Waqf, Sustainable Development Goals (SDGs) and maqasid al-shariah

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Abstract

Purpose – This paper attempts to contextualise the potential role of waqf (plural: awqaf, Islamic perpetual trust) in the contemporary world, particularly, in the developmental arena. The purpose of this paper is to provide a framework for awqaf to maintain its convergence with some of the fundamental goals of the SDGs which are also congruent with the maqasid al-shariah (the higher objectives of shariah).

Design/methodology/approach – This paper is based on a desk-based research, and it adopts the qualitative research paradigm for the analysis of the available literature.

Findings – This paper finds that most of the 17 developmental goals of the SDGs comfortably match with the long-term objectives of shariah and there is good scope for the stakeholders of awqaf to develop waqf-based development plan in line with the framework of SDGs. Additionally, it finds that the global awqaf enjoy sufficient financial capacity to help muslim majority countries to realise some of the most relevant and urgent maqasid-oriented SDGs in a timely manner.

Research limitations/implications – The scope of this paper is limited to analyse the potential role of global awqaf in realising some of the most urgent maqasid-based development objectives in congruence with SDGs. For the purpose of maintaining the coherence in the focus of the study, this paper does not undertake any comparison between the waqf and other forms of endowments/charities in fulfilling the similar objectives.

Practical implications – This paper provides a framework for maqasid-oriented waqf-based development plan followed by provision of some critical recommendations on how the global awqaf can potentially spearhead the initiative of Islamic charities in realising the maqasid-oriented SDGs among muslim majority countries.

Originality/value – This paper adds original value to the available literature on the potential of waqf in the arena of development. The paper analyses the role of waqf in achieving the most urgent maqasid-based SDGs, and thus, it fills the existing gap of a systematic research on the possible collaboration of global awqaf and SDGs.

Keywords Charity, Poverty, Awqaf, International development, Islamic endowment, Social Institution

1. Introduction

The call for inclusive and sustainable development has intensified since the beginning of the twenty-first century. The existing disparities in the nature of development among the developing, developed and under-developed countries may have their own bearing on how the notion of development is understood in different contexts, however, its fundamental objective remains uniform across the globe. According to Chapra (2008, p. 8), “There seems to be hardly any difference of opinion among all societies around the world that the primary purpose of development is to promote human well-being”. Thus, the concept of human well-being is central to all development agendas, policies and schemes.

Though the path of development is oblique in developing vs developed countries, the cause of inclusive development has ignited the interest of global community equally. What has received the unanimous agreement of all is the fact that inclusive development is imperative to preserve human dignity and freedom (Sen, 1999). Arguably, development is the only tool which can possibly remedy the socio-economic hardships of poor and bring about real growth and well-being. For the socio-economic development of the vulnerable sections of the society, provision of solid social security net is indispensable. The scale and mechanisms of existing social security models may vary across the national boundaries; however, their underlying motives are almost the same. Access to basic necessities along
with the protection against the diverse forms of vulnerabilities to which the disadvantaged strata of the society is exposed to is the most essential target of developmental programs (International Labour Organisation (ILO), 2014). To this end, it is envisaged that the conceptual framework of every developmental scheme should invariably cover the means to achieve human well-being on a priority basis (Allen and Thomas, 2000).

Among the international development programs, the framework of Millennium Development Goals (MDGs) constituted one of the most comprehensive and inclusive models. The MDGs encapsulated eight highly prioritised social goals to be achieved by the international community within the timeframe of last 15 years. The given timeframe of MDGs has already expired at the end of 2015. The MDGs are now improved and replaced with another set of social goals namely; SDGs. Compared to the eight goals of MDGs, the SDGs provide a more comprehensive framework as it consists of 17 major goals (Sachs, 2012). The target of poverty elimination is the top-most agenda of both the MDGs and SDGs (UN, 2015a). Based on the experience of MDGs, it has been emphasised that for achieving SDGs not only the active participation of governments but also the civil society is of utmost importance. For this purpose, coordination among the public, private and third sector is essential.

