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**Editorial Office:** Faculty of Sharia, Universitas Islam Negeri Profesor Kiai Haji Saifuddin Zuhri Purwokerto, Indonesia, Jalan Jend. A. Yani No. 40 A Purwokerto Jawa Tengah 531226 Indonesia  
Phone: +62281-635624 Fax: +62281- 636653  
E-mail: [volksgeist@uinsaizu.ac.id](mailto:volksgeist@uinsaizu.ac.id)  
Website: <http://ejournal.uinsaizu.ac.id/index.php/volksgeist>

## Toward a Holistic Legal Framework for Effective Waqf Implementation: Integrating Islamic Socio-Economic Models

Article	Abstract
<p><b>Author</b> Muhammad Hadi<sup>*1</sup>, Jalaluddin Rum<sup>1</sup>, Wahyudin Maguni<sup>1</sup>, Anwar M. Radiamoda<sup>2</sup>.</p> <p><sup>1</sup>Faculty of Islamic Economics and Business, Institut Agama Islam Negeri Kendari, Indonesia <sup>2</sup>Sharia Center, Mindanao State University, Marawi City, Philippines</p> <p><b>Corresponding Author:</b> <sup>*</sup>Muhammad Hadi, Email: <a href="mailto:muhammadhadituban11@gmail.com">muhammadhadituban11@gmail.com</a></p> <p><b>Data:</b> Received: Nov 24, 2024; Accepted: Apr 11, 2025 Published: Apr 18, 2025</p> <p><b>DOI:</b> <a href="https://doi.org/10.24090/volksgeist.v8i1.12590">10.24090/volksgeist.v8i1.12590</a></p>	<p>Waqf is crucial in the improvement of community welfare and the resolution of socio-economic challenges. Nevertheless, its implementation in Indonesia is beset by various legal, institutional, and managerial obstacles, such as insufficient regulations, a lack of public awareness, and inefficient governance. This research aims to evaluate the legal framework for the effective integration of the Islamic socio-economic model into the waqf process. This normative legal study employs a regulatory-legislative approach, conceptualization, and Lawrence M. Friedman's legal system theory to evaluate the efficacy of regulations concerning waqf. The research's findings suggest that Indonesia's waqf regulations continue to encounter legal challenges, particularly in conjunction with the discordant regulations in settlement and the lax rules regarding productive waqf. The effectiveness of the waqf administration is impeded by the lack of professionalism of the nazhir and the weaknesses in the supervision of the Indonesian Waqf Board (BWI) regarding legal structure. In the meantime, the legal culture demonstrates that the community's low legal awareness results in the inadequate documentation of numerous waqf assets, rendering them susceptible to protection and underutilization. Consequently, it is imperative to enhance the professionalism of nazhir, revise regulations, and digitize waqf management to improve transparency and efficiency. Community participation and more stringent supervision are also necessary for optimizing waqf as an economic and social instrument.</p> <p><b>Keywords:</b> <i>Islamic social; legal framework; waqf implementation.</i></p>

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## INTRODUCTION

Waqf is a form of worship with economic, social, and legal value. Waqf is one of the most strategic dimensions in Islamic teachings because the existence of waqf not only concerns the personal dimension of a Muslim but can also positively impact the life of society in general. The fact of waqf is the same as zakat, providing a strategic role in solving human problems, such as poverty, ignorance, social inequality and others.<sup>1</sup> The development of waqf management practices

<sup>1</sup> Minlib Dallh, "Accumulate but Distribute: Islamic Emphasis on the Establishment of Waqf (Pious Endowment)," *Religion and Development* 2, no. 1 (September 2023): 21–40, <https://doi.org/10.30965/27507955-20230014>.

is also subject to significant management and development. To safeguard the waqf nazir, waqf requires rigorous enforcement of applicable laws and regulations during its implementation. Waqf, as a community fund with the potential to generate economic benefits, must prioritize the community's welfare over personal interests. The eradication of socio-economic issues in society is closely linked to the development of Islamic economics, which is anticipated to be facilitated by productive waqf asset management.<sup>2</sup>

The legal challenges associated with implementing Waqf in Indonesia are multifaceted, particularly those involving institutional inefficiency, regulatory challenges, and public awareness. The public's lack of confidence in the cash waqf system results from the poor performance of numerous Islamic Financial Institutions and Waqf Institutions. The absence of collaboration between Islamic financial institutions and waqf institutions complicates the supervision of the waqf administration. It is imperative to commence the empowerment of waqf management promptly, as there are still numerous waqf management institutions that have not prioritized this principle of accountability. It is feared that this will result in a loss of public trust in these institutions. Certification of waqf property is the first of numerous challenges in waqf management. The majority of Indonesian Muslims comprehend that Waqf is valid if it is performed verbally without the necessity of being officially registered with a government agency. Before the enactment of Law Number 41 of 2004 concerning Waqf, the act of Waqf was exclusively performed by a religious figure appointed as a nazir. This phenomenon occurred before the enactment of Government Regulation Number 28 of 1977 and Law Number 5 of 1960. This legal act of Waqf regards Waqf as a virtuous deed that has inherent value in the eyes of God, and it is unnecessary to undergo administrative procedures. Waqf assets belong exclusively to God; no one can disturb them without His permission.<sup>3</sup>

Nevertheless, conventional waqf practices introduce novel challenges, including the potential for the nazir's successors to dispute waqf assets. Unprofessional Nazis are the second issue. The lack of attention (rewards) for waqf asset managers also supports the absence of nazir requirements that result in professional performance. Consequently, the consequences of this condition are that many Nazirs are only employed in part-time jobs that are only performed part-time. The third issue is the conviction of certain Indonesian Muslims that waqf assets are not eligible for trading.<sup>4</sup> The fourth issue is that the implementation of current regulations has not been optimized due to the absence of a legal instrument, such as the Indonesian Waqf Agency (BWI), which manages waqf assets and has essential responsibilities. In reality, numerous districts and cities still have not established such an agency. Indeed, the administration and development of Waqf are still far from meeting expectations due to this formal obstacle. The issues that have arisen thus far indicate external factors, specifically legal subjects who lack the knowledge and experience to manage Waqf effectively by Islamic law and sharia.<sup>5</sup>

<sup>2</sup> M. Wildan Humaidi, Hariyanto Hariyanto, and Mabarroh Azizah, "Green Philanthropy: Islamic Activism on Indonesia's Environmental Democracy," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 24, no. 2 (December 2024): 167–91, <https://doi.org/10.18326/ijtihad.v24i2.167-191>.

