

Challenges In Establishing a Sustainable Higher Education Waqf Ecosystem

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ABSTRACT

Waqf has four essential pillars: the founder (*waqif*), the waqf asset (*mawquf*), the beneficiaries (*mawquf alaih*), and the expression (*sighah*). These pillars comprised the foundation of the Islamic charity endowment's ecosystem. Other elements, however, are essential to complete the whole system in order to guarantee the ecosystem functions optimally. The need for more elements develops as a result of recent advances in digital technology as well as financial and economic considerations. Environment, social, and governance (ESG) aspects are also included. The goal of establishing a completely functional and sustainable waqf ecosystem is much more difficult in the context of higher education waqf. This article explored the challenges from the political-legal, economics, socio-cultural, technological, environmental, and safety-security perspectives (PESTES). The discussions also include few aspects of faith-based marketing roles in order to acquire support for higher education waqf empowerment.

Keywords: higher education waqf, ecosystem, sustainable, challenges, PESTES

1. INTRODUCTION

Waqf is an Arabic terminology that can be translated loosely as to preserve, limit, or stop. Referring to the Islamic way or Syariah, waqf means a religious endowment. Technically, it involves the irrevocable dedication of wealth to the Muslim community or the Ummah, to be developed and managed in such a way that could generate further benefits ([General Authority of Islamic Affairs and Endowment, 2017](#)). Waqf has been practiced in the Ummah for a very long time. The earliest record of waqf in the Islamic community was related to the advice that Prophet Muhammad (PBUH) gave to Umar Al-Khattab, “give it in waqf and spend from its produce” ([iWaqf, n.d. & Marzunisham, 2018](#)). This piece of advice was full of wisdom. It has become the legal and motivational source for Muslims to participate in virtuous acts.

Throughout history, Waqf has experienced various ups and downs. It has been totally embraced and assimilated into Muslim communities' local economies and customs all across the world. The Ottoman Empire, for example, was the best example of successful waqf

incorporation into the lives of Muslims (Murat Cizakca, 2010; Mehmet Bulut & Cem Korkut, 2019). Today, waqf serves not only as a philanthropic mechanism to share wealth, but also as one of the best approaches for economic development (Marzunisham, 2018). Its stakeholders and ecosystem have grown through time, evolving from a simple act of piety into a powerful force, whether from a religious or economic perspective.