Arguably, the success of SDGs is as much dependent on the contribution of the philanthropic sector as it is on the active involvement of private and public sectors. That the role of philanthropic sector is indispensable in materialising sustainable development has been repeatedly stressed upon (UNSDSN, 2012, p. 6). Keeping in view the noted emphasis on the potential role of philanthropic sector in achieving sustainable development, the significance of waqf (Islamic endowment), which is the backbone of the third sector of an ideal Islamic economy, cannot be overemphasised particularly in the context of Muslim majority countries.

Remarkably, waqf is a shariah-based voluntary institution, which is envisaged to function in line with the maqasid al-shariah (the higher objectives of shariah). In this context, it is critical to underline that since the framework of SDGs has many commonalities with the maqasid-based development agenda (Khan, 2015), the institution of waqf can play an intermediary role in actualising mutual targets of both the SDGs and the maqasid al-shariah.

Thus, in achieving the SDGs particularly in muslim majority countries, the role of global waqf, which is estimated to be worth $1 trillion, is definitely very significant (Securities Commission Malaysia (SCM), 2015). In fact, a survey of available literature on waqf would reveal that long before the inception of the MDGs/SDGs framework; waqf already has had a history of targeting these very social goals in Muslim societies, though in an unorganised way (McChesney, 1991).

This paper examines the underlying significance, capacity and flexibility of waqf to accommodate the modern frameworks of development. The paper attempts to contextualise the applicability and practicality of waqf in line with the maqasid al-shariah as well as in congruence of SDGs.

2. SDGs, Maqasid al-Shariah and Waqf
The central purpose of shariah can be summarised as facilitation of ease and removal of hardship for human being. All that may affect adversely either the sustenance or dignified survival of human are to be countered in the maqasid-based action plan. To this end, the approach and framework of SDGs is closely compatible with the underlying ethos of maqasid al-shariah. Combating the various forms of deprivations; be it of subsistence, healthy life, good education, social status, equality and opportunity to grow are some of the shared features of SDGs and maqasid al-shariah. Similarly, maintaining the sustainability of resources by conservation of sea, ocean, climate, ecosystem, water and energy coupled with the promotion of economic growth, industrialisation, safety of cities, cooperation among all and sustainable consumption patterns include among the aims of both maqasid and SDGs (Al-Ahsan, 2015).
The focal point of maqasid as well as SDGs is sustainable and inclusive development. Lack of inclusive development entails deprivation of basic necessities for its victims, which in turn jeopardises human dignity; the preservation of which is central to the maqasid al-shariah (Amin et al., 2015). In this context, the maqasid al-shariah paradigm necessitates the modern waqf to evolve into an inclusive institution which encompasses the issue of preserving human dignity as one of its primary objectives. In other words, the integrated approach of maqasid requires the evolution of waqf in the globalised context to comprehensively deal with the issue of deprivation versus dignity as one of its priorities.

Similar to the framework of SDGs, among the muslim majority countries, a new framework of waqf-based development scheme can be drawn in line with the maqasid al-shariah (the higher objectives of shariah) approach. As per the maqasid approach, the primary objectives of all developmental schemes should include enabling the human community to attain a bare minimum of essentialities of life which is necessary for the dignified survival of all (Kamali, 2008; Ibn Ashur, 2006a, b). An explicit indication for this notion can be easily derived by referring to the three levels of maqasid-based public interests (masaleh) namely; necessities (daruriyat), needs (hajiyat) and luxuries (tahsiniyat). The maqasid framework demands the implementation of the given three levels of public interests in ascending order to ensure the preservation of human life (hifz al-nafs) and dignity (hifz al-ird) which is key to the higher objectives of shariah (Auda, 2008; Ibn Ashur, 2006a, b).

For maintaining coherence with this approach, the paradigm of modern awqaf needs to be tweaked in alignment to the maqasid. For this purpose, the direction of global awqaf should be steered towards securing human life and dignity by allocating benefits for provision of food, clothing and shelter for all on priority basis. To this end, the framework of SDGs can be crucial to the stakeholders of awqaf for the purpose of adaptation of awqaf-based development schemes.

The inclusiveness of SDGs’ framework creates a common ground between SDGs and the maqasid al-shariah. Perhaps, the infusion of the maqasid approach within the framework of waqf-based development can automatically create a point of conjunction between waqf and SDGs (Khan, 2015). Since securing the basic needs for all is the overriding objective of the maqasid-based development programme, the global awqaf need to accord preference to this aspect at least in the vicinities where they exist. To achieve the long-term maqasid-oriented goals, different awqaf need to incorporate these goals in their agenda with specified periodical time-frames.

