

Zakat within an Ethical context; and Waqf in the Era of Digital E-Business according to the Islamic Schools of Jurisprudence

Ali H. Al-Hakim, (Cand.mag) (Ph.D.) Cand.of (D.Prof.)
Head of Research Dep. of IJCA – London
ali.husayn@gmail.com

ABSTRACT

The Qur'an speaks about alms (zakat), albeit not in a traditional sense, but rather from a much wider ethical angle. However, when it comes to endowment (waqf), it has not referred to it in a modern E-business context. In this paper, my attempt was to elaborate on the much wider – though not wide spread- concept of (zakat), which takes it to a highly elevated level, beyond the narrow-minded and limited money centred circles. Having established the wider context of zakat, we will elaborate on the jurisprudential justification for (waqf) endowment of digital items and some of the examples that applies to the E-business context and its approved status.

Introduction

It is traditionally advocated that endowment is mainly related to the physical item to be dedicated for providing services to those who they are meant to serve. However, one may extend the services to cover the growing digital world and rising global services through the digital world [internet], where one would be able to serve a global community.

It is also widely accepted that the original focus of zakat is related to the money business, i.e. how to re-distribute the wealth within an Islamically-aspirated society. It is based on the widely accepted knowledge that the following Qur'anic verse was revealed about how to take money from wealthy Muslims in order to purify them. The Holy Qur'an states:

'[O, Muhammad], Take from their wealth a charity by which you purify them and cause them increase, and invoke [Allah's blessings] upon them. Indeed, your invocations are reassurance for them. And Allah is Hearing and Knowing.' (Holy Qur'an, Al Tawba, verse 103)

'And establish prayer and give alms (zakat), and whatever good you put forward for yourselves - you will find it with Allah. Indeed, Allah of what you do, is Seeing.' (Holy Qur'an, Al Baqara, verse 110)

Also we read in one of the statements of a thinker of modern economy, i.e. Don Logan, when he wrote:

"Stop thinking about it [Internet] as the information highway and start thinking about it as the marketing superhighway. Doesn't it sound better already?"¹

Another author, i.e. Andrew S. Grove, states:

¹ Don Logan, is a US former CEO and chairman of Time Inc. (Source: Speech to the Association of National Advertisers)

"Much as we talk about Internet companies today, in five years' time there won't be any Internet companies. All companies will be Internet companies or they will be dead."²

These short quotes from the Qur'anic verses and some contemporary thinkers lead us to reflect upon answers to the following questions:

- What can one understand from the abovementioned verses?
- Why one is able to conclude that [zakat], means something, which goes beyond the traditional understanding of its economic dimension?
- Why should one think of giving as an endowment [waqf] some items that are not tangible, in the senses of being previously perceived by classical Islamic jurisprudence? Is there any legal justification to extend the items of [waqf] endowment to include digital web-sites as a form of E-Da'awah?
- How can one absorb the growing need for E-learning and spreading of knowledge of Islamic teaching through the digital world and encouraging individuals to do their endowment in a form of a 'digital item'?

First Part: An Attempt to answer the first Questions

These verses teach us a number of things surrounding the subject and reality of Alms [zakat]. It is right that the first verse states taking alms [saddaqa] from the Muslims where [saddaqa] is understood to be 'a good deed' when one takes from his possessions and gives to others. However the reality is that -in the holy Qur'an- when saddaqa is mentioned, it means something more than alms and its economic aspect.

The verse of the Qur'an mentions, 'To purify them and to nourish them with it'. This means that this money that one is giving, is the money of alms, because of the lexicographic meaning of the word in Arabic. As 'zakat' is a beautiful expression, where the Holy Qur'an teaches us that when you give alms do not be under the impression that this money is lost (as its amount has been decreased), but rather that the remaining money is going to be nourished (tazaka), made to flourish and increased. As such, alms is -in reality- a blessing and an increase to whom he gives from it.

