they have proved its legality with evidences which include the following:

1- There are some Quranic verses urging Muslims to spending on the causes of various benefactions like the statements of Almighty Allah, *{By no means shall you attain Al-Birr (piety, righteousness- here it means Reward, i.e. Paradise), unless you spend in Allah’s cause of that which you love; and whatever of good you spend, Allah knows it well}* [Āl-‘Imrān Q3: 92]. He further says, *{It is not Al-Birr (piety, righteousness, and every act of obedience to Allah) that you turn your faces towards east and west [in prayers]; but Al-Birr is the quality of the one who believes in Allah, the Last Day, the Angels, the Book, the Prophets and gives his wealth, in spite of love for it, to the orphans, and to the poor, and to the wayfarer, and to those who ask, and to set slaves free}* [Al-Baqarah Q2: 177]. Also, He says, *{Believe in Allah and His Messenger [Muḥammad SAW], and spend of that whereof He has made you trustees. And such of you as believe and spend (in Allah’s way), theirs will be a great reward}*. [Sūrat Al-Ḥadīd Q57: 7]. Those Quranic portions mentioned above and others unmentioned are the verses which are urging and encouraging spending onto the facets of benefaction and charity. Meanwhile, the point of intent therein is that *Waqf* is one of the phases of charity and spending.

2- It was reported from Abū Hurayrah that the Messenger of Allah (SAW) said, “*When human being dies, his deeds end except for three; ceaseless charity, beneficial knowledge, or a righteous child who (incessantly) prays for him*” (Muslim, 3/1255). The point of intent of the *Ḥadīth* is that scholars interpreted the ceaseless charity as *Waqf*.

3- It was reported from ‘Amrū Bn Al-Ḥārith who said, ‘*The Prophet (SAW) did not leave behind any Dīnār, or Dirham or a slave; whether male or female, except his white camel which he used to ride, his weapon and a portion of land he endowed to the wayfarer*’ (Imam Al-Bukhari/ 495). The point of intent of the *Ḥadīth* is manifested in the land endowment offered by the Prophet (SAW).

4- It was reported from Ibn ‘Umar – May Allah be pleased with both-, that ‘Umar bn Khaṭṭāb got a portion of land at Khaybar, he went to the Prophet (SAW) seeking his guiding directives while saying, ‘Oh Messenger of Allah! Surely, I got a portion of land at Khaybar and I have never got a property that is more precious than it, what is your directive order on it? He (SAW) said: “*If you like, you may withhold its origin and give it out as charity*”. Ibn ‘Umar said: ‘Then ‘Umar gave it out in charity with the condition that its origin can neither be sold nor purchased nor inherited nor awarded’ (Agreed Upon). The point intent in the statement is that the Prophet (SAW) instructed ‘Umar to the endowment of his land.

¹It was narrated by Al-Bayhaqī. See Al-Bayhaqī, Abūbākr Aḥmad Bn Al-Ḥusayn Bn ‘Alī, *As-Sunan Al-Kubrā*, Chapter of “Who says there is no holding on Allah’s mandated inheritances, Majlis Dā’irat Al-Ma’ārif An-Nizāmiyyah, India, Hyderabad, 1st edition, 6/162. However, it is a weak *Ḥadīth* as said by the author of *Al-Jawhar An-Naqī*. See Al-Mārdīnī ‘Alāu Ad-Dīn ‘Alī Bn ‘Uthmān, *Al-Jawhar An-Naqī* attached with Ḥāshiyat As-Sunan Al-Kubrā 6/162.

