

THE POTENTIAL OF CASH WAQF IN THE DIGITAL ERA THROUGH THE CONCEPT OF ISLAMIC ECONOMIC DEVELOPMENT AND EMPOWERMENT IN INDONESIA

Baiq Santi Mardianti Ika Milyana¹, M. Zaidi Abdad², Nikmatullah³

^{1,2,3} Universitas Islam Negeri Mataram

Baiqsantimardianti@gmail.com¹, abdad222@gmail.com², Nikmah@uinmataram.ac.id³

Corresponding email: Baiqsantimardianti@gmail.com

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ABSTRACT

This paper aims to answer questions about the potential of cash waqf in the digital era through the concept of developing and empowering Islamic economics in Indonesia. The research conducted is a library research. The main sources of law in this study are the Al-Quran (Qur'an Surah. Al-Hadid: 18), (Qur'an Surah. Ali Imran: 92), (Qur'an Surah. Al-Baqarah: 267), and the Hadith narrated by Muslim from Abu Hurairah, and regulated in Law Number 41 of 2004 and Government Regulation Number 42 of 2006 concerning Waqf. The concept of cash waqf basically involves the transfer of assets by the wakif to be managed and utilized for the benefit and welfare of the community. The potential of cash waqf can be maximized if a nadzir is able to manage it effectively. Data analysis on cash waqf shows its contribution to social welfare, and since then, the practice of cash waqf has grown and become widely known in society. Amidst technological advances and the phenomenon of digitalization, the process of managing cash waqf has also accelerated. Currently, waqf can be done anytime and anywhere, and is given for various community empowerment purposes, such as in the fields of education, health, social, and economics.

INTRODUCTION

Waqf is one of the many Islamic financial instruments that has great potential in empowering the people's economy and supporting social development (Habibullah, 2024). Based on data from the Indonesian information portal quoted from research (Vera Rahmayanti, Husna Hayati, Jumardi, Muhammad Fakhri Amir, 2024) which states that Indonesia is one of the countries with the largest Muslim population in the world with a percentage of 87.2% which is equivalent to around 207 million Muslims in Indonesia. Given the large number of Muslims today, this is a potential that can be utilized to organize productive waqf which aims to achieve welfare for the community and eradicate poverty. The distribution of waqf in Indonesia does not focus too much on the economic empowerment of local communities and is usually intended for certain religious purposes, but our society in general still has a limited understanding of waqf. This is not surprising considering the large amount of money donated to community organizations, and the same applies to the use of donated assets. (A.Fahmi Zakariya et al., 2021).

Cash waqf is the process of transferring ownership rights in the form of money to individuals, groups, or nazir institutions, which are managed as well as possible without reducing or eliminating other property, so that the interests of mawqf alai are transferred to the state. to be accepted in accordance with the requirements Waqif can be done according to Islamic law (Christianto, 2022). According to Siska Lis Sulistianti quoted by (Rahmat, 2024), Cash waqf was first implemented in Egypt during the Ottoman Sultanate in the late 16th century or around 1555-1823. Furthermore, the development of cash waqf was continued with the Socialization of cash waqf by Professor Manan from Bangladesh through Social Investment Bank Limited (SIBL). Furthermore, SIBL made cash waqf certificates (cash waqf certificates) to collect funds from the wealthy and distribute the collected cash waqf results to the underprivileged.

The concept of cash waqf is rooted in religious teachings and is considered a form of charity that has a long-term positive impact. The potential of cash waqf is very important in the context of socio-economic development. The Waqf Foundation collects donations in the form of funds that can be used to meet urgent social needs in education, health, housing, or other social assistance. Cash grants have the potential to stimulate innovation and growth in many industries and are therefore an important tool for long-term construction projects. There are two models of cash waqf in the legal provisions, namely cash waqf with a certain period of time and cash waqf forever or without a time limit. (Arif, 2010).

