



The Legacy of Waqf: Foundation and Its Continuities

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Publication date: 6 July 2025

Abstract:

Waqf (Islamic endowment) is one of the most profound socio-economic legacies of Islamic civilization. Rooted in the principle of voluntary asset dedication for public benefit, waqf has served as a cornerstone for institutional development in Muslim societies for over a millennium. The legacy is to describe how the foundational principles of waqf have been transmitted and adapted across different socio-legal contexts, producing parallel institutions that, while locally distinct, share their functional values. This paper explores waqf as a legacy, a foundational social institution embedded in Islamic thought and practice that continues to influence contemporary legal, economic, and governance structures. The study traces waqf's historical evolution, its interrelationship with the Islamic concept of qard al-hasan (benevolent loan), and its intersection with land management, social justice, and state-building across different cultural and geographical contexts. Drawing from historical, legal, and institutional analysis, the article demonstrates how waqf inspired the emergence of similar mechanisms in global and Western societies, such as trusts and endowments. Furthermore, the article discusses the challenges facing waqf today, including asset fragmentation, governance issues, and underutilization. It also explores waqf's potential as a strategic instrument for inclusive development, especially in education, healthcare, and social welfare. The research concludes that the waqf institution, when revitalized with modern governance tools and aligned with sustainability principles, offers a resilient and ethical model for long-term socio-economic empowerment and wealth redistribution.

Keywords: waqf, Islamic endowment, Islamic trust, waqf business model, sustainable development

1. Introduction

Islamic civilization has long demonstrated a rich tradition of institutional innovation aimed at fostering social equity, ethical governance, and communal prosperity. Among its most enduring and

influential mechanisms is the institution of waqf (plural: awqaf), a charitable endowment rooted in Islamic jurisprudence. Though not among the five pillars of Islam, waqf has historically functioned as a de facto public social financing mechanism, enabling communities to build and sustain

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<https://doi.org/10.58764/j.wbr.2025.1.1>

infrastructure for education, healthcare, religious services, public utilities, and social welfare. From the medieval Islamic world to contemporary societies, waqt has empowered communities by encouraging a system of voluntary, perpetual giving that promotes both material welfare and spiritual fulfillment (Cizakca, 2000; Kuran, 2001).

This paper introduces the conceptualization of waqt as a legacy, an embedded socio-economic code within Islamic civilization that has been replicated, adapted, and transmitted across generations, regions, and societies. Much like a biological gene, waqt represents a cultural and legal innovation that has survived, evolved, and contributed to the development of Muslim societies. Its inherent features, perpetuity, inalienability, and dedication to public benefit have enabled it to serve as a stable and resilient institutional form, especially in times of economic volatility and governance challenges. The revival and reinterpretation of waqt, therefore, hold promise not only for Muslim-majority countries but also for the broader discourse on sustainable development and inclusive finance.

Alongside waqt, the principle of qard (benevolent loan) forms a critical component of Islamic economic thought. While waqt preserves capital for ongoing public benefit, qard facilitates temporary redistribution of wealth without the expectation of profit, thereby fostering trust-based and socially embedded financial practices. Together, these two instruments reflect an Islamic ethos of circulation over accumulation, emphasizing the moral imperative of wealth as a means to uplift the community rather than individual enrichment. These principles align remarkably with contemporary calls for post-capitalist alternatives that prioritize sustainability, social justice, and ethical economics (Asutay, 2012; Siddiqi, 2006).

The relevance of waqt and qard in today's context is amplified by the growing urgency for sustainable development, especially in the face of global challenges such as climate change, economic inequality, and weakened public infrastructure. Modern waqt-based models offer pathways for innovative financing in sectors such as green energy, microfinance, affordable housing, and education (Afifi, 2024b; Afifi & Abbas, 2019). By incorporating modern legal, technological, and governance frameworks, waqt institutions can be revitalized to meet the needs of contemporary society while retaining their foundational ethical principles. This approach is aligned with global initiatives such as the United Nations Sustainable

Development Goals (SDGs), particularly in areas like poverty alleviation, education access, and climate action (Abdul Aziz et al., 2019; UKIFC, 2020).

Moreover, the interplay between waqt and governance has historically played a vital role in shaping Islamic societies. Waqt institutions were often administered independently of the state, creating semi-autonomous spaces of civil responsibility and participatory governance. These arrangements contributed to what some scholars describe as a "moral economy", a system where social welfare was not solely the responsibility of the state but also of the community (Al-Daghistani, 2021; Hodgson, 1974; Lapidus, 1984). In an era marked by declining trust in formal state institutions and increasing interest in community-led solutions, revisiting this historical experience could offer valuable insights.

