

IMPLEMENTATION OF CASH WAQF MANAGEMENT (STUDIES AT THE ZISWAF BOARD OF KOPONTREN AL YASINI PASURUAN)

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Abstract

Waqf is one of the instruments of the Islamic economy that aims to achieve the objectives of the Islamic economy, namely producing a rich life. The concept of Waqf is still considered to be the practice of the rich, because the payment is identical to that of land and buildings. Currently, in Indonesia, there is a new method of paying off the waqf that is available, this is cash-based and is derived from Law number 41 of 2004 regarding the management of cash-based funds associated with the waqf. This investigation describes the procedure of implementing cash waqf in the Al-Yasini Kopontren Ziswaf Agency as an Amil Zakat Organization that has employed cash waqf. This research employs a qualitative methodology with data analysis methods that involve interaction. From the research results, it is apparent that the utilization of cash funds at the Al-Yasini Kopontren Ziswaf Board is invested in the form of shares in the retail business "Al Yasini Mart". The income from the dividend is dedicated to funding scholarships for impoverished, unfortunate, and unlucky Al-Yasini Islamic Boarding School students, students who are exceptional in school, and hafidz students who memorize the Quran.

Keywords: Cash, Waqf, Management, Ziswaf Board

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INTRODUCTION

Waqf is considered as one of the tools of Islam to attain its economic objective of creating a prosperous life. Several Muslim-majority countries including Saudi Arabia,

Jordan, Turkey, Bangladesh, Egypt, and Malaysia are already using waqf as a tool to maximize some human efforts and fight poverty¹. Waqf is a charitable initiative stipulated in Islamic law which aims to allocate the sustenance that Allah provides for His people². Similar to zakat and sadaqah, waqf holds a significant position in Islam, where it is expected of a Muslim to donate their waqf property to be utilized for charitable causes and acts of devotion. The property given to Waqf is not personal property, but will belong to the ummah³.

With the largest Muslim community in the world, Indonesia has the potential to utilize the role of waqf for poverty alleviation while also achieving social justice⁴. Among the three options of infak, zakat, and shadaqah, it is evident that waqf offers the most advantageous benefits. While zakat benefits may eventually exhaust themselves, waqf's fundamental principle is that only benefits are provided, while the principal should endure in perpetuity. This differentiates it from shadaqah and infak. Thus, the benefits of waqf will persist as long as the principal of the waqf does.

Following the issuance of Law Number 41 of 2004 which pertains to waqf, the Indonesian Waqf Board was subsequently established as an independent entity that has a firm grip on the administration of financial endowments on a national scale. The goal of this organization is to enhance and fortify Indonesia's domestic endowments⁵. The utilization of Law Number 42 from 2006 serves as an enforcer of Law Number 41 from 2004, which centers on the establishment of waqf and governmental oversight. As stated by this law, the individual who endows, known as the wakif, may provide financial resources to Islamic financial institutions that are designated by the minister. Article 16 paragraph (1) outlines the waqf assets as both mobile and immobile property. The waqf of immobile objects encompasses rights to land, plants, buildings, property rights to flats, and other immobile objects, all of which adhere to sharia principles and the laws and regulations in effect. The waqf movable objects, as per sharia and relevant laws, include money, precious metals, rental rights, securities, intellectual property rights, cars, and various other movable objects⁶.

¹ Havita, "Bank Wakaf Di Indonesia Dalam Potensinya Untuk Mengembangkan Wakaf Uang Dan Mengatasi Kemiskinan," 2014.

² Sulistyani and others, "Pelaksanaan Dan Pengembangan Wakaf Uang Di Indonesia," *Jurnal Usm Law Review*, 3.2 (2020), 328 <<https://doi.org/10.26623/julr.v3i2.2874>>.

³ Darwanto, "Wakaf Sebagai Alternatif Pendanaan Penguatan Ekonomi Masyarakat Indonesia," *Jurnal Ilmu Manajemen Dan Akuntansi Terapan (JIMAT)*, 3.1 (2012).

⁴ Hazami, "Peran Dan Aplikasi Wakaf Dalam Mewujudkan Kesejahteraan Umat Di Indonesia," *Analisis: Jurnal Studi Keislaman*, 16.1 (2016).

⁵ Usman, *Hukum Perwakafan Di Indonesia* (Jakarta: Sinar Grafika, 2013).

⁶ Kementerian Agama RI, *Pedoman Pengelolaan Wakaf Uang, Direktorat Jenderal Pengembangan Zakat Dan Wakaf Direktorat Bimbingan Masyarakat Islam Dan Penyelenggaraan Haji* (Jakarta, 2015).