5- It was narrated by Anas bn Mālik that after the revelation of the statement of Almighty Allah which is: ***{By no means shall you attain Al-Birr (piety-reward, i.e. paradise), unless you spend (in Allah's Cause) of that which you love...}*** [Āl-‘Imrān Q3: 92], Abū Ṭalḥah came to the Messenger of Allah (SAW) and said: Oh Messenger of Allah! Surely, Almighty Allah said ***By no means shall you attain Al-Birr (piety-reward, i.e. paradise), unless you spend (in Allah's Cause) of that which you love***, and the most beloved property that belong to me is Bayraḥā’ and it is made as a charity for Allah. Thus, I wish to make it a charity and a reserved saving with Allah, so put it into where Allah might have inspired it to you, Oh Messenger of Allah. Anas said, ‘Then the Messenger of Allah said, ***“Bakh²Well done! (Ibn Baṭṭāl, 2003-3/480), that is a lucrative property! That is a lucrative property! I have already heard you but I opined that you should make it a charity to the closest relatives”***. Then Abū Ṭalḥah responded, ‘I will abide, oh Messenger of Allah’, Abū Ṭalḥah then distributed it among his relatives and cousins’ (Agreed Upon). Meanwhile, the point of intent of the narration is the Quranic verse requested from the Muslims to spend of that which they love (among their wealth) and there is no doubt that *Waqf* is one of the phases of that charity to which they are encouraged to by the verse. So also, the prophetic instruction and approval for Abū Ṭalḥah affirm the intent as he endowed his land to his relatives.

6- It was the practice of the companions of the Prophet (SAW) as said by Imām Ash-Shāfi‘ī, ‘It reached me as information that eighty companions from among the Anṣār gave alms as endowments’ (Ash-Sharbīnī, 2/376).

EFFECT OF ISLAMIC ENDOWMENT (WAQF) ON SOCIAL SECURITY

Apparently, social security is unachievable until various social needs are perfectly provided and guaranteed for every individual. Human being that is deprived of daily meals, clothing, medication or learning may change to a timed bomb which may explode at any moment.

Surely, Arab nations Islamic Societies are among the developing countries which are seriously in need of socio economic development that is supposed to be permanent not temporary; for the purpose of preservation of resources without depletion (Abu Qaṭīsh, 2). Thus, *Waqf* is one of the major revenues which can sustain the security of the permanent development not temporary one, as it secures immovable durable resources through the existence of various phases of charity.

Surely, *Waqf* is an important means for the provision of the security of the societies in all its aspects; whether social security or economic security or political security or military security.

LINGUISTIC AND TECHNICAL CONCEPT OF SOCIAL SECURITY:

Al-Amn (i.e. Security) in language is the opposite of *Al-Khawf* [fear, insecurity] (Al-Jawharī, 5/2071). Author of *Tājul ‘Arūs* says: “Its origin is connectively characterised with peace of mind and removal of fear [insecurity]” (Az-Zabīdī, 34/184).

But *Al-Amn* (security) in its technical meaning has been given various definitions which include: ‘The procedures adopted by the state for the protection of its entity and welfares’ (Huwaydī, 1975/42). Another definition states that ‘it is procurement of national entity

² The word means attraction and pleasure.

against treating internal and external dangers and the protection of interests (welfares)' (Al-Badrī, 1980/6).

Meanwhile, social security implies 'Tranquillity which negates fear and panic from mankind whether individually or collectively in all fields of life' (Amārah, 1998/12).

Verily, social security includes all life aspects that concern mankind as it embodies living contentment, economic satisfaction and living stability for the native countries to the extent of overcoming poverty, disease, ignorance and until it achieves well-being. Therefore, citizen will feel safety and stability in his town, while he/she will not undergo the feelings of grudge and dissatisfaction on his communal society (Al-'Awjī, 1983/71).

From the above definition we can notice that the meaning of *Al-Amn* (security) is not limited to the individual security, rather it includes societal security; because an individual is naturally created by Almighty Allah for social participation wherein he cannot live alone in isolation (comfortably), as he cannot achieve his personal security except through collective security (Amārah, 1998/13).

