

RESEARCH ARTICLE

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Manifestations of the Endowments in the Quranic Corners and Their Libraries

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Abstract:

The Islamic waqf is a system that was born and developed under the Islamic civilization, and the endowments have been known since the time of the Prophet and through the Islamic eras with a big growth, diversity and expansion, where it did not limit itself only to taking care of the categories of the society, but it went beyond that to take care of everything that people depend on in their living, and by its spreading it covered different aspects of life: social, and scientific, and cultural and health, and humanitarian, and political, and economic, and service, and others.

By examining the historical experience that the Islamic nation has led with the waqf in the societies, it is clearly noticed the great success and the active and influential role that the endowments played in the growth and expansion of the social movement.

However, in the present age the spending became less because of the scarcity in the resources, and the widening circle of poverty, and the spread of unemployment in the Arab and Islamic countries, which reflected negatively on reducing the role of improving the social situation.

In view of what was mentioned, the matter requires searching for methods and mechanisms to provide resources to finance the social services, so that they can do the role that is assigned to them, and instead of searching for imported ideas and in commitment to the rules and orientations of Islam, the matter requires to turn to what the Sharia has decided of systems and methods which are many and multiple such as zakat and waqf and all other voluntary charities and obligatory expenses.

In this research, it is pointed to one of the developmental methods in the field of education, through which it is possible to revive the role of waqf to contribute in providing a permanent and continuous source to finance the educational services through which ignorance is fought. And this research discusses "Manifestations of the waqf in the Quranic zawiyyas and their libraries", and this is what helps in finding the financial sources and resources for the educational zawiyyas to achieve their goals and purposes that are assigned to them.

Keywords: Islamic waqf, Quranic zawiyyas, educational services, financial resources.

Introduction

All praise be to Allah we praise Him and seek His assistance, and we ask forgiveness from Him and repent to Him, and we seek refuge in Allah from the evils of our own selves, and from the badness of our deeds, whom Allah guides then no misleader for him, and whom He misleads then no guider for him, and I witness that there is no god except Allah alone no partner for Him, and I witness that Muhammad is His servant and His messenger. No two doubt in the importance of waqf in the educational services because it contributes in stabilizing the human communities, and guaranteeing their effectiveness in life, where by providing the services the stability is available, and the giving and the spending, and the production and the social interaction between the individuals of the society, and by its absence all that is absent, and chaos prevails in the society, and vice spreads and corruption becomes general therefore this research came to put a brick for manifestations of waqf in the Quranic corners and their libraries, addressing in it the matters which the Sharia put for preserving it from all the aspects in life, meaning what ensures its continuation and perpetuity, equally from that what repels from it the actual corruption or the expected from it.

Importance of the Research Topic:

This importance appears in brief in the following matters:

- The waqf system on the Quranic corners and their libraries is considered among the most important sources of financing education and to it returns the credit – after Allah – in all what was achieved from wide scientific revival which the Islamic world witnessed in the different educational institutions.

- Urging the owners of wealth and the rich on acquiring the means of nearness and convincing them to waqf their moneys through the different fields of waqf to attain the charitable rank by which the Islamic nation was distinguished.

- Interest of the people of knowledge in the waqf system, and that for what it has of great

position and praiseworthy effects among the Muslims throughout the Islamic ages.

Objectives of the Research:

The objectives can be summed up in the following matters:

- Raising the nation in all its fields to be worthy for activating the divine approach and leading humanity toward developing the universe. And the development of the Quranic corners and their libraries through reviving the waqf system.
- Finding new financial sources and resources to achieve the objectives of the beacons and the Quranic schools.

- Showing the active and effective role which the waqfs performed in the educational services.

Research Methodology:

The inductive approach was used in investigating the information related to the waqf system and its concepts and its fields and its role and its effective methods in supporting the Quranic corners and their libraries, also the descriptive analytical approach was used in describing the elements and terms of the research subject and explaining them and analyzing them to arrive at the results and recommendations.

Research Plan:

The nature of the research required for achieving its objectives to be divided into two main topics between introduction and conclusion, in the following manner:

The Introduction: and it addressed the importance of the topic and its objectives and its methodology and the research plan.

The First Main Topic: Concept of waqf and the Quranic corners.

The First Subtopic: Definition of waqf and the corners.

The Second Subtopic: Ruling of waqf and its legitimacy.