Waqf is basically eternal generosity according to Islamic tradition, and it takes the form of goods. But as it developed, endowments with "cash" were implemented⁷. The provision of waqf possessions along with cash that cannot be transferred and frozen for purposes other than public benefit without loss of principal is generally referred to as monetary endowment. From a fundamental perspective, monetary donations are not a new tool. Islamic history has long been known for the practice of monetary donations, particularly from the beginning of the 2nd century Hijri⁸.

Cash waqf payments are a flexible form of endowment, as there is no requirement to have a large amount of money or extensive land to participate. Waqf assets, such as unused land suitable for agriculture or building for educational purposes, offer additional benefits to those considering money endowments as a payment option. The management of cash waqf can also be utilized for the purpose of paying employee salaries, as well as upgrading facilities and infrastructure⁹.

The waqf system is an economic institution with the potential to grow and develop, as long as it is managed with care and attention. From a social perspective, the waqf institution is considered a cultural asset and an important source of national pride and support. Therefore, it is essential for the state of waqf in Indonesia to receive special attention, particularly because most waqf properties in Indonesia are immovable and are not being used productively. Despite being utilized for places of worship, cottages, schools, cemeteries, and other purposes, there is still room for improvement and regulation in maximizing the benefits of waqf¹⁰.

However, compared to other traditions such as zakat, infak and shadaqah, the cash waqf option is still not widely used by Indonesians. According to a study conducted at the institution amil zakat, people are more familiar with zakat than waqf. This is also supported by the results of a study by the UIN Jakarta Language and Culture Center on Islamic Philanthropy for Social Justice, which found that the majority of Indonesia's growing Muslim population comes from zakat fitrah and shadaqah.

Only a small percentage comes from mall zakat and 61% of the muslim population pays shadaqah less than Rp 10,000 per year, but mall zakat and waqf are believed to be zakat people who have a lot of money (language and culture center typical in Jakarta and Ford Foundation in Jakarta)¹¹. The establishment of waqf in Indonesia that is not intended for the economic empowerment of the community and only for the importance of special

⁷ Tho'in and Prastiwi, "Wakaf Tunai Perspektif Syariah," *Jurnal Ilmiah Ekonomi Islam*, 01.01 (2015), 61–74.

⁸ Syafiq, "Wakaf Tunai Untuk Pemberdayaan Usaha Kecil," 2014.

⁹ Utami & Ismail, 2014)

¹⁰ Lubis, Mustamam, and Akhyar, "Analisis Yuridis Gerakan Nasional Wakaf Uang (Gnwu) Dalam Perspektif Undang-Undang Nomor 41 Tahun 2004 Tentang Wakaf," 4.1 (2022), 139–65.

¹¹ Jalaludin, "Miftahul Jannah Jatibaru Kecamatan Jatisari Karawang," *EKSISBANK (Ekonomi Syariah Dan Bisnis Perbankan)*, 4.1 (2020).

worship is understandable, because of the limited education among Muslims in general regarding education about waqf, in terms of waqf property and its designation¹².

The research entitled "Implementation of Cash Waqf Management (Study on Baitul Maal Hidayatullah & Al-Falah Social Fund Foundation)" found the results of research that the implementation of cash waqf in Baitul Maal Hidayatullah and Al-Falah Social Fund Foundation has not been productive¹³. The next study entitled "Cash Waqf, Its Implementation in the Sharia Banking System in Indonesia" with the results of the application of cash waqf in the Islamic banking system is not ideal because regulations related to cash waqf show that Islamic banking is still unable to regulate cash waqf funds, only limited to trustee institutions when receiving waqf funds¹⁴. The study entitled "Implementation of cash waqf management (Study on Baitul Maal Hidayatullah and Al-Falah Social Fund Foundation)" found the results of the study that the implementation of cash waqf in Baitul Maal Hidayatullah and Al-Falah Social Fund Foundation Social Al-Falah had not gone well productive¹⁵. The researchers also conducted similar research with the title "Application of Good Corporate Governance Principles in Waqf Cash Management in Yogyakarta MUI Cash Waqf Board" and found that the results in waqf cash management by BWU/T MUI DIY as a whole were relevant to the existing regulations, both of the laws, the regulations of the minister of religion and the regulations determined by the BWI¹⁶.