IMPORTANCE OF SOCIAL SECURITY:

Al-Amn (security) is a necessity of life, even it is one of the major purposes of the religion, as Almighty Allah has reminded *Quraysh* people of His favour on them through His statement, {*He Who has fed them against hunger, and has made them safe from fear*} [Sūrat Quraysh Q106: 4]. He has also granted them sacred place (of worship) for security, whereby nobody is allowed to transgress on another person, as He said, {*Have they not seen that We have made(Makkah) a secure sanctuary, while men are being snatched away from all around them? Then do they believe in Bāṭil (falsehood-polytheism, idols and all deities other than Allāh), and deny (become ingrate for) the Graces of Allāh?*} [Sūrat Al-'Ankabūt Q29: 67]. So also when Ibrāhīm supplicated to God in prayer for the people of Mecca while saying; {*and (remember) when Abraham said, "My Lord, make this city (Makkah) a place of security and provide its people with fruits*} [Sūrat Al-Baqarah Q2: 126]. In addition, we can see that the Prophet (SAW) has put the supplication for security forward over the prayer for sustenance; as there will be no real sustenance if tranquillity and security are not ascertained. Thus, the Prophet (SAW) used to say, "*Whoever among you wakes up in the morning secure in his dwelling, healthy in his body, and he has food for the day, then it is as if the whole world has been given to him*"³. That was how it was reported (At-Tirmidhiyy, 1395AH-1975CE & Ibn Mājah, 1430 AH-2009 CE).

EMPHASIS ON THE IMPORTANCE OF SECURITY:

1) – Almighty Allah requested from the believers to submit themselves to the peace emphasized and brought in Islām perfectly and wholeheartedly, as Almighty Allah has stated; {*O you who believe! Enter perfectly in Islām and follow not the footsteps of*

³ Collected by At-Tirmidhiyy and Ibn Mājah, however, At-Tirmidhiyy said it is good and strange hadith and *Al-Albānī* Rated it as good transmitted narration. *Arna'ūt* rated it as good considering its various of supporting proofs but Weak by this chain of transmission. See: At-Tirmidhiyy, Muḥammad Bn 'Īsā (D. 279 AH), *Sunan At-Tirmidhiyy, Chapter: On Putting Trust on God*, confirmation and remark by: Aḥmad Muḥammad Shākir and others, Sharkat Maktabah wa Maṭba'at Muṣṭaphā Al-Bābī Al-Ḥalabī, Egypt, 2nd Edition, 1395AH/ 1975CE, 4/574, and Ibn Mājah, Muḥammad Bn Yazīd Al-Qazwīnī (D. 273AH), *Sunan Ibn Mājah, Chapter on: Contentment*, Confirmation by: Shu'ayb Al-Arna'ūt and others, Dār Ar-Risālat Al-'Ālamiyyah, 1st Edition, 1430AH/2009CE, 5/253.

Shaiṭān. Verily, he is to you a plain enemy} [Sūrat Al-Baqarah Q2:208]. Based on that commandment, the Prophet (SAW) was keenly interested in making peace on the day of *Ḥudaybiyyah* with people of Quraysh with whatever method and means. Thus, he (SAW) commented on the negotiations during the protest of some companions against concessions made by him (the Messenger of Allah [SAW]) to the Quraysh people saying, “*I swear by the One Who holds my soul! They would not have asked me for a (favouring) plan in which they usually exalted (magnified) the sanctities of Allah except that I would grant it to them*” (Imam Al-Bukhārī, 3/193).

2) – The Islamic Law has set up a severe punishment (penalty) on whoever subverts that security as that is regarded as punishment on waging war. Almighty Allah said; {***The recompense of those who wage war against Allah and His Messenger and do mischief in the land is only that they shall be killed or crucified or their hands and their feet be cut off from opposite sides, or be exiled from the land. That is their disgrace in this world, and a great torment is theirs in the Hereafter***} . [Sūrat Al-Mā'idah Q5: 33].

In addition, the great scholar **Al-Māwardī** had emphasized the importance of social security when he cited the principles which are inevitable for the usability of the worldly life and orderliness of civilization; he then cited the fourth principle which is: “a public security in which souls can find tranquillity, ambitions are spread therein, innocent lives there conveniently and the powerless feels at ease with. Because there is no rest for a fearer as there is no peace of mind for a chary. A wise man has even said, ‘Security is the most comfortable means of living while justice is the strongest army; because fear grips mankind from their interests, hinders them against their disposition and stops them from love spreading among their people; because security is a result of justice while tyranny manifests injustice [partiality]’ (Al-Māwardī, 142).

