

Optimizing the Implementation of Waqf within the Framework of National Law and Sharia

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ABSTRACT

Waqf is a philanthropic institution in Islam that has been the subject of has been the subject of debates on Islamic law since classical times to the modern era. The topics of discussion include the existence of the waqif, mauquf 'alaih (nadzir), mauquf (object), and sighat (proclamation). Fiqh and Indonesian law, referred to as UU (Act), have given significant attention and analysis to these topics. The latest efforts have focused on combining and accommodating these laws to reconstruct and expand the implementation scope of waqf. The philanthropic objective of the organization is to achieve public welfare through reinterpretation of its earliest concept. This paper will also discuss emerging issues such as cash waqf (waqf al-nuqud) and productive waqf, which have arisen due to lack of professionalism and mismanagement of waqf objects. These elaborations aim to analyze the content substance of Act 41/2004 as a compromised solution conducted by the Rule.

Keywords: Law, Sharia, Waqf.

Received: 07.02.2024	Revised: 10.02.2024	Accepted: 12.02.2024	Available online: 12.02.2024
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Suggested citations:

Warman S. & Muhlizar. (2024). Optimizing the Implementation of Waqf within the Framework of National Law and Sharia. *International Journal of Community Service*, 3 (1), 40-49. DOI: 10.55299/ijcs.v3i1.786

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<https://ejournal.ipinternasional.com/index.php/ijcs/OpenAccessPolicy>

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INTRODUCTION

Waqf is a recommended form of worship for Muslims. Its rewards continue even after the wakif's death. However, the understanding and implementation of waqf has been classified as fiqh, which is related to humanitarian efforts. Therefore, it can be understood that the practice and implementation of waqf is closely related to the realities and interests of the people in each Muslim country, including Indonesia.

In many countries, waqf is used to promote the welfare of the people and supplement state revenues. To preserve its existence, the immutability of waqf objects is a fundamental doctrine, but modifying their use can empower waqf assets and prevent stagnation. Both individual and institutional wakifs (i.e. legal entities) are changing their form, requiring credibility and accountability. Similarly, having a professional nadzir is both an option and a necessity in managing waqf assets in today's modern era.

This article focuses on the study of waqf in terms of muamalah fiqh, national law, the transformation of waqf rules from fiqh to national law, and the social implications of waqf that arise from the established laws in Indonesia.

This article focuses on classical fiqh discourse about waqf and related matters, rather than discussing the debate about the existence of the term fiqh in general. The national law referred to in this paper encompasses all rules made by state officials, including the government and the Council. However, the analysis in this paper is limited to Law no. 41 of 2004 concerning waqf, although other national legal regulations may also be considered. This article employs a referential descriptive approach with nuances of the study of muamlat fiqh and Islamic law. It is important to note that these fields are subject to change as the waqf institution interacts with reality, leading to the emergence of new ijihad

METHOD

The research methodology employed in this study involves a literature review, which is a comprehensive analysis of existing theories, results, and other research relevant to the problem being investigated. Additionally, this study includes a literature study or library research, which critically examines scientifically oriented literary ideas or discoveries and provides theoretical and methodological contributions to the topic. The research is based on secondary data. Secondary data is derived from research conducted by previous scholars. This data is obtained from various sources and combined into a single document to address existing problems

RESULTS AND DISCUSSION

Definition of waqf

The term is derived from the Arabic words 'waqafa-yaqifu-waqfan' and is synonymous with 'al-habs', which means to hold. Waqf is an Arabic term that refers to an object or property that is donated or held in perpetuity. In some cases, waqf can also refer to the institution of waqf as used in Egyptian legislation. In Indonesia, the term waqf can refer to either the object being donated or the institution itself.

According to the term, waqf means to retain the essence of objects and utilize the results or retain the essence and give away the benefits. The differences of opinion among fiqh scholars in defining waqf are due to the way of interpreting its nature.

Abu Hanifah defines waqf as holding an object which, according to the law, remains in the possession of the waqf in order to use its benefits for good. According to this definition, the ownership of waqf assets cannot be separated from the wakif. In fact, the wakif is justified in withdrawing and selling them. If the wakif dies, the assets become inheritance for their heirs. Therefore, waqf only provides 'contributing benefits'. The Hanafiyah school defines waqf as not carrying out any action on an object that has permanent status as property, but rather donating its benefits to a benevolent (social) party, both now and in the future.