Interestingly, waqt's influence is not confined to just the Islamic world. Its institutional logic has resonated in Western legal traditions, particularly in the development of charitable trusts and endowments in English common law. Past studies have documented how the waqt institution may have indirectly inspired trust law structures in Europe through cross-cultural exchanges during the Crusades and commercial interactions (Al-Daghistani, 2021; Kuran, 2001; Thomas, 1949). Understanding this historical diffusion enriches comparative legal studies and underscores the global significance of Islamic economic practices.

This paper is thus situated within the broader discourse of Islamic institutional economics, seeking to revive the normative and operational dimensions of waqt and qard as instruments of ethical and sustainable development. It aims to expand the conceptual lens through which we view these institutions, not merely as historical relics but as dynamic, adaptable systems relevant to the challenges of our time (Afifi, 2024b). Through this exploration, the paper hopes to stimulate scholarly and policy-oriented engagement that bridges classical Islamic thought and contemporary developmental paradigms.

In doing so, this study employs a qualitative historical-analytical methodology, synthesizing primary Islamic legal sources, classical treatises, and contemporary academic literature. It further draws on case studies of modern waqt institutions and aligns its findings with current frameworks of governance, sustainability, and ethical finance. The conceptual framing of waqt as a legacy offers a novel lens for rethinking the role of traditional

Islamic institutions in shaping resilient, community-centered economies.

Ultimately, this introductory chapter lays the foundation for a deeper examination of how Islamic socio-economic values, as embedded in waqf and qard, can be reactivated to inform the design of future-ready economic institutions. In an age where calls for sustainable alternatives to neoliberal capitalism are growing louder, Islamic heritage offers both spiritual wisdom and practical frameworks that merit renewed scholarly and practical attention.

2. Methodology

This study employs a qualitative and conceptual methodology, grounded in a literature-based approach. The research synthesizes primary Islamic legal sources, classical texts on fiqh al-waqf (jurisprudence of endowments), and historical records to construct a deeper understanding of the foundational principles and functions of waqf within Islamic civilization. Both classical and contemporary are cross-referenced with interpretations to evaluate the continuity and adaptation of waqf principles over time and geography (Al-Daghistani, 2022; Al-Haritsi, 2006; Al-Mawardi, 1996; Ibn Khaldun, 2015; Nurdin & Abbas, 2012). The research applies thematic content analysis as its core analytical technique, which allows for the identification of recurring themes and conceptual patterns related to waqf, qard, and other instruments of Islamic philanthropy. This method is especially useful in analyzing unstructured data such as historical documents, religious texts, and socio-economic reports. Thematic analysis is an appropriate method for generating insights into how religious and ethical institutions evolve and interact with modern governance and sustainability goals (Guest, MacQueen, & Namey, 2011). Themes such as trust-based finance, legal transference, and collective ownership are central to the analysis.

To strengthen the socio-economic analysis, the study draws on comparative institutional literature, especially regarding the influence of waqf on European charitable trusts and university endowments. Previous scholarship by Gaudiosi (1987), Thomas (1949), and Kuran (2001) suggests a strong link between the Islamic waqf and the emergence of fiduciary institutions in the West. These sources are triangulated with peer-reviewed journals in Islamic economics and legal anthropology to contextualize waqf as both a historically Islamic institution and a model with global applicability, particularly within the

framework of the Sustainable Development Goals (Sadeq, 2002; UKIFC, 2020).

The research integrates perspectives from contemporary socio-economic theory to situate waqf within current global trends and mainstream economy, such as financial inclusion, circular economy, and environmental-social-governance (ESG) models (Afifi, 2024b). Contributions from past scholarly work on waqf provide critical data on modern waqf applications. This interdisciplinary and multi-source methodology enables a comprehensive examination of how waqf can serve as a sustainable, ethical institution within wide global societies.

3. Literature review

Waqf, a cornerstone of Islamic philanthropic and legal traditions, has historically served as a vital mechanism for social justice, wealth distribution, and civilizational development. Originating in early Islamic history, waqf has evolved into a dynamic institution with deep legal, spiritual, and socio-economic roots across the Muslim world. Its significance goes beyond charity, functioning as a foundational pillar for community welfare, sustainable development, and ethical governance (Afifi, 2024b). This chapter traces the conceptual and operational legacy of waqf by unpacking its principles, values, characters, role in governance, ethical economic logic, and global manifestations.