<sup>3</sup> Muhajirin Tohir, I Gusti Ketut Ayu Rachmi Handayani, and . Hartwiningsih, "Problems of Waqf Management in Indonesia: A Review of Positive Law," *International Journal of Religion* 5, no. 11 (September 2024): 8285–94, <https://doi.org/10.61707/zpgxej88>.

<sup>4</sup> Nanang Cahyo Fitrianto, "REVIEW OF ISLAMIC LAW ON THE IMPLEMENTATION OF WAQFAN (CASE STUDY AT AL HIDAYAH MOSQUE, WINONG DUSUN, JATISAWIT VILLAGE, JATIIYOSO DISTRICT, KARANGANYAR DISTRICT, 2023)," *Indonesian Journal of Sharia and Law* 1, no. 1 (February 2024): 1–6, <https://doi.org/10.54622/ijsl.v1i1.270>.

<sup>5</sup> Achmad Zulfa Andikata, Islamiyati, and Muhyidin, "Legal Issue of Cash WAQF Institution in Indonesia and the Legal Solution," *Science of Law* 2024, no. 3 (November 2024): 8–12, <https://doi.org/10.55284/sol.v2024i3.140>.

The law No. 41 of 2004 on Waqf has established a fundamental legal framework for Waqf in Indonesia. This framework delineates the rights and responsibilities of waqf administrators (nazir) and the procedures for establishing waqf property. The ineffective administration of waqf assets results from a significant number of nazirs failing to adhere to its provisions. The operational aspects of waqf management are detailed in Law No. 41 of 2004, which was subsequently implemented by Government Regulation No. 42 of 2006. However, the guidelines enumerated in this regulation are still frequently disregarded in waqf management. The lack of utilization results from non-compliance, lack of awareness, and inadequate integration of Islamic law, which collectively impede the effective management of waqfs.<sup>6</sup>

Additionally, for Waqf to develop significantly in the country, it must be managed professionally, modernly, and practically while adhering to Islamic norms and under the supervision of a waqf institution or BWI. Nevertheless, the current waqf management practices have not been functioning in a functional and organized manner, and they have the potential to generate conflict. These issues result from institutionalizing current waqf regulations and laws, which are still too classical and insensitive to change and progress. Additionally, it is feasible that not all waqf officials share the same viewpoint regarding waqf empowerment and development. The Waqf's objectives are not being met because certain nazirs are still not professional. In reality, Nazir is instrumental in the empowerment of Waqf. Building faith is also significantly influenced by transparency in waqf management.<sup>7</sup>

In Lampung Province, a waqf dispute arose between the community and a university in Labuhan Ratu, Bandar Lampung City, regarding the transfer of the status of a mosque. The DPRD was required to adjudicate the dispute. Fourteen The waqf controversy in Central Lampung commenced with the donation of land to construct a mosque. Nevertheless, the waqf's child requested that the waqf land be converted into a school, which led to a conflict in that particular instance. Furthermore, the community and large institutions engaged in waqf disputes, ultimately leading to litigation. Next, the Sriwijaya Mosque dispute in Palembang was one of the waqf problems in South Sumatra Province. The court resolved the matter with decision Number 13/PID.SUS-TPK/2021/PT PLG.26. The escalating number of waqf disputes indicates nazir's limited comprehension of waqf and community issues.<sup>8</sup>

Furthermore, the waqf law no longer aligns with the current circumstances. The current waqf regulations present several challenges, including numerous articles no longer pertinent to the current state of Indonesia. Institutional arrangements, regulations on nazir, the use of technology in waqf administration, and rules on cash waqf are among the primary concerns addressed in the current revision of the Waqf Law. The ambiguity in the laws and regulations that govern waqf can confound the process of managing and developing waqf and cause uncertainty in the management of waqf assets.<sup>9</sup>

<sup>6</sup> Tohir, Handayani, and ., "Problems of Waqf Management in Indonesia: A Review of Positive Law."

<sup>7</sup> Miskari, "The Implementation of Waqf Law within the Framework of Indonesia's Legal State: An Analysis of Pancasila Values," *Istinbath : Jurnal Hukum* 21, no. 1 (July 2024): 155–75, <https://doi.org/10.32332/istinbath.v21i1.9876>.

<sup>8</sup> Faisal Faisal et al., "Strengthening the National Waqf Ecosystem through Legal Reform: An Analysis of Waqf Issues in the Provinces of Lampung and South Sumatra," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (May 2024): 81, <https://doi.org/10.29240/jhi.v9i1.9320>.

<sup>9</sup> Nazil Fahmi et al., "THE COMPLEXITY OF WAQF LAND IN THE CONTEXT OF CUSTOMARY LAW IN INDONESIA," *Tadayun: Jurnal Hukum Ekonomi Syariah* 5, no. 1 (June 2024): 29–50, <https://doi.org/10.24239/tadayun.v5i1.268>.