The Real Meaning of Zakat

In its nature what is manifest and outward is different from its internal reality. When one gives something away: its outward is that it is reducing from one's possession, but the Qur'an teaches us that this money is going to be blessed and there is going to be an increase to it, due to giving alms.

With all acts of worship one can come to conclude that every act has an apparent external manifestation and also has an inner meaning and spiritual consequence.

For instance the holy Qur'an mentions that the expenditure of alms [Saddaqa] is to give it to the poor, the destitute, needy, those who employed to collect it, those whose hearts are to be

² Andrew S. Grove (1936–), is a Hungarian-born US entrepreneur, author, and former chairman of Intel Corporation. (Source: Speech, Los Angeles Times 3rd Annual INVESTMENT STRATEGIES Conference, Los Angeles, California (May 22, 1999))

reconciled, for the freedom of slaves and debtors, in the way of Allah, and for the traveller, this is an ordinance from the Almighty Allah (swt), and Allah is all-knowing, all wise.

The inner aspect of the matter is that man in giving from his own to others and can think how he may nourish and bless these things that Allah (swt)³ has given him.

However according to the Ahl-ul-Beit's (as) jurisprudence [zakat] has limited application than other Islamic schools of jurisprudence. According to this school of jurisprudence, it is known that - in our current era and urban life - alms [zakat] is obligatory upon the four harvesting grains, the 3 types of cattle and the two currencies that are gold and silver, which would render the [zakat] to considerable limited applications. These days when a typical Muslim is a modern city dweller, it is difficult to find anyone who is in possession of these items, in order to be able to pay Alms [zakat] on them. But this is the external aspect of the matter.

But as was mentioned, the holy Qur'an shows us that there is an internal and an external interpretation to the acts of worship, and esoterically everything has a form of purification [zakat], or flourishing process. This is evident in the sayings of the Ahl-ul-Bait (as) and from Imam Ali (as) from 'NahjulBalagha':

Imam al Saddiq (as) said: "The 'Zakat' purification of knowledge is to teach it to others and it is an obligation upon you to do so in the obligation of alms. But it is only to teach those whom have the capacity for learning it."⁴

This is a saying from one of the Imams from the Ahl-ul-Bait (as): 'do not teach knowledge to those who do not have a capacity for it, for you would oppress them, and do not place it where it does not belong or you would oppress it.' So one can believe that for everything there is a zakat.

One may ask about a phrase that: 'everything in the universe is drowned in the love of Allah'. This is again another form of not being able to grasp things that are beyond someone's mind ability and mind-set. One may ask and persist for an answer for the interpretation of this belief. In reply, one may answer with the affirmative, albeit that it cannot be perceived, just like the glorification of different items –being alive or not. The Holy Qur'an teaches that everything is glorifying Allah (swt); the mountains, and even the birds. However, one is not able to understand their glorification. Analysing a simple example of everyday life may cast some light on this claim. When one wakes up in the morning to pray, you notice the birds outside glorifying Allah (swt) while everyone is asleep. However, if one mentions this answer to any unbeliever or to the person, who does not experience spiritual feelings, s/he would not take it seriously and would only mock this response as it is beyond their capacity and level of understanding.

Getting back to Imam Saddiq's (as) hadith: "verily upon everything there is a [zakat] purification process, and the purification process of knowledge is to teach it to those who are worthy of it." This means to those who have a capacity to obtain it.

This hadith defines the general principle, but in other sayings from Imam al-Saddiq he said: "nothing has been made more obligatory on this community than [zakat] purification."

³From now on: (swt) is an abbreviation of {subhanahuwaTa'ala}, (sawas) stands for {SallaAllahuAlaihiwaAlihiwaSallam}, while (as) stands for {'allaihi(m) Assalam}.

⁴Tuhaf al-'Aqal, p.286.

A Comparison with the Reference of Narrations from the Ahl-ul-Bait

Let us read from the Ahl-ul-Bait (as) and compare it with the classical and traditional way of contemporary Muslim thought.