The resilience of the waqf system across centuries and regions underscores its adaptability and embeddedness within Islamic civilization. From the Abbasid and Ottoman empires to contemporary revivals in Indonesia, Malaysia, and Turkey, waqf has demonstrated remarkable institutional durability. It has supported education, healthcare, infrastructure, and public goods, and in doing so, shaped distinctive forms of economic justice and public responsibility. The very structure of waqf (permanence, trusteeship, and dedicated purpose) lends itself to long-term vision, a feature that modern institutions increasingly seek to emulate in pursuit of sustainability goals (Afifi, 2024b; Siraj & Lim, 2006).

Understanding waqf's legacy requires an interdisciplinary approach that integrates Islamic jurisprudence (fiqh), history, and contemporary theories of institutional economics. It also demands attention to regional variations and evolving interpretations, particularly in light of modern challenges like legal reform, financial inclusion, business practices, and digital transformation. By mapping waqf's journey through time and space,

this chapter aims to highlight not only its historical depth but also its continuing relevance as a tool for ethical development and social impact.

3.1. Foundation of Waqf

Waqf can be understood as a form of civilizational advancement that transmits key values of equity, welfare, justice, and continuity across societies. Like biological genetics that replicate core characteristics with localized variation, waqf maintains its structural identity (inalienability, perpetuity, and public benefit) while adapting to diverse legal, cultural contexts, and dynamic economic environments. This conceptual framing helps scholars and policymakers alike to recognize waqf not just as a legal construct but as a deeply rooted cultural, social economic institution (Islahi, 2014; Kuran, 2001).

In early Islam, waqf emerged as a response to the Qur'anic injunctions on charity:

The example of those who spend their wealth in the way of Allāh is like a seed [of grain] which grows seven spikes; in each spike is a hundred grains. And Allāh multiplies [His reward] for whom He wills. And Allāh is all-Encompassing and Knowing (261). Those who spend their wealth in the way of Allāh and then do not follow up what they have spent with reminders [of it] or [other] injury will have their reward with their Lord, and there will be no fear concerning them, nor will they grieve (262). (Quran al-Baqarah 2:261-262).

In practice, the first known waqf is attributed to the Prophet Muhammad (peace be upon him), who facilitated the first mosque in the name of two orphans (Sahl and Suhayl). These practices were also followed by Omar on the land in the Khaibar (ghanimah), which emphasizes the practices of providing a land (bulk of assets) made for waqf:

Umar bin Khattab got some land in Khaibar and he went to the Prophet (pbuh) to consult him about it saying, "O Allah's Messenger (pbuh) I got some land in Khaibar better than which I have never had, what do you suggest that I do with it?" The Prophet (pbuh) said, "If you like you can give the land as endowment and give its fruits in charity." So 'Umar gave it in charity as an endowment on the condition that would not be sold nor given to anybody as a present and not to be inherited, but its yield would be given in charity to the poor people, to the Kith and kin, for freeing slaves, for Allah's Cause, to the travelers and guests; and that there would be no harm if the guardian of the endowment ate from it according to his need with good intention, and fed others without storing it for the future."

Omar waqf was well documented and recorded in the Sahih al-Bukhari. This practice of waqf

(shadaqa jariya) was also sampled by Osman on the well of the palm dates farm that was used for the public good (Abdul-Karim, 2010; Junarti, Alhabshi, Mardika, & Anwar, 2021; Kahf, 1988). These sequences of practices highlight the Islamic way of giving waqf for the Ummah foundation, for using bulk assets, and for public use (maslahah). This act laid the groundwork for a form of charitable giving that emphasized long-term impact over short-term relief. As the Muslim world expanded, so too did the waqf system, mirroring the civilizational spread of Islam.

The waqf mechanism allowed communities to institutionalize sadaqah jariyah (ongoing charity), converting personal wealth into a perpetual benefit for society. This aligned economic behavior with religious ethics, embedding philanthropy into daily life. Over generations, waqf became a medium for preserving not only wealth but also knowledge, memory, culture, and concepts of social economics, from funding mosques, madrasahs to building libraries, public facilities, and caravanserais (funduk) for the traveler and students (Hoexter, 1998; Islahi, 1980; Priyatna, 2017).