Discord and disputes are frequently the result of waqf management despite the necessity of adequately managing and developing waqf assets. Waqf is expanding rapidly and magnificently in regions where the minority population is Muslim, such as Singapore, even though Muslims constitute only fifteen per cent of the population. These issues are commonly encountered in society, particularly in regions where the majority of the population is Muslim. The absence of waqf object management is the basis for waqf problems or conflicts regarding waqf assets (waqf objects)—the majority of waqf objects that are not recorded and have inadequate official documentation experience this phenomenon. Nevertheless, waqf management has also advanced, as it now employs professional management and no longer relies on traditional patterns that rely solely on the principles of trust and mediocrity. Professional management of waqfs will be perceived as advantageous to the broader community. Of course, it is imperative to uphold the spirit of collective productivity from both waqif and nadir as a shared responsibility to construct the community's common welfare.<sup>10</sup>

The existence of waqf institutions that are formally regulated through separate legislation always causes waqf management to be more transparent, credible, and accountable. The position of nazhir and waqif becomes one element that is interrelated with each other in maximizing the potential of Waqf for social and community welfare (mauquf 'alaih). Several things can be done to optimise the management of productive Waqf with an integrated system to enhance waqf management in the productive business sector. Productive Waqf itself can be interpreted as a waqf whose assets, if managed, can provide economic benefits, which can be in the form of plantation/agricultural land, money and various movable and immovable objects; its benefits need to be further improved by creating more targeted mechanisms and strategies. Productive Waqf is an innovation in Islamic finance that opens up opportunities for investing in religion, education, and social services. In addition, productive Waqf (money) can function as a strategic investment to reduce poverty rates and address backwardness in the economy, education, health and so on. As stated in Law No. 41/2004 concerning Waqf, the purpose of Waqf is to provide worship activities, education, health, assistance to the poor, and advancement in improving the community's economy. The existing Waqf must also be managed as well as possible to become a productive waqf.<sup>11</sup>

In the management of productive waqf, the actions that waqf managers must take to optimize the utilization of waqf assets can be accomplished in three distinct ways: Firstly, there is a focus on the benefits that can be perceived by the recipients of waqf (mauquf 'alaih). This approach provides material benefits that enhance welfare, raise awareness, and educate Muslims about the objectives and advantages of waqf management. Secondly, regulation and supervision are associated with various devices formally required for waqf management. Regulations protectively provide control and clarity to all elements of waqf, while supervision aims to establish a monitoring system for waqf asset management. This can be achieved through research, evaluation, improvement, guidance, and partnership (cooperation). Third, productive waqf administration can significantly enhance public welfare and generate benefits, with the primary objective of achieving sharia objectives (maqashid asy syariah).<sup>12</sup>

<sup>10</sup> Yuliani Dwi Lestari et al., "The Development of National Waqf Index in Indonesia: A Fuzzy AHP Approach," *Heliyon* 9, no. 5 (May 2023): e15783, <https://doi.org/10.1016/j.heliyon.2023.e15783>.

<sup>11</sup> Amal Hayati Ishak et al., "The Critical Success Factors of Waqf Land Development for Sustainable Agriculture," *Social Sciences & Humanities Open* 11 (2025): 101244, <https://doi.org/10.1016/j.ssaho.2024.101244>.

<sup>12</sup> Nurul Irhamni Fajri, Muh Wahyuddin Abdullah, and Mustafa Umar, "Pengelolaan Dan Pemberdayaan Harta Benda



Waqf administrators (nadzir) need to play a significant role in the development of waqf to ensure that it positively impacts society and the state, thereby making it productive. Nadzir Waqf is comparable to a company manager responsible for planning and managing waqf assets. While the presence of nadzir in waqf is significant, it is not a prerequisite or pillar for the validity of waqf. This is because waqf is a tabarru worship that is sunnah. The necessity of nadzir waqf is more profound in achieving the objectives of waqf management: increasing productivity and providing additional benefits. The necessity of Nadzir as a waqf manager is also not adequately addressed by a clear legal framework that outlines his rights as a service rendered for his employment. Currently, waqf management is mandated to be productive, accountable, and trustworthy. Consequently, regulations and references issued by official institutions are necessary to facilitate the process of professional waqf management.<sup>13</sup>

The timeline of nadzir as a waqf manager in Indonesia which is influenced by non-formal to formal rules can be explained as follows.

Traditional Waqf	According to PP No. 28/1997	Law No. 41 of 2004 concerning Waqf
1. Wakif (donor)	1. Wakif (donor)	1. Wakif (donor)
2. Waqf Land	2. Waqf Land	2. Nadzir (wkaaf property manager)
3. Mauquf 'alaih (receipt of waqf benefits)	3. Mauquf 'alaih (receipt of waqf benefits)	3. Assets/objects donated
4. Shigah (waqf pledge)	4. Shigah (waqf pledge)	4. Receiving waqf benefits (mauquf alaih)
		5. Endowment period
		6. Witness

Source: managed by Author

The primary purpose of the nadzir's inauguration is to ensure the orderly administration of waqf management and to facilitate the coordination and guidance of waqf nadzirs throughout Indonesia. Good governance of waqf institutions (good nadzir governance) refers to Waqf Core Principal point 13, which can be effectively achieved by applying internal and external factors. Internal factors concentrate on the nadzir's capabilities, encompassing various areas, including marketing, business and investment analysis, risk management, and financial management. However, the external factor is the public's awareness of the necessity of establishing a waqf. The primary capital for waqf'sf in providing social welfare is the combination of professional waqf management and high public awareness in the development of waqf. As the leading institution for developing and managing waqf assets, Nadzir is obligated to maintain a high level of professionalism in this regard. The Waqf Core Principle, which the Indonesian government implemented, is solely an ordinary principle if not correctly executed; it serves as a method for establishing professional nazhir.<sup>14</sup>

The current actual problem that is still felt is the uneven understanding and new paradigm of waqf in the community by the provisions of Law No. 41 of 2004, especially regarding waqf and

Wakaf Berdasarkan Prinsip Maqashid Asy-Syariah (Studi Kasus Desa Pakatto Kabupaten Gowa)," *At Tawazun Jurnal Ekonomi Islam* 2, no. 1 (April 2022): 16–30, <https://doi.org/10.24252/attawazun.v2i1.26949>.