Based on this description, a study was carried out under the title "Implementation of cash waqf management with a study in the Ziswaf Board of Al-Yasini Islamic Boarding School Cooperative." The researcher chose the Kopontren Ziswaf Agency as the research location because the institution has already implemented waqf payment transactions in the form of money. This research was conducted to answer the question "how is the implementation of waqf cash management with a study in Al-Yasini Kopontren Ziswaf agency". The purpose of this study is to find out the implementation of cash waqf management with a study in Al-Yasini Islamic Boarding School Cooperative Ziswaf Agency (Kopontren).

RESEARCH METHODS

The research used is in the form of qualitative descriptive methods, namely research that describes the object of research based on several facts that appear or as they are¹⁷. Researchers use this method because the data needed is in the form of records or qualitative data. Research collection techniques with interviews and documentation using interviewed informants are Burhanul Amal Cholis Muttaqin who serves as head of the

¹² Nasution, *Pengenalan Eksklusif Ekonomi Islam* (Jakarta: Kencana Prenada Media Group, 2016).

¹³ Utami & Ismail (2014)

¹⁴ Maulidi (2017)

¹⁵ Mughnisari (2014)

¹⁶ Triwibowo (2020)

¹⁷ Huda, 2020)

Sharia board at Al-Yasini Kopontren and Ahmad Fauzi who serves as head of the Al-Yasini Kopontren Ziswaf Agency.

While the required documentation consists of the profile of the institution, articles of association of the institution, organizational chart, financial statements, information on cash waqf property, cash waqf certificates, and total wakif. Interactive model analysis is utilized for data analysis¹⁸. Triangulation is used to determine if the data is legitimate. Triangulation is a method for validating data that compares or verifies data without relying solely on the data itself¹⁹. Both primary data and secondary data were used in this study. Interviews and documentation are sources of primary data. While secondary data is obtained by looking for reference materials related to research topics contained in scientific publications, books, or other related papers that are appropriate.

RESULT AND DISCUSSION

Al-Yasini Integrated Islamic Boarding School was established in 1940 using the model of kalongan studies. Currently, the foundation already has 2,670 mukim students from a total of 4,251 students who expand in several formal institutions (SDI, SMPU, Mts, SMPN, MAN, SMA, SMK Kesehatan, SMKN, and STAI) and also non-formal (RA / TK, MADIN and SALAFIYAH), these students come from various tribes in Indonesia, such as Java, Kalimantan, Sulawesi, Sumatra, West Nusa Tenggara, and Bali. In the foundation, caregivers and administrators want to develop waqf assets, which can be seen from the establishment of Al-Yasini Mart, Al-Yasini Net and various other businesses under the auspices of Al-Yasini and Kopontren Owned Enterprises.

The Amil Zakat institution which is also responsible as a cash waqf nazhir (cash waqf management institution) because it has implemented cash waqf. The purpose of holding nadzir is to regulate (maintain and manage) waqf property in accordance with the designation determined by the wakif. Since 2010, the Al-Yasini Kopontren Ziswaf Agency, located on Jl. PP Terpadu Al-Yasini Pasuruan, has raised funds for waqf. The Ziswaf Kopontren Al-Yasini Agency started building a cash-based waqf transaction system in 2019. Because the Santri Pesantren Al-Yasini Scholarship is funded partly from cash endowments obtained by the Al-Yasini Kopontren Ziswaf Agency, it becomes part of the educational program. The money waqf application is intended to help orphaned students, extraordinary students, Quran memorization experts, and students from underprivileged backgrounds.

Cash Waqf is a fairly new activity in Indonesia, therefore intimate socialization is needed so that cash waqf activities can be recognized by the Islamic population. The stages carried out by the Al-Yasini Kopontren Ziswaf Agency to socialize the cash waqf program are, the distribution of brochures of the Al-Yasini Kopontren Ziswaf Agency, the distribution of INSANI magazines, promotion through social media, namely Instagram, WhatsApp, and Facebook, and promotion through the Al-Yasini platform

¹⁸ Miles and Huberman, "Qualitative Data Analysis: An Expanded Sourcebook," 1994.