- Is not it true that each and everyone finds it difficult in paying alms or money to the poor in the form of zakat?

This indicates to us that alms -as meant- is not understood, while what was elaborated by Imam al-Saddiq (as) is the more comprehensive understanding and encompasses everything, which is way beyond the understanding of the laymen amongst the Muslims.

The Purification Process of each Bounty according to the Narrations

Based on the abovementioned explanation, we understand that [zakat] is meant – in a wider ethical angle- as a purification process, which is mainly manifested in giving away, while sporadically may be manifested in some form of abstinence. In Ghurur al Hikam, Imam Ali said: “The Alms of supremacy is equity.”⁵

It means that the purification process of political power and capability is to be fair, so if you have a capability over someone or an advantage, just be fair to him.

Imam Ali (as) also said: “Alms of beauty is modesty and chastity, i.e. self-restraint”.⁶

Imam Ali (as) said: “The Alms of prosperity is to be kind to your neighbour and to maintain good relations with ones kin, [Al-‘arhm] womb relations.”⁷

Imam Ali (as) said: “the purification process of health is endeavour obedience to Allah (swt)”⁸, this means that when one is in good health one should not waste time only on leisure pursuits; let there be something in your time that allows you to give to your Ummah. This does not mean one cannot take comfort in leisure, but to take advantage of one’s health to endeavour in obedience to Allah (swt).

Imam Ali (as) said: “The purification process of bravery: is to struggle in the way of Allah (swt)”⁹.

Also he (as) said: “The purification process for the body: is fasting”, or in another narration, it mentions that fasting is a protection and a shield from hell fire¹⁰.

Imam al-Saddiq (as) said: “Good moral conduct is the purification process [zakat] of bounties, intercession is the purification process of high status, aliments are the purification process of the body, amnesty is the purification process of victory, and all that you give out Alms on is protected from being snatched away from you.”¹¹

⁵Ghurur al-Hikam,no.5448.

⁶Ibid, no. 5449.

⁷Ibid, no. 5453.

⁸Ibid, no. 5454.

⁹Ibid.no. 5455.

¹⁰ Bihar al- anwar, v. 78, p. 99, no.1.

¹¹Ibid, p. 268, no. 182.

It means that the purification process of gaining a political position or getting to a higher status: is intercession and to be humble to others and help them if they need it, and the Alms of al-Ma'ruf is the blessings upon you.

Imam al-Saddiq (as) said: "If you pay 'the purification tax' [zakat] for your possession, you have secured it and deflected what might have been negative from it while it was in your possession."

There is a nice story in the books of ethics recounting that Almighty Allah (swt) gave a choice of two types of lives to one of His servants, half he would be rich and the other half of his life, he would be poor. But this person elected for his first part to be rich, and his second life to be poor." To his surprise when the second part of his life was about to start, an angel descended and gave the person good tidings that due to him giving out from what he had in his possession to others during his first part of life in this world, Allah (swt) gave him wealth in this second part of his life. This shows us that when a person gives from what he possesses Allah (swt) maintains what he has in possession even if things have been destined to take place.

Imam al-Saddiq (as) said: "those who refuse to pay the Alms ask to be returned to the world at the time of death, as per Almighty Allah's verse in the Qur'an: "when death comes to one of them, he says, "My lord! Take me back, that I may act righteously in what I have left behind."¹²¹³

If we have given alms in all these matters we have kept our responsibility of dealing with the obligation of Alms, but we must not subsequently become complacent. So we see from what we have just explained that none of us have the four kinds of grain in possession, the three types of cattle or the two currencies, but by the comprehensive understanding of Alms we come to see how zakat can be applied to everything, as everything has a purification process that would render the act into 'alms' [zakat] as an act that encompasses all aspect of life.