The framework of SDGs offers possibilities for the stakeholders of waqf institution to prove the relevance of waqf to the international community by contextualising the orientation and approach of waqf to fulfil the modern requisites of development. This could be materialised by adopting a convergent approach of waqf-based development with the SDGs to the extent the integrated maqasid approach allows it to do. A convergent path with SDGs may provide a new landscape for awqaf managements in different jurisdictions to collaborate with other international institutions working for similar developmental objectives.

In this regard, the Islamic Development Bank (IDB) has already taken an initiative to emphasise on the potential role of awqaf for the accomplishment of maqasid-based SDGs-like developmental goals, particularly among the IDB member countries. According to its stated waqf-based development agenda, IDB aims to target poverty alleviation, reduction in income gaps, promotion of health care and education as its main objectives (IDB, 2014). In line with the commitment of IDB, there is sufficient scope for different national and international stakeholders of awqaf to incorporate similar development goals into the list of their primary objectives. For this purpose, there are possibilities of constituting a representative body of international awqaf including public, private and corporate stakeholders of the institution, which can agree to target similar developmental goals through awqaf in their respective countries and regions. In addition to this, an agreement among the different awqaf can be
reached to explore the possibilities of developing their own framework of development which is fashioned with the spirit of *maqasid al-shariah*. The following sections of this paper attempt to unfold the inherent pragmatic approach of *awqaf*, and how this feature can be used to develop a global framework of development through the institution.

3. *Awqaf* and development agenda
The nature of *waqf* is inextricably associated with development. In historical terms, poverty alleviation constituted one of the primary targets of *awqaf*. In addition to this, health care, education and infrastructure development are included in the list of major recipients of *awqaf*-benefits. The trend of targeting poverty elimination and socio-economic inclusion through *waqf* was set by the very first philanthropic *waqf* of Islamic history which was made by the caliph Omar[1] (R.A) in the sixth year of hijrah[2]. His deed contained benefit allocation for the poor and other needy individuals in the society (Khassaf, 1904; Kahf, 2003).

The modern relevance of *awqaf* is dependent on its contextualised approach and strategic application. Theoretically, due to being a perpetual form of philanthropic institution, the conceptual framework of *waqf* is undisputedly relevant across various societies and jurisdictions. However, whether the practicalities as well as the functionalities of *waqf* conform to the essentials of the modern socio-economic needs is the only parameter to weigh the contemporary relevance of *waqf*. In principle, there is, perhaps, a near uniformity in the fundamental socio-economic needs of societies. Nonetheless, the social priorities may differ across the nations and jurisdictions. Ideally, poverty alleviation, education, health care and infrastructure development are the intensively focussed areas of public as well as philanthropic spending in a given society (Sadeq, 2002). Hence, the modern relevance of *waqf* would be confirmed if the institution of *waqf* is responsive to these developmental needs on an urgent basis.

Literature is replete with the evidences that there has been strong connection between *waqf* and development. The role of *waqf* has been instrumental in developing societies in the past, and potentially it can be a catalyst in resolving the menace of under-development in the contemporary times (Singer, 2008; Yalawae and Tahir, 2008; Sadeq, 2002; Cizakca, 1998). However, in the available literature on *waqf* what is missing is the proper framework of development within the global context. There is no dearth of literature on what *waqf* has achieved in the past and what it can do in the future. Nonetheless, the most important question of “how” it would repeat its historical role in the current scenario remains the most neglected aspect of modern *waqf* studies. Arguably, on practical side of it, it is not only the potentiality of *waqf* which needs special discussion, but how this potentiality can be materialised requires a fresh re-examination.

