

THE ROLE OF WAKAF IN COMMUNITY WELFARE AS SEEN FROM THE PERSPECTIVE OF THE JOB CREATION LAW AL-QUR'AN AND HADITH

Yuha Komala¹, Marjan Mandala Putra², M. Zaidi Abdad³, Nikmatullah⁴

¹²³⁴ Mataram State Islamic University

yuha.komala11@gmail.com¹, marjanputra5@gmail.com², nikmah@uinmataram.ac.id³

Corresponding email: yuha.komala11@gmail.com

How to Cite: Komala, Yuha., Putra, Marjan Mandala., Abdad, M. Zaidi, Nikmatullah. (2025). The Role Of Wakaf In Community Welfare As Seen From The Perspective Of The Job Creation Law Al-Qur'an And Hadith. *Jurnal Akuntansi, Manajemen Dan Ekonomi Islam (JAM-EKIS)*, 8(2), 708-722. <https://doi.org/10.36085/jamekis.v8i2.7712>

ARTICLE INFORMATION

Article History:

Accepted : 19 December 2024

Revised : 11 January 2025

Approved : 20 January 2025

Keywords:

Waqf, Welfare, Community

Keywords :

Waqf, Welfare , Society

ABSTRACT

The government came up with the term Job Creation Law to respond to how complicated licensing regulations can make it difficult for us to move. According to the development theory, the progress of a nation is highly dependent on investment. Investment can drive economic growth to create social welfare. One of the efforts to be able to develop the community's economy is to maximize the capacity of institutions that have been regulated by Islamic teachings, such as waqf. The purpose of this study is to find out the role of waqf in community welfare reviewed from the Job Creation Law from the perspective of the Qur'an and hadith. This study uses a qualitative research method with library research. In this case, waqf has a role in the equitable distribution of welfare among the people, and poverty alleviation is one of the goals of waqf benefits. In the Qur'an and the hadith, waqf both teach to make the best possessions. Where waqf is a charitable activity that departs from obedience to Allah swt. The waqf in the Job Creation Law is not regulated directly, but is more related to the object of land acquisition. But there are arrangements related to waqf such as the management of waqf land and the utilization of waqf assets.

INTRODUCTION

Functioning regulation legislation in a way effective and efficient is one of element

most important the concept of a state of law in the era of modern democracy. In a broad sense legislation not only containing content of legal norms, but also values philosophical and values sociological that brings impact certainty law and justice law for all Indonesian people (Fad, 2020).

In the legal system civil, legislation is the expected product of the people's representative institution constitution this is also appropriate with heart the conscience of the people. However Lots from *civil law* and *common law* countries each other accommodate for give balanced position for law, even though *civil law* and *common law* this no once can united. Where *civil law* use jurisprudence whereas *common law* use regulation modified legislation. Legislation made with principle the claimed law in a way objective and applicable. However enforcer law in Indonesia often no sure, even though the law adopted is definite law. Many overlapping regulations overlapping and counterproductive. From 2014 to 2019, there were 10,180 regulations published. Where the regulations the includes 839 regulations president, 526 regulations government, 131 regulations legislation and 8,684 regulations minister. In overall amount regulation Now as many as 42,996. The details as many as 8,414 regulations center, 14,453 regulations ministries, as many as 4,164 regulations non-governmental institutions and as many as 15,965 regulations area.

The reasons that's it government bring up Job Creation Law terms for respond how the complexity regulations and permits that actually make We become difficult For moving. Even though according to theory development progress a the nation is very dependent with investment. Investment can push growth economy for create welfare society. From the research that has been done conducted by Muhammad Wildan Fawaid, Omnibus Law and Management Ziswaf in Indonesia, results study with the existence of the omnibus law on the Job Creation Law so will make it easier flow investment and climate healthy entrepreneurship (Fawaid, 2022).

Muslim countries like Turkey, almost 75% of which is planted is land waqf, in Algeria 50% of land is land waqf, in Tunisia 33% of the land in Tunisia is also land waqf, and in Iran 30% of the land is planted is land waqf. Waqf has give great contribution to development economy society. Based on matter said, meaning endowment is an instrument that can used for to finance interest public especially in development social and economic people. (Latifah et al., 2023) According to Sunuwati 2022, if We see muslim countries in other parts of the country, waqf has get so Lots attention so that endowment become charity socially capable give benefit for many people. (Sunuwati, 2022)

Indonesia as a country with resident muslim the largest in the world. therefore that, the amount resident great muslim is one of the potential for can utilized for apply role endowment use create justice social purpose for realize welfare society and eradicate poverty because part Indonesian people live below the poverty line or in poor condition worthy.