Second Part: Inquiry into the Practice of Waqf in the Post Digital Age

There is no doubt that the digital world has launched a new era, a modern revolution that could not have taken place after the industrial revolution, nor after the explosion of communication and mass media revolution via satellites. The reason is obvious; it made globalisation an easy vision, and the potential accessibility of each and every individual a feasible option. It is based on what one now talks about: e-commerce, e-Learning, e-information and open Study, all of which are based on IT-technology and the invention of the digital world. The Development of this "Digital World" was necessary for main stream adoption of the Internet and combining these two factors has led to the third revolution.

Let us start with a quote from an American expert in the field of e-commerce. I'm referring here to Chris Anderson, when he states: "Every industry that becomes digital will eventually become free."¹⁴

Maybe many would agree with this negative statement about the impact of the digital world on various businesses. However, regardless as to how one would approach the Internet, one cannot ignore the wisdom behind Eric Kaplan's statement, which follows:

"The Internet is about the free exchange and sale of other people's ideas."¹⁵

¹² Qur'an 23:99-100

¹³ Bihar al-anwar, v.96, p. 21, no.50.

¹⁴ Chris Anderson (1961-), US author and journalist, editor-in-chief of Wired
Source: Free: The Future of a Radical Price (2009)

Nonetheless, there is a very different aspect to look at e-commerce. Chris Anderson has stated:

"The Long Tail is an expression of a network effect on a marketplace of infinite capacity that is unique to the Internet. Previously, our culture was dominated by limited distribution channels; the Internet is the first unlimited distribution channel."¹⁶

As such, there is a very different aspect from which to view e-commerce. Over the past year, e-commerce accounted for 36% of the increase in retail sales, outside of gasoline stations and oil fuel dealers. Looking at the table should help us to figure out as to how much e-commerce is increasing its values and importance.

Here is the table.

	Not seasonally adjusted		percentage increase
	1Q08	1Q07	(not adjusted for inflation)
	millions of dollars	millions of dollars	of
Retail sales	965,500,930,677	34,823	3.7%
Gasoline stations	115,984,948,898	21,086	
Fuel dealers	18,090 14,969	3,121	
Retail sales except			
gas and fuel	831,426,820,810	10,616	1.3%
E-commerce	32,414 28,594	3,820	13.4%
bricks/mortar retail sales	799,012,792,216	6,796	0.9%
ex gas and fuel			
Share of increase from e-commerce		36%	

Data: Census ¹⁷

¹⁵Eric Kaplan (1971–), US television writer and producer. Spoken by a Napster executive. Source: Futurama, Fox TV (May 13, 2001)

¹⁶Chris Anderson (1961–), US author and journalist, editor-in-chief of Wired, Source: The Long Tail: Why the Future of Business Is Selling Less of More (2006)

¹⁷ See: <http://blogs.businessweek.com/mt/mt-tb.cgi/10866.1387212340>.

Accessed in 12.9.2014

These quotes should lead us to the very legal questions that are based on the Shari'ah rulings, as follows:

- Can a digital item be considered as a 'thing' that can be owned?
- If it can be owned, can it be sold, hired or included as a form of 'alms' [sadaqah] or [waqf] 'endowment'?¹⁸

I will take the first legal premise as for granted, i.e. as a postulate that is accepted within Islamic jurisprudence, while the second to be the corner stone for the second part of this article. It is based on our reading of the abovementioned quote that 'if a thing, or an industry is made 'digital', it will eventually become free'. Despite the fact that this statement cannot be taken -in its absolute sense- as there is no doubt that so many things became digital, albeit remained not free, like the digital forms of pdf files -amongst others- that are sold, rather than freely distributed, as they were specifically produced for this purpose. The main discussion is whether a digital item can be an object for endowment and, if having established this principle, should it pave the way for wider practice of the endowment. However, one should start with the elementary definition of the endowment.

