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Ethics in Action: The Role of *Waqf* in Early Muslim Society

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In this article the author references certain key *hadiths* of Prophet Muhammad, Qur'anic verses and examples from the Prophet's *sunna* to highlight the importance in Islam of an ethical standpoint in all walks of life including giving charity, helping the poor and needy, and aiding those who are unable to care for themselves. The article also explores the importance, particularly in Shi'i Islam, of the *waqf*, a legal document that sets aside certain property or resources for the purpose of a perpetual endowment, to be used for the betterment of the community.

The Qur'anic ethics of care and generosity are woven deep into the fabric of Muslim civilisations. Embodied in the daily life of Prophet Muhammad, this ethical spirit emanated from the belief that Allah had entrusted responsibility and obligations to mankind as a whole and to the community of believers in particular.

"I will create a vicegerent (khalifa) on earth," Allah says to the angels in the second chapter of the Holy Qur'an (2:29), declaring man to be God's representative. Implicit within the grace of this trusteeship is a commitment to improve the lives of the less fortunate. Muslims are united in their belief of the inheritance of this covenant, and are ever committed to upholding those obligations of care and generosity. From the earliest period of Muslim history, many of the ethical values that emerged from the verses of the Holy Qur'an and Prophet Muhammad's teachings led to the development of institutions, funded by the faithful and dedicated to the betterment of life in society.

The Holy Qur'an makes the provision of social care a personal obligation. Numerous verses encourage people to attend to the needs of the poor and destitute. Strong reprimands are addressed to those who amassed wealth, ignoring their responsibilities to the poor. *"Have you seen the one who calls Religion a lie?"* Allah says to the people of Mecca, *"that is the one who treats the orphan harshly, and does not urge others to feed the poor"* (Q107:1-3). Instead, those who act and spend in a generous manner are accorded the highest praise.

Prophet Muhammad's ethical practice comprised of sympathy, empathy, compassion, mercy and respect. He taught that a believer should inquire about his neighbour before himself and God regularly exhorted the faithful through the Holy Qur'an to help the lonely traveller on the road. The giving of charity and acts of purity went hand in hand, so much so that the Qur'anic term, *sadaqa* (charity), also carries the meaning of "sincerity" or "truthfulness".

As the living examples of the ethical spirit of the Holy Qur'an, Prophet Muhammad and the Shi'i Imams fervently upheld the virtues of care, generosity and compassion. Many of the earliest Muslims who responded to Prophet Muhammad's call were on the margins of their communities to whom, in the midst of a society gripped by greed, he stood as an example of

love and mercy. “*We have only sent you to be a mercy to mankind*” (Q21:07), Allah said to Prophet Muhammad, whose actions were driven by consideration for others. This emphasis on obligation of care went beyond the individual and became an obligation for the community as a whole. The community of believers is depicted in the Holy Qur’an as an *umma*, a single organism united through the bond of faith. Frequently, Allah reprimands not only individuals but communities as a whole for failing in their duties toward the less fortunate. The Meccans of the era before Islam were told: “*you do not honour the orphan, and you do not encourage one another to feed the poor, and you devour inheritances with greed, and you love wealth with exceeding love!*” (Q89:17-20).

By shaping the Muslim *umma* as one organism, Allah and Prophet Muhammad obligated the community to do good works and to be responsible, crafting *the umma’s* sense of purpose:

“*You are the best community that has been raised up for mankind, enjoining what is right and forbidding what is wrong, and believing in God*” (Q2:143).

Various Muslim communities which emerged over the subsequent centuries developed institutions through which the ethics of care, compassion and general social responsibility were realised. The Shi‘i Imams similarly continued to teach their followers the ethical values intrinsic to the faith. For individuals, the obligation of giving charity was upheld by paying the *zakat*. Additionally, the Shi‘i communities maintained the payment of *khums* (one-fifth of various types of income) to their Imam, buttressed by these very ideas of responsibility and obligation. However, it was one manifestation of the ethic of charitable giving, the *waqf*, which gained prominence as the method through which the community at large institutionalised the responsibility to better society.

A *waqf* is a legal document that sets aside certain property or resources for the purpose of a perpetual endowment. Literally meaning ‘still’ or ‘unmoving’ it is a declaration by an individual, always written, that a certain possession (be it money, land or property) would be held in perpetuity, as a trust, to be used for the betterment of the community. Thus, throughout the Muslim world, individuals donated their property and their possessions to be used to build places of worship and centres of education, to provide health-care, to facilitate trade, to fund and maintain *sabils* (structures that provided free water to the public), to create inns which housed pilgrims and to provide a range of institutions for the protection of the weak and needy. The institutionalisation of *waqf* provided a means for the community to upkeep collectively its obligation to uphold the ethics of compassion and care.

