

WAQF AND ITS CONTRIBUTION IN EDUCATION IN HISTORICAL PERSPECTIVE

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In classical Islamic education endowments have a close relationship with *waqf* institutions. *Waqf* institutions were financial resources for the activities of Islamic education that Islamic education could evolve rapidly. The existence of the Islamic *waqf* institution was caused by the Islamic economic system, which assumes that the economy was closely linked to the Muslims faith. Beside that, a balance between the economy and the welfare of Muslime people so that economic activities represented of worship and *waqf* became a way to closer to Allah and the common good. Therefore, when the Islamic economic progress, Muslims did not hesitate to spend money for the sake of religion and the welfare of Muslims. Driven by the teachings of Islam that respects the function of education for the advancement of religion and state, they feel compelled to spend their wealth for the implementation of education, and ultimately developing advanced Islamic education.

Because of loving knowledge, raises the need to develop education by establishing institutions to teach and develop the science. With spearheaded by the Islamic rulers who love science, such as Harun al-Rashid and al-Ma'mun, stand up educational institutions for scientific activities, such as translation activities established by Harun al-Rashid, who at the time of al-Ma ' But the operation is perfect that resulted in the establishment Bait al-Hikmah. In further developments, the need to establish educational institutions create ideas about the need for charitable organizations that will be a source of financial institutions.

Endowments role in supporting the implementation of education. With endowments, Muslims get the ease of study. Because of endowments, Islamic education was not too demanding a lot of cost for students so that they are either

poor or rich have the opportunity to learned equally. Therefore, students and teachers were encouraged to perform a scientific journey.

The History of Developing Education through *Waqf*

Endowments is one form of charity is known in Islam. *Waqf* is a practice that is recommended as a way to closer to Allah. Endowments done by setting aside some property for the good and welfare. According to Abid Mohammed Abdullah Al-Kabisi, there are two opinions about the application of endowments among Muslims. The first opinion, which refers to the opinion of Ansar tribe, the Prophet has done charity in the form of a piece of land. thus, *waqf* was first held by the Prophet. The second opinion, which is sourced from Muhajirin, stating that the new charity and *waqf* first enacted in the Umar bin Khattab. Regardless of whether the Islamic *waqf* was first introduced by the Prophet Muhammad or Umar bin Khattab, Philip K. Hitti in his History of the Arabs, revealed that Umar bin Khattab administered pious foundations (*waqf*) and the estates of orphans and imbeciles¹.

During the Companions, endowments widespread and being habits that they found *waqf* solely for the sake Allah, in obedience of Him and of His apostle. Among them, endowments were founded also for the benefit of the family, for the people poor, wayfarer, for those in search of knowledge, and to other public interests. The chief motives for establishing a *waqf* was *qurba*, drawing near to God, the disire to perform good works and to leave a legacy of such good works pleasing in the eyes of God who would not fail to reward the giver.

During the Umayyad and Abbasid dynasties, *waqf* has expanded and trigger Muslims give their property as *waqf* so that the range of endowments that were not only limited to the distribution to the poor, but has penetrated the establishment facilities of worship, places of refuge, libraries, and educational facilities.

¹ Philip. K Hitti., *History of the Arab*, (London: Macmillan Press Ltd., 1974), 225

According to Syalabi, the Caliph al-Ma'mun was the one who first put forward opinions about the establishment of the agency endowments. He argues that the continuity of scientific activity is not dependent on state subsidies and philanthropic rulers, but also requires public awareness to jointly bear the implementation costs of education. Caliph al-Ma'mun initiative was later extended to his successor and the princes of the country so it is seen as a necessity in establishing a scientific and cultural institutions funded by the permanent endowments.

