The Role Of Sukuk Al Waqf In Education And Islamic Media

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ABSTRACT

This study aims to clarify the role of Sukuk Al Waqf in education and Islamic media. In order to reach this goal, the study tries to know the truth of these Sukuk and the extent of their legal and economic acceptance, and the extent to which they can spread and contribute to strengthening the role of Sukuk Al Waqf in education and Islamic media through the use of the descriptive and analytical approach, and the problem stems from the urgent need to find financial tools that contribute to education and Islamic media with the financial problems it faces. In our Islamic world, the results of the study came about the possibility of financing education and Islamic media through Sukuk Al Waqf in several ways, including Al-Qard Al-Hasan, donations, and investment.

Introduction:

The provisions of the Waqf are characterized by flexibility, which has enabled them to play a role in education and Islamic media and its development over the ages in the Islamic world. If the Waqf develops, education progresses and rises, and if the Waqf fails, education and media will be delayed. This confirms the possibility of its importance at the present time and the possibility that it can play an important role in the development of education and Islamic media, through the suspension of fixed and movable assets, and the monetary Sukuk, because the owners of capital today are the owners of liquid assets, so they can contribute to financing the field of education and Islamic media by purchasing Sukuk Al Waqf Issued by the Waqf institutions.

Definition Of A Term "Sukuk Al Waqf":

Al Waqf: Al Waqf In language of confinement and prevention, which is a source of Waqf that stands(Ibn Manzoor 1999, c6, p. 163.)

As for Al Waqf, idiomatically, it is the confinement of the one who has his money to benefit from it or its fruits in a way of righteousness. (Qahf, p. 21)

The Hanafi, Maliki, Shafi'i and Hanbali jurists were of the view that Al Waqf is permissible and desirable. The legitimacy of Al Waqf has been proven by the Qur'an, Sunnah and consensus. (Ibn Qudama, 1996, Part 7, p. 556)

As for the pillars of Al Waqf, the majority of fiqh see that the waqf has four pillars(Al-Jamal, Page 43)

Al Sukuk:

The Sukuk plural sik, and the instrument in the source language is skk ysk fahu sak(Ibn Manzur, c10, p. 456). As for Suk, it is the book in which he writes the transactions and the facts of the case(almawsueat alfaqhiatu, 1989, part7, p47)

Sukuk Al Waqf: are negotiable written documents or certificates of equal value that represent the endowment money and are based on the Al Waqf contract.

The most important types of Sukuk Al Waqf From the above it is clear to us that the concept of Sukuk Al Waqf is devoted to the title deeds of Al Waqf, it devotes to other contemporary types, the most important of which are:

- 1. Shares Al Waqf:
- 2. Bonds Al Waqf:
- 3. Bonds Almuqaradah:

Dr. Abeer Esa Ahmad Al Saleem

Ruling on Sukuk Al Waqf Issuance, Subscription and Trading in the Secondary Market:

The issuance of Sukuk Al Waqf and its public offering is intended to accumulate cash through Al Waqf's subscription in Sukuk Al Waqf, and the statement of the Shariah ruling on whether or not to issue the Sukuk Al Waqf depends on two things: the availability of Al Waqf pillars and the legitimacy of money Waqf.

The First: The Availability Of The Pillars Of Al Waqf

It is noted in Sukuk Al Waqf that the four pillars of Al Waqf are fulfilled, so the subscribers are alwaqifuna, walmawquf alih

It is known that the prospectus stipulated that it is a good and righteous party, and the proceeds of the subscription are money almawquf, and the formula of Al Waqf is stipulated in the prospectus.

Second: Legitimacy Of Money Waqf:

In all Islamic schools we can find those who say that money waqf is permissible, and on top of this, The Maliki school of thought is followed by the Hanafi school. As for the Hanbali school, we find Ibn Taymiyyah has preferred Saying that money waqf is permissible, while the Shafi'i school of thought is the least supportive of money waqf.