¹⁹ Raibowo et al., 2019)

Cash Waqf fund management. The Ziswaf Kopontren Al-Yasini Agency manages money endowments in the manner described in figure 1 below:

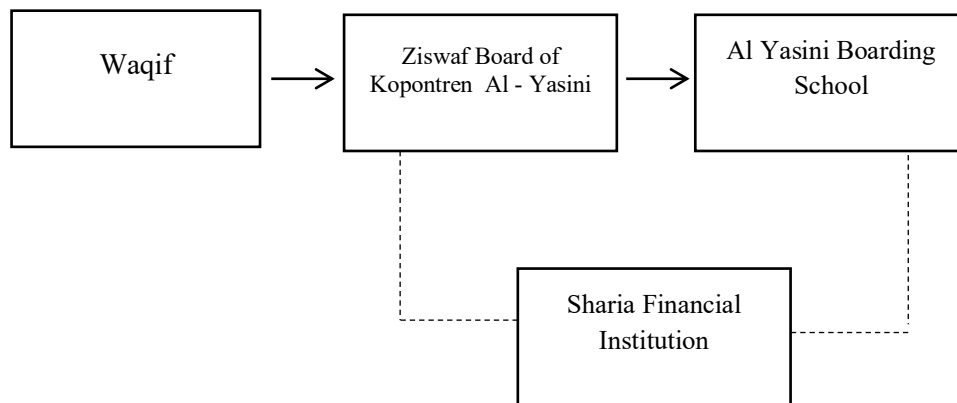


Figure 1. Cash Waqf Fund Management Scheme At The Al-Yasini Kopontren Ziswaf Board

From figure 1, it can be learned that the wakif gave his funds directly to the Al-Yasini Kopontren Ziswaf Agency without going through Islamic Financial Institutions. In practice, the Al-Yasini Kopontren Ziswaf Agency collaborates with Islamic Financial Institutions to manage cash waqf become waqf productive and pay for student scholarships. Ziswaf Kopontren Al-Yasini Board first supported Islamic Financial Institutions to expand its business wings, which has inaugurated the 9th branch of Sharia Financial Institutions in Pasrepan District, Pasuruan Regency. The opening of the 9th branch is a form of service to get closer to customers. The principle is what if it can provide a field to pesantren graduates. Because many human resources (HR) from pesantren are high but constrained by diplomas that are not formally recognized.

Al-Yasini Islamic Boarding School has made significant strides in the business sector, particularly in the real of cooperatives. In fact, the school established a legally recognized cooperative in 2014. The cooperative, known as Koperasi Pondok Pesantren (Kopontren) Al-Yasini, has since expanded to 10 different branches located throughout Pasuruan Raya. These branches include Princess Department Store, Halalan Mart Sukorejo, Al-Yasini Mart Center, Al-Yasini Mart Kanigoro, Al-Yasini Mart Sukorejo, Al-Yasini Mart Oro-Oro Ombo Kulon, Al-Yasini Mart Prigen, Al-Yasini Mart Kalirejo

Bangil, and Al-Yasini Mart Triwung Grati. Additionally, the school is optimistic that Kopontren will continue to expand outside of Pasuruan in the future²⁰.

"The key is to continue to be innovative, creative, able to observe market opportunities and commodities, hard work, enthusiasm, and accompanied by prayer". By combining pilgrims from elements of students, alumni, student guardians, sympathizers, and the surrounding community, pesantren also build a network marketing management system. Kopontren Al-Yasini's achievements and love work are in line with the goals of One Islamic Boarding School One Product (OPOP), which is to create sociopreneurs, santripreneurs, and pesantrenpreneurs".

Islamic boarding schools are open to entrepreneurship thanks to OPOP. In addition, OPOP offers complete facilities and support to pesantren business owners, including licensing assistance. In addition, the presence of OPOP encourages Islamic boarding schools to introduce entrepreneurial programs to students. Pesantren are more motivated by OPOP to promote their entrepreneurship. Because often in pesantren the principle exists but is not always practiced²¹.

The Al-Yasini Kopontren Ziswaf Board directs cash waqf funds to the Al-Yasini Islamic boarding school. The cash waqf funds that have been obtained by the Al-Yasini Kopontren Ziswaf Agency are all handed over to the Al-Yasini Islamic Boarding School. The provision of all funds is because the Al-Yasini Kopontren Ziswaf Agency has AD ART which is used as a benchmark to regulate cash waqf funds. The Ziswaf Kopontren Al-Yasini Agency has been implementing waqf payment agreements using cash since 2019. The implementation of cash waqf funds in the Al-Yasini Kopontren Ziswaf Agency is invested in the form of shares in the retail business "Al Yasini Mart". The funds from the dividend are used for scholarships for Ponpes Al-Yasini students who are orphans, underprivileged, outstanding students and memorize the Qur'an.

Promotional efforts carried out by the Al-Yasini Kopontren Ziswaf Agency in socializing cash endowments, namely; 1) social media WhatsApp, Instagram, Facebook; 2) INSANI magazine; 3) distribution of the Al-Yasini Kopontren Ziswaf Agency Brochure; 4) Al-YasiniQu application platform. The funds obtained by the Al-Yasini Kopontren Ziswaf Agency were invested in the form of shares in the retail business "Al Yasini Mart". The funds from the dividend are used for scholarships for Ponpes Al-Yasini students who are orphans, underprivileged, memorize the Qur'an and outstanding students.