Likewise, Imām Al-Ghazālī emphasized this meaning while stating: “Religious system is based on knowledge and worship; both are not achievable except through good physical condition, long life and adequate satisfaction in apparel (clothing), habitation, nutriment and security. In addition, religion will not be well organized except through the achievement of necessary tasks which include the security of mankind on soul, body, property, habitation and sustenance. If not, whoever uses all his time for self-protection against the weapon of oppression and searching for daily sustenance inside the bush, when will such have enough time for knowledge and work? Thus, it is apparent that measurement of the previously stated necessities constitutes a condition for the religious order” (Al-Ghazālī, 1424AH/2004CE).

Verily, social security is achievable on the basis of improvement in the individual livelihood through provision of his necessary needs like feeding, good health care, education, job, shelter and security guarantee for him on his self, family members, property and his present and future feeling for tranquillity as well as his spiritual assurance and entire social securities (Al-‘Awjī, 1983/73), thus there is no doubt that *Waqf*, if it is well utilized, will contribute immensely in the achievement of all the above stated needs as will be further explained by the two researchers in the next issues.

However, there is no doubt that the availability of social security is a manifestation of a basic factor for political stability as the citizens will usually feel that the state is rightly providing their needed necessities and livings, hence they would also show their desires for the its security and stability because the relationship between the individual and the state is manifested in the reciprocation of rights and duty (Al-‘Awjī, 1983/88).

EFFECTS OF WAQF (ISLAMIC ENDOWMENT) IN PROCUREMENT OF SOCIAL CARE.

The Islamic Endowment *Waqf* is regarded as one of the most important resources for the security of social patronage for the poor classes (among citizens) in terms of feeding, clothing, accommodations, medical treatments and education. In the Islamic history, the Islamic endowments (*Awqāf*) had successfully provided feeding meals, accommodation, medication as well as milks to the poor children and free hospitals. Likewise, those endowments had provided catering patronage for those in special needs like blinds and disables etc. (Abu Rakkah, 1403AH-1983 CE/244, At-Tajkānī, 1410AH-1990 CE/556-55 & Aṭ-Ṭarābulusī, 1902/13).

Even the endowment had previously taken care of all aspects of social amenities like water provision, and endowing of wells and springs on the road of travellers as well as endowing of recreations on the road of travellers. The endowments also provided assisting grants to the needing poor people, grants for the caring for children, widows and divorcees. Also, the endowments took cares of orphans and those with special needs and others in the aspects of social cares (Qaḥf, 2000/37).

Ibn Baṭūṭah stated that when he entered Damascus, there were many uncountable numbers of endowments. There he noticed some endowments for the assistance of those who could not afford hajj, some endowments for provision for ladies whose families could not provide for, some endowments for the ransom of captives, some endowments for the wayfarers as they were given cloths and meals until they return to their own towns and some other endowments for the road maintenances and alignment and many other ways of charity and benevolence (Ibn Baṭūṭah, 1992/104).

Surely, endowment in various phases of social care can achieve highest intents of the Islamic law (*Sharī'ah*) in human self-protection through the procurement of necessities of life, and can lead to the existence of peaceful society that is lovely and jointly responsible in which causes of crime will drop off. It can also lead to the preservation of his progeny in terms of assistance to those who are unable on marriage as well as prevention against deviation in the paths of vices (i.e. depravity). It can also achieve social link and societal stability in the course of assisting the poor to get his basic necessities like feeding, clothing, education and healthcare so that the reasons for revolt and commotion can reduce in the community.

It has also been asserted that "the Islamic government is to concentrate on the provision of goods and services because the objectives of the government are not only to satisfy the needs of individuals in the short term, but to consider the means which is leading to help the individual in his/her pursuit of satisfying his/her own needs required for over the long period of time" (Nisthar & Mazahir, 2018/82), so the establishment of Social Equity will be actualized to strengthen and procure social care.

EFFECTS OF WAQF IN CONSOLIDATION OF THE SCIENTIFIC/ KNOWLEDGE MOVEMENT.