And it seems that one of the most important evidence on which those who reject the permissibility of money waqf Work according to the hadiths of the Prophet While the approved inferred:Khaled Waqf for his shield and his gear, (Bukhari 2/151 Sahih)

Weighting:

After discussing the two views, it appears that the more correct opinion is the one that went to say that money is permissible Waqf for the following reasons:

There was no text in the Qur'an or in the Sunnah regarding the ruling of money Waqf, whether with the prohibition or permissibility, so the issue is jurisprudence, and each team has its evidence, and those who said that it is forbidden have inferred with mental evidence represented in the condition of perpetuation in the formula and the condition that the endowment is something that can be used while remaining money Waqf does not contradict these two conditions, as the benefit is fulfilled for the waqef and who is arrested, just as the endowment object is not consumed, but remains in investment and development.

It is this opinion that is consistent with the legitimate objectives that call for Spending and meeting the needs of the needy and the poor. Hence, a group of alwaqifin participated in a picture of the formation of the waqf fund through sukuk al waqf with a specific value, It is put to the public in a system for those who wish to buy it, so that the funds are collected in A private account managed by the Al Waqf Association or Fund is acceptable.

If we say that it is permissible to money Waqf, and all the pillars of Al Waqf have been fulfilled, then it can be said that it is permissible to issue and subscribe to Sukuk Al Waqf, because issuing and subscribing to it is nothing but a new formula for doing Al Waqf.

Ruling On Trading The Sukuk Al Waqf In The Secondary Market

Sukuk Al Waqf trading means buying and selling in the secondary markets. The trading of Sukuk Al Waqf is only envisaged in the case of temporary Al Waqf or exchange of the suspended money.

And the issue of replacing Al Waqf, aljumhur went to its permissibility, because replacing Al Waqf with what is more beneficial is not inconsistent with the intention of Al Waqf. Therefore, it is permissible to trade Sukuk Al Waqf in the secondary markets by buying and selling because Sukuk represents the endowment, so selling it is selling the endowed. As for Al Waqf, the temporary, the jurists differed regarding his ruling over two schools of thought: **First:** The impermissibility of temporary Waqf: The majority of Hanafi, Shafi'i, and Hanbali jurists are of the view that Al Waqf is not permissible because Al Waqf legalized permanent charity, so its timing contradicts its legitimacy and invalidates it.

And they have evidence of measurement and reason(Ibn al-Hamam, Sharh Fath al-Qadeer, Part 6, p. 198)

Second: the permissible temporary Waqf:The Malikis see the temporary permissibility of Al Waqf, which is a saying by the Shafi'i. The permissible of the temporary Waqf inferred evidence from the analogy: Al Waqf is the ownership of the benefits of the arrested to the arrested, and Waqf permits the benefits for life, so it is permissible temporarily for the first.

Weighting:

The correct view is the opinion that says that Al Waqf is permissible temporarily, for the following matters: There is no evidence of temporary Waqf's prohibition, evidence of legitimacy of Al Waqf is general, and public is only assigned with evidence.

The reality and circumstances at the present time are different from what alwaqifun to in the past, because the huge wealth today does not represent fixed assets such as real estate, but rather in movable assets such as cash balances .(Omar, p.9).

Saying that permissible temporarily Waqf is opens the door wide open to owners of fixed and movable assets whose modest apabilities do not allow them to provide these assets in the form of eternal Al Waqf, as it provides them with opportunities for kinship, reward and remuneration, and achieves the interest of society and the interest of the arrested, and then exploits the potential of society in generating Benefits and services for temporary detainees instead of wasting these benefits.