<sup>13</sup> Nur Alam, Salmawati Salmawati, and Zainuddin Zainuddin, "The Role of Nadzir in Resolving Waqf Land Disputes," *Golden Ratio of Law and Social Policy Review* 3, no. 2 (June 2024), <https://doi.org/10.52970/grlspr.v3i2.329>.

<sup>14</sup> Agung Abdullah, "Nadzir Dalam Perspektif Kelembagaan Wakaf Di Indonesia," *Jurnal Ilmiah Ekonomi Islam* 6, no. 3 (October 2020): 403, <https://doi.org/10.29040/jiei.v6i3.1216>.

types of waqf, the less than optimal certification of waqf land, the less than optimal management of waqf land assets productively; there are still many Nadzir who are not yet professional, the unavailability of a waqf database, the less than optimal empowerment and development of cash waqf as one of the waqf instruments that has excellent potential for productive development and the potential of waqf of movable objects in the form of extraordinary money.<sup>15</sup>

The trust factor from the community toward the cash waqf management institution and the system aspect that lacks creativity in managing and developing idle waqf funds are the challenges that the nadzir is facing. Therefore, the waqf management institution (nadzir) appears to be unmotivated, as if it were living and dying with a half-hearted attitude. The outcome is that the waqf assets are still less productive and are managed carelessly.<sup>16</sup> The implementation of productive waqf in a country with a Muslim-majority population and extensive waqf land has not been managed well, although various efforts have been made. Productive waqf assets that Nazir initially submitted, written witness evidence from a notary, laws, and KUA institutions, but after the management of the waqf went well and developed into an economic force, suddenly the wakif asked for and recognized it again as personal or family property. Therefore, improving the quality of human resources by conducting training, education, and upgrading is necessary to enhance the professionalism of the Nadzir as people/institutions that handle waqf issues.<sup>17</sup>

Public welfare is the primary objective of developing waqf assets with economic value, including Islamic boarding school education programs, hotels, apartments, fitness facilities, restaurants, etc. Consequently, the government, community leaders, and religious scholars must devote significant attention to the administration of waqf assets. Developing waqf assets in countries with a Muslim majority or minority is the primary objective of managing productive waqf assets. There are still numerous constraints on waqf land that have economic value, such as the inadequacy of administrators and the need to enhance the quality of human resources in implementing waqf asset empowerment. Consequently, it is imperative to write about managing productive waqf land to achieve the objectives of managing productive waqf assets. This includes establishing business centres, shops, hotels, and markets, as well as the results of waqf development to promote social welfare and address economic crises and inequality in the lives of individuals. The success of waqf asset empowerment is contingent upon the ability of waqf asset management to synergize with managers in an organization or institution established by the current administration. The objective of the administration of productive waqf land is to enhance the productivity of waqf assets in community life by processing, developing, and empowering them. In other words, the empowerment of waqf assets will only be realized through implementing optimal management. For organizations or legal provisions of waqf to accomplish an objective, management is necessary, as demonstrated by sincere individuals who adhere to sharia.<sup>18</sup>

<sup>15</sup> Ahmad 'Azam Bin Mohd Sharif et al., "Accountability of Nazir in the Waqf Legal System of Indonesia," *Al-Adl : Jurnal Hukum* 15, no. 1 (January 2023): 1, <https://doi.org/10.31602/al-adl.v15i1.9800>.

<sup>16</sup> Agus Sulaeman, Ai Nur Bayinah, and Roni Hidayat, "Apakah Kepercayaan Muwakif Ditentukan Oleh Akuntabilitas Pengelolaan Wakaf Tunai Dan Peran Nadzir?," *JURNAL AKUNTANSI DAN KEUANGAN ISLAM* 8, no. 1 (April 2020): 71–86, <https://doi.org/10.35836/jakis.v8i1.129>.

<sup>17</sup> Ibrahim Ari and Muammer Koc, "Towards Sustainable Financing Models: A Proof-of-Concept for a Waqf-Based Alternative Financing Model for Renewable Energy Investments," *Borsa Istanbul Review* 21 (August 2021): S46–56, <https://doi.org/10.1016/j.bir.2021.03.007>.

<sup>18</sup> Rindawati Maulina, Wawan Dhewanto, and Taufik Faturrohman, "The Integration of Islamic Social and Commercial Finance (IISCF): Systematic Literature Review, Bibliometric Analysis, Conceptual Framework, and Future Research Opportunities," *Heliyon* 9, no. 11 (November 2023): e21612, <https://doi.org/10.1016/j.heliyon.2023.e21612>.

The pursuit of temporal profit does not solely drive the management of waqf with economic value; instead, it is rooted in the well-being of the community as a whole rather than just individuals. The purpose of implementing waqf with economic value is not to profit the administrators of the foundation or stakeholders alone, nor is it to benefit the representatives of the people. Waqf issues frequently arise among individuals with various religious, legal, social, and economic motivations. Nevertheless, the most critical aspect is that the economic value of waqf assets must be clearly defined regarding their legal status or position. The occurrence of productive waqf land disputes in various regions or islands is quite intricate. The emergence of this issue is intriguing in that it occurs after the economic value of waqf assets has developed. At this point, there is disharmony or withdrawal of waqf land, mutual claims on personal waqf assets, and the sale of waqf land. Consequently, the quantity of waqf land is diminished. When waqf land with economic value is developed or used for Islamic boarding schools, schools, training centres, and other business ventures, the issue of disputes, implementation, and waqf law becomes a serious concern. In reality, waqf assets are community funds, not funds that the waqif or its administrators personally possess. Consequently, their utilization must be intended to benefit the community. The administration of waqf that has economic value is mandatory for Muslims, as it necessitates open supervision and accountability.<sup>19</sup>