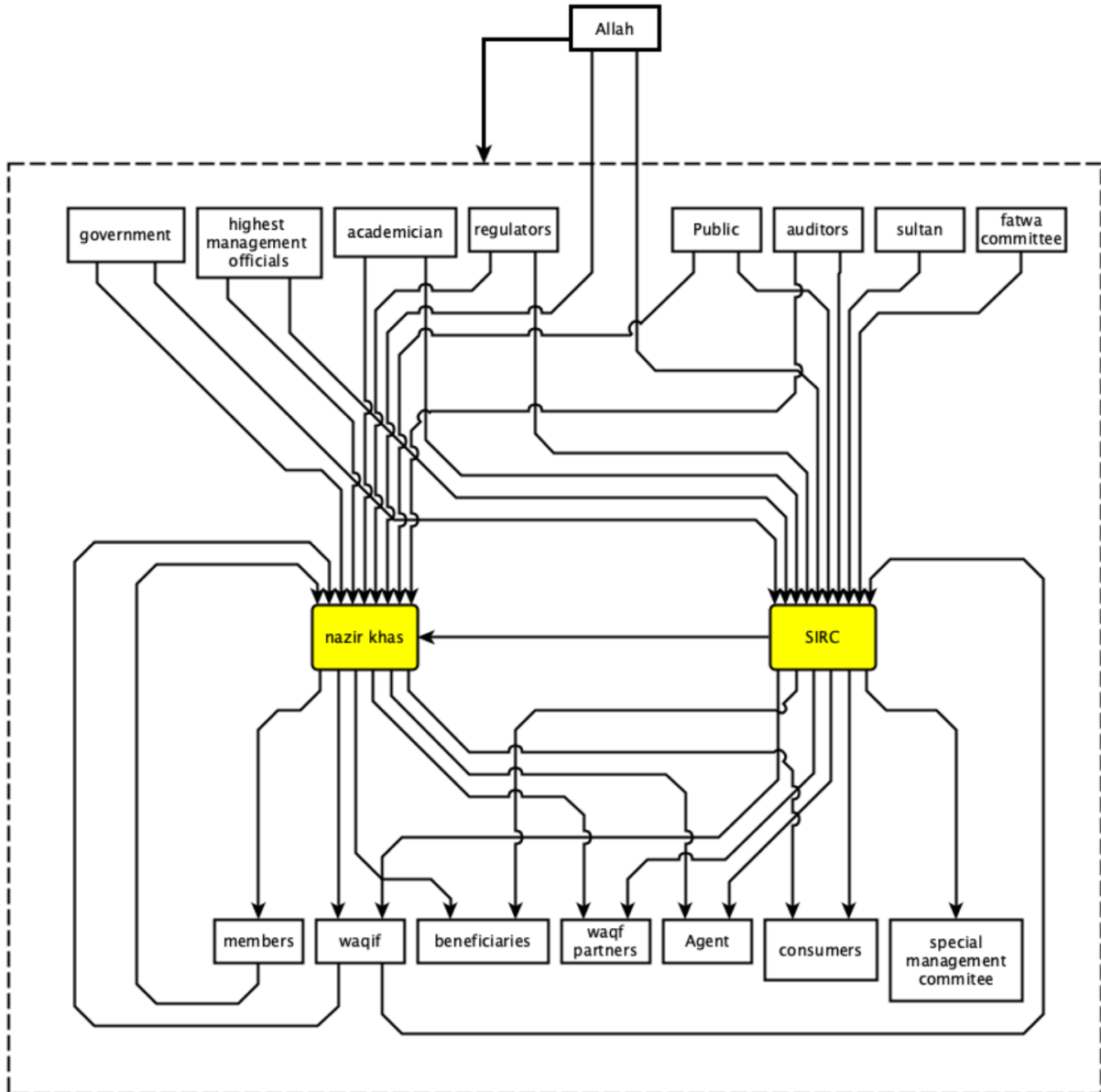
2. WAQF STAKEHOLDERS AND ITS ECOSYSTEM

Waqf is a philanthropic gesture in which a Muslim donates his or her property for the benefit of the Ummah in perpetuity. Islamic law has determined the four pillars of waqf, namely the founder or the original owner of the property (*waqif*), the entity or real assets (*mawquf*) being donated to the society, the beneficiaries (*mawquf 'alaih*), and the legal statement or expression of waqf (*sighah*) (Akhmad Kusuma, 2021). These pillars can be thought of as the waqf's basic ecosystem.

The modus operandi of the waqf ecosystem begins with the offer of property from *waqif* to be converted into *mawquf*. Then, the relevant authorities, together with the *waqif*, have to determine who would be the intended recipients of the *mawquf*'s benefits. The beneficiaries can be identified either specifically or generally, resulting in the foundation of public or private waqf, respectively. A formal declaration or *sighah* must be made, supported by adequate documentation, to conclude the *waqif*'s virtuous intention. Upon conclusion of the processes, the property's ownership is considered transferred to Allah SWT. Relevant authorities are appointed as trustees to oversee and develop the *mawquf*.

Norman et al., (2019) had provided a clear picture of the waqf stakeholders. It can be directly translated into the waqf ecosystem in the context of Muslim ummah in Malaysia. **Figure 1** emphasized that the owner of all properties available in this world belongs to the God, Allah SWT. In fact, based on the Islamic divinity concept, all creations belong to Allah the Almighty, including mankind, animals, and growing plants. Referring to **Figure 1**, Norman et al., (2019) have emphasized that the State Islamic Religious Councils (SIRC) and special waqf administrators (*nazir khas/ mutawalli*) are the two most important elements in the ecosystem. Both institutions can be considered as the pair of nucleuses that control, regulate, and rejuvenate the whole ecosystem. The SIRC and waqf administrators have significant impacts on the governance, growth, 'metabolism' rate, and culture as well as structures of waqf in the society. They lead and guide other elements of the waqf ecosystem such as the federal and state governments, academicians, researchers, fatwa committees, *waqif*, *mawquf 'alaih*, the sultan of the states, and other waqf stakeholders

Figure 1: State Islamic Religious Councils (SIRC) and Nazir Khas are the nucleuses of waqf ecosystem in Malaysia



Source: (Norman et al., 2019, 296)

3. THE RELATIONSHIP BETWEEN WAQF, SUSTAINABILITY, AND ESG

The environmental, social, and governance (ESG) criteria are regarded as a corporation's behaviour while doing business. These criteria become the point of reference for investors to decide whether to invest or divest from the enterprise (Courage, 2022). An environmentally-conscious investor is normally supportive of a company that safeguards the environment and has proper written and binding policies related to the environment. Whereas, a socially-concerned investor always looks at how the company treats its employees, suppliers, and stakeholders. Similarly, a transparent investor would definitely look into governance issues in the businesses.