As asserted earlier, the institution of *waqf* has a proven track record of social welfare and development, and it is best suited to patronise the causes that can be served through philanthropy (Hasan, 2015; Lev, 2005). *Waqf* combines and displays all what is required in an ideal philanthropic institution. It has a glorious history, flexible framework, pro-development agenda, financial capacity, pragmatism in approach, sustainability mechanism, value-based paradigm, inclusive character and comprehensive programme (Shirazi, 2014). However, despite possessing such a magnificent historical record of serving a long list of socio-economic needs, what blocks the way of modern *awqaf* to repeat its celebrated history remains an unanswered question. Arguably, the contemporary *awqaf* do not lack financial capacity to entertain the modern developmental needs of the community, but the gap lies in the approach and effective utilisation of its resources (Abdullah, 2015). According to available data, the *awqaf* of many Muslim and non-Muslim countries such as Indonesia and India are quite sufficient to fill the existing gap in the public budget targeted towards the welfare of the Muslim communities in these countries (ISFR, 2014). However, partially due to lack of a proper...
framework of waqf-based development, and also for the dearth of a clear roadmap and strategic planning, the enormous developmental potentials of awqaf remain unrealised not only in these two countries but also in the global arena (Shirazi, 2014).

The financial capacity of global awqaf stretches far beyond the edge which is required to meet the developmental needs of the Muslim community as a whole. For example, according to the official estimation, the cumulative amount of aid money required to fund the MDGs in the developing world was between $135 and $195 billion per year during 2005-2015 (Hasan, 2006), and a big proportion of this amount can be easily procured by global awqaf itself. As a matter of statistical projection, the worth of total awqaf worldwide is roughly estimated to be more than $1 trillion (SCM, 2015). On average, if 10 per cent rate of return is generated by the global awqaf sector annually, the total revenue would surpass the $100 billion mark, which falls between 51 and 74 per cent of the total required funds to cover the MDGs in all the developing countries[3]. From a different angle, if not for all developing countries, at least this proportion of awqaf revenues is sufficient to achieve the development goals in all Muslim majority countries.

The relevance of awqaf has been further streamlined by the shift in approach of the SDGs compared to the MDGs with reference to aid provision. During the fifteen years in which the MDGs were functional, aid funds were supplied by the developed countries to the developing world. However for SDGs the plan is to curtail this one-way diffusion of aid funds and to create a balancing paradigm of funding (Sachs, 2012). In simple terms, for the accomplishment of the SDGs there are serious constraints in the flow of funds through foreign aid. The ramifications of this change of paradigm may include impediments for the continuity of many developmental schemes in developing nations due to the shortage of funding. For Muslim majority countries, this problem can be remedied by re-orienting the approach of global awqaf towards their role for funding development schemes, and by ensuring that the global awqaf are effectively and strategically utilised.

For the purpose of waqf-based development, chalking out a standardised framework of waqf-based development programmes among the Muslim majority countries is imperative for maintaining their pace with SDGs and also to accelerate the process of development within them. In fact, the future direction of development in Muslim countries is more or less dependent on the vitality of waqf and its approach towards development. The agenda for waqf-based development needs to be prepared by mutual agreement of different institutions within and beyond the Muslim countries. A framework of development through waqf with prioritised social goals could accommodate the SDGs within its fold, along with translating the objectives of waqf into practice.

Planned and prioritised waqf-goals would reinforce the confidence of the global community in this institution. For example, similar to the pattern of SDGs, a moral (rather than legal) agreement can be reached among the OIC member countries to target the prioritised waqf-goals within the time period of ten years. Additionally, these goals can be formulated to fill the existing loopholes in the list of SDGs. For instance, the SDGs do not incorporate the religious, moral and spiritual dimensions of development in the list of its goals. This gap can be deftly filled by waqf-based development agenda.

To this end, first and foremost, it is imperative for the different stakeholders of awqaf to plan for the revival of dormant awqaf in their respective jurisdictions. Since a huge portion of global awqaf are lying passive or dormant, in the first phase of drawing up a roadmap for the implementation of a successful waqf-based development policy, it is critical to pour in efforts and resources to rejuvenate them. Thus, prior to setting the waqf-based goals in sync with the maqasid al-shariah and the SDGs, preparation and propagation of a global waqf awareness agenda might be an ideal platform to start with. In this campaign, the IDB and its subsidiary awqaf Properties Investment Fund along with similar international players can lead the initiatives.
The agenda of waqf development as well as of waqf-based development may consist of various sub-set of goals, but primarily divided into the following two themes:

(1) Waqf development goals: these may include a list of generic goals with concrete strategies on the development of dormant and unproductive awqaf. An initiative to this end should ideally gear up the key awqaf stakeholders of different jurisdictions towards a common agenda of devising integrated goals for awqaf development within a fixed timeframe. In this phase, the legal, regulatory, jurisprudential, financial and institutional roadblocks towards the development of awqaf should be assessed as per the available data from different jurisdictions and a composite roadmap be schematised to overcome these hurdles.