In essence, the property owner retains ownership of the object but restricts its use, allowing the proceeds to be used for charitable purposes, specifically providing reasonable benefits to the object while it remains under the ownership of the wakif. The waqf is valid for a limited period and cannot be required to be permanent. This concept is recognized by the Shafi'iyah, Hanbaliyah, and some Hanafiyah schools of thought.

This school of thought holds that waqf involves utilizing assets for their benefit by preserving the substance of the object and terminating the wakif's right to utilize the assets. The wakif may not do anything with the donated assets, and the ownership status changes from personal property to waqf property. In the event of the wakif's death, the donated assets cannot be inherited by their heirs. The Wakif distributes the benefits of the assets they have donated to the mauquf 'alaih (the person who was given the waqf) as a binding alms. The Wakif cannot prohibit distributing the donation. If the Wakif forbids it, then the qadhi has the right to force them to give it to mauquf 'alaih. Therefore, this school of thought defines waqf as not carrying out any action on an object that belongs to Allah SWT, by donating its benefits to a (social) good.

Several hadiths analyze the concept of waqf, "From Abi Hurairah r.a. In fact, Rasulullah SAW said that when a person dies, all of their good deeds are cut off except for three: sadakahjariyah, useful knowledge, and pious children who pray for their parents."

It's inclusion of sadaqah jariyah, except for al-Dzahiri. Sadaqah Jariyah is realized in the form of waqf, and its rewards flow continuously to the wakif. Ibn Umar narrates a hadith that strongly recommends waqf, specifically regarding the land of Khaibar.

Umar bin Khattab received a plot of garden in Khaibar and sought advice from the Prophet on what to do with it. The Prophet advised him to donate the land and give alms from the proceeds. Ibn Umar reported this. Umar bin Khattab donated the property, which means that the land could no longer be sold, given away, or inherited. He distributed his wealth among the poor, relatives, freed slaves, the cause of Allah, the abandoned, and guests. The caretaker (nazir) is allowed to consume a portion of the wealth or feed it to others, as long as they do not intend to profit from it.

Various interpretations emerge from this hadith that discuss the essence of waqf, including the distinction between the essence of objects and the benefits of objects, the ownership status of waqf assets, and the consequences of ownership that result in three prohibitions related to the treatment of waqf objects. Namely, the asset cannot be sold, gifted, or inherited. Additionally, there is a nazir who has the right to consume, as long as it is not excessive and does not intend to take over ownership. The waqf can consist of movable and immovable objects, which has recently given rise to the discourse of cash waqf. Finally, there are both permanent and temporary waqf.

Elements of Waqf

The validity of a waqf is determined by whether or not the terms and conditions have been fulfilled. According to fiqh, there are four types of waqf pillars: (1) waqif (the person who donates the endowment), (2) Mauquf'alaih (the party entrusted with the waqf), (3) Mauquf (the donated property), and (4) Shighat or iqrar (the wakif's statement or pledge to donate).

The party who establishes the endowment is known as the Waqif. The Waqif must possess legal skills or kamalul Ahliyah (legal competence) in managing their assets (tasharruf al-mal). These skills are determined by four criteria: (1) Independence; (2) Sound mind; (3) Adulthood (baligh); and (4) Not being under guardianship.

There are differing opinions regarding the ownership status of the objects that have been donated when it comes to the release of waqf objects by the Waqif. According to Abu Hanifah, the assets donated through waqf remain the property of the wakif. This opinion has implications for the wakif's authority to distribute waqf assets according to their wishes, including donating, selling, and bequeathing. Abu Hanifah views waqf as similar to ariyah (lending and borrowing), where the object is in the hands of the borrower as the party who takes advantage of the object. Legal certainty for waqf is limited to three cases: (1) mosque waqf, (2) waqf decided by a judge, and (3) testamentary waqf, which is connected to the death of the wakif.

Imam Malik shares the same opinion as Abu Hanifah that waqf assets still belong to the wakif. This influenced him to distinguish between muabbad waqf and muaqqat waqf. If the muabbad ownership is broken, then the muaqqat ownership still belongs to the wakif. Imam Malik considered that there was no indication in Umar's hadith that the waqf was ordered to last forever, so he gave rise to this distribution. Apart from these two opinions, almost all agree on the severance of ownership between waqf property and the wakif and the transfer of ownership to Allah. According to Syafi'i, waqf is equivalent to al-'itq (freeing slaves). A slave belongs to his master, but when he is freed, he becomes God's property.