Definition of *Waqf*

Waqf is a one-sided pronouncement involving putting an estate or 'devotion of a fruit' to charitable purposes for certain groups of people. This definition is one of the obvious issues amongst jurists¹⁹, and has resulted from the inarguable concept entrenched in the intellects of religious individuals (*mutasharri'ah*). It is supported by the Holy Prophet's (sawas) hadith, in which he is reported to have said, "Endow the root and devote the fruit to charitable purposes."²⁰

However, there is controversy about its being a contract whose validity is conditional upon consent. The evidence on these rulings is as follows:

¹⁸The word "*Yadaqah* (alms)" is sometimes used to express *waqf*. A reference to the texts of narrations manifests this fact. For example, Rab'iy ibn 'Abdullah, in an authentic narration, has reported Imam al-'adiq (a.s) as saying that Am'ral-Mu'minin (Imam 'Alī) donated a house that he owned in al-Madīnah at the quarter of Banī-Zurayq as alms (i.e. endowed as *waqf*) and wrote the following regarding it: "In the Name of Allah, the All-beneficent, the All-merciful. 'Alī ibn Abī-ḥlib, alive and sane, gives as alms his house situated at the quarter of Banī-Zurayq that is neither sold nor donated until Almighty Allah, Who inherits the heavens and the earth, will inherit it. He dedicates this alms (*Yadaqah* = *waqf*) as lodging for his maternal aunts as long as they and their successors live. If they cease to exist, the house should be then endowed to the needy Muslims."¹⁸

The author of "*al-°adiq al-Nāḥirah*", says, "It is well known by everyone who has familiarity with reports and has the least experience with their regulations that the word '*Yadaqah* (alms)' was used to denote *waqf* in the ancient ages of the Holy Prophet and the Holy Imams (a.s)."¹⁸

In the light of that, it can be said that the term '*Yadaqah*' is common to *waqf*, *abs* (possession of benefit), and alms in its private meaning. The difference between these is that in *waqfs*, the endowed estate is no longer owned by the endower (*wāqif*) but it is still held inalienably from disposing of it by means of sale or the like. As to *abs*, the endowed estate is still owned by the endower, but its benefit only is transferred. As for alms, the estate transfers to the endowed party with the legality of disposing of it as he likes.

Moreover, the word '*Yadaqah*' is also called the religious tax, namely the Zakāt. In this respect, the Holy Qur'ān reads, "Alms (*Yadaqah*) are only for the poor and the needy, and the officials appointed over them... (9/60)"

¹⁹A *Summary of the Islamic Jurisprudence, Vol. 2, by Dr.Salih al-Fawzan, pp. 242-230, [English version]*

²⁰*Mustadrak al-Wasj'il* 14:47.

The Legality of *waqf* is one of unanimously agreed questions among all Muslims.²¹ Besides, some narrations indicate that *waqf* is recommended. In this connection, that Sahih Muslim has narrated that the Prophet (sawas) has said: ‘When a human being dies, his deeds come to an end except of three deeds (which are going to be everlasting): Ongoing charity, knowledge benefited from (by others), and a pious son, who prays for him.’²²

A similar narration was recorded from Hushim ibn Sijim, in an authentic narration, has reported Imam al-ḥidīq (as) as saying, “No reward is continued for a dead person except three things: (1) a constant *ḥadaqah* that he endowed in his lifetime, (2) a method of true guidance that he founded in his lifetime which is carried out after his death, and (3) a righteous descendant who prays for him.”²³ It is now incumbent upon us to re-examine the terms for the validity of endowment, and scrutinize to what extent a digital item can be used as an object for endowment.

Al-Qurtubi has stated: There is no disagreement of the faqih on the permissibility of the endowed barrages and mosques. Yet they differ about other properties.²⁴

Some Terms of Valid [Waqf] Endowment

Validity of *waqf* is conditional upon demonstrating it –since intention alone is not acceptable in any indicating form, such as “*waqafu* (I endow...)”, including reciprocal delivery, such as if the endower delivers the endowed thing, a carpet for instance, to the custodian of a mausoleum in the intention of donating it as *waqf*. *Waqf* is probably achieved by other means; such as if one builds a mosque in the intention of endowment as *waqf*. There is controversy about the term that the validity of *waqf* is conditional upon the intention of seeking nearness to Almighty Allah (*qad al-qurbah*). However, all jurists have agreed that the item put for endowment must be owned and that it should be delivered. The obligatoriness –or the validity, according to some scholars- of private *waqf* is contingent upon the receipt of the endowed thing although an immediate receipt is not necessary. Validity of *waqf* is also contingent upon perpetuation. Hence, an item or an estate that is endowed as *waqf* for twenty years only cannot be considered as *waqf*.