(2) Waqf-based development goals: the aim of these goals include achieving various developmental targets through the deployment of awqaf resources. A model of these goals need to be prepared in line with the SDGs. In designing the waqf-based development goals, there might be a plethora of challenges. For instance, most of the existing awqaf might have their own defined objectives which do not necessarily match with the given list of SDGs. Nevertheless, there is still plenty of scope for converging the path of awqaf-based development plan with the SDGs. This can be possible by identifying the existing awqaf which contain a few or even one of its objectives amenable to the SDGs and to the preservation of human dignity. Additionally, the awqaf with loosely defined objectives such as “for charitable causes” can be well directed to serve the purpose of preserving human dignity in various forms. Similarly, there are examples of many awqaf which either do not have their defined objectives or the objectives for which they were created has become obsolete. In such cases, the underlying revenues and resources of these awqaf can be definitely employed for the purpose of alleviating the most immediate forms of human suffering.

In addition, with a view to incorporate the spirit of the maqasid in waqf-based development, there may be propositions to steer the partial benefits of those awqaf which may have implicit indication of serving the charitable causes in general, towards the given objectives of preserving the human dignity. For instance, a waqf deed, which holds the objective of serving the community in general terms can be utilised for the purpose of alleviating the deprivation and suffering of people. Over and above, from the prism of the maqasid, there is a greater need to emphasise the creation of new awqaf with the aims which can provide for the immediate needs of different sections of the vulnerable groups such as widows, divorced, orphans, women, elderly, children and poor, and compliment the achievement of inclusive development.

The above-mentioned two primary themes of waqf-goals have further ancillary sub-themes which can be illustrated and elaborated in the following Figure 1 (see the attached).

The first category of the primary theme is targeted to the strategies to develop the inactive or non-performing awqaf. The list of the goals as prescribed in the sub-theme of this category touches some of the most crucial aspects which require urgent treatment for the development of awqaf in different jurisdictions. The list of goals for awqaf development contains qualitative goals, quantitative goals, financial goals, and institutional goals. The qualitative goals for waqf development include initiation of a grass root level awareness programme on the shariah merit of protecting the existing awqaf while creating new ones. In addition, a greater emphasis is to be laid on human capital development for effective management of awqaf, along with contextualisation of shariah rulings for bringing efficiency in the administration of the institution. Drafting the proper roadmap for legal recourse against the encroached upon awqaf properties also includes among the central qualitative goals of waqf development. Compared to the given qualitative goals, the quantitative goals for waqf development involve preparing the data of the existing global
awqaf, their total valuation, the estimation of the required amount financing for their development, the evaluation of the potential impact of awqaf in development of Muslim majority countries followed by the estimation of the total lost opportunity due to under-development of awqaf for decades. In contrast, the financial goals of awqaf would cover the process of identifying the financial avenues for waqf development including the prospects of inter-awqaf financing arrangement, scope for temporary waqf through the mechanism of qard hasan and the application of hikr mechanism for better performance of the institution. Finally, the institutional goals of waqf development comprise the exploration of avenues, means and mechanism for collaboration among the different institutional stakeholders of awqaf, scope of merging the small awqaf with larger ones and waqf properties’ swap policies in specific regions.

The different sub-themes of the first category of primary theme i.e. waqf development goals is further elucidated in the following Figure 2 (see the attached).