In fiqh literature, mauquf 'alaih is sometimes interpreted as a person entrusted with managing waqf assets, also known as nadzir, or as the allocation of waqf assets. If mauquf 'alaih is interpreted as nadzir, it does not receive a detailed discussion by fiqh experts. The most important thing is that the existence of mauquf 'alaih is able to realize the purpose of waqf objects, which is another meaning of mauquf 'alaih. This fragment discusses the influences on waqf, which is a type of Islamic endowment. One influence is the concept of tabarru', which encompasses religious and social purposes that are not in conflict with Islamic ideology or morality. Another influence is the understanding that waqf is a one-sided contract that does not require acceptance, and some scholars believe it is permissible to make a waqf to oneself.

According to Nawawi, waqf is legal for dhimmi infidels under two conditions: (1) the allocation of the waqf object mandated to the nadzir is not in the form of worship for Muslims, such as Qur'anic waqf for dhimmi kafir nadzir, and (2) the benefits of waqf objects by nadzir are not for the benefit of the dhimmi infidel's beliefs, such as waqf for church construction facilitated by nadzir infidel dhimmi. This pertains to the Nadzir belief. (1) the allocation of the waqf object mandated to the nadzir is not in the form of worship for Muslims, such as Qur'anic waqf for dhimmi kafir nadzir, and (2) the benefits

of waqf objects by nadzir are not for the benefit of the dhimmi infidel's beliefs, such as waqf for church construction facilitated by nadzir infidel dhimmi.

The discussion of waqf objects in fiqh is based on the type of property, whether it is movable, immovable, or both. The conservative Syafi'iyah and Hanbaliyah schools only allow immovable property as objects of waqf, while the Hanafiyah and Malikiyah tend to allow movable property waqf.

This difference arises from differences in interpreting whether the donated item is the substance of the object or the benefit of the object. If the substance is an object, it tends to be immovable and has a small number of types. However, if the substance is a moving object, it tends to have a much larger number of types.

The ownership status of waqf objects after they have been donated has implications for the authority over the wakif's treatment of the waqf objects. According to the hadith narrated by Umar, the wakif can perform three actions with the waqf objects: selling, giving away, and inheriting. Abu Hanifah stated that waqf assets still belong to the wakif, so the wakif can do whatever they want with the waqf assets, such as selling, donating, and bequeathing, including pledging waqf assets.

In contrast to the Hanafi school, the Maliki school holds that waqf assets belong to the wakif, but the wakif does not have the right to utilize the waqf assets personally in any form. Syafi'id and Hanbali stated that the ownership of waqf assets and the wakif were separate, cutting off the wakif's rights to the waqf assets. Additionally, the permanence or immortality of waqf objects is closely related to the transfer of waqf objects. Therefore, waqf for movable assets must be attached to immovable assets, such as waqf for agricultural equipment related to rice fields.

The change in designation is an interesting aspect. According to fiqh scholars, it is permissible to make changes to the waqf object if it no longer serves a purpose or its usefulness has decreased, provided that there is no change in the object itself, such as selling it, changing its original form, moving it to another place, or exchanging it for another object. There are differing opinions among fiqh scholars regarding this matter.

According to the opinions of some scholars, if a waqf object is no longer functional or is less functional, it cannot be sold, replaced, exchanged, or moved. However, it may be left in its current condition. This view is expressed by Syafi'i and Malik, and is based on a hadith narrated by Ibn Umar, which prohibits the sale, gifting, or inheritance of waqf objects.

The Syafi'i school of thought strictly regulates changes in status, replacement of objects, and the purpose of waqf. However, some fiqh scholars allow changes based on the principle of mashlahah in emergency situations. This is because the benefits of the waqf will continue as sadaqah jariyah, even if the waqf is damaged or no longer functioning.

According to Imam Ahmad, it is permissible to sell, exchange, replace, transfer, and use the proceeds from the sale of waqf objects for the purposes of the waqf. Abu Yusuf, a student of Hanafi, shares this view and believes that the proceeds from the sale can be used. Muhammad, another Hanafi student, also agrees that if the waqf object is no longer functional or is damaged, it should be returned to the original owner or wakif.