Waqf is not only known in Baghdad but also in other Islamic regions. Under Fatimid in Egypt, Ibn Killis according to Hitti was the first outstanding patron of learning.² He established an academy and spent on it a thousand dinnars per month. Like other caliphs in Baghdad and Cordova, Al-Azīz made al-Azhar Mosque an academy. Caliph Al-Hakim in 1005 found *Dār al-hikmah* (hall of wisdom or of science). He instituted a fund whose income of 257 dinars was to be spent for copying manuscripts, repairing books, and general maintenance.

In Cordova, Nūami (d.927/1521), the author of *Dāris*, a history of institutions of learning in Damascus, cites a *kuttab al-sabīl*, founded by Prince Fakhr al-Dīn b. Qazal (d.629/1231-2), a school of this category, the word *al-sabīl*, meant that the school was an institution based on the charitable trust, with the staff and students as beneficiaries of its endowment income.³

in Khurasan, Transoxania, and Afghanistan, madrasas were also endowed with permanent sources of income, such as land, or rent-bearing urban property, set aside in perpetuity. These *waqf* paid the salaries of the faculty and stipends for students.⁴

² Philip. K Hitti., *History of the Arab*, (London: Macmillan Press Ltd., 1974), 627-628

³ George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 48

⁴ Ira M Lapidus, *A History of Islamic Societies*, (Cambridge: Cambridge University Press, 1991), 165

According to Lapidus, like in Khurasan The Mongol regime or Ilkhan in Iran,⁵ there were urban elites, like ulama, whose prestige was based upon Islamic learning, whose social power was built on ownership of urban quarters, gardens, and village land and control *waqf*. In the Ottoman Empire, *waqf* revenues was managed by the principal leaders of the religious establishment. And in the eighteenth century, the tax farms assigned for their personal upkeep and the maintenance of religious function for their schools and fraternities.

Muhammad Ali when rules in Egypt, agreed to consult the ulama in political matters, and allowed them to grow wealthy by acquiring tax farms and by converting endowed funds to personal uses. After Muhammad Ali has consolidated power, however, he subordinated the tax farms and *waqf* and made them dependent upon the ruler for their income. In Mughal era, *waqf* were donated to provide income for shrines, tombs, and schools. The ulama issued the daily allowances for religious person and made payments out of the funds of charitable endowments.

Waqf institution was known throughout the Islamic regions and managed for the benefit of Islamic education. Thus, education can continue with revenues of *waqf*. In fact, in the classical Islamic education reached its golden because of the support *waqf* in the system of Islamic education.

The Assets of *Waqf* and Its Utilization in Education

The property intended for the *waqf* had to be tangible and immobile. There were certain exception, especially books. The property had to be clearly declared *waqf* by the owner, The declaration of *waqf*, in order to be valid, had to be irrevocable, unconditional, and permanent. Deeds of the *waqf* were kept by the qadi

⁵ Ibid 278

Ibn Taimiya (d. 728/1328), as quoted by,⁶ in one of his collection of legal opinions, gives a list of *waqf* object: colleges (madrasah), mosque-colleges (masjid), monasteries (khawanik), alms (sadaqa), release of prisoners of war from the prisons of unbelievers. This is not a complete list; there were other object, notably bridges.

Furthermore, endowments treasures can be agricultural land, lodging houses, shops, gardens, mortar-mortar, dyers-dyer, bakery factories, business offices, markets, taverns, convenience shop haircuts, bathing places and so on.

The legal justification of a *waqf* was its charitable object, which constituted the basis of its validity. the fact that property was dedicated as *waqf* for the advancement of education, which in classical Islam was synonymous with the advancement of religion, was proof enough that its purpose was charitable, whatever else the founder may have had in mind.

Although aid is given for the benefit of educational institutions, the management of *waqf* objects are not directly addressed by the relevant agencies, but formally administered by people appointed to take care of. Endowments treasures are usually submitted in writing in the form of the document is accompanied by a witness. The document specifies the provisions to manage the *waqf* property and for what the money *waqf* or *waqf* objects utilized. In addition, the document also explains who will oversee or manage the *waqf* property.

