Funding the Sub-Saharan African Education Sector with Waqf: Experiences from al-Azhar University and Selected Universities in Malaysia

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Abstract: Education is a fundamental human right. The UN has also made it as one of the eight Millennium Development Goals. Before the leading nations in the world today have drafted the laws and international treaties on the compulsion for governments to give access to education to every child Islam has already instructed mankind to seek for knowledge. Despite these divine and human encouragements, unfortunately, the world is still harbouring about 57 million out-of-school children who are denied access to education due to factor mainly depending on lack of adequate funding. UNESCO’s statistics show that in the world’s total number of out-of-school children the Sub-Saharan Africa is home to the most alarming number, accounting for about 50% of them, a problem mainly attributed to low funding. Therefore alternative source of funding is inevitable. It is to this reason this paper aims at exploring waqf as a viable source of funding for education in the sub-Saharan Africa. This will be modeled on some selected universities like Al-Azhar and certain Malaysian universities.

Key words: UNESCO, Waqf, Education, Subsaharan Africa, Al-Azhar and Malaysian Universities

Introduction

When Allah wanted to reveal the importance of education to mankind He started with His Prophets. For example He taught Adam (Alayhi Salam) and then asked the Angels what they failed to know and in turn commanded Adam to teach them which He did perfectly.³ Also the first verses Allah revealed to the Holy Prophet

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³ Quran, al-Baqarah: 30-1.
Muhammad (SAW) were about knowledge, as He said to him “read in thy name of your Lord.” Even in the time of jihad Allah still commanded that some Muslims should stay away from jihad and go to seek for knowledge so that when they come back to their people they will give them admonitions so that they may beware (of the hell fire). The implication of this is that education lets you make good use of your brain and make you stay clear from what is harmful and lead you to what is beneficial to you.

In this era the international communities have also made education a compulsory property that must be given to everyone, and it was made one of the United Nation’s eight anti-poverty targets, ‘Millennium Development Goals’ (MDGs). Unfortunately there is still an alarming number of the world population that is not getting this fundamental human right. This phenomenon is said to be more in some South and west Asian countries and the Sub-Saharan African region. According to UNESCO-2013 report some 57 million children were out-of-school children at global level, while half of this figure was in the Sub-Saharan Africa Nigeria which is the largest country in Africa was home to the largest number of these out-of-school children. UNESCO has attributed this problem largely to a cut in funding by the international donors. And most of these aids givers are some of the developed countries. More saddening, the UNESCO had also said that “more than 20 per cent of African children have never attended primary school or have left school without completing primary education. By contrast, countries in South and West Asia, which also have high drop-out rates, have made considerable gains over the past two decades, reducing the number of out-of-school children by two-thirds from 38 million in 1999 to 12 million in 2011”.

It is against this backdrop this paper sets to explore the potentials of waqf as alternative source of funding the education sector in the Sub-Saharan Africa. This is idea is based on the

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4 Quran, al-‘Alaq: 1-5.
5 Quran, Al-Taubah:122.
8 Ibid.
historical information on the role awqaf had played in education in the past. For instance, in the island of Saql, the numbers of primary schools were around 300 schools, and they were all funded by revenues from awqaf. And hundreds of madrasah (schools) were funded by awqaf in Quds (Palestine), Damascus, Baghdad, Cairo and Nishapur in Iran. More importantly, the popular University of al Azhar, Cairo, was founded in 972 and it received its full funding from its awqaf to run free education, from primary school to the university level. So also the University of Qarawiyyin in Fes, many schools in Baghdad and other Muslim countries were established and funded by awqaf.

Defining the Sub-Saharan Africa

The Sub-Saharan African countries are the countries that lie south of the Sahara Desert of the continent. These are, Angola, Benin, Botswana, Burundi, Cabo Verde, Cameroon, Central Africa Republic, Chad, Comoros, Congo, Dem Rep., Cote d’Ivoire, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Togo, Uganda, Zambia and Zimbabwe.