The implementation of cash waqf is currently used as a form of productive waqf which will bring greater benefits compared to traditional waqf in general such as movable and immovable property. Generally, waqf of movable and immovable property can only be done by those who have more property. Therefore, Indonesian waqf assets are still considered low (Al Arif, 2012).). The method of collecting digital cash waqf uses a

digital platform such as a place, forum or facility that allows parties to meet to exchange information or provide services. Digital platforms that have been used in collecting cash waqf, namely the website or application of the waqf institution, the crowdfunding platform, namely kitabisa.com²⁵, marketplaces such as Shopee and Tokopedia, and other digital payment systems such as the Link Aja application, OVO, Go-Pay and mobile banking. Which provides WAQF functionality (Fitriani & Taufiq, 2023).

This study was conducted with the aim of answering the question How is the Potential of Cash Waqf in the Digital Era Through the Concept of Development and Empowerment of Islamic Economics in Indonesia. Several previous studies are by A. Fahmi Zakariya, et al. (2021) entitled "Potential of Digital Money Waqf (Sharia Financial Technology) in Building Community Economic Welfare" using the library research method and this study explains the opportunities for digital money waqf in the progress of industrial revaluation 4.0 in Indonesia. The enthusiasm of Muslims in carrying out cash waqf must be managed with the convenience of technology. The research conducted by Nabilatul Amaliyah, et al. (2022) entitled "Digital Money Waqf: Transformation and Implementation in Indonesia" using a qualitative method with sources in the form of literature studies. This research was conducted with the aim of exploring the transformation of the development and implementation of digital money waqf in Indonesia.

LITERATURE REVIEW

Waqf

(Rosalinda 2015) stated that the opinions of scholars regarding the definition of waqf differ, depending on the school of thought they adhere to. The definition of waqf according to scholars is as follows:

1. Imam Abu Hanifah defines waqf as the storage of objects left behind as waqf property in accordance with Islamic law to be used for good. The definition of waqf states that waqf property remains in the hands of the waqf itself. In other words, the waqif remains the owner of the assets he has donated and is allowed to withdraw or sell them. When the waqf holder dies, the waqf assets become the property of his heirs and from these assets a grant arises.
2. Imam Maliki is of the opinion that waqf does not free the waqf from ownership, but prohibits the waqf from carrying out any action that can transfer ownership of the item to another person. In other words, the owner of the property refuses to use the item as property, but uses it for a good purpose, the result of which is to obtain the appropriate benefit, while the item remains the property of the waqif. Just let it be. The grant is valid for a certain period of time and cannot be considered permanent (fixed).
3. Imam Syafi'i and Imam Hanbali are of the opinion that after the waqf process is completed, the waqf releases the waqf property from the ownership of the waqf. The

waqf is not allowed to do the following things with the waqf property: namely dealing with ownership by transferring or moving the ownership of the property to another party, with or without exchange. If the waqif dies, the donated assets are not inherited by his heirs. The waqif distributes the proceeds of the foundation's assets to Maukuf Alaifu as additional charity, but the waqif cannot prohibit the distribution of the waqf.

Cash Waqf

The Indonesian Ulema Council fatwa states that cash waqf is a waqf carried out by individuals, groups, institutions, or legal entities in the form of cash, while the definition of money includes securities. At first glance, this cash waqf is similar to other Islamic financial instruments such as Zakat, Infaq, and Sedeka (ZIS). However, there are differences between these financial products. Unlike cash waqf, ZIS can be paid directly to beneficiaries as capital. On the other hand, cash waqf capital is continuously invested so that the community always has funds and God willing, as the number of charitable waqf increases, the funds will continue to increase. Only investment income from capital is financed. The needs of the poor. Therefore, cash waqf instruments can complement CIS as a means of financing the community (Kosim, 2018).

RESEARCH METHOD

This research was conducted with a qualitative approach that aims to understand and explain the meaning of phenomena in their natural context (M. Fathun Niam, Emma Rumahlewang et al., 2024). This research method is library research. Library research is a research activity that uses various types of library materials and internet sources to collect information and data related to the problems to be solved. Data collection, processing, and reasoning activities are carried out systematically using certain methods/techniques to find answers to the problems faced. (Milya Sari. Asmendri, 2020).