Historically, the replication of waqf across regions occurred organically, without central coordination. Whether in Mughal India, Ottoman Turkey, or Safavid Persia, the waqf system manifested independently but with consistent features. This is analogous to genetic replication, a faithful reproduction of a core conceptual structure, influenced by local conditions but preserving essential traits and understanding of Islamic sharia (fiqh). This biological metaphor underscores the systemic resilience of waqf (Gaudiosi, 1987; Islahi, 2014). Something that can not be ignored today.

Moreover, just as genes mutate or adapt in response to environmental pressures, waqf too evolved to meet new socio-political realities. Waqf is managed by tribe society, by family, by ruler, and even today by trust (Abdul-Karim, 2010). In modern times, cash waqf, corporate waqf, and digital waqf platforms are examples of this institutional adaptation. These innovations reflect an ongoing process of ijtihad (independent reasoning) that keeps the waqf relevant in contemporary contexts (Abd Ghadas & Abd Aziz, 2017; Mohsin, 2013). Understanding waqf as a legacy allows for a reinterpretation of its role in building civil society. It highlights its capacity to encode ethical values into economic structures, ensuring the transgenerational transmission of socio-religious ideals. In this sense, waqf functions as a moral algorithm within the Islamic economic

system, shaping individual behavior and collective life in meaningful ways (Abdullah, 2018; Elasrag, 2017).

This perspective also underscores the need for preservation and reform. The mismanagement or legal stagnation can undermine the efficacy of a waqf. Hence, governance reform, technology adoption, and innovative regulation are necessary to ensure the healthy transmission of waqf into the future and contemporary contextual needs (Afifi, 2024b; Cizakca, 2000; Taman, 2024) (Cizakca, 2000).

3.2. *Waqf and the rise of social governance*

Waqf's contribution to governance in Muslim societies has been both profound and foundational. It supported the emergence of a parallel, community-driven system of public service delivery that complemented or even substituted for state functions. The Ottoman Empire, in particular, institutionalized waqf to an extraordinary degree. By the 19th century, nearly one-third of Ottoman real estate was held in waqf, funding schools, hospitals, roads, and even sanitation systems (Barnes, 1986; Singer, 2008). These institutions were administered by mutawallis (trustees) who managed assets according to the terms of the waqif (founder). Their accountability was ensured through a combination of sharia courts, public scrutiny, and sometimes centralized bureaucracies. This created a hybrid form of governance that was neither purely state-driven nor fully privatized, a civic model of management and oversight rooted in Islamic ethics (Peri, 1992; Powers, 1999).

One of the unique features of waqf governance was its decentralization. Unlike modern welfare states, which rely on tax revenue and centralized planning, waqf operated through voluntary endowments and local management. This fostered strong community participation and ownership, which in turn strengthened social cohesion and resilience (Hoexter, 1998; Lapidus, 1984). The legal structure of waqf also contributed to the rule-of-law development in Islamic societies. The need to document, adjudicate, and regulate waqf created a flourishing of legal scholarship and institutional jurisprudence. Judges (qadis) played a key role in certifying and supervising waqf deeds, and this legal infrastructure laid the groundwork for stable property rights and judicial norms (Gaudiosi, 1987).

Waqf institutions often served as initial NGOs, providing services based on ethical imperatives rather than profit motives. This positioned them as precursors to modern civil society organizations,

particularly in areas like education, healthcare, and environmental stewardship (Sait & Lim, 2006). Many universities in the Muslim world, such as al-Azhar in Egypt and al-Qarawiyyin in Morocco, were founded and sustained through waqf (Baskan, 2002). Even today, many universities, schools, and madrasahs, public facilities were initially waqf, but some have procedural limitations to be registered under the formal law of waqf, especially in the regions that were once colonized, muslim minorities in the west or currently live under a dual system of law (Arifin & Abbas, 2007; Ramadan, 2004).

Modern governance scholars have increasingly recognized waqf as a model of community-based governance and sustainable development. The World Bank and UNDP have explored waqf's and zakah's role in poverty mitigation and local empowerment, especially in contexts where state capacity is weak (Abdul Aziz et al., 2019). This underscores waqf's relevance to current debates on public-private partnerships and the localization of development.

Despite its strengths, waqf governance also faced challenges. Political interference, corruption, and outdated legal frameworks have sometimes hindered its effectiveness. However, ongoing reforms in countries like Indonesia, Turkey, and Malaysia are seeking to restore the waqf's role in modern public administration and mainstream economy (Afifi, 2024b; Mohsin, 2013). The legacy of waqf in governance is thus twofold: it represents a historical reality of Islamic public administration and offers a normative model for ethical, participatory governance today (Afifi, 2024a). By grounding social services in moral commitments and communal stewardship, waqf exemplifies an alternative paradigm to market- or state-dominated models.