Maintenance and productive development are among the obligations of waqf management. Consequently, Muslims should not disregard waqf assets as social funds. The function of existence in managing waqf funds should not be ignored, as has been the case in numerous instances of waqf law and land disputes. Muslims are fully responsible for waqf management. In light of the aforementioned issue, research on waqf law, its implementation, and its problems is pertinent for empirical reference. Waqf has the potential to cause discord among families in society, as it has undergone numerous changes and has been taken over by other individuals or administrators. This is due to its economic value.<sup>20</sup>

In addition to occasionally igniting disputes and problems between communities and families, the actuality in the field also contributes to the overlapping management of waqf. Another factor that contributes to the emergence of issues and resistance in waqf management is the dismissal of nazirs, administrators of Islamic boarding schools, and teachers by waqif who should be more prudent. The waqf asset management paradigm, which consists of highly productive waqf land in the form of ponds, agricultural land, schools, and Islamic boarding schools, requires further improvement in light of the aforementioned issues. The number of waqf lands is substantial when considering its implementation and the facts in the field. Approximately 1,110 are certified, while 39,272 are not yet certified or equivalent to 25.50% of the total in the form of waqf land, money, and other productive products. The development of waqf land necessitates the strengthening of law and legal standing, as well as the active participation of community leaders, clerics, affluent individuals, and customs in the supervision of the land. This is why it is anticipated that the management of productive waqf will undergo substantial improvement. It is imperative that Indonesian Muslims consider the management of economically empowered waqf assets, particularly in the digitalization

<sup>19</sup> Muhammad Syaikhul Fikry and Muhammad Lathoif Ghazali, "Tinjauan Ekonomi Syariah Terhadap Strategi Pemberdayaan Ekonomi Masyarakat Di MWC NU Dukun Dan Panceng Gresik," *Jurnal Ilmiah Ekonomi Islam* 8, no. 03 (2022): 2456–72.

<sup>20</sup> Suyoto Arief et al., "Analysing The Effectiveness of Stock Waqf Management in Indonesia and Malaysia: Regulation Practices and Nadzir Readiness," 2023, 85–91, [https://doi.org/10.2991/978-94-6463-346-7\\_17](https://doi.org/10.2991/978-94-6463-346-7_17).

era. Waqf management will yield advantages for all stakeholders, including mauquf ‘alaih and wakif, if it is managed effectively.<sup>21</sup>

Loso Judijanto et al. have conducted numerous studies that underscore the potential of productive waqf to support broader economic and social objectives, such as alignment with the sustainable development goals (SDGs). Additionally, they have identified emerging trends in the use of technology to enhance the transparency and efficiency of waqf management. Governance and professional management challenges are identified as critical areas that necessitate attention to optimise waqf’s effectiveness. This study suggests future research directions concentrating on the potential impact of technological innovation in waqf management and empirical evaluation.<sup>22</sup> Subsequently, Ramdani et al. conducted research that underscored the necessity of incorporating fundamental Islamic values into waqf institutions, such as tauhid (oneness of God), justice, accountability, trust, collective deliberation, awareness of Allah, amar ma’ruf, and avoiding evil. These values are indispensable for the effective governance of waqf institutions. The study underscored the necessity of incorporating a broader range of academic sources and methodologies into future research to enhance the knowledge base regarding management and strategy in waqf institutions.<sup>23</sup> Furthermore, research conducted by Ferry Syarifuddin identified the most effective productive waqf model for Indonesia, emphasizing the role of Islamic banks as intermediary institutions. This model is prioritized because of its potential to improve the collection and management of waqf funds, which ultimately contribute to economic growth. The research results suggest that the effective utilization of social funds, such as waqf, by Islamic financial institutions, particularly Islamic banks, can significantly enhance community welfare.<sup>24</sup> Meanwhile, the author’s research introduces a new approach to enhancing the role of waqf in socio-economic development. This model integrates various innovative waqf mechanisms to optimize resource allocation and management, answering contemporary economic challenges.

Given the issues above, the waqf system in Indonesia requires comprehensive legal reform to achieve transparent, professional, and accountable waqf management. This reform entails enhancing waqf institutions, strengthening regulations to be more adaptable to the changing times, and improving the capacity and professionalism of nadzir as administrators of waqf assets. Public confidence in the waqf system is anticipated to be enhanced by implementing a strict supervision system, clarifying regulations, and integrating technology into waqf management. Ultimately, the optimal benefits of waqf assets for the community’s welfare and economic development will be guaranteed by legal reform in waqf management based on Islamic principles. Nazir’s management of a waqf that has monetary value is inadequate; it will generate an asset gap that is not productive. Managing land with economic value necessitates the collaboration of government and business

<sup>21</sup> “Nadzir’s Responsibility for the Crime of Embezzlement of Waqf Assets by Other Parties Based on Indonesian Written Law,” *International Journal Reglement & Society (IJRS)* 1, no. 2 (September 2020), <https://doi.org/10.55357/ijrs.v1i2.127>.

<sup>22</sup> Loso Judijanto, Nurjanna Ladjin, and Salwa Aulia Novitasari, “Effectiveness of Productive Waqf Management in Improving the Welfare of the Poor: A Bibliometric Review,” *West Science Social and Humanities Studies* 2, no. 10 (October 2024): 1613–22, <https://doi.org/10.58812/wsshs.v2i10.1334>.

<sup>23</sup> Ramdani Ramdani, Tika Widiastuti, and Imron Mawardi, “Implementation of Islamic Values in Waqf Governance: A Systematic Literature Review,” *Journal of Islamic Marketing* 15, no. 8 (July 2024): 1925–41, <https://doi.org/10.1108/JIMA-03-2023-0079>.