According to data held by the Ministry of Religion, the implementation of waqf in Indonesia until now still dominated by the use of for places of worship such as mosques, prayer rooms, pondok Islamic boarding schools and other religious needs. While use utilization endowment for improvement welfare in field economy still very minimal,

right? things productive that can bring in welfare people (A'yuni, 2018). Therefore that, condition waqf in Indonesia must be given attention extra. (Hazami, n.d.-a). After inaugurated Law no. 41 of 2004, then forwarded with the formation of Indonesian Waqf Board (BWI) as institution that stands Alone in a way special manage waqf funds and operate in a way national. Task from institution this that is for advance and develop endowment national in Indonesia. The Indonesian Waqf Board (BWI) is based in the capital city of city state and can to form representative in the province or regency or city in accordance with need.

This matter important to be implemented tie in development, management endowment find the momentum with do a number of change policy. In case this, the government give very great attention in empowerment endowment as part in improvement welfare (Aditya & Musthofa, 2022) . From the presentation said, the purpose from study this for know how role endowment in welfare public reviewed from the Job Creation Law perspective of the qur'an and hadith.

LITERATURE REVIEW

In general language endowment originate from the word *waqafa* which means restrain, prevent and remain. The word *waqf* means the same with al-habs which means prevent or something is being held. So, waqf is treasure or asset someone who is given for welfare. In law Islam, waqf interpreted as withhold a objects so as not to move his ownership For forever and ever give benefit For the interests of the poor or for objective kindness. (Munardi et al., 2020)

In terms of syara', waqf is type giving where its implementation with method withhold then make the benefits applicable general. Purpose of ownership here is withhold the goods to be donated so as not to inherited, donated, mortgaged and rented. As for its utilization in accordance with the will that gives endowment without rewards. While in terminology law Islam, waqf is action detention from use handover asset where is the person can use or utilise results the for objective charity if the Still there is. Problem transfer right property that is utilized for interest general is problem waqf. (Hadi Ryandono & Hazami, 2016) There are four harmonious condition legitimate endowment:

1. *Waqif*, namely a person who makes a waqf his wealth also known as the endowment must be act in law like mature and rational healthy.
2. *Al Mawquf*, namely object or donated goods, where will considered legitimate If fulfil condition like objects that are donated must valuable, object endowment must fully owned by endowment, object endowment must known the level and the object endowment can moved his ownership so that justified for donated.
3. *Mawquf'alaih*, namely the person who receives benefit on treasure waqf given by the waqf or a wakif who can shared into two kinds the party that will accept. The first party is *mu'ayyan* or party certain which is recipient benefits where a group of or a certain only those who are entitled accept and not may changed. As for the parties second is *passion mu'ayyan* or party no certain which is where is the endowment the benefits given with no determined in a way detailed, as example that is places of

worship, the poor and so on.

4. *Sighat*, namely expression of a person who donates treasure the thing with must fulfil provision like saying nature sure, saying must contains words that indicate eternal because matter the will become no legitimate if saying contains a time limit certain, speech can realized without there is terms and conditions additions and remarks no contain conditions that can be met cancel. (Siregar & Setiawan, nd)

In the Republic of Indonesia Law Number 41 of 2004, the elements endowment includes:

1. Wakif,
2. Nadzir,
3. Treasure object endowment,
4. Pledge endowment,
5. Allocation treasure object endowment, and
6. Term time waqf. (*Undang-Undang-No.-41-2004-Tentang-Waqf*, n.d.)

As for welfare society in Islam no only seen from the material only, but from non-material values, such as both spiritual and moral. Society can it is said prosperous if two criteria are met, including is fulfillment need the main and the second safeguarding and protecting religion, soul, reason, property and honor humans. As for efforts to increase welfare can done with increase income and reduce poverty. When income a country begins okay then can done distribution income where matter the can increase welfare society. (Munardi et al., 2020)

As quoted by Diah Syifaul A'yuni, role endowment to welfare community, waqf can be one of solution for improve development instruments national, where endowment own role strategic in increase welfare people. waqf can help increase quality education, health society, eradicator poverty and increase economy society. Practice waqf in Indonesia is still arguably not yet realized with maximum especially in the area rural areas which are basically understanding of village people Still mixed with classical understanding. Therefore that, if we want to do endowment so must have vacant land For a the goods to be endowed. Cultivating endowment like save will can make part from public will interested For do waqf. Currently Lots activities that are of a nature social that can increase community welfare with existence endowment said. (A'yuni, 2018)