A waqf initiative can be considered as positively moving towards meeting all ESG criteria. It is sustainable because the primary asset is permanently donated for the waqf cause. It is socially beneficial because the waqf's benefits are allocated to appropriate recipients. For example, a higher education waqf ecosystem might help to address fundamental issues confronting today's society, such as unfair distribution of national income and a lack of access to quality higher education (Marzunisham, 2018). Waqf governance is also transparent, as all parties involved have clear roles and directions, namely obtaining Allah's pleasure and assisting those in need.

Waqf is one of the most effective ways to address social challenges. The concept of a fraction of a society's members, who have the aptitude and capacity in their own right, voluntarily taking on special responsibility to ensure the well-being of the entire community is strikingly similar to the concept of *fard-al-kifayah* in Islam. It is a communal obligation to command good, forbid evil, and feed the hungry (Oxford University Press, 2022). In other words, the idea of "solving social issues is everybody's business" could lead to achieving sustainability goals (Tahiri Jouti, 2019).

4. CHALLENGES IN ESTABLISHING A SUSTAINABLE HIGHER EDUCATION WAQF ECOSYSTEM

Numerous factors contribute to the extreme difficulty of the higher education business. Solid financial performance is also necessary for large expenditures on academic, teaching, and learning facilities. The financial obstacles are significantly greater for privately held institutions. Numerous studies have demonstrated how the notion of higher education waqf may be used to fund the operating and development expenses of universities and colleges (Muhammad Usman & Asmak, 2021; Mohd Firdaus & Adeyemi, 2017; Julaida et al., 2016). Similarly, the gains created by the higher education waqf might certainly be used to assist students in paying academic fees, help instructors in acquiring appropriate teaching tools, and financially support researchers in administering their studies. Therefore, a solid waqf ecosystem is required to advance the progress of the higher education industry and its stakeholders.

In order to develop such an ecosystem, a comprehensive understanding of the obstacles could contribute to well-informed planning and decision-making. This paper outlines the challenges involved in establishing a sustainable ecosystem for waqfs in higher education based on political, economic, socio-cultural, and technological or the PEST analysis. It is a simple yet widely used tool that helps in gaining a better understanding of the surrounding situation (Mind Tools, n.d.). A variant of the PEST analysis which includes environment and safety elements or PESTES is adopted to provide broader perspectives on the challenges. Based on the PESTES analysis, the discussions are organised into a number of categories, as shown in **Table 1**.

Table 1: PESTES analysis on the challenges to establishing sustainable higher education waqf ecosystem

No.	PESTES categories	The Challenges
i.	Political, legal, and governance	(a) Complicated legal relationship between the federal and state governments' waqf agencies in Malaysia. (b) The governance, including the management systems of waqf, has yet to be highly effective and efficient.
ii.	Economic	(c) Waqf project development takes time to complete, causing delays in the distribution of waqf benefits to beneficiaries. (d) Inconsistent distribution of waqf benefits to recipients (e) Difficult to determine the best type of development for waqf assets (f) Waqf project financing sources are very limited
iii.	Socio-cultural	(g) Cultural beliefs hinder new marketing approaches for waqf promotion (h) The waqf donor base remains modest.
iv.	Technological	(i) Minimum technological inputs in the waqf management.
v.	Environmental	(j) Less attention is given to environmental or green-waqf
vi.	Safety and security	(k) Inconsistent distribution of waqf benefits to eligible beneficiaries may force some of them to social problems.

i. Political, legal, and governance challenges

(a). Complicated legal relationship between the federal and state governments' waqf agencies in Malaysia.

Malaysia is a unique country. Its legal system is heavily influenced by colonial footprints as the land was occupied by various western powers previously. At the same time, the majority of its people maintain their belief in *tawhidic* doctrine. They practice *sharia* laws to a certain degree, specifically the laws related to family matters such as marriage, divorce, and inheritance. Likewise, laws related to waqf are strictly followed as it is considered one of the best ways to gain God's pleasure. However, each state in the federation of Malaysia has different interpretations of waqf implementation due to separated jurisdictions between the 14 states and territories (Julaida et al., 2016).