RESEARCH RESULTS AND DISCUSSION

Legal Basis for Cash Waqf

According to (Abdullah & Qodin, 2014) in his research stated that, Islamic belief is a primary rule like the Quran and Hadith. The problems with the rules of waqf are not claimed clearly, but the verses of the Quran which are the guidance of a Muslim can be used as a certificate or a reference to the rules of waqf. The verses of the Quran and Hadith referred to include the following:

Surah Al-Hadid which means: "Indeed, those who give alms, both men and women, and lend to Allah a good loan, it will be multiplied (in repayment) to them, and

they will have a great reward." (QS. Al-Hadid: 18)

The meaning of Surah Ali Imran verse 92: "You will never be able to achieve (perfect) virtue until you donate some of your beloved possessions to charity, and whatever you donate, Allah will surely know it." (QS. Ali Imran: 92)

Surah al-Baqarah verse 267 which means: "O you who believe, give alms (in the way of Allah) from the results of your good endeavors and from what We have brought to you from the earth. And do not choose." Even if you yourself don't want to receive it, by narrowing our view of it, we end up doing bad things and then giving them alms. And know that Allah SWT is Most Abundant, Most Praiseworthy (QS. Al-Baqarah: 267).

The hadith narrated by Muslims is the hadith of Abu Hurairah as stated by Rasulullah SAW: "A person who dies loses all the rewards of his deeds except three things: The practice of Shadaka Jaria. The reward is alms that continues to flow, giving as long as he lived, the reward of knowledge that is useful for others that he taught throughout his life, and the prayers of his pious children." (HR. Muslim)

In Islamic history, cash waqf or cash waqf increased rapidly under the Mamluk and Ottoman Turkish rule. However, Islamic economists and scholars have studied the phenomenon in modern times. The study found that (Government Regulation of the Republic of Indonesia Number 42 of 2006) concerning Waqf integrates the concept of Cash Waqf into the Indonesian legal system. This regulation indicates that Cash Waqf is legally recognized. The practice of waqf is regulated in Law of the Republic of Indonesia Number 41 of 2004 and is an effort made to improve social life in the economy of Muslims. According to (Law on Waqf (Number 41 of 2004), Cash Waqf has 3 main pillars. First, from a theological perspective (Sharia), this regulation provides an opportunity for Muslims to carry out Allah's commands and guidance through the gift of monetary waqf. Second, from a regulatory perspective, this law contains provisions on cash waqf. Third, from a socio-economic perspective, this law has the ability to mobilize and encourage economic empowerment and the welfare of the community through cash waqf. There are two reasons why the previous law regulated cash waqf or mobile waqf (manqulāt). One of them is that the majority of Indonesian Muslims adhere to the Shafi'i school of thought which considers waqf to be an inanimate object ('iqār) (Nawawi et al, 2024).

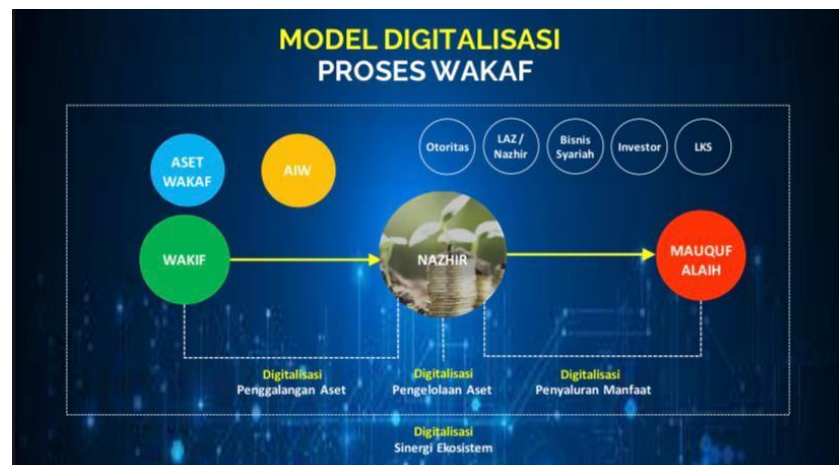
The legal basis explained in the Legislation in (Collection of Legislation on Waqf, 2018), namely:

1. MUI Fatwa in 2002 concerning Cash Waqf
2. Law Number 41 of 2004 concerning Waqf
3. Government Regulation Number 42 of 2006 concerning the Implementation of Law Number 41 of 2004 concerning Waqf

4. Regulation of the Minister of Religion No. 4 of 2009 concerning the Administration of Cash Waqf
5. Decree of the Minister of Religion No. 92 to 96 concerning the Determination of five Student Competency Competitions as PWU Student Competency Competitions
6. BWI Regulation No. 1 of 2009 Guidelines for the Management & Development of Movable Waqf Assets in the Form of Money.