Essence and significance of order economic and social, visible that endowment own impact, especially on the sector economic and social, things that seen from importance role as well as impact positive effects caused from implementation endowment as philanthropy eternal that gives benefit sustainable. Some verses of the qur'an that became the sharia foundation of waqf and also as practice waqf by the prophet Muhammad. as well as the friends who are inside hadith. In addition, waqf own contribution direct to development individual as form charity jariyah, besides that too, waqf is an instrument of redistribution income and financing instruments development. (Rohim & Ridwan, 2022)

According to Latifah et al. at the time happen Covid-19 pandemic in Indonesia, waqf in the middle pandemic moment that become one of the instruments for can increase productive economy which is a much needed solution moment pandemic, both in the sector economy and also non- economic sector. In the sector economy like as it is

endowment cash that can used for giving help direct cash to the community for increase power buy society. With increasing power buy society, then growth economy and state income will increase so that can prevent the occurrence recession. (Latifah et al., 2023)

RESEARCH METHODS

As for the methods used in study This that is method study qualitative with focus on research literature or *library research*. Research literature is research that uses tools written like book, letter news, magazines, manuscripts and documents others (Rahmadi, 2011). The data in study literature or *library research* this done with method see books, literature, journals, articles and various document others related.

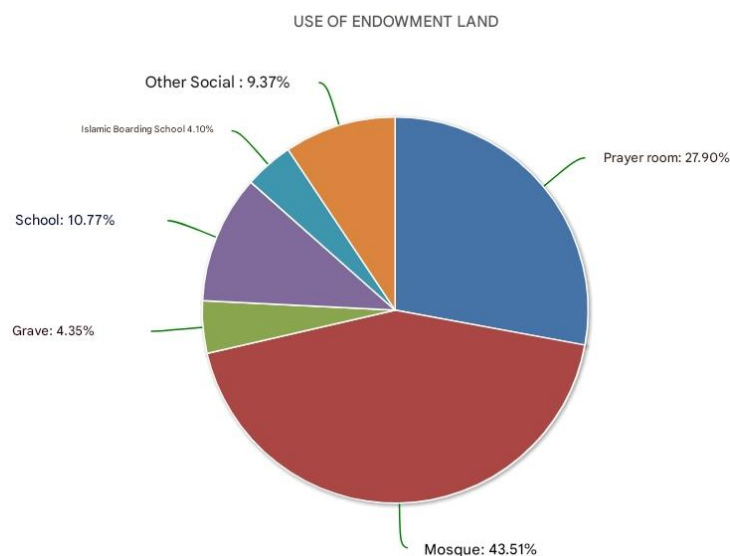
RESEARCH RESULTS AND DISCUSSION

At first endowment only lah desire someone who wants to do Good with wealth owned and managed in a way individual without There is definite rules, after the Muslim community feels how its usefulness institution endowment, then appear will for arrange endowment with good (Project Increasing Zakat and Waqf Directorate General Islamic Community Guidance and Hajj Organizers: *Fiqh of Waqf*, 2003).

One of effort for develop economy public is with maximize capacity institutions that have been regulated by teachings Islam, such as zakat, infak, alms, grants, endowments and so on. The proposed economic institutions Islam is fundamental efforts in frame solve various problem in life society. As one of the foundation that has institutional religious economy, waqf need managed and improved so that become methods that can give answer real in problem life society. Indonesia is a country with a population of muslim the biggest. The success of muslim countries is fact that endowment can petrified lighten up problem economy. In addition to waqf, there are social funding sources other like such as zakat, infak and alms (Sunuwati, 2022).

Waqf is one of the instruments that has been there is since the early days Islam. As it is in notes history. Rasulullah and his companions become pioneer in practice endowment This, the messenger of Allah is not only to advocate but also provide example direct with to endow a number of the wealth obtained, then the friends follow the footsteps of the prophet and compete donate a number of treasure valuable them for the common good preaching Islam and welfare people. (Abidin, nd) In general language endowment originate from the word *waqafa yes waqfan* which means stop or stand up. (Lubis, n.d.) according to term endowment interpreted as withhold origin something and channel it the benefits to kindness for man as form get closer self to Allah SWT. Waqf has 2 functions that is as worship to Allah and also as function social fellow human beings. Waqf as a form of worship can be interpreted that endowment expected as supplies for life, waqf (giver) waqf) on the day hereafter because the reward will keep going continuously flow during treasure endowment that utilized. While endowment in function social can be interpreted that endowment is assets that have role in speed up development a country. Waqf has role in equalization welfare among people, and prevention poverty is one target