Verily, the Islamic endowment is a major way of charity and righteousness which has impact on scientific movement in the Islamic world as it facilitates its development. Across history of endowments, Muslims have even contributed enormously on establishment of schools, elementary schools and libraries. So also, it was part of the financial concerns of the Muslims

to contribute, for the endowments on the Educational Institutions, the learning centre known as *Al-Madrasat Al-Mustanşiriyyah* which was built by **Abbasid Caliph Al-Mustanşir**. It was a learning citadel which was incomparable with any other on the surface of earth at that time in terms of endowments. Therein, he instituted hospital, kitchen for cooking meals for the scholars and learners and vessels for the cold water. Likewise, the caliph arranged beds, personal properties, oils, papers and inks and many others for the apartments of the juristic scholars. He also made provisions of stipends for the learning jurists of the citadel unprecedentedly. The high growth of the *Al-Mustanşir* Endowments has even reached more than seven hundred thousand of gold while about six hundred carriages of precious books used to be conveyed there per year. The number of its juristic scholars was two hundred and forty eight from the four schools of thoughts together with a scholar of *ḥadīth*, an Arabic grammarian, medical scientist and scholar of the knowledge of inheritance. In addition, he arranged the supplies of breads; foods, sweets and fruits there, as well as he provided types of endowment which could not be easily articulated by many villages and residences (As-Suyūṭī, 1429AH-2008CE/545 & Adh-Dhahbī, 1418AH-1999CE/28).

Ibn **Kathīr** stated that there was no similar learning centre built before it worldwide, as the school constituted a beauty for Baghdad and the entire nation (Ibn Kathīr, 1408AH-1988CE, 9/392).

Ibn **Jubayr** also remarked that he saw more than thirty schools in Baghdad majority of which are regular learning centres. Those schools had great endowments funding the schools, students and teachers (Ibn Kathīr, 1408AH-1988CE, 9/205). But on Damascus and Umayyad mosque, he used to say that he saw some private endowments meant for imparting knowledge to the young children and orphans and for spending on them and on those who were educating them, hence he portrayed that action as a pride of these eastern nations (Ibn Kathīr, 1408AH-1988CE, 9/245).

Furthermore, he said about *Damascus* and *Levant* generally: 'Surely, the facilities of the aliens in this region were uncountable particularly for the memorizers of the Glorious Qur'ān and the learners. These eastern nations were all on that same pattern; hence whoever hopefully aspires for success from among western indigenes should travel to the eastern nations so as to achieve what can sufficiently relieve him on learning, because this eastern world is freely open to the aliens, so enter it peacefully, oh you the industrious fellow!' (Ibn Kathīr, 1408AH-1988CE, 9/258).

Ibn **Khaldūn** also used to state about the *Mamluke* dynasty, that large number of their people usually built schools and endowed on them. Thus, the learners and scholars increased with the multitude of their daily rations there, as well as people migrated from Iraq and Morocco to the region in search for knowledge (Ibn Khaldūn, 1420AH-1999CE, 2/777).

But as for the endowed libraries, tens of different big libraries had been endowed like the endowing of *Dar Al-'Ilm* in Mosul, *Dar Al-'Ilm* in Baghdad, *Dar Al-Ḥikmah* in Cairo and many others (Aṣ-Ṣāliḥ, 187).

The modern examples of those libraries made on the provision of different Islamic endowments are manifested in the building of Students Hostel for the Mawlāyā Ismā'īl University in Morocco and Trade Tower for the welfare of the Islamic University in Bangladesh and the likes (Ṣaḥīfat Ash-Sharq, 1432AH). Among other endowments in Jordan is the endowment of the *Al-Ḥijāwī* College of Engineering in *Yarmūk* University.

Nowadays, the west has realized the importance of the endowment [Waqf] in consolidation and development of the Educational Life. Therefore, there are many western universities that have numerous endowments from which they are being sponsored financially. Likewise, the endowed charitable educational institutions in America are approximately approaching the numbers of both the governmental (public) institutions and those of private schools. In addition to that, the endowed charitable educational citadels outmatch them greatly in terms of quality and efficiency (Qahf, 2000/46).

Surely, educational advancement and scientific development in researches have attained a great Impact in the achievement of the social security, as it effectively works on the consolidation of a particular nation politically, economically and militarily while of those advantages usually reflect on the society in terms of strength and security. Also, they actualize the purposes of Islamic legal law in terms of protection of human intellect which can lead to the progress in all ramifications of human life.