The general rule regarding the proceeds of *waqf* properties was that they be disbursed as stipulated by the founder in the founder in the *waqf* instrument. However, according to Ibn Taimiyah, this stipulation could be contravened for the public good, which could change with the changing of the times (Makdisi, 1981:58)

Because of the fluctuation in the income of *waqf* estates, questions arose about the method which should be followed in making payments to beneficiaries from the income received. This matter was of some importance to the beneficiaries, especially when the income was in state of flux.. The priority to be followed in

⁶ George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 38

making payments, which priority, dependent on the categories of beneficiaries, especially the founder had not made any stipulations in this regard.

The income from a *waqf* might vary from year to year due to economic fluctuations. The priority accrued to the staff members whose presence was essential to the mission of institution. In the case of mosque-college, the *mudarris* or *syaikh*, the *imām*, and the *muadhḥin*, had first claim on income. Second priority accrued to those in the lesser post of repeater and tutor. Third priority went for stipends to support students and provide services for them.⁷

Different with the endowment of mosques, in the case of madrasa, the *syaikh*, not the *imām*, was considered more essential. Thus the madrasa provided first for the instructor, and then filled the other positions as funds allowed.⁸

In Shamiya College of law, according to had its beneficiaries named in its deed as follows:⁹

1. Working-fellowship *alfuqahā al-mustaghfilun*
2. working schoolars
3. The professor of law
4. maintenance of the phisical plant
5. The *imām*
6. the *muadhḥin*
7. the *qayyīm*

According to Makdisi, the *imām*, the *muadhḥīn*, and the *qayyīm* belonged to one class of beneficiaries,¹⁰ while the professor of the law, the repetitor and the law students belonged to another, thus deviding the beneficiaries into two classes. others still saw three classes of beneficiaries:

1. the professor of law

⁷ Charles Michael Stanton, *Higher Learning in Islam: the Classical Period, AD. 700-1300*, (Maryland: Rowman and Littlefield Inc., 1990), 36

⁸ Ibid, 38

⁹ George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 59

¹⁰ Ibid, 59

2. the law students

3. the *imām*

each class receiving one-third of the proceeds, any other beneficiaries were presumably considered to fall into the class of law students.

In the Mamluk era one school's endowment provided for a fixed payment of 2000 dirhams per month to the children and the descendants of the founder, as well as a certain proportion of the endowment's residual income, compared to 250 dirhams per month for the mosque professors of Hanafi and Syafii law. Amir Qalamtay, for example, after setting aside one-third of the residual income of his endowment for the upkeep and repair of his madrasa, stipulated that the remaining two-thirds were distributed among his children and their descendants or for family circle. One, for example, provided that half of the residual income of his endowment be set aside for his wife, his children, and their descendants. Most often the controller was paid a monthly stipend comparable to that of the senior instructor or religious official in the institution. For example, in madrasah of Sarghitmish, the controller received 200 dirhams per month, the professors of Hanafi jurisprudence and hadith 300 each as well as Syafii professor at the madrasa of Sultan Hasan, but the controller was paid 1000 for his services.¹¹

Such endowments, for mix charitable and private purposes, remained for most of the Mamluk period the safest way of ensuring the orderly transferral of a Mamluk's wealth to his heirs. During the Mamluk rulers established madrasa, similar institutions and mosques in Sunni ideological side as well as to the economic elite ruling family members. In the early fifteenth century, Ibn Khaldun noted that educational establishments had flourished in Egypt under the Mamluk regime because of the attempt by members of the ruling elite to preserve for their children some of their wealth, otherwise subject to confiscation at their deaths.¹²

¹¹ Jonathan Berkey, *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education*. (Princeton: Princeton University Press, 1992), 136-137

¹² Ibid, 134

It has often been assumed that the rise and spread of the madrasa in the Fertile Crescent and later in Egypt was linked to the efforts of Sunni regimes of the twelfth century to combat the religious and political propaganda of the Shiji regime -the Fatimids in Egypt. This may well have been the case in the early years of the "Sunni revival,;that period which saw the organization of an effective and conscious Sunni response to both Shiji political ascendancy and the challenge of the Latin crusaders.