<sup>24</sup> Ferry Syarifuddin, “Productive WAQF Business Models through the Integration of Islamic Social and Commercial Finance,” *Edelweiss Applied Science and Technology* 8, no. 4 (September 2024): 620–55, <https://doi.org/10.55214/25768484.v8i4.1440>.



actors and effective coordination with the nazir administering the waqf to ensure the successful implementation of its development and the minimization of deviations. Consequently, it is crucial to research developing a legal framework for an integrated Islamic socio-economic model to implement waqf effectively.

## RESEARCH METHODS

The normative legal methodology employed in this investigation is predicated on an extensive literature review.<sup>25</sup> Legislative, comparative, and conceptual methods are implemented. The primary relevant legal sources are the 1945 Constitution of the Republic of Indonesia, as well as a variety of laws and government regulations. Conversely, secondary legal materials comprise pertinent articles, papers, and literature. Tertiary legal sources, including the Legal Dictionary and the General Dictionary of the Indonesian Language, are employed to elucidate and direct primary legal materials, in addition to primary and secondary legal materials.<sup>26</sup> In addition, the legal system theory proposed by Lawrence M. Friedman is also employed in this research. In this context, the theory is used to comprehend the interaction between three primary components of the legal system: legal structure, legal substance, and legal culture. These components significantly impact the administration and implementation of waqf. This investigation investigates how these three components interact to establish a system facilitating waqf empowerment and pinpoints the obstacles associated with its execution.

## ANALYSIS AND DISCUSSION

### *Disharmony of legal framework in the implementation of waqf in social and economic realities*

The laws and regulations that govern waqf issues in Indonesia, specifically Law Number 41 of 2004, establish the legal foundation for managing waqf land. Waqf that has been established as waqf cannot be revoked. This provision serves as the legal framework for waqf acts, ensuring that the wakif cannot cancel or reduce the volume of waqf assets for any reason. In the interim, the objective is to investigate the economic potential of waqf assets, employ them for devotion, and promote welfare.<sup>27</sup>

Mismanagement, a lack of innovation, and inconsistent regulatory frameworks are among the numerous factors that contribute to the discord between waqf implementation and social and economic reality. This discord results from a lack of awareness of the potential of Waqf as a socio-economic tool, legal ambiguity, and outmoded management practices. The potential of Waqf to make a meaningful contribution to socio-economic development is compromised by this imbalance. Administrative provisions, including those contained in Government Regulation Number 28 of 1977 regarding Waqf of Land Ownership, Presidential Instruction Number 1 of 1991 regarding

<sup>25</sup> Abdul Kadir Jaelani et al., "Green Legality Certificate on Agrarian Reform: Indonesian Experience," *KnE Social Sciences*, January 2024, <https://doi.org/10.18502/kss.v8i21.14713>.

<sup>26</sup> Hariyanto et al., "The Communal Democracy of Yogyakarta Special Region's Government on the Islamic Law Eclecticism Perspective," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 18, no. 1 (June 2023): 200–221, <https://doi.org/10.19105/al-lhkam.v18i1.7403>.

<sup>27</sup> Roy Marom and Itamar Taxel, "Ḥamāma: The Historical Geography of Settlement Continuity and Change in Majdal 'Asqālan's Hinterland, 1270–1750 CE," *Journal of Historical Geography* 82 (October 2023): 49–65, <https://doi.org/10.1016/j.jhg.2023.08.003>.

Compilation of Islamic Law, particularly Book III concerning Waqf Law, and Law Number 41 of 2004 concerning Waqf, have not been fully addressed by the public, particularly the waqf party (wakif), in the context of waqf implementation. The worship component of the waqf practice is more prominent for the wakif. Consequently, the wakif does not perceive a necessity to register or manage his Waqf. As a result, the administrative and juridical status of numerous waqfs is ambiguous, as they are conducted solely based on sincerity and willingness and by local customary procedures without the support of authentic data and letters of explanation.<sup>28</sup> Waqf land that is not legally clear is highly susceptible to deviation from the nature and purpose of Waqf, given the growing value and utilization of land in the present day.<sup>29</sup>

The waqf nazhirs established thus far have exhibited traditional conservative characteristics in the development of Waqf. This is because leaders, jurists, and Muslims are more concerned with safeguarding waqf assets than with utilizing them. It is comprehensible that the entrepreneurial spirit and management aspects of waqf assets are not optimized. The wakif appoints nazhirs based on their sharia knowledge and trust/Amanah; however, many nazhirs exhibit low motivation and limited capacity. Additionally, some individuals abuse waqf assets. Despite Law No. 41 of 2004 regarding Waqf, disputes regarding Waqf still occur frequently. The community's lack of religious cognizance is one of the causes. Due to additional factors, the wakif or successors are discouraged from acknowledging or withdrawing the waqf property. The waqf practice observed in society has not been conducted efficiently and organisedly.<sup>30</sup>

Indonesia's waqf regulations have evolved; however, it continues to encounter numerous impediments to its effective implementation. By employing the legal system theory approach, observing the interplay between substance, structure, and legal culture in developing a sustainable and ideal waqf management system is possible. In numerous instances, waqf assets are poorly managed, neglected, or even transferred to third parties from a legal culture perspective. This situation is not solely attributable to Nazir's negligence or incapacity in managing and developing waqf assets; it is also a result of the community's lack of concern or comprehension regarding the status of waqf assets, which should be maintained for the public interest by the objectives, functions, and designations of Waqf. Without official registration or certification at the National Land Agency (BPN), the community frequently provides implicit Waqf for land. This results in numerous waqf assets lacking legal certainty, being susceptible to disputes, or even being claimed by heirs or third parties.<sup>31</sup>

Furthermore, waqf administration is traditionally implemented without incorporating contemporary business strategies or technology. Nevertheless, the resolution of waqf disputes is also influenced by the discord between Law Number 41 of 2004 concerning Waqf, which allows for the resolution of waqf disputes through Arbitration, and Law Number 30 of 1999 concerning

<sup>28</sup> Hariyanto Hariyanto, Muhammad Mutawalli Mukhlis, and Daud Rismana, "The Role and Authority of the Deputy Regional Head According to Islamic Principles within the Framework of Regional Government Law," *Juris: Jurnal Ilmiah Syariah* 24, no. 1 (2025): 13–27, <https://doi.org/10.31958/juris.v24i1.12678>.