Various *fatwas* (legal rulings given by qualified scholars) were issued by respective committees. The *fatwas* inconsistencies between states in Malaysia involve common waqf issues, such as *istibdal*, i.e., the legality of exchanging the original *mawquf* with an alternative one, and *muaqqat*, i.e., the legality of offering time-based or temporary waqf (Fathullah & Jasni, 2019). On another note, there seems to be a complicated legal relationship between the federal and state waqf agencies in Malaysia (Noor Azimah et al., 2019; Mohamad Isa, 2020) even though the agencies mutually operate to have the best outcomes for waqf properties for the benefits of the ummah. The optimum approach is to harmonise the relationship between the various waqf agencies of the federal and state governments in Malaysia. Several community organisations have initiated an intellectual discussion on the idea of unified waqf legislation.

(b). The governance, including the management systems of waqf, has yet to be highly effective and efficient.

Establishing a functional higher education waqf ecosystem is truly an uphill task. It requires unlimited resources and support from all stakeholders. In addition, the waqf institutions inside the ecosystem must be fortified with robust governance and human competence. Governance is an integrated system that supervises an organization's management and operations. It is also a means for the organization's personnel to be held accountable for decisions made regarding ethics, risk management, compliance with specified standards, transparency, and general administration (Governance Institute of Australia, 2022). A governance system is established in phases to guarantee total integration and acceptability by all stakeholders. However, the waqf organisational governance structure in Malaysia has yet to be highly effective and efficient (Wan Mohd Al Faizee et al., 2021). There are management inefficiencies (Mohamad Isa, 2020; Julaida et al., 2016) and a lack of competency among waqf managers (Zharif, 2019). The situation is further amplified by the lack of transparency and disclosure by waqf institutions (Julaida et al., 2016; Zharif, 2019)

The best solution to this situation is to develop an effective and efficient waqf governance system that could monitor important matters such as waqf management and marketing, backed by highly qualified waqf trustees, administrators, and managers (mutawalli). If this institution is to thrive, it must adhere to the practice of employing the most qualified candidates. In addition to those with a background in religious studies, it is necessary to engage individuals with expertise in economics, business administration, marketing, and data analytics in order to create synergies between them and promote the advancement of the ecosystem of higher education waqf.

ii. Economic challenges

(c). Waqf project development takes time to complete, causing delays in the distribution of waqf benefits to beneficiaries.

Waqf's success is very much dependent on the ability to design and implement holistic and productive waqf-based projects supported by both the public and private sectors (Haryono, 2021). Nevertheless, the completion of waqf project development takes time, in part because of the long collection period, making it difficult to meet the economic, financial, and social needs of the beneficiaries in the short run. Proper marketing and promotion for the waqf project

should be organised in order to improve the community's awareness and willingness to contribute to the cause.

From a different angle, the delays in the waqf projects may be attributed to challenges in project management. For instance, difficulty obtaining building supplies or a contractor's decision to abandon the project, leaving the waqf management team to seek a new, competent contractor. The waqf authorities must oversee the correct and seamless development of waqf assets to suit the economic, financial, and social demands of the beneficiaries. Importantly, the delay time must be eliminated so that the project may immediately begin producing results and provide benefits to all stakeholders.

(d). Inconsistent distribution of waqf benefits to recipients.

There are several causes for the inconsistent distribution of waqf benefits to beneficiaries. Some of these include poor rental prices for waqf assets (Wan Mohd Al Faizee et al., 2021), which causes waqf agents to prolong distribution while awaiting further inputs. Next, the *mawquf* was confiscated from SIRC via legal proceedings by the *waqif* heirs (Farah Nadia & Fauziah, 2018), due to unsettled waqf land registration issues. These situations caused the waqf benefit flows to stop temporarily or permanently. It will cause difficulties among the beneficiaries. Therefore, the higher education waqf ecosystem needed to be built on a solid foundation with transparent transactions and records to avoid such calamities. The waqf authority must ensure a steady generation of benefits from waqf assets so that recipients can get assistance at any time and on a regular basis.

(e). Difficult to determine the best type of development for waqf assets.