The process of re-orienting awqaf may take a fresh start with the efforts of collaboration among the different stakeholders of the institution. Some leading waqf institutions can convene roundtables to discuss and frame the roadmap for the development of awqaf as well as waqf-based development goals. All stakeholders including corporate bodies, institutional mutawallis, governmental bodies and individual mutawallis should be involved in the consultative process. This corroboration among the stakeholders implies a wider scope of coordination on strategic planning and knowledge exchange amongst them. The task of prioritising social goals to be targeted by awqaf globally can be assigned to the specially commissioned research and analysis committee, which should constitute both national and international waqf-stakeholders. The prioritised goals related to both waqf development as well as waqf-based development can be divided into two sets, one focussing on independently prioritised goals for each waqf, while the other containing the common goals applicable for all awqaf worldwide. This mechanism is further explained in the following Figure 3.
According to the proposition as explicated in the above figure, a moral rather than legal agreement can be concluded among the various key stakeholders of awqaf from different jurisdictions to incorporate the theme of maqasid-based waqf development programme. The parties to this moral commitment may include representatives from government bodies, central waqf boards, Ministry of awqaf, institutional mutawalli (trustee), corporate mutawalli as well as individuals mutawallis of large awqaf size. Some of the immediate benefits of this moral commitment among the stakeholders of awqaf from different countries can arise in the form of achieving coordination in knowledge exchange and strategic planning. The goals to be achieved through this moral commitment are to be divided into four phases. These include immediate, intermediate, short term and long-term goals which may be common among all stakeholders with their fixed timeframe of one, three, five and ten years, respectively. Apart from these common goals, there would be certainly some independently prioritised goals for individual awqaf and jurisdictions. However, to actualise an active participation of various stakeholders in the process of materialising the common goals in the
determined timeframe, the mechanism of periodic assessment and need analysis can be installed by the leaders of the initiative. Perhaps convening periodic roundtables for this purpose may be conducive to assess the pace and pattern of various jurisdictions towards meeting the commonly agreed goals.

4. Waqf-based development goals: Maqasid approach

Development refers to a multidimensional phenomenon of acquiring welfare and well-being (Suhaimi et al., 2014). Enabling the members of a society to participate in the progressive march towards human advancement and improved standards of living is the primary objective of development. Conceptually, development has no upper limit, but possibly can be measured in terms of its bare minimum requisites. Also, the phenomenon of development cannot be restricted to one aspect of human life with the exception of another. Development can be classified into micro and macro terms. Individuals’ physical, mental, educational and socio-economic development can be the examples of micro aspect. In comparison, development of infrastructure, technology, environment and the overall system of governance may constitute the macro aspect of it. An equal treatment of both aspects begets consistency and sustainability in the pace of development and leads to inclusive growth. In other words, the premises of sustainable development lie in addressing both micro and macro aspects of development equally. Maintaining sustainability of development is vital for a conducive present and a secure future (Kates et al., 2005).

Development is both a process of and an ultimate tool to achieving freedom (Sen, 1999). Freedom from shackles of physical as well as socio-economic slavery is one of the central objectives of shariah-based framework of development (Kasri and Ahmed, 2015). Development induces efficiency and prompts effective utilisation of resources (Ali and Hasan, 2014). Both efficiency and effectiveness can be treated within the framework of ihsan (best practices), which is an ancillary but very comprehensive branch of higher objectives of shariah (Auda, 2007). Effective development is conceivable only if it is of an inclusive nature. Thus, the inclusiveness of the SDGs’ framework creates a common ground between SDGs and the maqasid (Khan, 2015).

The compact set of the higher objectives of shariah provides an ideal framework for prioritising waqf-based development goals. Under the higher objectives of shariah, security, sanctity and development of human receives precedence over other developmental goals.
Furthermore, along with the material aspects, the Islamic vision of development incorporates the moral and spiritual dimensions into its framework as well (Kahf, 2002; Sadeg, 2002; Ahmad, 1994). Thus, for aligning waqf with the maqasid paradigm, its framework of development must assign greater importance on fulfilling the material, non-material and spiritual needs of humanity as a matter of precedence.

In terms of material development, the maqasid approach envisages the provision of basic necessities to all human as the primary concern (Ibn Ashur, 2006a, b; Kamali, 2012). Thus, every Islamic society must ensure that the bare minimum of “[…] material well-being and security” for every individual is provided for “[…] without which there can be no human dignity” (Ibn Ashur, 2006a, b, p. 449). And, since the principal factor which deprives a person of basic necessities is poverty, the central focus of the maqasid-oriented development policy is on the elimination of poverty in all its forms and subtleties. For countering poverty, financial inclusion of the poor is vital. However, according to some studies, almost 72 per cent of the people residing in Muslim countries lack access to formal financial services (Ahmad et al., 2015). By underlining poverty elimination as its primary goal, a conceptual integration can be achieved among the maqasid, SDGs and waqf-based development goals.