3.3. *Qard and the economy of trust*

The connection between waqf and qard reveals a broader Islamic philosophy that prioritizes social cooperation over economic competition. While waqf ensures the long-term provision of public goods, qard enables immediate support for individuals in distress, thus bridging temporal gaps in socio-economic needs. This dual structure helped Islamic societies maintain economic justice during both prosperity and crisis. Historical records from Mamluk Egypt and Mughal India reveal the widespread use of both waqf and qard as part of a complementary ecosystem supporting farmers, craftsmen, students, and widows (Kozlowski, 1985; Shatzmiller, 2001).

The integration of qard into waqf institutions was also practiced in Ottoman times, where waqf funds were sometimes loaned out interest-free as microloans for small traders and entrepreneurs (Cizakca, 2000). These loans were not only financial tools but also moral contracts that cultivated social trust. The repayment of qard was often driven by community norms and moral obligations rather than legal enforcement, reflecting a trust-based accountability system (El-Gamal, 2006). Contemporary applications of qard within Islamic microfinance also resonate with this legacy. Many Islamic social institutions today show how traditional Islamic instruments can be adapted for modern poverty alleviation without sacrificing ethical principles. These institutions demonstrate that waqf and qard can synergize to produce sustainable models for inclusive finance (Abbas, 2020; Mohieldin, Iqbal, Rostom, & Fu, 2015; Obaidullah & Khan, 2008).

With qard and waqf, while structurally distinct, share foundational values rooted in Islamic ethics. Both emphasize redistribution, solidarity, and the minimization of harm (gharar), key elements of the maqasid al-sharia (objectives of Islamic law). When combined, they form a holistic framework of a moral economy where economic transactions are embedded in religious responsibility and social justice (Chapra, 1992; Siddiqi, 2006).

3.4. Waqf around the world

The institution of waqf, while originating in Islamic tradition, has evolved and adapted across diverse cultural and legal contexts around the world. The waqf has displayed remarkable flexibility and endurance across a wide range of centuries. As an instrument for sustainable charity and communal resilience, waqf has been adapted in both Muslim-majority and minority settings. This chapter scrutinizes how different countries and regions have localized the waqf system under various terminologies and institutional frameworks, while retaining its core function of perpetual endowment for public benefit.

In the Middle East, waqf remains a central pillar in Islamic philanthropic governance. Countries like Egypt, Jordan, and Syria maintain historical waqf institutions, often integrated into national legal systems or state-run waqf ministries. Gulf Cooperation Council (GCC) states such as Saudi Arabia, Kuwait, and Qatar have revitalized waqf as a mechanism for funding education, health care, and

religious infrastructure aligned with their national development agendas (Akkas, 2017; Alhammadi, 2024). In Turkey, waqf is known as “vakif,” and its historical significance during the Ottoman Empire is unparalleled. At its zenith, over one-third of all arable land was endowed, managed by religious and civic elites. The modern Turkish state governs waqf through the General Directorate of Foundations (Vakıflar Genel Mudurlugu), reflecting a secularized yet centralized model (Cizakca, 2000; Kuleli, 2015).

In South and Southeast Asia, waqf has a long-standing legacy. In India, the Mughal era saw extensive waqf funding for religious and educational institutions. Today, the term “waqf” is retained alongside regional variants like “auqaf” in Pakistan and “mutawalli” in Bangladesh (Hasan & Siraj, 2016; Murray et al., 2020). In Indonesia, Malaysia, Singapore, and Brunei, waqf is commonly known as “wakaf,” and is regulated by state-level religious authorities under a formal institution like Yayasan or Foundation (Abdul-Karim, 2010; Afifi & Abbas, 2020; Laldin, Abdul-Kader, & Djafri, 2021; Siregar, 2016). Malaysia has institutionalized waqf through the Department of Waqf, Zakat and Hajj (JAWHAR), while Indonesia, under the Waqf Agency (BWI). Thailand (Pattani, Yala, Narathiwat, and Satun) and the Philippines (Moro) regulated waqf under the provincial committee for Islamic Affairs (Dorlo, 2015; Gamon & Tagorano, 2017). Even though waqf is already regulated formally, with long long-standing history of Islam in the region before colonialized, political governance turmoil, it makes old waqf assets difficult to identify. Many forms of cultural terms lead to a clue whether these assets are waqf or just customary assets. Some unique regional terms include “Pusako Tinggi” or “Harta Tuo” (Minangkabau), “Meusara” (Aceh), and customary forms in Bugis, Javanese, and Sundanese communities (Anwari, Kasmidin, & Maghfirah, 2025; Azra, 2004; Nasir, Ihsan, Haikal, & Husen, 2024; Syahputra & Taufiq, 2022; Wira et al., 2023). This situation makes more work to be done to integrate waqf into both traditional and modern economic systems (Afifi, 2024b).