It is also conditional that the things endowed as *waqf* are beneficial along with keeping its material existence unchanged. Therefore, it is invalid to endow as *waqf* food or drink. It is also conditional that the endowed party is existent; therefore, it is invalid to endow to nonexistent persons.

While looking at all of these conditions -without indulging into the demonstrative jurisprudence and arguments to prove them- one is convinced that there is no restriction of having a digital item set to endowment use. Therefore, maybe it is wiser to re-examine other rulings and conditions related to the [°abs] benefit utilization of the endowed item.

Some Rulings of [°ABS] Benefit Utilization

°abs (endowment of benefits) is a pronouncement involving investment of something for the purpose of utilizing its benefit either generally or for a prescribed time while the item is kept in the ownership of the investor without giving the invested person the right to dispose of the

²¹A Summary of the Islamic Jurisprudence, Vol. 2, by Dr.Salih al-Fawzan, pp. 242-230, [English version]

²²Muslim, (4199) [6/87], Abu Dawoud (2882) [3/201], At-tirmithi (1380) [3660] and al-Nassa'ie (3653) [3/561]

²³Was'ilal-She'ah 13:292 A'kmal-Wuq'fwa'l-ḥadaqat(Rulings of Charitable Endowments and Alms), S.1, H.1.

²⁴Cited in 'A Summary of the Islamic Jurisprudence, Vol. 2, by Dr.Salih al-Fawzan, pp. 242-230, [English version]'

invested thing and to transfer its ownership by sale or any other way. The definition of *'abs* is one of the obvious issues of Muslim jurisprudence. The difference between *'abs* and *waqf* is that, in *waqf*, although the endowed estate is no longer owned by the endower (*wiqif*) it is still held inalienably from being disposed of by means of sale or the like. As to *'abs*, the endowed estate is still owned by the endower, and its benefit only is transferred. After the death of the *'ibis* (the endower of the benefit of an estate), the endowed benefit is given back to the heirs. Another difference is that perpetuation is specified as a term of valid *waqf* while this is not binding in *'abs*.

'abs is undeniably and unquestionably legal, as its legality is unanimously agreed upon by all jurists. It is also indicated by numerous narrations although these narrations have not mentioned the word "*'abs*" rather they have used the word "*ʿadaqah* (alms)" to express *'abs*. An exception is the narration relating the story of Ibn Abç-Laylj that is reported by the three "Muʿammad" ²⁵ through an authentic source of narration from ʿUmar ibn Udhaynah who said that he was present when the following issue was put before Ibn Abç-Laylj, the judge: Before his demise, a man had endowed one of his relatives a house without determining the time of transfer of the possession. When the man departed life, his heirs, as well as the man to whom that house was endowed, attended the judge, Ibn Abç-Laylj, who commented, 'I think that the matter should be left as it had been during the lifetime of the legator.' Rather, Muʿammad ibn Muslim al-Thaqafiy intruded saying, 'Verily, ʿAlç ibn Abç-çjlib had decided the opposite of your decision in this very mosque.'

'What do you know about this issue?' asked Ibn Abç-Laylj.

Muʿammad ibn Muslim al-Thaqafiy said, 'I heard Abç-Ja`far (i.e. Imam Muʿammad al-Biqir) saying that (Imam) ʿAlç ibn Abç-çjlib decided to cancel the benefit endowment (*'abs*) and carry out the inheritances.'

Ibn Abç-Laylj asked, 'Can you prove this in a written form?'

'Yes, I can,' answered Muʿammad.