The Third Subtopic: Importance of waqf and its purposes.

The Second Main Topic: Fields of waqf in supporting the Quranic corners and their libraries.

The First Subtopic: Waqf on the Quranic corners.

The Second Subtopic: Waqf on the teachers and students of knowledge.

The Third Subtopic: Endowment of books and libraries of the corners.

The Conclusion and it includes the most important results and recommendations.

Chapter One: Concept of Waqf and the Quranic Zawiyyas

Section One: Definition of Waqf

First: Its Linguistic Definition: Waqf in the language comes with several meanings among them:

1/ The Holding: and it is closest of the meanings to waqf. It is said: I held such thing, meaning I detained it. And “held the beast” a holding: held it in the way of Allah (Ibn Manzur, 1994, 4898), and from it His saying the Exalted: “Stop them; indeed, they will be asked.” (Al-Saffat: 24) and waqf, holding, and channeling words are synonymous and have one meaning, which is: holding and preventing (Al-Fayruzabadi, 1407 AH, 205). And it is an act indicating perpetuation, so if said: so-and-so held his land a holding, it is understood that he made it held—not sold, not inherited.

2/ The Stopping: you say: I stopped from the matter which I was in, meaning I ceased, and stopped from it: held and ceased (Al-Fayruzabadi, 1407 AH, 1112).

Second: Its Terminological Definition:

The expressions of the jurists differed in their defining waqf, due to differences in their madhhabs regarding waqf: aspects of its ruling (permanence or not), ownership of the substance after waqf, or conditions of its formation. We

mention its definition according to the four jurists then weigh what is appropriate:

1/ Hanafis: "holding of the owned from the owning by the other" (Al-Sarakhs, 1421 AH, 27).

2/ Malikis: "giving benefit of thing during its existence obligatory while remaining in ownership of its giver" (Al-Hattab, 1412 AH, 18).

3/ Shafi'is: "holding of property that can be benefited from it while remaining its substance by cutting the disposition on permissible consumption" (Al-Haytami, n.d., 235).

4/ Hanbalis: "holding of the principal and channeling of the benefit" (Ibn Qudamah, 1421 AH, 307).

This last definition, in my estimation, is the most comprehensive, because:

A/ It derives from the saying of the Prophet to Umar: "hold its principal and channel its fruit" (Al-Nasa'i, 1421 AH, 3607).

B/ Its meaning encompasses all holdings and waqfs.

From these definitions, the basis of waqf is holding the substance so no disposition occurs by sale, pledge, gift, or inheritance, and the benefit is directed according to conditions set by the endower (Abu Zahrah, 1391 AH, 44-45).

Thirdly: Linguistic Definition of the Zawiyyas:

“The zawiyyas, singular zawiya, from the verb (inzawa) meaning took corner, as from verb (zaway) and ‘azway’ meaning distanced and isolated. It is so named because those who first built it, from the Sufis and Murabitun, chose isolation for quietness and stillness to help contemplation and spiritual exercise, with its building and noise seeking suitable atmosphere for remembrance and worship” (Shuhbi, n.d., 13-14).

Fourthly: Terminological Definition:

"The name zawiya is applied as refuge of Sufis and poor and mosque—not cathedral—not an expression of owner of intermediate dictionary. In it pulpit is limited. The zawiya is an Islamic religious institution of social and spiritual nature, differing according to functions and activities" (Shuhbi, n.d., 31).

From this, we notice agreement between linguistic and terminological definitions: zawiyyas are institutions concerned with moral and educational upbringing in the religious aspect, which is the focus of this research.

Section Two: Ruling of Waqf and Its Legitimacy

First: Its Ruling: No disagreement among the majority of jurists from Salaf and after them that waqf is legally permissible (Ibn Qudamah, 1405 AH, 185). Ibn Qudamah said: "Most people of knowledge from Salaf and after them say validity of waqf" (Al-Nafrawi, n.d., 224). Differences exist only in recommendation and emphasis, but the correct view is permissibility and recommendation, as it is among the best ways to draw near to Allah the Exalted (Al-Shawkani, 1425 AH, 313).

The four Imams agreed on its recommendation, let alone its legitimacy, and its nearness to Allah. Imam Al-Shawkani said: "Establishment of waqf in this Sharia and its being nearness clearer than the sun of the day" (Al-Shafi'i, 1410 AH, 274-275; Al-Sarakhsy, n.d., 27).