On the practical side, along with other schemes to tackle the problem of poverty, waqf can also be vital in the financial inclusion of unbanked population (Hasnol et al., 2015). For instance, special awqaf can be created with the stipulation that their proceeds be utilised for opening bank accounts for the region-specific poorest beneficiaries and the periodic waqf revenues be allocated directly to their accounts for a specific period.

Not only the micro schemes of poverty alleviation, but also the preservation of human dignity is essential within the framework of the maqasid (Al-Qardawi, 1985). Waqf is an ideal institution both conceptually and practically to translate this vision of maqasid into reality by extending an informal social security net for the resource-deprived strata of society (Hasan, 2006). Maqasid demands customisation of policies to entertain the nature of flux in human needs. The institution of waqf is the best fit to accommodate this demand, as its flexibility makes it responsive to the changing equations of societal needs. What is vital for waqf is not how it is structured, but how its goals are defined, construed and implemented in the spirit of maqasid.

The phases of developmental priorities formulation within the framework of maqasid should be determined in view of the maqasid hierarchy. This hierarchy establishes that the fundamental needs of every single human must be provided on an urgent basis (Kamali, 2016). In a pyramidal sketch of the developmental programme, maqasid-based schemes should follow the bottom-up approach; covering the necessities to needs and luxuries aspects. Waqf, which combines the spirit of both a charity (sadaqah) and a social financing tool, needs to adopt this approach to deliver its contribution in a way which was envisioned in the early days of Islam in the form of maqasid hierarchy. This is explainable in the following Figure 4.

In view of this maqasid-based necessities versus luxuries hierarchy, the objective of awqaf cannot be fulfilled without including the elimination of extreme poverty as its prime objective, particularly in the areas which host the most resourceful awqaf. Nearly one decade ago, it was claimed that “[…] more than eight million people around the world die each year because they are too poor to stay alive” (Sachs, 2005, p. 1). There is no reason to believe that this phenomenon has ceased to exist as of now. In this scenario, from the maqasid hierarchy perspective, awqaf cannot afford to shift their focus from saving lives to the decorative and luxurious projects. For instance, a region where people are starving to death due to lack of food and other basic amenities, allocating awqaf funds for construction of a park or community hall etc. in such areas would become unjustifiable in view of the given hierarchy of the maqasid. Similarly, pouring in awqaf-based massive investment funds for the construction of decorated religious places cannot conform the maqasid
hierarchy in an area where a large proportion of the population is deprived of elementary education. The required coherence and harmony between awqaf-based funding and maqasid hierarchy can only be achieved if awqaf-benefits are allocated in commensurate proportion to the existing requirements of necessities, needs and luxuries.

By adopting the framework of maqasid hierarchy, a self-regulatory paradigm can be established for global awqaf. Whether to allocate the waqf-based benefits for infrastructure development or to a micro-financing scheme in a given area is determinable only by applying the maqasid hierarchy assessment. As a golden rule, a luxury must be shunned even in the matters of deen (religion) if the necessities of life are not met due to scarcity of resources (Ibn Ashur, 2006a, b).

Perhaps, prioritising investment in avenues which directly affect human well-being, be it spiritual or material, is more agreeable for awqaf-based financing than those which bring indirect benefits. For instance, allocation of funds for spiritual development, financial inclusion, basic health care and elementary education is more fulfilling for awqaf objectives as compared to other objectives of lesser importance as explained above. Also, this approach is seemingly more suited to break the shackles of extreme poverty. At a later stage, graduating from the necessities to the needs scale, investment in infrastructure and human capital through awqaf is recommendable for enhancing the overall productivity of the impoverished.