The Right of Beneficiaries

All beneficiaries of the *waqf* should receive their due in full, and should not have their allotments decreased in order to have the remainder spent on another *waqf*. There was no difference opinion on this matter. The beneficiaries could have no objection against the mutawalli appointment. Ibn Nujaim stated this principle clearly, the *waqf* cannot be divided among its beneficiaries because their share does not reside. The beneficiaries were entitled to share of the *waqf* only when they performed their responsibilities as set forth in the *waqf* instrument. For instance, a student absenting himself from the college for a few days was considered not to have been delinquent, because the *waqf* did not specifically call for his presence every school day.

The beneficiaries could demand that mutawalli repair the *waqf* so that the damage would not spread and lead to its complete destruction, thereby thwarting the purpose of the founder. He had to reconstruct the *waqf* even if reconstruction was not stipulated by the founder. According to Nawawi (d.676/1277), Ibn Suraij and others said that should the mutawalli claim to have paid the beneficiaries named in

the instrument their shares of the *waqf* revenue, but they denied this, it was their word, not his, that was followed.¹³

The validity of *waqf* was, among other things, contingent upon the founder's valid ownership of the property to be made *waqf*. An eleventh century case involved a person who put up a village as *waqf* in favour of the village ulama who then proceeded to receive the revenue of the *waqf*. They were not specified in the *waqf* instrument by name, each qualifying as a learned (alim) of the village. Al-Ghazali's legal opinion was that the responsibility fell upon the shoulders of the founder because of the deception. If the founder was incapable of making restitution, the responsibility fell upon all those ulama and others who resided in the place or otherwise benefited from it.

Kinds of *waqf* in education

The shape of educational institutions in the form of *waqf* vary. According to George Makdisi, institutions of Islamic education in the classics can be grouped into two classifications, that's were *waqf* institutions and private and government non *waqf* institutions.

First, *waqf* institutions were *maktab* and *kuttāb*, *jamī* mosques, madrasas, and libraries. The *maktab* existed in all parts of the Muslim world, including Spain and Sicily in the West. The traveler, Ibn Hauqal (d.367/977) reports having found 300 such schools in city of Palermo (Makdisi, 1990:48). Prince Fakhr al-Din b. Qazal (d. 629/1231) found *kuttāb al-sabīl*, meant that the school was an institution based on the charitable trust, with the staff and students as beneficiaries of its endowment income. The *jamī* mosques or mosques was among the earliest institutions in the cities of Islamic world used for teaching of *adab* studies along with the religious

¹³ George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 60-61

sciences, the teachers often teaching in both fields as early as the second/eight century. Because a masjid had the status of a mosque-despite its primary function as a college and the source of its support from private means-decisions regarding its religious involvement remained with civil and religious authorities. In the tenth century, Badr ibn Hasanawaih al-kurdi (d. 1015), a wealthy nobleman, accepted the governorship over several provinces that had been ruled by his father. His reputation as philanthropist was legendary -particularly his patronage of educational institutions. He supported scholars as well as pilgrimages on their way to Mecca and established a number of mosques-colleges.¹⁴

Another *waqf* institution in classical of Islamic education was madrasah, the new structure which was modelled after the masjid-khan and took a form easily recognizable as a "college". Model madrasa or mosque is not the same as other Islamic educational institutions. Madrasah is the development of the mosque. Due to the amount of the spirit of Muslim learning, making the mosques are full-halaqah halaqah. Voice in the debate over the teaching and learning processes in masjid generated noise that interferes with the worship. By this time the Seljuk Turks had usurped the civil authority from the Abbasid caliphate in the Middle East. The distinction between the masjid and the madrasas lay in the priorities for dispersal of income from the endowment, as provided by the law of *waqf*. In the case of the madrasas, the *syaikh* --not the imam-- was considered more essential. Thus the madrasas provided first for the instructor, and then filled the other position as funds allowed.