Second: Its Legitimacy: Legitimacy of waqf is established by the Noble Qur'an and Prophetic Sunnah.

First: Noble Qur'an:

1/ "O you who have believed, spend from the good things which you have earned and from that which We have produced for you from the earth." (Al-Baqarah: 267)

2/ "Never will you attain the good [i.e., piety] until you spend [in the way of Allah] from that which you love. And whatever you spend—indeed, Allah is Knowing of it." (Aal Imran: 92)

3/ "Whatever you spend in good is for

yourselfs, while you seek the countenance of Allah. And whatever you spend of good—it will be fully repaid to you, and you will not be wronged." (Al-Baqarah: 272)

These verses call to spending in goodness and piety, warn against stinginess, and emphasize using wealth in this life before the Day of Resurrection. Among the greatest doors of goodness is waqf in directions of goodness seeking Allah's pleasure.

Second: The Prophetic Sunnah:

From Anas ibn Malik: Abu Talhah said: "O Messenger of Allah, Allah the Exalted says... and most beloved of my properties to me is Bir Ha' as charity to Allah... so place it where Allah shows you." The Prophet replied: "Well, it is profitable money twice..." (Muslim, n.d., 1633).

Section Three: Importance of Waqf and Its Purposes

First: Its Importance: Waqf is among the most significant manifestations of Islamic civilization; it expresses the will of goodness in Muslims and their solidarity with Islamic society. Looking at Islamic civilization, one is astonished at waqf's effects, theoretically and practically, from the time of the Prophet and Rightly Guided Caliphs to today, fulfilling needs completely.

Chapter Two: Fields of Waqf in Supporting Qur'anic Zawiyyas and Their Libraries

Section One: Waqf for Establishing Educational Zawiyyas

Knowledge is among the necessities upon which the life of nations and individuals depends, and people's need for it exceeds every need, and their necessity for it is above every necessity; because a person worships God and acknowledges Him, and knows His right and glorifies Him, and it is an act of closeness in itself if it is among the religious sciences, and a closeness for its purpose if it is among other sciences that serve as means to the religious sciences, such as the knowledge of the Arabic language and its branches, or among the sciences needed by Muslims to manage their various

affairs, like engineering, medicine, and others, which become a reason for their elevation and advancement. Based on this, the waqf for establishing educational beacons concerned with these sciences is considered waqf for a cause of virtue and obedience, thus it becomes a legitimate waqf (Muslim, n.d., 3092).

This follows what the jurists, may God have mercy on them, mentioned regarding waqf for a cause; it is legitimate if the purpose of the waqf is virtue and obedience. Therefore, the waqf for establishing educational beacon houses falls within that, because among the acts of virtue, obedience, and closeness to God is spreading knowledge and facilitating its path.

Among the authentic evidences that can be used for this is his, peace be upon him, saying: “When a person dies, his deeds are cut off except for three: ongoing charity, knowledge from which people benefit, or a righteous child who prays for him” (Ibn Majah, n.d., 88, 242).

Among the ongoing charities is establishing zawiyyas and educational schools, so the donor who builds an educational institution for waqf will have the reward for himself and the reward of those who learn from it.

2/ From Abu Huraira, he said: The Messenger of God said: “Among what follows the believer from his deeds and good deeds after his death: knowledge he learned and spread, a righteous child he left, a Qur'an he bequeathed, or a mosque he built, or a house for the wayfarer he built, or a river he caused to flow, or a charity he gave from his wealth during his life and health which continues after his death” (Bukhari, n.d., 1399).

Therefore, waqf for establishing zawiyyas or educational schools is part of spreading knowledge. It has been stipulated to build mosques, and among their most prominent activities are performing worship and teaching knowledge, so building zawiyyas, educational beacons, and schools falls within this; because it fulfills a task of the mosques.

3/ From Abu Huraira, in the story of Khalid ibn al-Walid when he informed the

Prophet, peace be upon him, that he had held back his arms and prepared them in the way of God (Al-Sa'di, 1420H, 341). This hadith can be used to indicate two matters:

First: The legitimacy of waqf for jihad in the path of God, and it is known that jihad has two types: jihad with knowledge, and jihad with the sword. Therefore, waqf for educational beacons and zawiyyas falls under jihad with knowledge; for the path of God includes every way that leads to God Almighty and His pleasure, among which is knowledge.