Saying that Al Waqf is permissible temporarily opens the door wide open to owners of fixed and movable assets whose modest capabilities do not allow them to provide these assets in the form of eternal Al Waqf, as it provides them with opportunities for kinship, reward and remuneration, and achieves the interest of society and the interest of the arrested, and then exploits the potential of society in generating Benefits and services for temporary detainees instead of wasting these benefits If it wobbles

The researcher considers permissibility the temporary Waqf, so it can be said that trading of the Sukuk Al Waqf is permissible, because the trading of the Sukuk Al Waqf is nothing but the termination of the period of Al Waqf where the seller of the instrument (the old Sukuk) exits the Sukuk Al Waqf portfolio and the buyer of the sukuk enters the Sukuk Al wallet. Waqf yeh as a new Waqf

Waqf and Islamic media

Islam gifted human civilization two great institutions that you did not know before, namely the Zakat and Waqf institutions. These two institutions contributed to building the Islamic civilization that shone throughout the universe for a thousand years. We saw the effects of the endowment institution serving people in the form of schools, hospitals and places of worship, and helping the poor and needy, and its umbrella expanded to include animal care, after it covered human need. Endowment projects have expanded in our time, to cover many aspects in the scientific, health and social fields. However, a vital field that is still - to some extent - far from benefiting from the endowment institution, which is the field of Islamic media. The Islamic media is the tongue of the call to God, in the written, audio, visual and recorded word.

Public speaking and writing were the most prominent weapons of calling to God Almighty until recently, then modern means such as radio, satellite channels, Internet sites, newspapers, and magazines became important weapons that serve the call and cannot be ignored or dispensed with. Look at a radio station such as the Holy Quran Radio from Qatar, and its sisters, the Holy Quran broadcasts in Arab and Islamic countries, look at Islamic satellite channels such as Iqra, Al-Risalah, Al-Nas, Al-Hikma, etc. Tens of millions of people in the East and the West.

The preachers to God now do not need to bear the trouble and cost of traveling to an Asian, European, African or American country to spread the teachings of Islam. A satellite channel or a website suffices for them to say whatever they want, to reach people everywhere. The important thing is that the speech is logical and convincing, and the presentation is attractive, and the medium is strong and fast that reaches the largest number of people. The media in general is an industry that needs funding to spend on the human cadres and technical devices that help in reaching the audio, visual and readable word to the largest number of people. The media

Dr. Abeer Esa Ahmad Al Saleem

often derives its funding and spending from two main sources, the first: donations and budgets allocated from individuals or governments. The second: ads. The Islamic media stands confused between these two sources of funding, so it does not find anyone who can donate to it except for a few people, and it does not find governments that care about it as it cares about others, and it is not accepted by advertisers, because it rejects the most popular types of ads, such as advertising for smoke, alcohol, and movies , And plays.

The Muslim regrets when he hears and reads that satellite channels, radio stations, newspapers and Islamic websites on the Internet, charitable people cry out to donate until they continue their advocacy activities, then find no one to donate to them and close their doors and stop their advocacy work, due to the lack of funding to help them continue their activities. What is the way for the continuation of Islamic satellite channels, radio and websites? The way is to create sukuk Al waqf that generate constant and constant income that finances the Islamic media.

The legitimacy of Al waqf in the media:

I believe that this waqf falls under the umbrella of donation to righteousness and piety, and under the banner of - a bank for the sake of God - one of the banks of zakat.

Al-Qaradawi called the Media " jihad of the age" and advised Muslims to donate to spend on Islamic websites, satellite channels and religious newspapers, considering that as a matter of spending in the cause of God, and as a matter of cooperation in righteousness and piety.(https://www.al-qaradawi.net/node/2260)

Applied Images Of Sukuk Al Waqf In Financing Students And Educational And Islamic Media Institutions

The Islamic Waqf included most sectors and economic and social activities. Islamic history defined the Waqf on animals and servants as well as the Waqf on mosques, schools and hospitals, which contributed to the development of society and activating solidarity among its members. Its stages and forms, as we have known the Waqf in schools, schools, libraries, books and many others. The most important areas related to the Waqf on scientific research can be reviewed as follows:

Waqf on the schools: The Jaqmakia School in Damascus, the Labudiyah School of Medicine in Damascus, the orphans 'schools that Nur al-Din Zangi built in the Levant and Egypt and spent a lot of money for them(Al-Nuaimi, 1948, Part 1, p. 375.)