The Plight of Education In The SSA

On June 2013 UNESCO released statistics on the educational status of the world, saying that fifty-seven million children were out of school in 2011. The UN agency added that the challenge of getting more children into school was cumbersome due to decreased aid to basic education for the first time in more than a decade. The agency noted that since 2000 only one out of every four children that enrolled stay in school, and about 137 million children began

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9 Ibid.
primary school in 2011 but at least 34 million are likely to drop out before reaching the last grade. The situation becomes worse in the Sub-Saharan Africa, where the figure drops to one out of three students.\footnote{United Nations’ UNESCO. n.5.}

The UNESCO boss had attributed part of the root cause of this plight to reduction in aid to basic education which has dropped by six per cent between 2010 and 2011. It is said that most of these aids givers are some of the developed countries like Canada, USA, Netherland, United Kingdom, and the World Bank etc, even as the agency said that the required fund to fill the funding gap of basic education was $26 billion USD.\footnote{Ibid.}

The crux of this matter which is the motivational factor of this paper is that the report said that countries in sub-Saharan Africa account for more than half of all out-of-school children and have the highest out-of-school children rate, and Nigeria was home to the largest number of out-of-school children in the world.\footnote{Ibid.} Therefore offering awqaf funded education to the children of this region will not only take them to the classroom but also means that education will not be restricted to the children of the affluent only, but also to the poor children, and consequently equality is entrenched in the society.\footnote{Monzer Kahf, “Role of Waqf in Sustainable Development”, <http://www.onislam.net/english/shariah/contemporary-issues/islamic-themes/452593-waqf-and-sustaining-economic-development.html> (assessed 20th November, 2014).}

How Awqaf Could Be Instrumental In Addressing The Problem

There are numbers of awqaf models that could be used to address the horrible plight of educational situation in the Sub-Saharan African region. These models are based on Al-Azhar University model, IIUM model and Al-Bukhari International University model.

**AL-AZHAR UNIVERSITY MODEL**

**Brief Introduction of Al-Azhar University**

Al-Azhar University is an International Islamic University established in Cairo, Egypt in 972, the tenth century CE, corresponding with the fourth century of Islamic Calendar, and the
oldest Islamic University in the world.\textsuperscript{17} Since establishment this University has been taking the ummah to the higher level of Islamic knowledge and the general human capital development. The University has produced several thousands of renowned local and international scholars that now extend the frontiers of knowledge in both Islamic knowledge and other aspects such as engineering, medicines, and natural sciences, social and human sciences. The organizational structure of the university education covers primary schools, secondary schools and university and many other centres and institutes.\textsuperscript{18} Discussing the educational activities and achievements of Al-Azhar University will take volumes, and so this is suffice.

**Al-Azhar University’s Awqaf**

Al-Azhar University relied on its awqaf since inception till 1961.\textsuperscript{19} According to Hasan al-Shafie who granted interview to the \textit{al-Ahram} newspaper, the awqaf of Al-Azhar University were in form of agricultural lands, the identifiable portion now measures 150,000 acres and valued at billions of Egyptian pounds. According to Hasan al-Shafie the University relied on these awqaf successfully until the time of Jamal Abdul Naseer\textsuperscript{20} (d.1970) who\textsuperscript{21} extended his eminent domain in his land mark land reform to Al-Azhar awqaf lands in 1961 and transferred the lands to the Egyptian Ministry of Agriculture and Land Cultivation. Although to his credit he replaced the university awqaf-based funding with adequate government-based funding throughout his reign. Several efforts by the University to regain the ownership of its awqaf have proven abortive. Only a negligible portion has remained with the university which is not the 150,000 acres. Due to the fact that these awqaf were donated over a long time by Egyptians who were very loyal to Al-Azhar there are no certificates of ownership of the intercepted awqaf, hence the difficulty to reclaim them. Nevertheless, efforts are still ongoing for the retrieval of the awqaf.\textsuperscript{22}

\textsuperscript{17} Al-Azhar University, “About the University”, <http://www.azhar.edu.eg/> (18\textsuperscript{th} November, 2014).
\textsuperscript{18} See generally Ibid.
\textsuperscript{20} Another version is saying that the awqaf were intercepted in the time of Muhammad Ali. See, Al-Azhar, “Waqf Conference 2012”, News website, <http://onazhar.com/page2home2.php?page2=97> (assessed 19\textsuperscript{th} November, 2014).
\textsuperscript{21} The then Sheikh Al-Azhar, Muhammad Al-Khudhari Husain challenged this action but was to no avail. See Ibid.
\textsuperscript{22} Ibid.
In the 2012 Awqaf conference organized in Al-Azhar, emphasis was made to the effect that the affairs of the al-Azhar awqaf must be independent from the Egyptian Ministry of Awqaf. To this effect the al-Azhar awqaf laws stipulate that the Sheikh Al-Azhar is the mutawalli of the awqaf and he will head the University council that will manage and invest the awqaf for the best interest of the University.\textsuperscript{23}