IMPACT OF WAQF IN PROCUREMENT OF HEALTH CARE.

The endowment (*Waqf*) has a special importance in the flourishing and the growth of health care. Thus, the endowment on the health institutions like the hospitals, the health centres, the retarded fellows, those in special needs among poor people and the institutions that cater for them is regarded as a major way of endowments (Ibn 'Ābidīn, 4/454 & Ibn Najīm, 5/213).

Meanwhile, among popular endowments in the Islamic History are *Al-'Aḍudī* Hospital which was built '*Aḍudu Ad-Dawlah Al-Buwayhī* in Baghdad in the year 368 AH and provided great endowments for it. Therein were a great number of medical doctors and large quantities of medications as many villages and hamlets also joined in provision of endowments to the hospital. The hospital remained functioning until the fall of Baghdad on the hands of Tatars in the year 656AH about three hundred years ago (Abū Naṣr, 35). Nowadays, current types of endowments are noted on treatment of some incurable diseases like cancer and kidney. There was a report in the Qatari *As-Sharq* Newspaper that a female Qatari Philanthropist provided endowment of shares into some companies for the interest of women who were affected with uterus cancer (Ṣaḥīfat Ash-Sharq, 1433AH).

Certainly, the improvement of the level of health condition in a particular society determines the positivity of the purposes of Islamic legal law (known as *Maqāṣid Ash-Sharī'ah*) in the preservation of human life and intellect; that is because the spreading of diseases and pestilences usually leads to the weakening of the society and its progeny. That is the reason why the prophetic guidance and counselling were numerous on the necessity of medical remedy and medication.

Even a western scholar had devoted attention to the health institutions and the charitable sector in the United States of America as he used to give out 56% of the services in the health sector (Qahf, 2000/44).

ROLE OF WAQF IN THE ECONOMIC SECURITY

The endowment (*waqf*) is considered as one of the important factors which Islam has legislated for the treatment of economic problems and societal provision. The Islamic endowment is an economic spring that contributes to the satisfaction of the societal needs through the provision for the needs of the poor, facilitation of education, construction of

mosques, schools, scientific institutions, hospitals and other establishments. The endowment is also meant to alleviate on the national budget; as the individual citizens in the nation undertake to contribute certain responsibilities and duties to the extent that there will be no overdependence on the state only (Aṣ-Ṣāliḥ, 212).

Islamic endowment may probably enhance the provision of problem solution to some economic challenges, tackling of many disorders and care to numerous aspects of economic life, like remediation of poverty which constitutes the major economic problem, handling of unemployment through creation of many job opportunities with contribution in the production through endowment on projects and establishments; the returns of which will definitely benefit the destitute and the needy. Such returns will also care for the orphans, widows and retarded. So also, among the means of endowments that facilitate economic growth is the endowment on the major public facilities like endowment on construction of roads, bridges, rest houses on the journey roads and the drinking wells (Aṭ-Ṭarābulusī, 1902/74).

The importance of endowment is continuously growing today in the shade of bad economic situations, feebleness of the national budget and its inability to provide services to the people especially the poor citizens, to the extent that it has stirred the attention for the provision of endowment, enlightenment of people on it and activation of the institutions which take care of the endowed properties.

Endowment is normally a developmental economic activity which involves building up of a productive wealth through exploitation of endowment assets that may lead to magnification of the productive wealth which can make good returns and benefit to the society, its economy, provisions of needs and consolidation (Qaḥf, 2000/67). And for the clarification of the magnitude of the endowment assets, we state hereby that annual report of the Ministry of Jordanian Endowment issued in 1999 CE has alluded to the existence of more than three thousand plots of endowed lands in addition to three hundred and fifty endowed estates (Jordanian Ministry of Endowment, 1999).