For many of these Muslim communities the bulk of their efforts to provide social care were centred around places of worship, the Prophet Muhammad’s mosque providing an archetypal model. There, as the guide of the believers, he educated his followers in the teachings of the faith. At the same time, various other functions were performed in that sanctified space of worship, each focused toward the betterment of the members of the *umma*.

Food was prepared and given to the needy within its walls, money was distributed to those seeking aid, and shelter was accorded by Prophet Muhammad’s mosque to those seeking sanctuary. Over time, the *masjids*, Sufi lodges, shrines and other places of worship dotted from Morocco to China became centres through which Muslim communities could provide facilities to deal with the needs of society. The innumerable number of places of worship that were built and maintained in dedication to the spiritual devotion of the *umma* was made possible through various declarations of *waqf*. From within their walls there arose institutions

that were devoted to the material, spiritual and intellectual welfare of the believers and those amongst whom they lived.

In keeping with the Qur'anic ethos, Prophet Muhammad and the Imams valued learning and gave knowledge a prominent and central role in Muslim civilisations. The medieval period saw a remarkable proliferation of institutions dedicated to learning, the schools themselves often started as auxiliary rooms of mosques. Knowledge was valued and resources were dedicated to its advancement. A considerable number of *waqfs* across the Muslim region provided salaries, food, accommodation, books and manuscripts to fund schools, universities, libraries, to train teachers and help in the provision of learning for society.

The *Dar al-Hikma*, (House of Wisdom) built by the Fatimid Imam-caliph al-Hakim in the 11th century was an example of this endeavour, where “*the commander of the faithful al-Hakim bi-Amr Allah ordered to bring there, that is, the manuscripts in all the domains of science and culture... He allowed access to all this to people of all walks of life, whether they wanted to read books or dip into them. One of the already mentioned blessings, the likes of which had been unheard of, was also that he granted substantial salaries to all those who were appointed by him there to do service: jurists and others. People from all walks of life visited the House; some came to read books, others to copy them, and yet others to study. He also donated what people needed: ink, writing, reeds, paper and inkstands.*”¹

Whilst the provision of education provided an avenue to nurture both the spirit and the mind, the Muslim ethic of social care maintained that healthcare was also a communal responsibility. The biographies of the various Prophets and Imams highlight numerous stories of their compassion toward the ailing. The obligation to care for the sick encouraged the development of the sciences associated with medicine throughout the early medieval Muslim world, institutionalised in the building of *bimaristans/Dar al-Shifa'a* (Places of the Sick/Houses of Healing) across the Muslim world. As with the spaces of worship and the centres of education, the hospitals were similarly funded and maintained by *waqfs*. As early as the 9th century CE in Baghdad, hospitals were built to provide medicine and care for the sick. By the 10th century CE, these centres of care began to send trained doctors out into rural areas, accompanied by ‘mobile pharmacies’ that dispensed medicines to those unable to travel to the urban centres. Large hospitals were built in the major cities of the Muslim world, such as the famed Nur al-Din Bimaristan (Damascus), and those diagnosed with serious illnesses were given clothing and care. Many of the *waqf* documents that helped in their establishment stipulated that their doors should be open to both the rich and the poor, regardless of race, religion or ethnicity.

The provision of education and healthcare were just two areas through which Muslim communities institutionalised the ethics of care, compassion, respect and generosity first set out by the Holy Qur'an and Prophet Muhammad. However, the institution of the *waqf* allowed for an extensive proliferation of services, funded by the community, for society at large. Orphanages and shelters provided the basic needs for a considerable number of those less fortunate; many an urban populace relied on aqueducts and *sabils* for their clean water; ponds and water-wheels were dedicated *waqf* to encourage farming; and way-stations and inns were built to facilitate trade routes and to allow pilgrims to converge. The ethic of

¹ Heinz Halm, *The Fatimids and their Traditions of Learning*, (London: I.B. Tauris; The Institute of Ismaili Studies, 1997), pp. 73-74

communal responsibility extended beyond the provision of only essential services into facilitating the development of all the various facets of life.

In the Holy Qur'an, Allah regularly exhorts the believers to recognise that their fortune and prosperity arose only as a result of His blessings, teaching that the prosperous and the fortunate needed to convey both gratitude and recognition for their good fortune. This sense of gratitude was an integral part of the covenant established between God and the *umma*, yet it required the believer not only to vocalise that gratitude, but to act upon that feeling by distributing those very blessings to others, particularly the needy. A clear message in the Qur'anic ethos is that faith must go hand-in-hand with good works, "*And give glad tidings (O Muhammad) unto those who believe and do good works*" (Q2:25).

The association of belief and good deeds (*'amal salih*) is found throughout the Holy Qur'an where Allah encourages mankind to "*compete to do good works*" (Q2:148). The *waqf* system provided the template upon which Muslim communities were able to maintain their obligation to do such works and uphold their duties of care and generosity to the whole of society. These commitments were true to the Qur'anic ethos that sought to enrich both the *din* and the *dunya* of the believers.