Based on the above, it is crystal clear that awqaf Al-Azahar were able to sustain all the scholarships for local and international students with their free meals, free accommodations, study materials, utility bills, medical services, salaries of lecturers, from primary schools to university level since 972-1961, which is about 10 centuries. It is interesting to note that these awqaf were donated by Egyptian individuals.\textsuperscript{24}

In observing the forgoing in means that if has been possible in the past it will also possible at present if the determination and effective management is put in place. What was responsible for this tremendous success of awqaf of al-Azhar? It has been established that the corpus of these awqa were agricultural lands. This further call for attention to invest awqaf funds in fixed assets rather than buying shares which are vulnerable to loss as experienced in global financial meltdown of 2008.

In view of this empirical evidence, the researcher nurses the belief that if the concept of awqaf is applied properly in the educational sector of the Sub-Saharan Africa the state of funding will immensely get increased more than needed and the problem of ‘out-of-school children’ will come to an end.

**The Agricultural Lands Of Sub-Saharan Africa**

**Definition of Agricultural Land**

Food and Agricultural Organisation (FAO) of The World Bank defined agricultural lands in the follow terms and said;

Agricultural land refers to the share of land area that is arable, under permanent crops, and under permanent pastures. Arable land includes land defined by the FAO as land under temporary crops (double-cropped areas are counted once), temporary


meadows for mowing or for pasture, land under market or kitchen gardens, and land temporarily fallow. Land abandoned as a result of shifting cultivation is excluded. Land under permanent crops is land cultivated with crops that occupy the land for long periods and need not be replanted after each harvest, such as cocoa, coffee, and rubber. This category includes land under flowering shrubs, fruit trees, nut trees, and vines, but excludes land under trees grown for wood or timber. Permanent pasture is land used for five or more years for forage, including natural and cultivated crops.

Going by this definition of land the FAO said that only 22% of the SSA arable land is cultivated, and out of this 22% that is currently used by SSA only 4% of the total land is irrigated. What this translates to is that there is still 78% unused arable land in the SSA while 18% is only rain-fed cultivation. Therefore there is lot of land that could be used by awqaf to fund both basic and higher education in the SSA, adopting the Al-Azhar University model of waqf for education funding.

The researcher is however short of information on the modus operandi used by Al-Azhar in managing those farm lands that were awqaf. Effort to get this information from internet proves abortive. The most that is gotten is that awqaf al-Azhar were farm lands. For this reason this research suggests that the inherited convention of managing large scale farm land in Africa should apply. This convention is that labour is normally employed to work on these farm lands according to the specifications and directives given by the owner, with the seedlings supplied by the owner himself. This form of employing labour to work on farm land in Africa is a well-known practice inherited by generation from generation. The method does not violate the Shariah as it is based on *ijarah* concept.

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It is also good to take advantage of musaqah, mugharasah and muzara’ah which are Islamic finance agricultural nominal contracts. However, Monzer Kahf expressed difficulty in structuring sukuk on the basis of these principles.\textsuperscript{28}

The viable contracts for large scale mechanized farming in Africa are normally istisna and ijarah. The role of istina in this regard becomes important in the drilling and excavation of a potential source of water for the farm land, installation and mounting of equipment such as silos, and building the farm animals’ houses and poultries. While the role of ijarah equally important at all time for the required maintenances of all aspects of the farms. The most difficult phase of this educational awqaf project will be the mobilization for start-up funds. This is discussed in the following subsection.

**Waqf Certificates**

In order to adopt the Al-Azhar model of waqf in SSA waqf certificates are inevitable. This provides the opportunity for everybody to contribute to the extent of his financial capability. It is most likely that the funds generated through these certificates would go a long way in establishing a perpetual waqf fund that will continue to be invested in the awqaf land and generate profit with which pre-University education can be sponsored.