EFFECT OF WAQF IN DA'WAH CAUSE TO ALMIGHTY ALLAH

One of the main purposes of endowment on which Muslims elaborated is the endowment for religious purposes (Qaḥf, 2000/39). Thus, the Islamic endowment is one of the basic sources which guarantee necessary resources for the *Da'wah* to Allah. Among the issues to which the endowed properties may be directed in this domain are the following:

1- Mosque building and provision of expenses like water, electricity, wages of employees, workers, cleaners, *imāms*, *mu'adhins*, sermon givers, teachers among others. Muslims have paid good attentions to channelling of endowment to the construction of mosques because of its great importance in Islam. Among such mosques which are famous with enormous endowments are: *Al-Ḥaram Al-Makkī* (Meccan Sacred Sanctuary), Prophet's Mosque, Jerusalem Mosque (Al-Quds), *Al-Azhar* Mosque and the likes among other mosques (Aṣ-Ṣāliḥ, 177).

2- Channelling some of the endowment properties towards the *Da'wah* mission to Allah, sending out the preachers to the world, printing Islamic books in various languages, printing of copies of the Glorious Qur'ān as well as its exegeses into numerous languages and opening of Islamic Centres in the foreign countries. In addition to that, such waqf includes

the endowment on Islamic missionary institutions which are concerned with *Da'wah* to Allah whether inside or outside the Muslim Nations, like buildings for the memorization of the Glorious Qur'ān, the Prophetic traditions and establishment of the media houses inviting to the virtue (good quality) from the broadcasting stations or through newspapers and others.

3- The Islamic endowment with its proceeds on Muslim minorities and the Islamic communities for their devotion on religion, consolidation of issues and imparting knowledge to children.

4- Media Communication is one of the major domains of *waqf* nowadays as it has a great role specifically through internet and astronautics. Communication usually pumps ideas and values. It also instructs generations on various directions, so there is no objection in endowment on news media. Meanwhile, the *Ḥanafī* (Al-Manṣūr, 1419AH-1998CE, 2/578) and *Mālikī* (Ulaysh, 1409AH-1998CE, 8/109) Schools of Thought have ruled for the permissibility of Islamic endowment on supplying of books, printing of the copies of Qur'ān, equipment of libraries, compensation of imāms and payment of sermon givers (preachers). Those means were regarded as information Medias at that time. But nowadays, there are other Medias like televisions, radio, newspapers and internet.

Attention to the religious education and consolidation of religious check in the minds of the natives of society have great impact in the social security because the religious communities are expected to be among the lesser communities in terms of; connection to crime, spreading of killing, stealing, drug addiction and other social evils. Therefore, the endowment on the religious institutions like mosques, Quranic learning circles and Islamic centres usually contribute greatly in the preservation on the social security.

EFFECT OF THE ISLAMIC ENDOWMENT ON THE PROTECTION OF THE CRACKS OF THE *UMMAH* AND THE DEFENCE AGAINST FALLING

The following is part of the ways of Islamic endowment: Endowment on *Jihād* on the cause of Allah is an Islamic endowment, as it is lawful to dedicate the proceeds of *waqf* for the *Jihād* on the cause of Allah, purchase of weapons, assistance to the fighters on Allah's cause, emancipation of captives, equipment of armies and the defence against the cracks of the *Ummah*.

Waqf Provision on *Jihād* with war steed⁴ is a major domain of endowments in the Islamic History, as the war bond was common in the Levant cities, the North African Arabian Peninsula and others. Therefore, the endowers became numerous on this type of Islamic war steed for the purpose of spending on the armies who were positioned there, reinforcing and fortifying them with securing weapons (Aṣ-Ṣāliḥ, 174).

Ibn *Jubayr* has stated that one of the major Islamic endowments in the Levant cities was the specialized endowment for the redemption of the captives especially the North Africans from the hands of Europeans (Ibn *Jubayr*, 208).