The Malaysian waqf ecosystem is burdened by a legacy issue of idle assets and land (Mohamad Isa, 2020). Marzunisham (2018) highlighted that there is an estimated 300 square kilometres of waqf land yet to be developed due to ownership and registration issues and limited financial resources. If the obstacles can be removed, the property may be used to build affordable housing, educational institutions, healthcare facilities, sports, and recreational facilities, as well as highly preferred commercial and industrial complexes.

Even so, the real challenge is to identify and manage viable waqf assets for development projects that meet sustainability requirements. Given normal investing methodologies, it is difficult to establish the optimal investment strategy for waqf assets (Wan Mohd Al Faizee et al., 2021). A thorough study should be conducted to understand Muslim society's needs and the best investment for the waqf assets.

(f). Waqf project financing sources are very limited.

In Malaysia's education system, students have numerous options for advancing their studies and achieving their goals. The availability of diverse educational pathways could ensure all students have the opportunity to continue their education based on their accomplishments and abilities. Multiple paths could also guarantee a low dropout rate among students. Similarly, the higher education waqf ecosystem requires a variety of financing channels and instruments, which must be shariah-compliant, to boost participation from both public and private sector donors. Obviously, it is viable to solicit waqf contributions, particularly from large retail

investors (Haryono, 2021), so long as the appropriate financial channels and instruments are considered.

The ability to design and multiply various shariah-compliant financing channels and instruments could attract quality investors to participate in the waqf ecosystem. Many researchers have published qualitative and quantitative journal articles on mechanisms to finance waqf projects using *sukuk* and bitcoin. Nor Syahirah and Zulkarnain (2020) for example, proposed a *Musharakah*-based *sukuk* model to develop *mawquf* in Malaysia. Similarly, Nur Fauziah et al. (2021) studied a possible combination of more than two Islamic finance products, such as cash waqf linked *sukuk* (CWLS) to support waqf projects in Indonesia. Khairunnisa (2019) explained how *sukuk* and waqf could be utilised to function as an investment vehicle that is supportive of the velocity of money and adaptive to sustainable development goals. In addition, Irfan Syauqi et al., (2019), Lu'liyatul Mutmainah et al., (2021) and Vidiati et al., (2021) proposed the harmonisation of blockchain technology and cryptocurrency in cash waqf collection and management to ensure better results in its promotions and benefits distributions (*tawzi'*). States and federal waqf agencies should study all proposals and take appropriate steps to implement them.

iii. Socio-cultural challenges

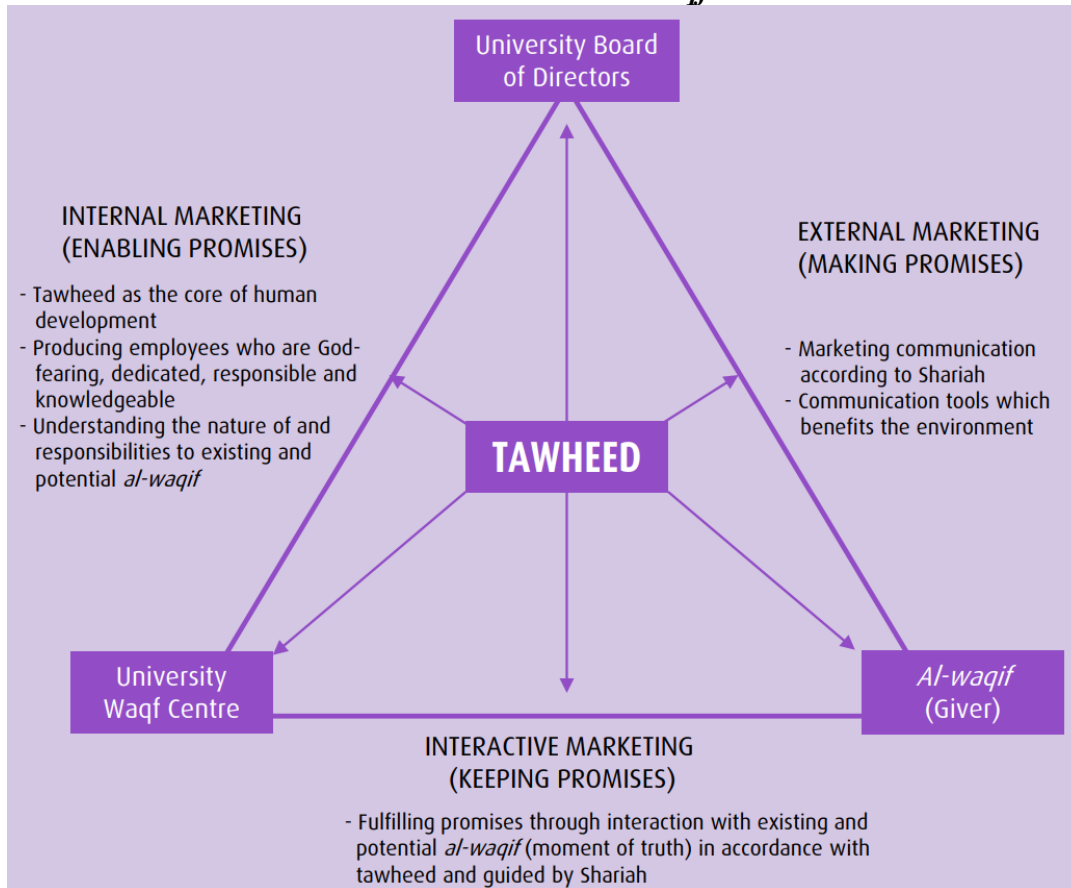
(g). Cultural beliefs hinder new marketing approaches for waqf promotion.