Insani magazine is based on the concept of essence by starting the Islamic news with the nature of basyiraan (happy news carrier). Insani took Intisari Magazine as a reference for his appeal. While the Al-YasiniQu application itself was collected by an Islamic

²⁰ Savhira, "Semangat Berdayakan Umat Dan UMKM, Al-Yasini Raih Kopontren Terbaik Di Bidang Pemasaran," 2020.

²¹ Savhira.

boarding school in Pasuruan called the Al Yasini Integrated Islamic Boarding School, which already has a nadzir certificate and has legally become a fundraising body²².

In waqf transactions on the Al-YasiniQu application there are many conveniences such as applications that do not need to spend a lot of large data space because this application is only small, transactions are carried out in real time no need to wait long in the practice of money endowments. However, if you want to do waqf objects, you are required to contact the admin of the Al-Yasiniqu application, the weakness contained in that case is that it cannot be real time in making transactions. Users must wait for the admin to be online and willing to reply to messages from the wakif because they are still using the WhatsApp application and the waqf admin owned by the Al-YasiniQu application is only one person, it is not sufficient if there are many people who want to waqf. But there are advantages in it, wakif does not need to worry about the object you want to waqf because wakif is directly connected via WhatsApp unlike other applications only using messages in the application, so it can store admin numbers, call with admins and get waqf certificates.

The presence of the Al-YasiniQu application which provides convenience for Muslims, especially for waqf, certainly does not escape from the existing shortcomings, of course, if you look at the existing regulations apart from the discussion above in Article 4 of Law No. 41 of 2004. In the law, it is said that waqf must be in accordance with the purpose of the benefit of the waqf property and in accordance with its function, which should be able to notify each wakif about the development of the property entrusted. The ease of an application that is integrated with the internet certainly makes it easier for the realization of the waqf property according to its purpose and usefulness can also be a plus value of the application.

In Article 13 of Law No. 41 of 2004, it is explained that nadzir must be recognized by the Indonesian waqf board which of course the Al-YasiniQu application does not include this. One of the researchers has conducted an interview with Burhanul as the founder of the application, currently Al-YasiniQu itself has been registered with the Indonesian waqf board²³. In addition, based on financial technology law, the auxiliary application (financial technology) used in the Al-YasiniQu application platform is a system that has been registered with the OJK and has guaranteed trust

In the implementation of the money waqf in the application, the wakif does not get a certificate in accordance with the provisions of the article, the report received by the wakif is only a notification if the money has been entered into the application system and written as a mutation of the balance expenditure in the application. When viewed from Islamic law, the law of a transaction is valid or not must be seen from the provisions of sharia that have been determined including Sharia Economic Law, Pillars, and conditions²⁴.

²² Aqilurachman, *Transformasi Pengelolaan Wakaf Digital Pada Praktik Aplikasi Al-YasiniQu* (Jember: Universitas Islam Negeri Kiai Haji Achmad Siddiq Jember, 2023).

²³ Aqilurachman (2023)

²⁴ Aqilurachman.

CONCLUSION

It can be concluded that waqf means storing something to be used in accordance with Islamic teachings based on the results of the discussion. The object given by the wakif must remain the subject of his property. Therefore, the benefits are given to the population without reducing the 'ain or the principal form of their property. Thus, by observing the virtues of waqf, the government gave birth to Law No. 41 of 2004 and Government Regulation No. 42 of 2006 concerning waqf concerning procedures for collecting, managing and distributing cash waqf funds. The regulation explains that waqf that wants to provide funds for cash waqf must go through a sharia financial institution (LKS) to invest, therefore, the benefits used for the welfare of the community are the investment results of waqf funds.

The funds obtained by the Ziswaf Kopontren Al-Yasini Agency are institutions that have implemented a waqf transaction system in cash form since 2007. In its implementation, the cash waqf fund obtained by the Al-Yasini Kopontren Ziswaf Agency implements the procedures for managing waqf funds in accordance with Law No. 41 of 2004. The implementation of cash waqf funds in the Al-Yasini Kopontren Ziswaf Agency is invested in the form of shares in the retail business "Al Yasini Mart". The funds from the dividend are used for scholarships for Ponpes Al-Yasini students who are orphans, underprivileged, outstanding students and memorize the Qur'an

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