In this discussion of maqasid-based awqaf practices, it is worth underlining that creating a waqf is a voluntary practice in a normal situation; however, at times it may become a social obligation to endow properties as waqf. For instance, if guaranteeing the bare minimum of life essentials to the poor and disadvantaged is not possible except via waqf or a similar charitable institution, it will become a socially obligatory duty to create such institutions. In addition, since the provision of basic necessities to the poor and destitute is fard kifayah (a socially obligatory duty), the resources of waqf cannot be allocated for nafl (non-obligatory) purposes if the requirement of fard kifayah is not fully met (Siddiqui, 1988). In a nutshell, preserving the human life with dignity is the central objective of shariah which cannot be overlooked for the sake of luxuries or growth (Mannan, 1988). For this purpose, the direction of awqaf revenues needs to be steered towards securing human life through allocating benefits for provision of food, clothing and shelter for all as a matter of immediate effect (this is particularly relevant in the current times with a global refugee crisis). In fact, the urgency of this approach for awqaf sharpens in cases where there is no social security scheme run by the state for the impoverished. Finally, as Sachs notes: “Eliminating
poverty at the global scale is a global responsibility that will have global benefits” (Sachs, 2005, p. 327), *awqaf* must become an active player in this global fight against extreme poverty. Perhaps, by incorporating the motto of “Poverty Elimination” *awqaf* can better serve the objectives of shariah while also ensuring the achievement of the SDGs, especially in Muslim countries. Ultimately, the focus on this motto can further help the institution to reinforce its modern relevance.

5. Conclusion
Waqf, in the past, has successfully catered to the needs of the community in general and to the weaker sections of society in particular. In the modern day economy, the potentials of *awqaf* are not any less than what it was in the past by any means. Currently, *awqaf* can be instrumental in empowering communities. To this end, the global *awqaf* may voluntarily collaborate and coordinate with the United Nations’ SDGs. The international community aims to achieve the SDGs in a gradual but consistent manner. In this mission, the potential contribution of waqf can be remarkably significant. In fact, given the paramount significance of this developmental mission, various new and old, small and big *awqaf* may adopt these goals and can endeavour to address the prioritised social aims both on micro and macro levels.

Interestingly, most of the SDGs are not only consistent with the religious underpinnings of waqf but also correspond to the higher objectives of shariah to a certain extent. Waqf is critical in funding development and social welfare schemes. The relevance of waqf in provision of welfare schemes can be further reinforced by underlining the shrinking welfare budgets in many countries. Waqf can assume a leading role to fill this gap. Additionally, in the case of MDGs, the developed countries were voluntarily liable to pump-in the yearly developmental aid to developing countries. However, this provision of aid is now reduced for the SDGs, and hence the ongoing developmental programs may experience a major resource deficit to continue their progress. Waqf in this context becomes extremely vital for muslim majority countries to undo any negative effects caused by such resource-deficits. On a broader level, the waqf-based developmental programs can be implemented across the muslim nations by entering into a voluntary moral agreement with the representative bodies of individual and institutional *awqaf* of different countries. The benefits of such collaboration can be many including sharing of knowledge and experience, and ushering in strategic partnerships among different *awqaf*. Additionally, through this mechanism, an inter-*awqaf* borrowing system can also be developed within the limitations of jurisdiction-specific rules and norms. Moreover, the periodical assessment of how different *awqaf* are performing towards the common goals can be helpful in divulging the factors of their strength and weaknesses. As a result, this whole process can incentivise the *awqaf* stakeholders to maintain efficiency and effectiveness of the institution. In addition, coherence of waqf with *hifz al-ird* and other *maqasid* is instrumental, hence, *fiqh* of waqf must evolve to cover the global interest in achieving inclusive development and alleviating deprivation.

Finally, the experience of MDGs can be a catalyst for *awqaf*-based development policies. During the last 15 years, MDGs successfully set the precedence on how to create collaboration among different stakeholders of the civil society and how to implement the developmental agenda internationally. Learning from MDGs, the waqf-based development goals should be defined in a clear, concise and attainable manner. The periodical measurability of these goals can be a determining factor of success for them.

To sum up, the conceptual relevance of *awqaf* has been intact throughout the centuries till today. However, whether the practical relevance of *awqaf* is also maintained in the current scenario can be determined only if the institution responds to the newly emerged developmental needs and challenges of the world community.
Notes
1. The companion of Prophet Muhammad.
2. The year of Prophet Muhammad’s migration from Mecca to Medina corresponding to 622 CE.
3. It is noteworthy that _waqf_ properties in some countries have potential to generate more than 10 per cent return yearly. For instance, some _awqaf_ in India have the potential to produce almost 20 per cent per annum (Obaidullah, 2015).

References


**Further reading**


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