One of the major setbacks of higher education waqf is that the promotion and public awareness of waqf projects (Julaida et al., 2016) are still lagging behind commercial projects. This situation is aggravated by the cultural belief that religious matters should not be promoted and exposed aggressively. As a waqf project receives less public exposure, the amount of donation, such as cash waqf, is difficult to reach a specified financial target over time.

Now is the right time to introduce faith-based marketing concepts to the waqf ecosystem. From the perspective of the Western world, faith-based marketing is a marketing strategy that takes advantage of clients' religious obligations and responsibilities. Offerings of products or services are delivered in a faith-friendly manner with the goal of influencing consumer preferences and purchasing decisions (Izberk-Bilgin & Nakata, 2016). In Muslim communities all over the world, the most common faith-based marketing is halal marketing. World producers attempt to tap into a considerably large Muslim community, the next 1.7 billion consumers (Simpfendorfer, 2020) after the People's Republic of China and India, by ensuring that all products and services, especially foods and beverages (Tighe, 2022), are halal certified.

The traditional da'wah strategy can be transformed into faith-based marketing to win support for high education waqf empowerment. The concept of faith-based marketing could be adapted to benefit the waqf ecosystem. Modern marketing strategies could also be used to increase waqf involvement among the Muslim community. Razali Othman (2012) and the Ministry of Higher Education (2016) emphasised the importance of internal marketing to support higher education waqf acceptance and participation among Malaysians. The outcome of whether a target individual accepts and is willing to engage in waqf commitment is significantly related to one's internal belief in God and the external marketing elements used during a waqf campaign.

Figure 2: The integration of Tawheed into the internal and external marketing of higher education waqf



Source: (Razali Othman, 2012 & Ministry of Higher Education, Malaysia, 2016, 66)

(h). The waqf donor base remains modest.

Waqf pools various people from different backgrounds for one purpose, i.e., to ensure the welfare of the public always prevails. The size of the *mawquf* contributed by the *waqif*, however small it may be, does not matter because the inputs will be combined to enhance the impact of the whole waqf initiative (Tahiri Jouti, 2019). As such, the higher education waqf ecosystem requires a large number of contributors to participate in waqf projects at any given time, anywhere. One of the reasons for the lack of waqf funds (Mohamad Isa, 2020) is that the waqf donor base remains modest. The growth of waqf assets is hampered by fund liquidity. (Wan Mohd Al Faizee et al., 2021).

A new approach to attract more people to participate in the higher education waqf ecosystem must be identified. Relevant waqf authorities need to look at the methods to increase the waqf participation rate among the populace, particularly in the category of donors (*waqif*). Anwar Allah et al. (2020) proposed a simple yet powerful measure known as the Waqf Percentage Model (WPM) to increase the waqf donor base for the higher education waqf ecosystem. The WPM is done through a monthly salary deduction. A certain percentage of the donor's salary after *zakah*, for example, 1% or 3%, can be deducted to form cash waqf funds.

The minimal salary deduction percentage might encourage a larger number of higher education stakeholders to join the cash waqf projects.

iv. Technological challenges

- (i) Minimum technological inputs in the waqf management.