Sheikh Abdulrahman Al-Sa'di, may God have mercy on him, said in his interpretation of His words:)Indeed, the charities are for the poor, the needy, those employed to administer them, those whose hearts are to be reconciled, and for freeing slaves, and for those in debt, and in the cause of God, and for the wayfarer. It is a duty from God. And God is Knowing, Wise ((At-Tawbah: 60). Many jurists said that if someone capable of earning dedicates themselves to seeking knowledge, they may be given from zakat, because knowledge is included in jihad in the path of God (Anonymous, n.d.).

Second: Waqf for movable items (Ibn Muflah, 1405H, 596), such as waqf for devices, books, and educational materials.

These are some evidences among many others that can indicate the legitimacy of waqf for establishing zawiyyas, beacons, or educational schools, which shows that it is among the legitimate and permissible waqf, and one of the acts of closeness to God Almighty.

In conclusion, waqf for zawiyyas, beacons, schools, and educational buildings, if it is real estate, takes the ruling of waqf for real estate; if it is movable, it falls under the ruling of waqf for movables; and if the waqf is in cash, it enters under waqf of funds. All these matters have been addressed by scholars in the discussions of waqf, and permissibility is favored. Hence, waqf for establishing Qur'anic zawiyyas, beacons, or educational schools can take the same ruling.

Section Two: Waqf for Teachers, Students, and Scholars

In the matter of waqf, they are therefore given their entitlements from the waqf equally; because taking from the yield of the waqf is by entitlement in this description, not as wages (Abidin, 14012H, 366). The ruling on waqf for teachers, students, and scholars does not escape two cases:

The first case: that the waqf is dedicated to a specific person among them, whether they are a group or an individual. The waqif may say: "This is waqf for so-and-so, the scholar," or "so-and-so, the student of knowledge."

Here, the waqf on them is valid absolutely, and this falls under waqf for a specific person and not for a cause. Scholars have agreed that waqf for a specific person does not require the intention of closeness (Al-Bahuti, n.d., 275). Therefore, the waqf is valid even on the rich among them, and entitlement is for the benefit of the waqf or its yield, limited by this description, and they are entitled to it as long as the waqf remains (Al-Sarakhsy, n.d., 33).

The second case: that the waqf is not dedicated to a specific person among them, such as saying: "This is waqf for students of knowledge," or "for scholars," or "for teachers," or similar expressions. Here, it is considered waqf for a cause. According to jurists' condition that the cause must be virtuous and an act of closeness, the status of these beneficiaries regarding usufruct of the waqf does not go beyond two forms:

The first form: benefit comes directly from the waqf itself, not from its yield; that is, they learn in these zawiyyas, beacons, or schools, or the waqf may be land upon which an educational facility is established from which they benefit, or it may be a public library endowed so that the student or scholar may read in it, or engage in research with the books endowed in it.

The second form: they benefit from the yield of the waqf, such as land generating revenue, real estate with yield, or equipment—according to those who allow waqf of movables, which is the stronger opinion, it may produce yield.

As for the first form, which is from the waqf itself, the jurists permit teachers and students to benefit from the endowed facilities whether they are rich or poor, whether they are restricted or not. The Hanafis explicitly stated this (Al-Kharshi, 1317H, 80), and it is also the position of the Malikis; because they permit waqf even on the rich (Al-Ansari, n.d., 575). The Shafi'i's agree (Ibn Qudamah, n.d., 191); because they do not require the appearance of the intention of closeness, which is clear in this case, and the Hanbalis; because they explicitly allowed a similar issue, namely a mosque endowed for the general public, which includes the waqif among them (Al-Sarakhsy, n.d., 33). Thus, this ruling is agreed upon by the imams, and those who did not explicitly mention it likely left it because the ruling is clear.

As for the second form, which is benefiting from the yield of the waqf: if the teachers and students are poor, which is common when they have no fixed financial income, it is permissible for them to take from the yield by agreement, and the waqf on them is valid by consensus (Bukhari, n.d., 518-519, 1361).