The Concept of Cash Waqf in the Digital Era

The potential for cash waqf in Indonesia can be significantly increased through the use of digital technology. Digitalization of waqf management can open up new opportunities to increase efficiency, accountability, and coverage of waqf management (Nur Sa'idaturrohman et al., 2023). Over time, innovations that can be developed in the sharia economy, especially in terms of waqf innovation. Regarding this, the announcement was made by the President of the Republic of Indonesia Joko Widodo who is also the Chairperson of the National Committee for Sharia Economics and Finance based on news published on the official website of the Indonesian Ulema Council (MUI). , this initiative launched the National Cash Waqf Movement (GNWU) on Monday, January 25, 2021 which was held at the State Palace in Jakarta and attended by many guests virtually (Amaliyah et al., 2022). The model for digitalizing the waqf process is as follows:



Sumber : Bwi.go.id

Opportunities for the Muslim majority in Indonesia and significant developments in the management of Waqf Fund funds, the use of digital wallets to expand the reach of Waqf Fund funding sources, crowdfunding platforms to expand collaboration, and charitable institutions Belanja Waqf, etc. to raise funds for this expansion This is not a problem because cash waqf offers more variety and flexibility in administration compared to the use of waqf in kind. Threats to cash waqf processing include inadequate risk prevention so that the resolution of the risks faced is less than optimal, people's

lifestyles that tend to be hedonistic, increasing business prospects, and stakeholders such as Nazir causing investment losses. In overcoming threats and taking advantage of all existing opportunities, it can provide learning and guidance in a good governance system, strengthen Nazir's professionalism, revive the LKS-PWU and BWI Nazir structures, and increase operational capital. (Hasanah et al., 2021). The potential of cash waqf to increase the welfare of Muslims, especially in the future, can be realized by involving various segments of society, including the government, business actors, clerics, and the general public. The concept of cash waqf basically involves the transfer of the wealth of the waqf to be managed and utilized for the benefit and welfare of the community. The potential of cash waqf can be managed if a nazir can manage it productively. The overall potential of cash waqf data found for social welfare (Asy'arie & Djalaludin, 2024).

Development and Empowerment of Cash Waqf in the Digital Era

The development of waqf in Indonesia coincides with the spread of Islam, and the potential of cash waqf in the country is very potential to improve the sharia economy and national welfare. In various Islamic countries, the purpose of managing waqf money is for the welfare of the community (Mu'is Ahmad, 2024). Previously, waqf was only in the form of physical assets such as land and buildings, now waqf can be done using money. Cash waqf began to be known to the public since 2012, when the DSN-MUI issued a fatwa on cash waqf. Since then, cash waqf has begun to be known by the public. Waqf is a dual-dimensional worship, besides being used as a way to achieve the pleasure and reward of Allah SWT, waqf can also be said to be a social-dimensional worship. In Islamic history, waqf has been widely used for social interests. The form of social interests can be in the form of community empowerment such as social collateral, health, education, and others. (Melinda, 2024).

The development of Waqf in the era of digital disruption or the Industrial Revolution 4.0 has quickly become popular under the name of Cash Waqf. Cash waqf/Al-Nuqd Waqf is a Waqf given in the form of cash by individuals, groups of people, institutions or legal entities (Hisam Ahyani, 2021). Digital or technology is the reason for accelerating the transformation of cash waqf, which can be done in cash anywhere and anytime. A few years ago, institutions began competing to create cash waqf platforms, starting from creating websites or applications that can be done online or digitally. The existence of this digital cash waqf in Indonesia can be influenced by two main factors, namely (Amaliyah et al., 2022):

1. External factors

Judging from external factors, there are several possibilities that can influence the development of digital cash waqf in Indonesia, which means that the majority of the Indonesian population is Muslim, there is support from the local government, and the Indonesian people are interested in the sharia economy. Universities have begun to establish institutions and research programs in the field of Islamic finance, and most people, especially the digital-savvy millennial generation, already have smartphones.