'You should thus bring me that written form,' Ibn Abç-Laylj said.

'I will do provided that you will not read except the paragraph intended,' stipulated Muʿammad.

'I will observe this,' agreed Ibn Abç-Laylj.

Hence, Muʿammad ibn Muslim al-Thaqafiy showed the judge that narration in the book. He therefore objected the lawsuit. ²⁶

This narration indicates that by the death of someone who momentarily endows something (i.e. by *'abs*) without identifying the period of endowment, the endowed thing will automatically be given to the heirs, as the *'abs* is cancelled. This narration, however, proves the validity of *'abs* in general.

However, there are different examples of this form of *'abs*, which is different to the ordinary endowment, depending on the item endowed. Benefit endowment of a residential house is called "*suknj* (temporary endowment for residence)". Hence, *suknj*, being a kind of *'abs*, is a pronouncement involving investing someone with the right of residence in the endower's house, while keeping the house under the ownership of the endower.

Any kind of *'abs*, including the *suknj*, that is restricted to a certain period, such as one year, is terminologically called "*ruqbj* (supervisory endowment)". *'abs* that is restricted to the lifetime of the endower or the endowed person is called "*umrj* (lifelong endowment)". Hence, the

²⁵ The three "Muʿammad" are namely Abç-Ja`far Muʿammad ibn Ya`qub al-Kulayniy, Abç-Ja`far Muʿammad ibn ʿAlç ibn al-ʿusayn ibn Bçbawayh al-Qummiy, and Abç-Ja`far Muʿammad ibn al-ʿasan al-ççsiy. They are the compilers of the *al-Kutub al-Arba`ah* (the four most reliable Shç`ite reference books of ʿadçth).

²⁶ *Wasj`ilal-Shç`ah* 13:328 *A/kjm al-Suknj wa`l-ʿabs* (Rulings of Temporary Endowment Of Residence And Benefit Endowments), S.5, H.1.

sukni, the *ruqbi*, and the *`umri* are contracts requiring consent. Furthermore, *ʾabs* is also a contract requiring consent when the endowed party is an individual not a body.

Of course, in all of these examples, there is no way to offer a digital form of the endowment; therefore we are not including them in our discussion. However, there is a possibility that one would imagine another digital item that can be endowed in a form of *ʾabs*, where none of the abovementioned cases will be applied, but without any difference compared to the virtual and ordinary [waqf] endowment. As such, we may claim that we have reached the answer to the second question posed in the beginning of this second part. The answer would be 'quite a good possibility' that these endowed items, despite being in a digital form, would still be sufficiently beneficial to let various items be endowed for public interest. One of the first examples of the digital use for Islamic purposes is the E-Da'awah.

The Benefits of E-Da'awah

E-Da'awah is one of the most important facets of the Internet to have emerged in recent times. E-Da'awah or electronic Da'awah involves carrying out the mission of preaching Islam and elaborating its unique teachings over the Internet with the assistance of computers, which are linked to each other forming an International network, which is labelled the 'Internet'.

E-Da'awah allows people to carry out their mission of preaching without the barriers of time or distance. One can log on to the Internet at any point of time, be it day or night and communicate with millions with anything one desires to convey at a single click of the mouse, or a single command of uploading.

Benefits of having digital Items Endowed or put in form of *ʾabs*

One has no doubt that endowing a digital item encapsulates many benefits in excess of its ordinary physical and material counterparts. Let us imagine someone is setting a great web-site for Da'awah purposes, where anybody can use it, or have access to it throughout the globe. There are many advantages in this case, which are as follows:

Someone, who is looking for an answer to his curious mind, could approach the website looking for answers, free of charge. The website provides a wonderful opportunity in this direction, without creating an image that any person is imposing him/herself on the questioner.