Central Asian countries such as Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan, Tajikistan, and Afghanistan have seen a resurgence of waqf post-Soviet era, often under terms such as “vakuf” or “vakf.” Although waqf was suppressed under communist regimes, its revival is part of a broader

Table 1. Local terms used for waqf

Region / Country	List of Countries	Local Term
# Middle East	Bahrain, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, Turkey, United Arab Emirates, Yemen	Waqf Vakf / Vakif / Vakfiye (Turkey)
# Central Asia	Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan, Tajikistan, Afghanistan	Waqf / Wakf Vakf / Vakuf
# East Asia	China, Japan, South Korea	Waqf / Wakf Wakufu (Japan) Wakeupeu (South Korea)
# South East Asia	Indonesia, Malaysia, Brunei, Thailand, Singapore, Philippines	Waqf / Wakaf Yayasan / Foundation Pusako Tinggi / Harta Tuo (Minangkabau) Meusara (Aceh)
# South Asia	Pakistan, Bangladesh, Myanmar, India	Waqf / Wakf / Auqaf Mutawalli (India, Bangladesh)
# North Africa	Egypt, Libya, Tunisia, Algeria, Morocco, Mauritania, Sudan	Waqf / Awqaf Habous / Hubous Endowment
# Sub-Saharan	Burkina Faso, Chad, Comoros, Djibouti, Gambia, Guinea, Guinea-Bissau, Kenya, Mali, Mauritania, Niger, Nigeria, Senegal, Somalia, South Africa, Sudan, Tanzania (Zanzibar), Uganda	Waqf Islamic Endowment / Charitable Trust
# Northern Europe	Sweden, Norway, Denmark, Finland	Waqf Islamic Foundation (Norway) Islamic Endowment (Sweden)
# Western Europe	United Kingdom, Ireland, France, Germany, Netherlands, Belgium, Switzerland, Austria	Waqf Islamic Trust / Endowment Stiftung / Stichting Fonds de Dotation (France)
# Southern Europe	Spain, Italy, Albania, Kosovo, North Macedonia, Bosnia and Herzegovina, Montenegro	Waqf Vakif (Cyprus) Islamic Trust (Italy) Fundacion Islamica (Spain)
# Eastern Europe	Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, Serbia, Bulgaria, Romania, Moldova, Russia (Dagestan, Tatarstan)	Waqf / Wakf Vakef / Vakuf Vakf (Rusia)
# Others	Australia, Canada, United States	Waqf Charitable Endowment / Trust

re-Islamization process (Ismatova, 2020; Norova, 2019; Sartori, 2009). Institutions and scholars are working to reintegrate waqf into legal and educational systems with support from international Islamic organizations. In East Asia, Muslim minorities in countries like China, Japan, and South Korea have local spells of waqf. Japan spells it as "Wakufu," and South Korea as "Wakeupeu" within their small but active Muslim communities. These

adaptations show the cultural flexibility of waqf to survive and evolve in minority contexts.

North African countries (Egypt, Libya, Tunisia, Algeria, Morocco, Mauritania, and Sudan) have historically vibrant waqf systems. In Morocco and Algeria, "habous" institutions supported resistance against colonial powers and helped finance community services (Kasdi, Karim, Farida, & Huda, 2022; Kogelmann, 2005). Post-independence, many of these systems were

nationalized but continue to influence socio-economic development. Sub-Saharan Africa has a rich yet understudied tradition of waqf. In Senegal, Sufi brotherhoods have long used waqf to fund religious education and social services (Loimeier, 2011; Weiss, 2020). Other countries with active or historical waqf institutions include Burkina Faso, Chad, Comoros, Djibouti, Gambia, Guinea, Guinea-Bissau, Kenya, Mali, Mauritania, Niger, Nigeria, Somalia, South Africa, Sudan, Tanzania (Zanzibar), and Uganda. In these regions, waqf often merges with indigenous communal practices, with terminology influenced by colonial histories such as “Islamic Endowment” (English-speaking countries) or “habous” (French-speaking) (Kogelmann, 2005; Weiss, 2020).