Shighat or pledge is a statement of handover of waqf assets by the wakif. The difference that arises is whether the form of statement is verbal, kinayah or action. All schools of thought agree that waqf is a tabarru' contract, which is a unilateral transaction

that is valid as a contract and does not require consent from the recipient. The contract is fulfilled by the consent of the wakif. The waqf contract does not require a consent from the recipient. A contract is a legal act that requires structuring the expressed will of the interested party, even if it is one-sided. It is an agreement between two parties described by consent and qabul, as in buying and selling, renting, and other similar agreements. The term 'waqf contract' does not apply in this context.

In addition to the explanation above, al-Kabisi initially inquired whether waqf encompasses contracts that result in sharruf (legal acts) leading to achievements due to the agreed-upon law or al-iqa' (delegation) which only provides a provision without legal consequences. The inherent understanding or submission in it is the mandate and responsibility to carry it out. The author suggests that waqf is an al-'iqa' (delegation) agreement due to its focus on social use and consideration of social needs, rather than being purely contractual.

Forms of Waqf

Expert Waqf

Expert waqf is a type of waqf that is intended for specific individuals, whether they are part of the wakif's family or not. It is also known as dzurri waqf or 'alal aulad waqf, and is intended for social interests and security within the family or close circle.

Expert waqf has two benefits: (1) it is a good act of worship, and (2) it fosters goodwill towards families who receive waqf assets. However, expert waqf can create problems, such as what to do if the designated descendant no longer exists, who has the right to take advantage of the waqf assets, what if the wakif's descendants grow too numerous to distribute the proceeds equally, and what if the wakif's descendants are unwilling to manage the assets.

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Khoiri Waqf

Khoiri waqf is a type of waqf that is strictly for religious or social purposes, serving the public interest. This waqf is intended to benefit humanity in general, including aspects such as religion, social security, education, health, and security. Examples of public interest projects include building mosques, schools, bridges, hospitals, and orphanages.

Upon review of its use, it appears that this waqf has more benefits than expert waqf, as it allows for unlimited parties to benefit. This type of waqf aligns with the nature of waqf and, essentially, waqf is a means of utilizing wealth in the way of Allah.

Waqf According to National Law

This section focuses on analyzing various matters surrounding waqf based on Law no. 41 of 2004 concerning waqf. Only necessary portions from other national legal regulations, such as Government Regulations (PP) or Presidential Instructions (Inpres), will be included. Several regulations covering waqf are presented in this article, in accordance with Article 70 of Law no. 41 of 2004. All statutory regulations governing waqf remain in effect as long as they do not conflict and/or have not been replaced by new regulations based on this law.

The discussion begins with understanding, but it is important to remember that the institutional meaning or definition of waqf also varies. This diversity of definitions results from differences in interpretation of the wakas institution as practiced by mujtahids and Islamic communities.

The initial definition of waqf in Indonesia was more in line with the definition proposed by Syafi'iyah. According to article 1(1) of PP No. 28 of 1977 concerning Waqf of Owned Land, waqf is a legal act in which a person or legal entity separates a portion of their assets in the form of owned land and institutionalizes it permanently for the purposes of worship or public needs, in accordance with the teachings of the Islamic religion.

Meanwhile, Presidential Instruction no. 1 of 1991 addresses the Dissemination of the Compilation of Islamic Law. Article 215 (1) states that Wakf is a legal act in which a person, group, or legal entity separates part of their property and institutionalizes it forever for the purposes of worship or other general matters in accordance with Islamic teachings.

When comparing PP No. 7 of 1977 and Presidential Instruction No. 1 of 1999, it is evident that they differ in their definition of waqf objects. According to PP No. 7, waqf objects refer to owned land, whereas Presidential Instruction No. 1 defines waqf objects as property. The Presidential Instruction indicates that objects eligible for donation include not only owned land, but also other types of property. These can be fixed (immovable) objects called al-'aqr or movable objects called al-'aqr musya'.

Social dynamics, public pressure, and changing paradigms have led to a growing perception of waqf as a means of promoting the birth of Law no. 41, which provides a stronger legal framework for waqf on a national scale.