2. Internal factors

There are also internal factors that can influence the development of digital money waqf in Indonesia, consisting of strong factors or weak factors. For example, the strength or power factors that influence this include the existence of laws and MUI fatwas on various products managed by Waqf, Cash Waqf, such as: Efforts to expand the waqf fund base, simple digital use of waqf money, and the concept of future-oriented and flexible fiqh so as to encourage the development of innovation. Terdapat berbagai model untuk mengembangkan dan mengelola uang wakaf, antara lain (Nurhidayati, 2021):

- a. Education model: this model involves the use of waqf money to fund educational forums, for example universities or high schools. The funds can be used for various purposes, such as building construction, scholarships, and research.
- b. SME model: this model involves the use of cash subsidies to finance SMEs or small and medium enterprises in the halal industry which aims to encourage economic growth and job creation
- c. Investment model: this model involves investing part of the cash in various financial instruments, such as Student Competency Competition products or sharia financial instruments. The profits from this investment can then be distributed to various beneficiaries, such as the poor or community development programs.

The steps used in spreading the potential of cash waqf in Indonesia that need to be done include (Lubis, 2020):

1. Harmonization of understanding of the Wakf Law and its implementing regulations between the Indonesian Ministry of Religion, BWI, and Sharia Financial Institutions Receiving Cash Waqf (LKS-PWU)
2. Cash Waqf Nazir, LKS PWU, BWI is a Certified Nazir who actively seeks potential Nazdir because there is very great potential to strengthen its role in raising cash waqf from the user community.
3. What is expected in this role is a lecturer teaching the Waqf course or an academic who has studied Waqf, especially Masters (S2) and Doctoral (S3) students. In this program, information about cash waqf distributed to the community will be conveyed back to the general public so that they gain real knowledge about cash waqf.

Waqf, zakat, and infaq are sources of funding for religious institutions that are functionally related to efforts to resolve social disparities and poverty problems. In the management of cash waqf which is not much different from land and building waqf, nazir is required to invest according to sharia, but with the condition that the nominal value of the amount invested may not be reduced. While investment income will be given for Nazir's salary (maximum 10%) and for community welfare (minimum 90%) (Abdul Haris, Nasution, Khorium Nisa, Muhammad Zakariah, 2018).

The results of the management of the Waqf Fund are used to strengthen the community, including in the fields of health, education, social services, and economic strengthening. Examples of educational support include the establishment of high-quality free schools and support for teacher welfare. On the other hand, in community empowerment in the form of free health checks and treatment for the underprivileged, then nutritional support for pregnant women, and free childbirth. Social empowerment in the form of vocational and entrepreneurship training. Economic empowerment in the form of revolving financial support (Al Arif, 2012).

CLOSING

The legal basis for stating that Cash Waqf is the main source of law in Islam is the Qur'an (Qur'an Surah. Al-Hadid: 18), (Qur'an Surah. Ali Imran: 92), (Qur'an Surah. Al-Baqarah: 267), and the Hadith of Abu Hurairah narrated by Muslims and Law No. 41 of 2004 and Government Regulation No. 42 of 2006 concerning Waqf introduced the concept of cash waqf or cash waqf into the legal system in Indonesia. The regulation shows that Cash Waqf is legally recognized.

The potential of cash waqf to increase the welfare of Muslims, especially in the future, can be realized by involving various segments of the people, including the government, business actors, scholars and the general public. The concept of cash waqf basically involves the transfer of the wealth of the waqf to be managed and utilized for the interests and welfare of the people. The potential for cash waqf can be managed if a nadzir is able to manage it productively. The potential for all cash waqf data found for social welfare.

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