In Europe, Muslim communities have adapted waqf to fit within legal structures for trusts and charities. Western European countries such as the United Kingdom, France, Germany, the Netherlands, Belgium, Switzerland, and Austria used formal forms to it like “Islamic Trust” or “Stiftung/Stichting” (Akhtar, 2013). In Northern Europe, especially Sweden, Denmark, and Norway, it is known as “Islamic Endowment” or “Islamic Foundation” (Kuhle, 2020). Southern Europe (Spain, Italy, Albania, Kosovo, North Macedonia, Bosnia and Herzegovina, and Montenegro) retains historical traces of waqf, particularly from Ottoman influence. Terms like “vakuf” or “Fundacion Islamica” denote such institutions (Debasa, 2002; Filan, 2007). Eastern Europe, including Serbia, Bulgaria, Romania, Moldova, and Russia (notably Dagestan and Tatarstan), also hosts remnants or revivals of waqf under local or imported Islamic traditions.

In other regions, like Muslim communities in Australia, Canada, and the United States, the waqf has been adopted under the umbrella of Islamic trusts or charitable foundations. These are typically registered under nonprofit laws and used to support mosques, schools, and community centers. Terms like “Charitable Endowment” (Australia), “Islamic Trust” (Canada), and “Islamic Endowment” (US) are prevalent (Ali-Mohammed & Latif, 2022; Esmaeili, 2024; Kahf, 2016). Furthermore, international organizations like the Islamic Development Bank, World Bank, and United Nations are identified as waqf as one potential force to aim for sustainability and world crisis (Abdul Aziz et al., 2019). This aims to catalyze global waqf investment, particularly in cross-border initiatives such as disaster relief, refugee support, and educational infrastructure (Mohieldin et al., 2015). Even in theory and sharia, waqf rules have specific

requirements and restrictions, but in practice, there are a lot of variances made by the Muslim society, adapted to survive by the conditions of cultural and formal law in their region, especially in muslim minority countries.

This reinforces waqf’s role as a values-driven institution adaptable to modern sustainability frameworks. Waqf global adaptations reveal that waqf is not a static legal institution but a flexible concept that can interface with local governance, financial systems, and cultural traditions. From Morocco to Indonesia, and from the Ottoman Empire to contemporary Western democracies, the institution of waqf continues to serve as a resilient vehicle for social justice, sustainability, and public welfare.

4. Discussion

4.1. Gap in contemporary discourse

Contemporary discourse on waqf often suffers from a disconnect between historical richness and modern relevance. While classical Islamic scholars elaborated on waqf as a dynamic institution capable of adapting to social needs, current interpretations are frequently locked within legal formalism or viewed narrowly as real estate endowments (Al-Daghistani, 2021; Kuran, 2001). This results in a stagnation of thought, failing to align waqf with modern institutional frameworks or social innovation, which makes waqf an ancient discussion rather than its present and potential roles. There is also a lack of comparative legal and economic research that explores waqf’s potential within current global financial systems (Cizakca, 2004). Consequently, waqf is often excluded from mainstream policy dialogues about poverty reduction, education reform, or healthcare access, despite its historical effectiveness in these domains.

Additionally, the marginalization of waqf in many Muslim-majority countries reflects not only regulatory challenges but also epistemic neglect. Islamic economics as a field has often prioritized banking and zakat, while waqf remains undertheorized concerning sustainable development goals (SDGs), social entrepreneurship, or public-private partnerships. Reviving the waqf discourse demands an interdisciplinary approach that bridges Islamic jurisprudence, social policy, and development studies (Abbas, 1981; Mohsin et al., 2016).

4.2. *Waqf in the dual legal traditions*

Waqf operates within a unique legal space in many Muslim-majority and plural legal systems where sharia law interacts with civil or colonial legal frameworks. This duality can create both legal innovation and institutional confusion. For instance, in Indonesia, waqf is regulated through both Islamic jurisprudence (as recognized by the Ministry of Religious Affairs) and national land law, including land certification by the National Land Agency. This hybrid legal framework offers opportunities for formalizing waqf assets but also poses challenges of overlapping jurisdictions and inconsistencies in enforcement (Arifin & Abbas, 2007).