The Fourth Industrial Revolution, or Industry 4.0, has transformed the way people live their lives. Cyber-physical systems, the Internet of things, and digital networks have become dominant, far exceeding Industry 3.0's automation, computers, and electronics (Frank, 2020). The younger generation who would become future waqf donors is very much tech-savvy as compared to the previous generations. They are very familiar with the Internet and automatic connectivity, have diverse information at their fingertips and have advanced man-machine integration. However, the current waqf management approaches are yet to match the younger generation's inclination towards interconnectivity, automation, machine learning, and real-time data (Epicor, 2022). Even the waqf authorities are facing issues such as incomplete data related to waqf land (Hisham, 2006; Md Zain, 2005; Rahman, Bakar, & Ismail, 1999 as cited in Mohamad Isa, 2020). In short, there is a minimum technological input in the waqf management.

The higher education waqf ecosystem should enter a new era of success through digital transformation and empowerment (Faculty of Economics and Business UNAIR, 2022). The integration of digital technology and modern financial and economic infrastructures into waqf ecosystem management should be done progressively from now. Waqf digitalisation could help to improve public participation (Haryono, 2021). This is so because the use of technology is significant in ensuring successful cash waqf collection (Wan Musyirah, 2021). Technology helps to widen the retail *waqif* base and expedite cash waqf collection within the higher education waqf ecosystem.

v. Environmental challenges

- (j). Less attention is given to environmental or green-waqf.

Waqf is not foreign to healthcare services. Its contributions can be traced back to the 9th century. The benefits from waqf assets have been utilised to provide free medical services for patients in the Ahmad Ibn Tulun Hospital of Egypt, circa 872 and 874 AD (Özdemir, 2020). The hospital was considered as the first properly organised waqf hospital in the Muslim community that was constructed using assets dedicated by Sultan Ahmad Ibn Tulun himself (Majlis Agama Islam Selangor, 2022). Other famous waqf hospitals in the golden age of Muslim civilization include al-Baghdadi (built 982), al-Nuri or al-Zangi (built 1154), al-Qayrawan (built 9th. century) and Al-Mansuri (built 1284) (Foundation for Science, Technology, and Civilisation, 2002; Springer, 2013; & Özdemir, 2020).

While the downstream services in the healthcare industry are familiar to waqf, the same cannot be said for upstream services such as medical research and development (R&D). The Muslim community must have a waqf property, such as a forest area or a plantation of potent medicinal herbs that enables advanced medical research. This "green-waqf" property may be used by undergraduate and graduate students in medical research programmes to develop novel

treatments and cures. In addition, such property could also contribute to the preservation of the environment's flora and fauna.

vi. Safety and security challenges

(k). Inconsistent distribution of waqf benefits to eligible beneficiaries may force some of them towards social problems.

Malaysia imposed company and employee income taxes as a part of national revenue to pay for various development and operating expenses. Part of the money is used to pay for many social programmes such as education, health, and welfare (Trading Economics, 2022). Besides using the government's resources, private and community initiatives could also be used to cover social programme costs. In the Muslim community, *zakah* is used to circulate funds among eight eligible recipients, including the poor and less privileged groups. In contrast, waqf is used to provide a better standard of living in terms of free or affordable healthcare services, educational services, and public infrastructure (Yakubu et al., 2021).

A continuous flow of waqf infrastructure is an ideal situation in which it could ensure an improved social safety net for the Muslim community. However, due to the relatively small size of the waqf, the benefits could not cover the whole society's needs. In fact, it is highly challenging to ensure sustainable flows of waqf benefits to its recipients or *mawquf 'alaih* (Marziana et al., 2021). It caused an inconsistent distribution of waqf benefits to the less privileged groups. This weakness could create loopholes in the social safety net and may lead to social problems within society. Therefore, it is important to ensure consistent distribution (*tawzi'*) of waqf benefits for beneficiaries' social security.

5. CONCLUSION

Waqf is definitely one of the potential methods for enhancing Muslim socioeconomic conditions. Education, being one of the agents of development, necessitates a substantial financial commitment. Cooperation from both sides of the sector, whether education providers or education seekers, to mutually advance the waqf ecosystem is laudable. To sustain a healthy higher education waqf ecosystem, the input of every individual is crucial. The eleven challenges highlighted may serve as a starting point for building the strength of higher education waqf. Hopefully, the discussions will contribute to a deeper understanding of the challenges and spark some ideas for addressing or resolving related questions that each challenge presents.

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