The rulers have established either public libraries or private libraries in their palaces. Similarly, the rich people, they also established a private library. In each library has saved thousands and thousands of books and has room to hold halaqah-halaqah. The rulers usually invites scholars to utilize them to develop scientific

¹⁴ Charles Michael Stanton, *Higher Learning in Islam: the Classical Period, AD. 700-1300*, (Maryland: Rowman and Littlefield Inc., 1990), 36 - 37

libraries. For example, Ibn Sina has developed ideas and works under the patronage of a prince in the province, namely the dynasty of Hamadan, a subordinate of the Abbasid Empire.

The founder of library was Caliph al-Ma'mun of the Abbasid dynasty. The trail then followed by other rulers and Muslims. Actions of al-Ma'mun was also emulated by caliphs who founded the Fatimid Dynasty of *Dār al-'Ilm* and *Dār al-Hikmah*. Both buildings are equipped with scientific huge library as opposed to Bait al-Hikmah in Baghdad.

Second, private and government non-*waqf* institution. Private non *waqf* institution were in the shape of literary circles or *halaqah* for literary, clubs, academics, homes, and bookshops. While the government non *waqf* institution were chancery schools and Royal and princely courts.

***Waqf* and Books**

These libraries and the books they contained were instituted as *waqf*. Other collections of books could be added to a library already instituted as *waqf*. It is this exception that made possible the preservation of books. In the libraries in the Islamic world on subjects embracing the three major divisions of knowledge, including books of the foreign sciences

One a trip to Baghdad when disembarking from the boat that brought him from Basrah, Jahiz heard an auctioneer calling out to those who wished to attend the auctioning of books of the famous Kufian philologist al-Farrā. Seizing the opportunity to buy a present for the Prime Minister ibn al-Zayyat (d. 331/943), to whom he was paying a visit, he attended the auction, but considered none of the copies worthy enough as a gift for the Prime Minister. None that is, until the auctioneer had come to bed on which Farrā slept, and pulled out from under the pillow a copy of Sibawaiḥs grammar, *al-kitāb*. on being presented with the gift Ibn

Zayat was indignant at the idea that library could be thought to lack such an important work. Ibn al-Zatyat, reconsidering, said: "this then is the most splendid and most extraordinary of copies.

Books on classical era were considered high-value. The grammarian and lexicographer Ibn al-Kufi (d. 348/959) inherited 50,000 dinars, all of which he spent on his education and on collecting a library through purchase, and the hiring of copyist, beside the books be acquired through his own copying. Abu Bakr ibn al-Jarrah (d. 381/991), a student of Ibn Duraid and Abu Bakr al-Anbari had books that are worth 10,000 dirhams, weapons 10,000 dirham, and riding animal 10,000 dirham. Ibrahim al-Harbi (d. 285/898), who had written 12,000 juz (fasciculi), consoled his daughter who feared the onset of poverty after her father was gone, he said to her: "Whenever you find yourself in need, you have only to sell one of fascicles for a dirham."¹⁵ Because the book is a valuable thing, could be a valuable *waqf* properties. Thus, *waqf* should not be immobile objects, but also objects moving

Concluding Remarks

In classical period, Islamic education has achieved greatness. Sciences, religious sciences, philosophy, medicine, and so forth had reached glory. This greatness has been known in the West. At this time, Western countries have to imitated and developed education as well as Muslim. One factor that affects the achievement was *waqf* institutions.

The role of endowments in supporting the system of Islamic education in classical period was very significant. With endowments, Muslims get the ease of study. Because endowments, Islamic education was not depends on ruling elites or

¹⁵ George Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 71 -71

richmen. students so that they are either poor or rich have the opportunity to learn equally especially the poor, will get the facilities which was outstanding and there was no unfulfilling.

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