from benefit waqf. (Zaldi & Tanjung, 2023) Waqf is not only just gather treasure donation but contain lots aspect positive for people man like show concern to need community, development connection love darling between the wakif and member society, so that clear that endowment contain objective positive in this world and in the afterlife, if implemented and managed in a way good so will give contribution no A little in fulfil interest public. (M. F. Rahman, 2009) In Law no. 41 of 2004 is mentioned that endowment is action wakif law for separate and/ or deliver part treasure object his for utilized forever or for term time certain in accordance with its importance use for needs of worship and welfare general according to sharia. As for the elements endowment that is trustee, trustee, property object endowment, pledge waqf, allocation treasure object endowment and term time waqf. Task from nazir is for do administration treasure object waqf, managing and developing treasure object endowment in accordance with purpose, function, designation, monitoring and protection treasure object endowment and report implementation task to the Indonesian Waqf Board (BWI). In carrying out his duties, nadzir can accept reward from results clean on management and development treasure object a large endowment No exceeding 10%. Nadzir to obtain coaching from the Minister and the Indonesian Waqf Agency. In managing and developing treasure endowment, nadzir forbidden do change allocation treasure object endowment except on base permission written from the Indonesian Waqf Board. (*Undang-Undang-No.-41-2004-Tentang-Wakaf*, n.d.) However use asset endowment part big used for interests of worship and objective religious others. Like as it is can seen in the graph percentage use endowment below this:



Source: siwak.kemenag.go.id

Based on chart percentage said, can seen that use endowment almost all used only for religious and social interests.

Whereas for amount land waqf throughout Indonesia can be seen in table following this:

No	Province	Amount	Area (Ha)	Already Certificate			Not Certified Yet		
				Amount	Area (Ha)	Percent	Area (Ha)	Amount	Percent
1	Aceh	18,520	9,508.25	8,833	1,175.57	47.69 %	9,687	8,332.68	52.31 %
2	North Sumatra	12,031	8,063.97	6,869	839.07	57.09 %	5,162	7,224.90	42.91 %
3	West Sumatra	5,959	675.34	3,885	417.81	65.20 %	2,074	257.53	34.80 %
4	Riau	8,311	2,225.49	2,818	469.20	33.91 %	5,943	1,756.29	66.09 %
5	Jambi	6,618	1,084.10	3,607	461.74	54.50 %	3,011	622.35	45.50 %
6	South Sumatra	4,190	987.09	2,049	150.51	48.90 %	2,141	836.59	51.10 %
7	Bengkulu	2,395	435.64	1,710	245.99	71.4 %	685	189.64	28.6 %
8	Lampung	14,165	5,877.92	7,761	2,883.91	54.7 %	6,404	2,994.01	45.2 %
9	Bangka Belitung Islands	1,377	408.55	876	220.04	63.6 %	501	188.51	36.38 %
10	Riau islands	1,621	334.45	587	81.39	36.2 %	1,034	253.06	63.79 %
11	Jakarta	6,785	273.93	4,128	161.65	60.84 %	2,657	112.28	39.16 %
12	West Java	87,795	6,513.15	42,716	2,527.48	48.65 %	45,079	3,985.67	51.35 %

13	Central Java	112,834	5,825.77	78,492	3,978.54	69.59%	34,342	1,847.23	30.44%
14	Indonesia	11,265	417.35	10,045	368.29	89.17%	1,220	49.06	10.83%
15	East Java	78,825	5,006.23	37,940	2,270.25	48.13%	40,885	2,735.98	51.87%
16	Banten	17,139	1,161.11	9,247	587.27	53.95%	7,892	573.84	46.05%
17	Bali	1,498	214.42	1,367	190.85	91.26%	131	23.57	8.74%
18	NTB	10,035	1,571.36	6,133	989.72	61.12%	3,902	581.63	38.88%
19	NTT	1,307	335.26	985	209.90	75.36%	322	125.36	24.64%
20	West Kalimantan	3,468	721.53	1,734	274.63	50.00%	1,734	446.90	50.00%
21	Central Kalimantan	3,378	663.45	1,969	368.60	58.29%	1,409	294.85	41.71%
22	South Kalimantan	8,521	1,031.73	7,385	842.60	86.67%	1,136	189.14	13.33%
23	East Kalimantan	3,755	944.59	1,708	230.55	45.49%	2,047	714.04	54.51%
24	North Kalimantan	535	144.32	166	94.72	31.03%	369	49.61	68.97%
25	North Sulawesi	775	102.78	344	34.40	44.39%	431	68.37	55.61%
26	Central Sulawesi	2,519	397.40	1,527	161.56	60.62%	992	235.84	39.38%