<sup>29</sup> Mohammad Mahyuddin Khalid et al., "Risk Management in Waqf Institutions: A Preliminary Study," *Journal of Fatwa Management and Research*, October 2019, 207–19, <https://doi.org/10.33102/jfatwa.vol16no2.16>.

<sup>30</sup> Muhammad Syazuwan Ahmad and Hydzulkifli Hashim, "THE MANAGEMENT OF WAQF IN PERLIS: A STUDY AT STATE ISLAMIC RELIGIOUS COUNCIL OF PERLIS, MALAYSIA," *Journal of Human Development and Communication (JoHDeC)* 12 (April 2024): 144–52, <https://doi.org/10.58915/johdec.v12.2023.643>.

<sup>31</sup> Shendy Rianti Islamy et al., "Juridical Consequences and Legal Protection for Unregistered Waqf Land," *LEGAL BRIEF* 12, no. 1 (April 2023): 166–75, <https://doi.org/10.35335/legal.v12i1.760>.

Arbitration, which restricts the resolution of waqf disputes to trade disputes, even though Waqf is social and religious. This is a matter of legal substance. This, of course, generates legal uncertainty. According to Article 5 of Law Number 30 of 1999, Arbitration is restricted to disputes that pertain to commerce and rights that are entirely under the control of the disputing parties by statutory regulations. In other words, Arbitration is predominantly designed to resolve commercial or business disputes. Conversely, Waqf, subject to the rules of Law Number 41 of 2004 concerning Waqf, is distinguished by a robust social component and is influenced by the interests of the broader community. Due to these variations in characteristics, the appropriateness of Arbitration as a dispute resolution mechanism is called into question.<sup>32</sup>

It has been demonstrated that this issue has genuine practical implications and is theoretical. This is shown by a specific instance in which a journalist from Kalimantan submitted a complaint to the National Sharia Arbitration Board of the Indonesian Ulema Council (BASYARNAS MUI) to resolve a waqf dispute. The waqf law currently in place in Indonesia has regulated various waqf-related matters. Additionally, the government must adopt more stringent measures to supervise and guarantee the law's implementation to enhance waqf asset productivity and governance in Indonesia. In particular, the government is responsible for the administration of Waqf and the enforcement of its regulations.<sup>33</sup>

Another problem is Nazhir's unprofessional recruitment pattern. Observing Article 10 of Law No. 41 of 2004 concerning general and specific requirements for nazhir and other articles concerning recruitment regulations, it is implied that there is a meritocracy system that can be generally understood that the criteria for nazhir are Indonesian citizens, Muslims, adults, trustworthy, not hindered by physical and mental abilities, and able to carry out legal actions. From this provision, the requirements regarding the unique skills required by a nazhir are not clearly stated. The community still practices the appointment of nazhir in a non-professional manner, aka not implementing the principle of meritocracy, This impacts the non-optimal or unachievable waqf target. There are still cases where nazhir are appointed or recruited not in a professional manner and considering the expertise or skills of prospective nazhir but rather based on trust, the closeness of friendship or family and social status in society.<sup>34</sup> Furthermore, the legal foundation of waqf regulation in Indonesia has numerous obstacles that impede its efficient implementation and administration. These issues result from insufficient institutional coordination, public awareness, and an inadequate legal framework. The necessity of waqf land certification to guarantee legal certainty is underscored by existing legislation, particularly Law Number 41 of 2004. However, numerous waqf lands are still not certified, resulting in disputes. Governance is complicated, and the optimal utilization of resources may be impeded by the Indonesian Waqf Board (BWI) regulations, which necessitate the assent of heirs to change waqf management. This has the potential to complicate the effective administration of waqf for the public interest and conflict with Islamic law principles.<sup>35</sup>

<sup>32</sup> Endang Suhendra, Henry Aspan, and Bambang Fitrianto, "The Problematic Management Of Waqf In Subulussalam (The Overlap Between Law Number 41 Of 2004 And Qanun Aceh Number 10 Of 2018)," *LITERACY : International Scientific Journals of Social, Education, Humanities* 2, no. 3 (October 2023): 43–57, <https://doi.org/10.56910/literacy.v2i3.977>.

<sup>33</sup> M.T.F. Bushra et al., "Management of Waqf Properties: A Case Study in Sri Lanka," *Sprin Journal of Arts, Humanities and Social Sciences*, June 2022, 300–310, <https://doi.org/10.55559/sjahss.v1i06.32>.

<sup>34</sup> Bushra et al.

<sup>35</sup> Abdur Rohman et al., "Construction of Waqf Istibdal Regulations for Empowering Non Productive Waqf in Indonesia," in *Proceedings of the Riau Annual Meeting on Law and Social Sciences (RAMLAS 2019)* (Paris, France: Atlantis Press, 2020), <https://doi.org/10.2991/assehr.k.200529.286>.