**Option to Claim Back one’s Donation**

In order to encourage a wider participation in the waqf donation for the purpose of funding education the concept of temporary cash waqf should be invoked. The Maliki School ruled that perpetuity is not a condition of validity of waqf, thus making temporary waqf permissible. And this opinion has been adopted by the New IRTI-KUWAIT Waqf Laws 2012.\textsuperscript{29}

**Awqaf of selected Malaysian University**

\textsuperscript{28}Monzer Kahf, \textit{Asasiyyat al-Tamweel al-Islami}, (Malaysia: International Shariah Research Academy, 2011),
\textsuperscript{29}Khalil Ibn Ishaq Ibn Musa Al-Maliki, Al-Misri, \textit{Mukhtasar Khalil}, (Cairo: Dar Al-Hadith, 2005), at 213; Section 70 (3), Kuwait-IRTI Waqf Laws 2012.
A study carried out by Amirul Faiz at el on ‘determinants of cash waqf giving in Malaysia’, found that part of the motives is to donate for development of schools.\(^{30}\) Also, several Malaysian universities and other institutes of higher learning have established waqf to cater for education and other humanitarian assistance under those institutions. Some of these institutes of higher learning are Al-bukhari International University, International Islamic University, Malaysia, University Putra Malaysia, Tabung Pemberian Islam Universiti Kebangsaan Malaysia, Universiti Kebangsaan Malaysia, Universiti Islam Malaysia, Pusat Pembangunan Pembiayaan Wakaf (PPPW) (Centre For Awqaf Development Financing, Universiti Sains Islam Malaysia).\(^{31}\) The details of these awqaf are as follows:\(^{32}\)

1- **Albukhari International University**, the university was founded 2010 in Kedah, Malaysia by the Yayasan Albukhari (Albukhari Foundation).\(^{33}\) The objective of this waqf university is to provide free quality education to both local and international students who come from humble background that meet the eligibility requirement on a full scholar scheme.\(^{34}\) Till date, to the best knowledge of the researcher the only country who’s many of its universities substantially run on bases of awqaf is the Sudan. While in Nigeria, to the best of the knowledge of the researcher, there is single university established for the poor to study for free as in the above mentioned AlBukhari International University and Al-Azhar. In fact, most of the universities established by the Nigerian affluent are costlier than the Government Universities.\(^{35}\) Be that as it may it

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\(^{32}\) Muhammad Haji Alias, at el, at 35-6.


\(^{35}\) Compare for example the Igbedion University, where tuitions are put at N640, 000, N760,000 and 820, 000 for the year 2013/2014 session; and Ahmadu Bello University and Federal University of Yola both of which are all Federal Government University, their tuitions are put at N41000, N34000 respectively. see
is an established fact that the SSA’s education sector is one of the major aspects that cries for intervention of an institution like waqf.

2- **The Pusat Pembangunan Pembiayaan Wakaf** (PPPW) USIM was established 2013 by the University with collaboration with the Negeri Sembilan State Religious Council which is the sole trustee of all awqaf in the State as is the position in other states. The waqf is named Al-Abrar USIM Waqf Fund, co-administered between the state religious council and waqf fund committee of USIM Al-Abrar. The thrust for the establishment, as envisaged by the University’s Vice chancellor, is to prepare against the future expectation of possible government’s instruction to the institutions of learning to provide about 30% funding to itself through awqaf and the government provide 70%. At present Al-Abrar’s project is daawah activities, education, research, publication, health, development of educational and health facilities, establishment of USIM’s specialist’s health centre which includes Haemodilysis centre. According to Muhammad Haji Alias at el the waqf has already started two projects namely, 1) Haemodilysis centre caters for ESRD, end-stage renal disease patients consisting of *asnafs* (beneficiary) under the sponsorship of Majlis Agama Islam Negeri Sembilan. A patient is to be charged RM150 per/visit, while the Majlis Agama Islam Negeri Sembilan will pay RM90 to the centre per visit for a member in the *asnaf* category (designated beneficiaries), 2) specialist Centre for health (Medical and Dentistry). He said that the funding requirement was RM2.3 million, out which Rm1, 339,995.00 went for procurement of medical equipment, RM300, 000.00 renovation of the rented building for the centre, RM133,680 for procurement of furniture, RM68, 600.00 for IT system, RM452,725.00 as working capital and RM5000.00 for motor cycle. One interesting thing in the establishment of this centre is that the funds were provided by the Majlis Agama Islam Negeri Sembilan in the following order: RM2 million as waqf fund and RM1 million as benevolent loans to USIM and application for operating license was already concluded. 