As Scott Bradner (US computer scientist and the secretary of the Internet Society) has stated:

"The Internet means you don't have to convince anyone else that something is a good idea before trying it."²⁷

Another important benefit of E-Da'awah is that, it is the cheapest means of the act. Any message conveyed through the digital website, would be easily accessed and globally reached without paying more than specific costs, i.e. for the digital file, domain name, and the space for uploading the files, ONCE for all. The direct cost-of-preaching any elevated ethical values or conveying messages inspired by a faith taken from a website is lower than through traditional means (books, leaflets and other paper based channels), as there is -usually- no human interaction during the on-line electronic approach. Also, electronically conveying a message virtually eliminates human error, as well as being faster and more convenient for any visitor throughout the globe. As such it reduces delivery time,

²⁷ Scott Bradner, US computer scientist, secretary of the Internet Society. Source: Quoted in Here Comes Everybody: The Power of Organizing Without Organizations (Clay Shirky, 2008).

saves on labour cost, and costs incurred in the following areas: Document preparation and printing and whatever includes error detection and correction. In addition, the operational benefits of E-Da'awah include reducing both the time and personnel required to complete the whole Da'awah process, and reducing strain on other resources. Because of all of these advantages, one can harness the power of E-Da'awah and convert a great organization and squeeze it into an E-Da'awah network, by using powerful turnkey E-Da'awah solutions made available by E-Da'awah business solution providers. Imagine the preparation for a traditional preacher to travel to a specific country, and/or a physical book that must travel or be transported long distances in order to reach a population limited to less than 1/1000 of the International reach of different addressees and a global audience offered by the digital web-site.

Based on the abovementioned facts, one is assured that the benefits of offering an item in a digital form would supersede the benefits of offering a similar ordinary example for endowment, while the costs are reduced hundred times more than the usual examples of ordinary missionary cases.

Before the End

One should scrutinize what is said in business about the importance of e-commerce, as stated by Andrew S. Grove, who said:

"Much as we talk about Internet companies today, in five years' time there won't be any Internet companies. All companies will be Internet companies or they will be dead."²⁸

One cannot say, though, that endowment must all be done in the digital form from now on, or that all items endowed will only be digital; rather that most probably in the future, many of the endowed items –in the field of da'awah- will be digital items that can be used for spreading knowledge about Islamic teachings and its theological and theodocian instructions.

Conclusion

- The main aim behind this article was to elaborate on [zakat] in a wider angle, taking into consideration its wider ethical meaning as it was laid down in the Qur'anic and Sunnah teachings. Based on this way of grasping [zakat] as a means of purification and seeking the descent of blessings from the Almighty (swt) over the material world. This notion allows for a wider interaction of the concept within the everyday life of the Muslim.
- The [Waqf] endowment or [°abs] beneficial endowment of any items are combined with conditions and rulings. All of those conditions can be met if the item of endowment is a digital form that allows for more flexibility for both the service provider and the service receiver.
- The benefits of having E-Da'awah or any form of e-learning are huge. Any endowed item will be able to provide greater services that can be used for wider receivers throughout the world. This technique is inspired by the Third revolution of communication that is solely based on the digital world, and the virtual space it provides through the Internet. Therefore, any endowed item that is of a digital nature can be used, at least as effectively, as any

²⁸Andrew S. Grove (1936–), Hungarian-born US entrepreneur, author, and former chairman of Intel Corporation. Source: Speech, Los Angeles Times 3rd, Annual INVESTMENT STRATEGIES Conference, Los Angeles, California (May 22, 1999).

physical and material item, which is the manner of the most typical cases of past and present endowments.

Bibliography:

- A Summary of the Islamic Jurisprudence, Vol. 2, by Dr. Salih al-Fawzan, [English version]
- Bihar al-anwar, By M. B. Al-Madjlesi., v. 78, Beirut, 1984
- Ghurar al-Hikam, narrated wise sayings from Imam Ali (as).
- Tuhaf al-'Aqal, by Shaky al-Harrani, Beirut, 1982
- Wasi'ilal-Shc`ah, Shaikh M. H. Al-Hur Al-'ameli, vol. 13, Beirut, 1985