27	South Sulawesi	7,593	981.99	4,565	384.14	60.12 %	3,028	597.85	38.38 %
28	Southeast Sulawesi	1.110	110.64	827	71.37	74.50 %	283	39.27	25.50 %
29	Gorontalo	1,964	394.00	1.001	278.75	50.97 %	963	115.25	49.03 %
30	West Sulawesi	3,068	518.07	1,034	135.17	33.70 %	2034	382.90	66.30 %
31	Maluku	469	121.36	213	38.96	45.42 %	256	82.39	54.58 %
32	North Maluku	323	42.21	234	25.85	72.45 %	89	21.36	27.55 %
33	Papua	287	59.97	141	19.28	49.13 %	146	40.69	50.87 %
34	West Papua	77	105.27	41	7.33	53.25 %	36	97.94	46.75 %
	Amount	440,512	57,263.69	252,937	21,197.09	57.42 %	187,575	36,066.60	42.58 %

Source: siwak.kemenag.go.id

From the table said, can seen that land endowment that has not been certified naturally vulnerable will happen conflict and not existence certificate land so a waqf asset no there is its value.

Following is discussion about endowment in the qur'an, waqf in hadith and waqf in the Job Creation Law:

1. Waqf in the Qur'an

Waqf in the qur'an, as follows there is a number of verse in the qur'an which is reference on prescribed by law waqf, as in QS Al-Hajj (77), Allah says:

يَا أَيُّهَا الَّذِينَ آمَنُوا ارْكَعُوا وَاسْجُدُوا وَاعْبُدُوا رَبَّكُمْ وَافْعَلُوا الْخَيْرَ لَعَلَّكُمْ تُفْلِحُونَ

Meaning: *O you who believe, bow down, prostrate yourself, worship your God and do it goodness for you lucky.*

The command of Allah SWT. with statement do kindness interpreted with order for do as form actions that can to weave connection Good between a servant of Allah SWT. as well as between fellow human beings. The scholars of Islamic jurisprudence

make paragraph the as runway law on prescribed by law waqf, although the verse above no mention order endowment in a way explicit however endowment interpreted as form goodness included in it context order for do kindness in a way general as explained in paragraph the.

There are some the opinions of scholars indicate that there is very close correlation between order for do kindness with waqf. There is no term or opinion that denies that endowment is form kindness and also commendable activity as well as form get closer self to Allah swt. Waqf is worship with property based on with kindness. With That is the command of Allah SWT. For do kindness is his command to waqf. However, because paragraph the no say in a way firm related order for endowment, then implementation endowment nature *ijtihad*, which is where implementation the encompassing governance aspects, assets object waqf, pillars and conditions waqf, and matter other related with management endowment.

Next, the second is waqf based on the word of Allah in QS An-Nahl 97, Allah says:

مَنْ عَمِلَ صَالِحًا مِّن ذَكَرٍ أَوْ أَنَّىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُم بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ

Meaning: *Who did it? virtue, good man and women, while he a believers, we are certain will give to him good life and will You give reply with greater reward Good than what always they do it.*

The verse above own similarity with paragraph previously ordered for do kindness.

Next is the third, where Allah SWT confirms importance endowment as form the goodness listed in QS Ali Imran 92, Allah says. (Rohim & Ridwan, 2022)

لَن تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ وَمَا تُنْفِقُوا مِن شَيْءٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ

Meaning: *You never will to obtain perfect virtue before you donate some of your wealth love. Whatever you donate Indeed Allah is the Most Gracious know about it.*

Scholars disagree opinion about meaning *al-bir*. Ibn 'Abbas, Ibn Mas'ud, Umar Ibn Maimun, Atha', Mujahid and As'-Sady argued that hidden word in sentence *al-tsawab*. With understanding said, they want to say that meaning from the word *al-bira* is reward kindness. Someone will get reward for goodness if a Muslim capable give the most beloved treasure. Some other scholars say that what is meant by with *al-bir* that is heaven. Opinion the based on hadith which says: "Give charity You at the same time, indeed alms That lead you to goodness and kindness take you to heaven". The meaning here, a muslim will up to the expectation full for enter to in heaven when capable give the treasure he loves for the interests of the religion of Allah SWT.