In contrast, some countries treat waqf under specific trust laws derived from colonial legal traditions, such as the Waqf Act of 1995 in India, which institutionalized waqf boards. These dual legal systems reflect colonial legacies and raise questions about the autonomy, historical relevance, and efficiency of waqf administration. Moreover, reconciling waqf with international human rights law and national governance frameworks remains a key legal challenge. Therefore, understanding waqf through a legal pluralism lens is crucial to promoting institutional resilience and legitimacy (Berger, 1999; Mohamad, 2024).

4.3. *Sustainable waqf in the mainstream economy*

Waqf represents an inherently sustainable model rooted in the principle of perpetuity and the redistribution of wealth without diminishing the original capital. As such, it holds untapped potential for integration into the mainstream economy through social finance, Islamic microfinance, and blended investment structures (Afifi, 2024b). Waqf-mudharabah hybrid can be positioned as an Islamic equivalent of venture philanthropy, where long-term social outcomes and financial sustainability are both targeted (Cizakca, 2004; Salarzehi, Armesh, & Nikbin, 2010).

In contemporary practice, this has been seen in models like cash waqf-linked sukuk, which combine waqf principles with financial market instruments (Mohsin, 2013). The initial form of waqf on the mainstream economy is visible in Turkey's Vakif Bank, Waqf Bank Bahrain, and Malaysia's Yayasan Waqaf Malaysia, which demonstrate institutional adaptation through regulation, governance, and integration with national development agendas (Cetinkaya, 2023; Ramli et al., 2022; Sarea, 2019). Moreover, waqf can be reimagined and projected as a source of fiscal

innovation in welfare provision, higher education financing, price stability, and affordable housing programs when aligned with SDGs and ESG (Environmental, Social, and Governance) principles (Abdul Aziz et al., 2019; Afifi, 2024b; Eliza, Afifi, Arifin, & Azami, 2024).

4.4. *Challenges and opportunities*

Reviving waqf institutions requires confronting a range of challenges, from asset mismanagement and lack of transparency to legal fragmentation and public distrust. Corruption and political interference in waqf boards have been widely discussed (Chowdhury, Chowdhury, Muhammad, & Yasoa, 2012; Fa-Yusuf, Busari, & Shuaibu, 2021; Islam, 2018; Rashid, 2018; Taman, 2024). Additionally, underutilization of land, lack of digital records, and outdated administrative models hinder the scalability and sustainability of waqf.

However, the opportunities are equally significant if we can jump over these barriers. The digitalization of waqf through blockchain and AI can enhance asset transparency, global supply chain, and traceability (Chang, Iakovou, & Shi, 2020; Kasmon, Ibrahim, Sharif, Ab Rahman, & Habidin, 2023). Youth engagement, impact investment, and integration with the circular economy also offer new pathways to be taken in energizing society. Some countries are starting the journey in waqf innovation, developing waqf-based hospitals, universities, and SME funding models, which many related to many SDGs sectors (Afifi, 2024b). The global interest in ethical finance and ESG-compliant investment offers a conducive environment to reintroduce waqf as a solution-oriented, faith-based economic model for shared prosperity.

5. Conclusion

The institution of waqf, rooted in Islamic ethical and legal principles, continues to demonstrate relevance across time and geography. New terms and scopes make all the discussion of waqf relevant today. While traditionally associated with charitable endowments for religious, educational, and social purposes, waqf has evolved and been interpreted in diverse ways, reflecting the socio-legal contexts in which it operates. This proves that the continuity of waqf has developed in many forms across time in many Muslim societies, but still maintains its value basis. Despite its theological foundations, waqf has consistently shown adaptability, making it a potential catalyst for addressing contemporary challenges in welfare, sustainability, and inclusive

development, in many forms, cultures, and diverse societies.

However, modern discourse on waqf often fails to fully acknowledge the complexity and diversity of its contemporary expressions, its values, and principal messages. This oversight limits its integration into mainstream socio-economic frameworks. The existence of dual legal systems in many regions (civil and religious) creates both barriers and opportunities for the reactivation of waqf institutions. By reconciling these systems and embracing flexible governance mechanisms, waqf can be aligned with modern principles of transparency, accountability, and long-term impact.

To move forward, waqf must be reimagined not only as a religious obligation but as a strategic instrument for social justice and economic sustainability. Over time, generations and eras, the continuity of waqf were transmitted and used in various contexts. Its inherent principles of asset preservation, perpetual benefit, and communal welfare position it well within global discourses on equitable development. Revitalizing waqf within a contemporary, policy-driven, and economically viable framework could contribute meaningfully to building resilient, inclusive societies that uphold both ethical and developmental aspirations.

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