So, *Jihād* and strengthening of the *Ummah* militarily render the *Ummah* frightful which no nation can so aspire to attack. Almighty Allah says {***and make ready against them all you***

⁴ They are places and entrenchments built on coastal cities for the purpose of defence in the borders and repulsion against enemies. They are dwelling places of the garrisoned armies and jihadists. From the issue, Almighty Allāh Has stated, "*O you who believe! Endure and be more patient (than your enemy), and guard your territory by Stationing army units permanently at the places from where the enemy can attack you*" [Q3: 200].

can of power, including steeds of war (tanks, planes, missiles, artillery) to threaten the enemy of Allah and your enemy, and others besides whom, you may not know but whom Allah does know. And whatever you shall spend in the Cause of Allah shall be repaid unto you, and you shall not be treated unjustly}. [Sūrat Al-Anfāl Q8: 60]. Therefore, this reflects on the society with benefit and security as well as it leads to the establishment of society, comfort and fortune of the citizens.

EFFECT OF WAQF (ENDOWMENT) IN THE PRESERVATION OF INTERNAL SECURITY

Surely, crime speedily spreads more in the poor entities and among underprivileged classes. It is also prevalent in any setting where unemployment pervades and wherever education is less preferable to ignorance. Therefore, the endowment and fulfilment of the needs of those classes of people will contribute a lot to the procurement of internal security. Verily, the poor set of people who are hungry may easily be subjected to be victims of various evils and numerous social diseases. Therefore, there is no doubt that the Islamic Endowment has a role in alleviation of such social diseases which can turn into peace and harmony onto the Muslim community.

CONCLUSION:

The Arabic term *WAQF* or *Awqāf* which is connotatively interpreted into the meaning of Islamic endowment is a major means of sustenance and preservation of reciprocal social benefits among mankind especially Muslims. This is as a result of benefits shared between the endowers and the recipients of the endowed properties in terms of worldly advantages and divine ceaseless rewards from Almighty Allah before and after death.

As inferred from the Islamic principles of *Maqāsid Ash-Sharī'ah* for the social benefits of humanity, *Waqf* is also technically interpreted to stand as one of the major acts of piety through which a servant can sacrifice his property and wealth to Almighty Allah; because of the benefits it provides to the endowed fellows. It focuses at humanitarian reliefs, discharging of solace against sorrows and provision of solutions to financial needs in a permanent institutional way. Hence, *Waqf* as an actualising means of the purposes of Islamic laws is regarded as one of the contracts of agreement for donation which are very much important in fulfilling some desired necessities in the society.

However, the research output in this article has conclusively highlighted a linguistic contrastive analysis between the original root meaning of the term and what it connotes in the principles of Islamic financial charitable institution. The major aim in the work has ensured that the outcome is attached to the concept of lockup, apprehension, prevention, holding and withholding nature of the endower to the properties given out in terms of ownership while accruing rewards from the Almighty Allah over the wealth endowed to those in needs through the principle of *Waqf* or *Awqāf*.

Thus, Muslim scholars have variously asserted that the term *waqf* is connotatively indicates act of withholding the property to the possession of the endower while giving out its benefit in charity. Likewise, some of them have affirmed that the term implies transfer of the property from the ownership/ possession of the endower while withholding it by virtue of possession of Almighty Allah so that its benefits can reach His needing servants while others

argued that it is an act of giving charity by human being with whatever he so wishes from properties while confining and retaining their benefits in form of a charity, philanthropy and benefaction for the purpose of transforming the original asset into an endowed property which should neither be sold nor donated nor inherited forever inasmuch anything of it is still remains.

According to other views based on its linguistic enumeration and analytical connotation, it is the act of withholding a property that can be beneficiary while retaining its assets by halting its action on any existing permissible bank. It is also defined in the Islamic conceptual principle as donation made by the owner of absolute disposition on his useful property with preservation while halting the compulsory disposition of the endower with the intention of diversion its returns / revenues into philanthropic cause in devotion to Almighty Allah.

Consequently, it is established as a conspicuous research finding that Islamic endowment known as *Waqf* plays a crucial role in achieving educational goals, infrastructural development, economic growth, industrial booming, technological advancement and social security in any normal Muslim setting. Hence, in line with the focus of this article, benefits accrued and achieved from the principle of *Waqf* on social security have been unanimously stated in the research work.

In conclusion, it is hereby suggested that other researchers should work on implementation of the means of *waqf* in actualisation of international social security. Likewise, the facilitating means and methods on the factors ensuring peace, harmony and security may be sponsored by *Waqf* instruments through guided research works.

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