Accordingly, waqf for scholars and students is among spreading knowledge and fulfilling the needs of Muslims and covering their necessities, thus achieving the purposes and objectives of waqf. However, if those engaged in learning and teaching knowledge are rich, scholars differed on the permissibility of waqf for them and taking from the yield. The stronger opinion is that it is permissible to take from the yield if they meet the descriptions considered by the waqif, although the cautious approach is that they should not take from it to avoid disagreement, as the Prophet, peace be upon him, said: "And whoever is self-sufficient, God will enrich him" (Al-Dhihyan, n.d., 88).

Section Three: Waqf for Libraries and Zawiyya Books

Scientific books and libraries in the zawiyyas are among the most important channels and sources of knowledge, and they assist scholars and students in achieving a

comprehensive scientific renaissance in various sciences and diverse arts (Al-Kharshi, 1317H, 80).

Scholars have examined the issue of waqf for books within their discussion of waqf of movables; because books are among the movables, but they have specified the ruling on them.

By waqf of books, they mean books of religious knowledge: such as books of tafsir, hadith and its sciences, creed, jurisprudence and its principles, da'wah, and others.

They also mean books that serve as a means to understand religious knowledge and assist in comprehending the texts of Shariah, such as books of the Arabic language and its sciences, or books related to the conditions of Muslims and benefiting from them, like history books and similar works.

As for purely theoretical sciences, such as chemistry, physics, arithmetic, medicine, and others, there is—according to my knowledge—no explicit ruling on waqf for them. However, according to the jurists' reasoning in limiting permissibility, books must not be prohibited; if they are not, it is permissible to make them waqf, especially those of great benefit and high need, related to the interest of the general community, forming a basis of knowledge by which the nation can advance in various fields. It is known that Shariah came to establish the interests of religion and worldly life, so books serving the community in these areas fall within what supports Shariah.

Jurists differed on the ruling of waqf for books, but the stronger opinion—and God knows best—is that it is permissible, because of the great benefits it achieves for the general community.

As for prohibited books, meaning those containing forbidden contents and beliefs, such as polytheistic beliefs, innovations, misguidances, corrupted revealed scriptures, books of atheism and heresy, and others that oppose Islam and promote evil and corruption by various means and methods, all these books,

according to the conditions of the four schools regarding waqf on a cause of virtue and obedience, cannot be made waqf. Some scholars explicitly stated the prohibition of waqf on such forbidden books, including Shafi'i and Hanbali jurists (Anonymous, n.d., 354).

This applies to the books themselves. As for waqf on the composition, printing, and dissemination of books, the books may be acts of obedience and closeness if they are of religious knowledge or assist in it, or closeness to their purpose. Waqf for them is thus waqf on a cause of virtue and obedience, and it is legitimate. However, waqf for writing, printing, and distributing prohibited books is waqf on a forbidden cause, a pure sin, and therefore impermissible. Then, if the waqf for this purpose is real estate, its ruling is like waqf of real estate; if it is movable, it is like waqf of movables; and if it is cash, it is like waqf of money.

Conclusion

Praise be to God, by whose grace good deeds are completed and honorable acts are achieved. Below are the most important results and recommendations derived from this research:

First: Results

1/ Waqf, tahbees, and tasbeel have one meaning linguistically, which is detention and prevention; but technically, it is: preserving the principal and allowing the fruit to be used.

2/ The waqf system is an original Islamic system, whose legitimacy is evidenced by the Qur'an and Sunnah.

3/ Waqf has a purpose: a general purpose, which is to create a permanent and continuous resource to achieve a permissible objective for a specific benefit; and special purposes, including obeying God Almighty by spending and giving charity in ways of virtue, preserving wealth, and protecting it from extravagance and misuse.

4/ Waqf contributes to serving the educational field.

5/ Waqf is among the most important means supporting Qur'anic zawiyyas and their educational libraries, and it is a primary reason for the flourishing of Islamic civilization. It can play the same role in any era if the supporting methods for its success are available.

Second: Recommendations

1- Strive to benefit from the expanded juristic opinions regarding matters related to the nature of endowed assets and rules for utilizing them, and work on establishing a legitimate foundation for them, such as issues concerning waqf of money, waqf of shared property, replacing waqf, and so on.

2/ Pay attention to modern methods for managing the financial and investment affairs of waqf, by providing qualified technical staff.

3- Guide waqf authorities to establish an Islamic international mechanism that contributes to solving the funding problem of the waqf sector.

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