From the opinions of the scholars above, what is clear is that the word *al-bir* is the antonyms of *al-sar* and *al-sawa* (evil and badness). As a muslim not yet it is said perfect achievement his kindness before able to give part the treasure he loves to Allah SWT. (Hazami, nd-b)

Next up is the one four, Allah commands his servant for always share and spend his wealth in the way of Allah, as stated in QS Al-Baqarah 261, Allah says:

مَثَلُ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثَلِ حَبَّةٍ أَتَتْ سَنَابِلَ سَبْعِ سُنَابِلَ فِي كُلِّ سُنبُلَةٍ مِائَةٌ حَبَّةٌ وَاللَّهُ يُضَاعِفُ لِمَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ

Meaning: *The parable of people who spend their wealth in the way of Allah SWT. is like (those who sow) a grain (seed) which grows seven stalks, on each stalk there are a hundred seeds, Allah multiplies (rewards) for whom He wills. Allah is great wide again great caring.*

From the verse said, Allah gives example for those who do alms and endowments like sow seeds. Abduh in the interpretation of Al-Mannar as quoted from Lasmana mention that meaning *in the name of Allah* in the verse the interpreted with welfare the people who will bring to consent God. Point parable alms with sow seed interpreted as description reply multiplied rewards double for those who donate his wealth in the way of Allah SWT.

fifth verse of the qur'an related urgency spend treasure with there's a good way to do it In QS Al-Baqarah 267, Allah says:

أَيُّهَا الَّذِينَ آمَنُوا أَنْفِقُوا مِنْ طَيِّبَاتِ مَا كَسَبْتُمْ وَمِمَّا أَخْرَجْنَا لَكُمْ مِنَ الْأَرْضِ وَلَا تَيَمَّمُوا الْخَبِيثَ مِنْهُ تُنْفِقُونَ وَلَسْتُمْ بِأَخِيذِهِ إِلَّا أَنْ تُغْمِضُوا فِيهِ وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ حَمِيدٌ

It means: *O you who believe, spend of the good things you have earned and of what We have brought forth for you from the earth. Do not choose to spend the evil things, while you would not take them, except by turning away from them. Know that Allah is All-Rich, All-Praiseworthy.*

Similar to the previous verse, the verse above also explains about giving away wealth, in particular the verse orders to donate wealth from the results of good efforts obtained by humans. In the paragraph that, Ibnu Abbas explained, Allah SWT. ordered his servant for to donate part his most beloved and best treasure. Likewise Allah SWT. forbid his servant for to donate treasure those who are bad or not good. If examined more far, context paragraph the teach man for to donate his best treasure own similarity with paragraph previously namely QS Ali Imran 92. From the two paragraph the teach for to donate the best treasure that one has. It is very close with essence waqf was practiced in the early days Islam until moment this, with to donate valuable property high, such as as it is land, gardens and so on.

2. Endowment in Hadith

Endowment in hadith, since the early days Islam practice endowment has taught and practiced by the companions. The Prophet Muhammad SAW taught that good deeds done man will can follow after dead. That thing explained in hadith narrated by Ibn Majah,

That the Messenger of Allah (PBUH) said, "Indeed, the one who can made by a believer from charity his deeds and goodness after he dead is the knowledge he

spreads, son the pious family he left behind, the qur'an manuscripts he inherited, the mosque he built, the house he built, for the traveler he built, the river he flowed, or the alms he gave from his property at the time healthy and life, accompany him after he dead" (Ibn Majah 2/88)

Hadith the explain that the good things done man during his life and continue give benefit although has dead, will can follow him after dead. Goodness with to donate property and giving sustainable benefits is essence from endowment as explained in understanding endowment previously. Some hadith has record a number of practice endowment.

The first is waqf on land that occurred during the time of the Prophet when he was about to build a mosque, land That owned by Bani Najjar. This is explained in hadith narrated by Anas ra

From Anas ra said: When the messenger of Allah. Arrived in Medina and ordered construction of the mosque, he said, "O Banu Najjar, decide price your garden that you want to I pay this" they then answered: By Allah we are not request price except only to Allah swt. So the messenger of Allah took it transfer garden and built a mosque on it. (HR. Bukhari).