This definition allows for differences of opinion among fiqh experts and considers the development of waqf objects for the benefit of the people. However, it is important to avoid subjective evaluations unless clearly marked as such. Here are some additional notes: (1) The Presidential Instruction allows for flexibility in the form of waqf objects, accommodating the views of fiqh experts. However, this is subject to a hierarchical view of legal opinions in Indonesia, where Government Regulations (PP) hold more weight than Presidential Instructions (Inpres). With the introduction of this law, the flexibility now has a stronger legal foundation. (2) One obstacle to the smooth implementation of waqf is the strong fanaticism of the madhhab at the grassroots level, which believes that the object of waqf is land (considered immovable property). (3) The time duration appears to accommodate the Maliki school of thought, which interprets the existence of temporal waqf. (4) The words 'public needs' were changed to 'general welfare' to reflect that the final goal of waqf is for the community to enjoy it as a medium that can improve their welfare. (5) The words 'Islamic Religion' or 'Islam' have been changed to 'Shariah'.

In statutory regulations (national law), the elements (rukun) of waqf are not much different with certain additions. The conditions for wakif are similar to those described in fiqh, with the addition of two conditions in Law no. 41 of 2004: (1) the wakif must not be prevented from carrying out legal actions, and (2) the wakif must be the legal owner of the waqf property. These two conditions were accommodated from various opinions of fiqh scholars.

The law does not require the wakif to be Muslim, allowing non-Muslims to also become wakif. On September 13, 2004, the Working Committee for Discussion of the Waqf Bill, consisting of the government and the DPR RI, agreed to remove the requirement for Muslim wakif. This change aims to avoid a paradox, as in the history of Islam and Hadith, waqf given by non-Muslims is considered valid and accepted. However, it should be noted that waqf given by non-Muslim wakifs should be directed towards matters related to the benefit of the people, rather than intended for places of worship.

The requirement for the waqf to originate from Muslims was eliminated by the Government, the DPR RI, and religious representatives, including the Indonesian Ulama Council (MUI). The decision was reached after conducting research on the opinions of various schools of thought, which revealed that waqf originating from non-Muslims was acceptable.

The term mauquf 'alaih is often referred to as nadzir, who acts as the executor and manager of the waqf. In Law no. 41 of 2004, the term mauquf 'alaih is defined more clearly by explicitly mentioning the allocation of waqf assets and including the nadzir as the manager. This results in strict changes to the allocation of waqf assets in the future.

The law also mentions the term of the waqf, which is closely related to the opinion of Imam Malik who distinguished between permanent and temporary waqf. The emergence of the time period element is due to the expanded meaning of the waqf object. It is now permissible to waqf movable assets, such as money, which can be distributed in the form of investments.

Regarding the context of mauquf 'alaih as nadzir, several things must be considered. Firstly, non-Muslim Nadzir. Regarding non-Muslim nadzir, Law no. 41 of 2004 stipulates that nadzir must be Muslim. The consideration is a distribution issue that is influenced by political and religious factors, including nadzir in the form of organizations or legal entities. Additionally, the portion of nadzir consumption towards waqf assets is based on the hadith of Umar ibn Khattab ra regarding the Khaibar land waqf. Nadzir are permitted to consume the proceeds of waqf property, with limitations.

The law states that the consumption portion of the proceeds from waqf assets is 10 percent. In Indonesia, the meaning of waqf objects has expanded from being limited to land included in the immovable property category to now include movable and immovable assets, as allowed by Law no. 41 of 2004. The categories described in the law include immovable objects. (a) Rights to land, (b) buildings or parts of buildings situated on the land, (c) plants or other objects related to the land, (d) ownership rights to apartment units, and (e) immovable objects in accordance with Sharia and the law;

Movable objects, such as money, precious metals, securities, vehicles with intellectual property rights, rental rights, and movable objects in accordance with Sharia and the law, including mushaf, books, and scriptures.

Regarding the contract, waqf is recognized as a one-sided agreement that includes a *tabarru'* contract, which does not require *qabul* from the *nadzir*. However, the *nadzir*'s profile, commitment, reputation, credibility, and capability are crucial, and their track record is the most important factor in ensuring public accountability. It is important to note that disputes may arise, requiring proof of validity through documents and witnesses. The two parties are not in agreement, but evidence must exist to confirm the existence of the waqf agreement. This is a common occurrence in society and is believed to be influenced by the Shafi'i school of thought.