Establishing Universities And Their Annexes And Financing Them: And some researchers claim that all educational institutions established at that time were based on waqfal.(Al-Saati, Yahya, Al-Waqf and mujtamae, p. 22)

The Waqf On Libraries And Books: The endowment for books and libraries has spread throughout the Islamic world since the early Islamic times, and it had a great impact on the multiplicity and diversity of libraries and thus left their clear traces in the cultural and scientific prosperity that the Islamic world witnessed over many centuries(Al-Saati, 1988, p.33.)

Waqf had an important role in spending on students, building schools, supplying them with school supplies, paying teachers 'and workers' salaries, providing students 'housing, and spending on their subsistence, treatment and clothing(Silky, 1422).

It is true that we do not find direct historical examples in media financing through the waqf, but what applies to education can be applied to the media.

Today, Al Waqf can restore its role in supporting the field of education, and Islamic media by issuing the Sukuk Al Waqf and employing the proceeds of the issuance in financing education and Islamic media, and the researcher tries to clarify this in the following paragraphs. Al Waqf Foundation can choose one of two methods in implementing a project to finance students- Especially students of Islamic media - of and educational institutions And the media and Islamic media institutions:

The First Method: Al Waqf Corporation develops all the money it has accumulated from the subscription proceeds in investment formulas that are consistent with the provisions of Islamic Sharia such as speculation, musharakah and other modern investment formulas. Depreciation and wear off.(http://www.kantakji.com/fiqh/Wakf.htm)

And when investing in money Waqf's, especially if the funds are liquid assets, the investment controls set by scholars and researchers in the investment of funds should be adhered to, and the controls are :(Al-Thamali, pp. 33-36.)

- 1. That the investment method is legally acceptable.
- 2. Conducting a feasibility study for the selected investments.
- 3. The balance between the economic benefit and the social benefit.
- 4. Balancing risk and reward.
- 5. The balance between direct investment and investment through others.
- 6. Distribution of investments.

The Second Method: Al Waqf institutions divides the proceeds of the subscription in Sukuk Al Waqf into two parts: a part is invested in the aforementioned investment formulas in the first method to secure and guarantee the continuity of Al Waqf, and the second part is devoted to financing students and educational institutions. In financing science students and educational institutions.

Al Waqf institutions can approach the financing of students and educational institutions And In Islamic media in three ways(Omar, p.52.):

The First Method: Donations:

Al Waqf donations can be allocated to students of knowledge- This includes studies of Islamic media- in the form of scholarships, or the establishment of new educational and media institutions such as kindergartens, schools, universities, higher institutes, Audio and video channels, newspapers and magazines and vocational and vocational institutes, or the development of existing educational and educational institutions.

Scholarships should be disbursed to needy groups such as children of the poor, the needy and orphans, and these grants cover tuition fees, housing, subsistence and health care, and these groups must be guided and directed to study specializations related to the needs of the labor market, so when the student completes his studies, he is employed in his field of specialization easily and easily. So he is productive and able to support himself and his family.

As for donations to establish educational institutions, they should be directed to regions where there are few educational institutions or areas where they are completely absent due to lack of resources or because of marginalization as a result of political, religious, racial or ethnic conflicts. Al Waqf institutions must focus their efforts in building educational institutions in such areas in order to contribute to raising the level of education for their residents, so that they can be productive citizens.

As for financing existing educational and Islamic media institutions, it is for the purpose of development and improvement. Al Waqf institutions may, for example, donate to build housing for university students, establish a new college, or do maintenance. Or support channels and newspapers

Donations and spending on education and education have long-term economic and social consequences, and this has been proven through studies, where the positive relationship between education and growth has been confirmed. (Al-Da'ami, 2008, p.5.).

Practical procedures for implementing donated financing(Omar, p. 45):

- The student submits an application to Al Waqf Institutions in which to record all his personal data.
- Financial and family situation.
- Certificates and documents related to the study.
- Determining the university he wants to join and the study program
- Al Waqf institutions study the application, certificates and documents to ensure their validity, the student's need to donate, and his academic competence to enroll in the program he has chosen.
- After completing the study of the request, the result is announced to accept the request if it meets the conditions for granting the donation, or the request is rejected because the conditions are not met, then the applicant will be notified of the result.