In the hadith mentioned, it is seen incident endowment on the land which then used by the prophet Muhammad. with build a mosque on top land that. This is become example example for can to donate treasure best we.

Furthermore hadith practice Abu Thalhah's endowment on a piece land. Rasulullah saw. confirm that endowment property is the treasure that gives profit.

From Anas ra said: "Abu Thalhah are the most numerous Ansar people his wealth in Medina. Among most favorite treasure that is Bairuha 'which is located face to face with the mosque. At that time the messenger of Allah. enter it and drink the fresh water. So paragraph This down, "You never until to virtue before You spend Part of What are you like". Abu Thalhah quick hurry up met the Prophet Muhammad. and said, " Indeed, Allah swt . Said in His book "You You never - ever until to virtue before You spend Part of What are you like." My most treasure like is bairuba ' and he is alms because of God that I expect His goodness and blessings are with Allah SWT. So use it o messenger of Allah, wherever you are will." Rasulullah saw. said "Bakh that lucky treasure, that lucky treasure. I have hear what do you say about it, and what do you think? should You establish it among the relatives". Abu Talhah immediately divide it among his relatives and children his uncle . (HR. Bukhari and Muslim).

Umar bin Khattab also already do practice endowment on land, when he accept a piece land in the Khaibar region, where matter the is The most valuable treasure owned by Umar bin Khattab. Then Umar bin Khattab donated it after ask for directions to the Messenger of Allah. related what should be made on matter the.

Ibn Umar ra said: "Umar got land in Khaibar then meet the Prophet Muhammad SAW. to ask for advice he related land said. He said, "O Messenger of Allah, I get land in Khaibar that is not Once The same very I get more wealth valuable from that, then what are you order to me related to that heart?" The Messenger of Allah (saw) said to him "If you want, you can withhold basically and give it to charity." Umar also gave him charity. Umar's land is not for sale neither gifted nor inherited. He gave it to him to poor people, friends, liberating slaves, in the way of Allah, travelers, and guests, as well no sinful for the person who takes care of it when eat from him should and give Eat from the result without make it as owned by his personal. Tirmidhi blessings, "Experience hadith this according to the scholars of among the prophet Muhammad. and others, we don't knowing between none of the predecessors the There is difference opinion in matter this, and this is also endowment first in Islam. (Rohim & Ridwan, 2022)

Based on the hadith above, the fuqaha stipulate three principle regulation the necessary endowment realized in implementation waqf, namely treasure endowment no may for sale, property endowment no may granted or given to others and property endowment no may inherited. (AA Rahman, 2009)

Practice endowment that has been done by friends show that urgency endowment it is very high for welfare people. Which is where endowment is activity generosity that departs from obedience to Allah SWT. Because of its applied characteristics in form to donate treasure the best one has. No wonder when Allah SWT has promising reward best For donation best done in form endowment. (Rohim & Ridwan, 2022).

3. Waqf in the Job Creation Law

In the Job Creation Law Article 123, purpose the waqf discussed related with object procurement land, because often happen change location land endowment with mark change losses incurred the same with mark treasure object waqf that was replaced. But There is related settings with endowment like management land waqf and utilization of waqf assets. As authorized organization for manage waqf, the nazir has the right on compensation that. However in practic, ruislag / take over land endowment don't easy done, because potential transfer land where is the endowment at first strategic become no strategic with reason its value same. That thing will reduce mark economical land waqf. So what is needed fixed is secure land productive, especially for sector agriculture so as not to misused become land settlement and also industry that ultimately will reduce ability we produce food. So this is it importance endowment in withhold rate conversion land productive.

In response matter the, Actually Indonesian Waqf Board (BWI) can open chance to those who have land productive for become vice with to endow land they through the Indonesian Waqf Board (BWI). The Indonesian Waqf Board (BWI) can also do fundraising for buy land that is still productive. If matter the done in a way consistent so it will be very useful For hinder subtraction land agriculture. (Fawaid, 2022).

CONCLUSION

Waqf is source potential marking for build economy. The role of waqf in welfare economy society is very important. then from That required management maximum endowment maybe for the purpose can achieved. Waqf has two functions that is as worship to Allah and also serves social fellow human beings. In managing endowment type whatever needed professional nazhir. In practice endowment that has been done by friends show urgency very high endowment for welfare people. In the Job Creation Law Article 123, purpose the waqf discussed related with object procurement land, because often happen change location land endowment with mark change losses incurred the same with mark treasure object waqf that was replaced. The Indonesian Waqf Board (BWI) can open chance to those who have land productive For become vice with to endow land they through the Indonesian Waqf Board (BWI). The Indonesian Waqf Board (BWI) can also do fundraising for buy land that is still productive. If matter the done in a way consistent so it will be very useful for hinder subtraction land agriculture.