CONCLUSION

The concept of Waqf, as a religious teaching, must be promptly established to fulfill the mandate of the Law, which aims to eliminate barriers of belief and promote public welfare. To achieve this goal quickly, a transformation is necessary. This includes transforming religious beliefs into action by expanding one's understanding, transforming religion into social action, converting immovable property into movable goods, and redirecting stagnant allocations towards productive endeavors.

Thank-you note

The researchers thank to all of people and institution who support this research.

REFERENCES

- Abil Mawahib bin Ahmad Abdul Wahab (t.t.). Mizan al-Kubro. Mesir: Dar Ahya al-Kutub al-'Arabiyyah.
- Abu Zahrah (1971). *Mhadharat fi al- Waqo*. Beirut: Dar al-Fikr al-'Arabi.
- Akh. Minhaji (2005). "Nation State dan Implikasinya Terhadap Pemikiran dan Implementasi Hukum Wakaf", Kata Pengantar dalam Abdul Ghofur Anshori, *Hukum dan Praktik Per- wakafan di Indonesia*. Yogyakarta: Pilar Media.
- Al-Baijuri (t.t.). *Hasyiyah al-Baijuri*. Beirut: Dar al-Fikr, II.
- Ali Fikri (1938). *Al-Mu'amalat al- Maliyah wa al-Adabiyah*. Mesir: Mushthafa al-Babi al-Halabi.
- Asy-Syarbini (t.t.). *Mugni al-Muhtaj*. Kairo: Musthafa Halabi.
- Bukhari (t.t.). *Shahih Bukhari*. Mesir: Dar al-Fikr al-Mu'ashir.
- Chaidar S. Bamualim & Irfan Abubakar (ed.) (2005). *Revitalisasi Filantropi Islam: Studi Kasus Lembaga Zakat dan Wakaf di Indonesia*. Jakarta: PBB UIN Syahid
- Juhaya S. Praja (1995). *Perwakafan di Indonesia: Sejarah, Pemikiran, Hukum dan Perkembangannya*. Bandung: Yayasan Piara.
- M. Dawam Rahardjo (2004). "Menegakkan Syariat Islam di Bidang Ekonomi" dalam Adiwarman Azwar Karim, *Bank Islam: Analisis Fiqih dan Keuangan*. Jakarta: Rajawali Press.
- Mohammad Daud Ali (1988). *Sistem Ekonomi Islam, Zakat dan Wakaf*. Jakarta: UI Press.
- Muhammad Abid Abdullah Al-Kabisi (2004). *Hukum Wakaf: Kajian Kontemporer Pertama dan Terlengkap tentang Fungsi dan Pengelolaan Wakaf serta*

- Penyelesaian atas Sengketa Wakaf, Terj. Ahrul Sani Faturrahman & Rekan KMCP. Jakarta: Dompot Dhuafa Republika & IIMaN.
- Muhammad ibn Bakar ibn Mandzur al- Mishri (1301 H). Lisan al-'Arab. Bulaq: Al-Mishriyah, Jilid 11.
- Muhammad Syafii Antonio (2004). "Kata Pengantar" dalam Muhammad Abid Abdullah Al-Kabisi, Hukum Wakaf: Kajian Kontemporer Pertama dan Terlengkap tentang Fungsi dan Pengelolaan Wakaf serta Penyelesaian atas Sengketa Wakaf, Terj. Ahrul Sani Faturrahman & Rekan KMCP. Jakarta: Dompot Dhuafa Republika & IIMaN.
- Muslim (t.t.). Shahih Muslim. Mesir: Dar al-Fikr al-Mu'ashir.
- Nawawi (t.t.). al-Raudhah. Beirut: Dar al- Kutub al-'Ilmiah, Juz IV
- Sayyid Sabiq (1977). Fiqhu as-Sunnah. Lebanon: Dar al-'Arabi.
- Tuti A. Najib & Ridwan al-Makassary (ed.). (2006). Wakaf, Tuhan dan Agenda Kemanusiaan: Studi tentang Wakaf dalam Perspektif Sosial di Indonesia. Jakarta: CRCS UIN Syahid.
- UU No. 41 Tahun 2004 tentang Wakaf Wahbah
- Zuhaili (1985). Al-Fiqh al-Islamiy wa 'Adillatuhu. Mesir: Dar al-Fikr al-Mu'ashir

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