3- **Dana Wakaf Ilmu, University Putra Malaysia.** This waqf is established to fund academic activities in the university. The waqf is funded through donations from individuals, corporate sector, cooperatives, non-governmental organizations, revenues

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36 Muhammad Haji Alias, at el, at 38.  
37 Ibid. at 38-9.
realized from the waqf assets.  

4- Endowment Fund of the International Islamic University Malaysia was established in 1999. According to Zarina at el the structure is identical to waqf of University of Al-Azhar and endowment fund of eminent universities in the UK and USA. The executive board consists of the Rector of the university as the chairperson, deputy rector, student affairs as the deputy chairman, and six other members. The main objective of this waqf is to provide scholarships, loans and assistance to the needy students of IIUM. The waqf fund gets some of its funding from the following sources:

i. Donations from Individuals, companies and organizations,

ii. Kafalah programme: kafalah is an Arabic word that means to foster. In the context of IIUM waqf initiatives it refers to volunteering by an individual capable of spending his excess saving to foster one or more IIUM student. The minimum cost of this kafal is put at RM350 per student.

iii. RM1 Campaign. Under this programme the IEF encourage people to pay just RM1 to the fund on Monthly basis. IIUM staff may permit deduction of this amount from monthly salaries.

iv. Collection of zakat based on the agreement reached with Selangor zakat authority.

5. Tabung Pemberian Islam, University Kabangsaan Malaysia (UKM). UKM endowment is established under the Yayasan Islam Chancellor with the objective to fund teaching and learning, research, publications, establishment of chairs of excellence, community service and industrial relations.

6. University Islam Malaysia. This university received a huge waqf amounting to RM5.18. The endowment was presented to

38 Ibid. at 35.
40 Ibid.
the sultan of Selangor. The main donor of this fund is said to be the Permodalan National Bhd who gave RM5 million.

From the above practices three types of education awqaf funding models have been arrived at. Namely, Al-Azhar model which is full scholarship based on the investment of the awqaf donated by individuals to the institution, Albukhari Model, which is based on an individual philanthropist using part of his income to fund education, with full sponsorship in another institution or with through self-own institution, and lastly IIUM model with full sponsorship to selected students, partial sponsorship to some others, allowing students to study with partial debt which will be cleared by the student within the time allowed by the university, foster-parent programme campaign. Another model in Malaysia is the USIM waqf which generously give medical treatment to its beneficiaries on part payment basis.

In all the models mentioned above the Al-Azhar model is the most suitable to the SSA region; as it covers all levels of education for free, followed by Al-Bukhari model which also free and the last one are also very good as they give what their counter parts in many other countries do not give.

Conclusion

In line with the ongoing it is clear that the education in the SSA could be funded by awqaf based on the al-Azhar model in view of its unused arable land. To be very precise the al-Azhar model is more suitable in SSA because of its underdeveloped nature at the moment in one hand, and its potential to create equal education opportunity on the other hand. Also the most unique aspect of the Azhar’s model is the opportunity for basic education for all. Therefore, it is hoped that with the excessive lands mass of the SSA it is very easy to put the Al-Azhar University’s model in place. More importantly, the Al-Azhar University’s model will create food security for the region, create massive employment through the agricultural activities of the awqaf lands, become a training ground for the students to learn most of the farming techniques, both crop and animal husbandries so that they choose commercial farming as their profession in the future.

Albukhari international university’s model is also like al-Azhar University’s model in terms of free education, but short of the primary and secondary school levels. Nevertheless, this will be a matter of choice to the affluent in the SSA whether they have financially capability to run free education for only institute of
higher learning like al-Bukhari or they can adopt the al-Azhar’s model which consist of primary, secondary and university.

The researcher which that person like Alinko Dangote of Nigeria, who is ranked as the richest black man on earth today may be approached with idea of waqf University, either like Al-Azhar’s model or Al-Bukhari International University’s model. While it is easy to proliferate primary and secondary schools in the region by the middle and low income earners through their subscription to waqf certificates to build these schools.

The model of other universities in Malaysia however is also very good as it is used to complement government’s effort in spending for education, community service and also assist selected numbers of students with full and partial scholarships. It is the suggestion of this research that this type of model may be amended in the SSA as a revolving loan. That is to say a student who finds him or herself in such a university may be allowed to study on loan which he will pay back when he secure job. Some of the Malaysian University already has this generous attitude.

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