REFERENCE

- Abidin, M. Z. (N.D.). *Wakaf Dalam Perspektif Al-Qur'an Dan Sunnah*.
- Aditya, A., & Musthofa, M. A. (2022). The Role Of Wakaf In Establishing People's Welfare. *Milrev: Metro Islamic Law Review*, 1(2), 269. <https://doi.org/10.32332/Milrev.V1i2.6214>
- A'yuni, D. S. (2018). Peran Wakaf Terhadap Kesejahteraan Masyarakat. *Al-'Adalah: Jurnal Syariah Dan Hukum Islam*, 3(2), 120–130. <https://doi.org/10.31538/Adlh.V3i2.452>
- Fad, M. F. (2020). Omnibus Law Dalam Tinjauan Hifdzul Mal. *El-Mashlahah*, 10(1), 31–46.
- Fawaid, M. W. (2022). *Omnibus Law Dan Pengelolaan Ziswaf Di Indonesia*. 8.
- Hadi Ryandono, M. N., & Hazami, B. (2016). Peran Dan Implementasi Waqaf Dalam Peningkatan Kesejahteraan Masyarakat. *Inferensi*, 10(1), 239. <https://doi.org/10.18326/Infsl3.V10i1.239-264>
- Hazami, B. (N.D.-A). *Peran Dan Aplikasi Wakaf Dalam Mewujudkan Kesejahteraan Umat Di Indonesia*.
- Latifah, L., Ritonga, I., Ghozali, M. L., & Huda, F. (2023). Peran Wakaf Tunai Saat Pandemi Covid-19 Di Indonesia. *Al Maal: Journal Of Islamic Economics And Banking*, 4(2), 247–264.
- Lubis, U. S. (N.D.). *Hak Kekayaan Intelektual Sebagai Objek Wakaf*. 1.
- Maharani, M. (2023). Tinjauan Ekonomi Islam Terhadap Kelayakan Bisnis Perkreditan Pada Ud. Mentari Qredit Kota Bengkulu (Doctoral dissertation, Universitas Islam Negeri Fatmawati Sukarno).
- Munardi, M., Damanhur, D., & Fitri, M. (2020). Analisis Pengaruh Wakaf Produktif Terhadap Kesejahteraan Masyarakat Di Mukim Matang Panyang. *E-Mabis*:

- Jurnal Ekonomi Manajemen Dan Bisnis*, 21(2), 144–154.
<https://doi.org/10.29103/E-Mabis.V21i2.605>
- Pengantar Metodologi Penelitian (1)*. (N.D.).
- Project Increasing Zakat And Waqf Directorate General Islamic Community Guidance And Hajj Organizers: *Fiqh Of Waqf*, (Jakarta, October, 2003). P. 6
- Rahmadi, “Introduction To Research Methodology,” Nd South Kalimantan: Antasari Press, 2011. P. 15.
- Rahman, A. A. (2009). *Peranan Wakaf Dalam Pembangunan Ekonomi Umat Islam Dan Aplikasinya Di Malaysia*.
- Rahman, M. F. (2009). Wakaf Dalam Islam. *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah*, 1(1). <https://doi.org/10.15408/Aiq.V1i1.2455>
- Rohim, A. N., & Ridwan, A. H. (2022). Wakaf Dalam Perspektif Al-Qur’an Dan Hadis: Esensi Dan Signifikansi Pada Tataran Ekonomi Dan Sosial. *Al Quds : Jurnal Studi Alquran Dan Hadis*, 6(2), 659.
<https://doi.org/10.29240/Alquds.V6i2.3742>
- Siregar, L. M., & Setiawan, P. (N.D.). *Wakaf Sebagai Ibadah Sosial Berkelanjutan*.
- Sunuwati, H. (2022). Hukum Perwakafan. In *Iain Parepare Nusantara Press*.
<https://omp.iainpare.ac.id/index.php/ipnpress/catalog/book/20>
- Undang-Undang-No.-41-2004-Tentang-Wakaf*. (N.D.).
- Zaldi, & Tanjung, D. (2023). Wakaf Dalam Perspektif Hukum Positif Dan Hukum Islam. *Rayah Al-Islam*, 7(1), 449–462. <https://doi.org/10.37274/Rais.V7i1.685>