The Second Method: Al-Qard Al-Hasan:

Education has become a modern necessity, and the state cannot provide educational And the Islamic media opportunities for all students free of charge, especially at the university level and above, and not every family can provide all the costs of education for its children. Here, Al Waqf's role in providing a helping hand to these families is highlighted, through Al-Qard Al-Hasan. Al Waqf establishments provide Al-Qard Al-Hasan to students who are unable to pay the school fees and their requirements.

Practical procedures for implementing financing in Al-Qard Al-Hasan(Omar, p. 45):

- The student submits an application to Al Waqfiah Foundation in which to record all his personal data.
- Financial and family situation.
- Certificates and documents related to the study.
- Determining the university he wants to join and the study program.
- Al Waqf institutions study the application, certificates and documents to ensure their authenticity, the student's need for a loan, and his academic competence to join the program he has chosen.
- After completing the study of the application, the result is announced to accept the application if it meets the conditions for granting the loan, or the application is rejected because the conditions are not met, then the applicant is notified of the result.
- If the application is accepted, the loan contract will be signed between Al Waqf institutions and the student. The contract includes a statement of the loan repayment schedule, and periodic repayment installments.
- After the student completes his studies and gets the job, he pays the installments he owes according to the contract concluded between him and Al Waqf institutions.

Al-Qard Al-Hasan scholarships are not restricted to students only, but Al Waqf institutions can give Al-Qard Al-Hasan educational institutions to establish new educational institutions, develop them by adding new specializations or colleges, or improve and develop some facilities such as the library, laboratories, clinic and halls. Sports

The Third Method: investment in the field of education And Islamic media:

Investment in the field of education And Islamic media is one of the areas of investments with good financial returns. Indeed, recent economic and educational research and studies have proven that the financial return of education is estimated to be three times the returns from financial investments in other fields. (Sabah, p. 2).

If the investment in education And Islamic media is making profits, then Al Waqf establishments can enter this door by establishing a joint stock company in the field of education whose mission is to establish educational institutions to achieve two important goals:

First: Developing Al Waqf's money and keeping it from depreciation and vanishing.

Second: Achieving social development by providing educational and educational services to the Muslim community, and achieving economic development by creating highly qualified and effective human cadres to contribute to the development process.

To achieve these two goals, Al Waqf institutions should establish educational institutions of excellent quality and high quality, which include kindergartens, nurseries, schools of various stages, universities, higher institutes, vocational and vocational institutes, language institutes, training and rehabilitation.

Conclusion

Through This Research, The Researcher Reached A Number Of Results, The Most Important Of Which Can Be Summarized In The Following Points:

- 1. Al Waqf, and specifically charitable giving, is one of the greatest, most rewarding, and most beneficial acts of affection, and it is the charity that proceeds after the death of a Muslim, its effect remains, and if the endowment dies.
- 2. The Waqf includes all human areas that contribute to building human civilization and forming a good person in the Muslim community, including investment in education And Islamic media.
- 3. The Sukuk Al Waqf: are negotiable written documents or certificates representing the money Waqf and are based on the Al Waqf contract.
- 4. The researcher concluded that Al Waqf institutions can choose, in implementing student financing and educational And Islamic media institutions, one of two methods:
 - The first: investing all the proceeds from the subscription in Sukuk Al Waqf, then spending on students and educational And Islamic media institutions from investment profits and returns.
 - The second: dividing the proceeds of the subscription in Sukuk Al Waqf into two parts: A part is invested in securing and ensuring the continuity of Al Waqf, and the second is dedicated to financing students and educational And Islamic media institutions.
- 5. The researcher concluded that Al Waqf institutions can finance students and educational And the Islamic media institutions in three ways:
 - The first is the method of funding by donations.

- The second: Method of financing by Al-Qard Al-Hasan.
- The third: the method of investment in the field of education And Islamic media.

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Dr. Abeer Esa Ahmad Al Saleem

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