Furthermore, the definition of waqf in Law Number 41 of 2004 lacks clarity regarding numerous contemporary waqfs, including stock waqf, bonds, and digital assets. Inconsistencies in practice arise from the divergent interpretations of the concept of productive waqf in Islamic fiqh and positive law. Additionally, the current Waqf Law lacks comprehensive provisions regarding the investment mechanism of waqf assets, including managing waqf land for commercial purposes and developing social infrastructure. The current regulations that govern waqf are more focused on worship. Still, they do not support the administration of waqf for economic development and community welfare. Many nadzir lack the expertise to professionally administer waqf assets, as there are no clear qualification standards regarding the competence of nadzir. The role of nadzir is frequently treated as a mere secondary task due to the absence of incentives, resulting in its inadequate management.<sup>36</sup>

The legal issues of waqf that have economic value and their implementation arise due to the socio-economic dynamics that erode the quality of empowerment and accountability, and the quality of waqf land management needs to be improved. If the management of waqf with economic value has not been managed according to function, accountability, and transparency, it will add to the disharmony that still needs to be resolved. Poor and non-transparent waqf management results in weak management, and various problems arise. Academically, waqf management in multiple issues and management systems for types of waqf assets currently requires transparency in management, and its allocation is measurable. Management of waqf land is generally still managed with old patterns or according to needs, as Niklas lilahi-ta'ala said, so waqf management like that often occurs in several regions, resulting in minimal knowledge from the management and legal legality in empowering waqf objectives for the economy becomes weak. Therefore, the management of the waqf model has good value, but it should not be understood unilaterally, which causes its implementation to be weak.<sup>37</sup>

Due to the legal structure, various challenges, particularly those associated with supervision from waqf institutions, are encountered in Indonesian waqf administration. Supervision is indispensable. Decades have passed without Indonesian Waqf receiving significant oversight. Consequently, many waqf assets have been neglected, and some have even been lost. Supervision is a critical component in numerous developed countries, particularly when the Waqf is constructed as a currency waqf or other movable property waqf. Consequently, waqf institutions must be amenable to auditing. In Indonesia, the regulation of waqf supervision is governed by Articles 63 and 65 of Law No. 41 of 2004 concerning Waqf. The supervision issue is further regulated in Article 56 of Government Regulation (PP) Number 42 of 2006, which applies to the implementation of Law Number 41 of 2004 regarding Waqf. The Indonesian Waqf Agency (BWI) is a government-established institution responsible for supervising and administering waqf assets and nadzir (waqf managers). Waqf administration in Indonesia should be supervised and promoted by an independent institution, BWI.<sup>38</sup>

<sup>36</sup> Rimanto Rimanto, Sonny Zulhuda, and Agus Hermanto, "Repositioning the Independence of The Indonesian Waqf Board in the Development of National Waqf: A Critical Review of Law No. 41 of 2004 Concerning Waqf," *Justicia Islamica* 18, no. 1 (February 2021): 59–78, <https://doi.org/10.21154/justicia.v18i1.2303>. the laws and regulations have weakened the Indonesian Waqf Board (BWI)

<sup>37</sup> Achmad Hidayat and Salina Kassim, "Understanding Islamic Digital Banking Services in Indonesia," in *Reference Module in Social Sciences* (Elsevier, 2024), <https://doi.org/10.1016/B978-0-443-13701-3.00545-4>.

<sup>38</sup> Muhammad Ilyas, Mifathul Huda, and Faisal Faisal, "The Problem of Waqf Land Legality in Saruni Regency: A Sociological Perspective of Law," *Al-Bayyinah* 7, no. 2 (November 2023): 158–74, <https://doi.org/10.30863/al-bayyinah.v7i2.4326>.



Nevertheless, in practice, BWI lacks a robust execution authority, which complicates the process of addressing nadzir or institutions that fail to effectively manage Waqf. Some of the obstacles encountered include the absence of accountability for nadzir, both individuals and institutions, in the management of waqf assets, as well as changes in the function of waqf assets as a result of urban zoning changes, which may result in the relocation or demolition of assets. In the management of zakat, BWI operates in the same manner as the National Zakat Agency (BAZNAS). Nevertheless, there is ongoing discussion regarding the classification of BWI as structural, consultative, or coordinative. BWI was established by Law Number 41 of 2004 regarding Waqf, which grants BWI the authority to oversee and develop Waqf in Indonesia. This legislation serves as the legal foundation for BWI to fulfill its obligations and guarantee adherence to national and sharia law. To advance toward productive Waqf, BWI must foster comprehension among the nadzirs through internships and training. BWI strengthens the nadzirs to promote Waqf in this country, as it is an independent institution. Furthermore, the government and BWI's education programs are still ineffective in elucidating the potential applications of Waqf in sectors such as education, health, and productive businesses.<sup>39</sup>

Weak institutions and coordination between agencies, a lack of professionalism among nadzirs, a complex bureaucracy in certifying waqf land, weak supervision and legal sanctions, and a low public awareness of the potential of productive Waqf are the primary issues in waqf management in Indonesia from the perspective of legal structure. To enhance the efficacy of waqf administration, it is necessary to implement institutional reform, increase the capacity of nadzirs, simplify the bureaucracy, and provide more extensive public education.<sup>40</sup>

The management of productive waqf land should be carried out with breakthroughs with planned, systematic programs and explicit schedule provisions and is intended to be developed further, primarily through economic development or medium-sized business units. In managing waqf assets that have monetary value, it is necessary to ensure that donors or those who hand over the assets at least know where they are used economically. Waqf institutions formed by the government in various agencies must have detailed documents, data, and bookkeeping regarding the waqf assets received and who the nazir is who will manage them so that when someone asks about the utilization of waqf assets that have economic value, an answer can be given. A manager must always contact the waqf nazirs, ensure that the waqf has been appropriately managed, and warn sternly if the waqf assets are misused. In line with that, the nazirs must intensively ask the waqf managers or waqf asset administrators so that the waqf supervisors do not assume that the waqf assets that are managed and empowered economically can be accounted for. Management like this must be carried out to prevent waqf asset managers from having the wrong assumptions. Of course, this requires adequate supervision of the administration of waqf management so that the involvement of waqf institutions and waqf nazirs as implementers of waqf asset management is genuinely by the expectations of Muslims and society.<sup>41</sup>

<sup>39</sup> Erlina Sundari et al., "The Influence of the Development of Islamic Law on Waqf Institutions in Indonesia," *GIC Proceeding* 1 (July 2023): 415–24, <https://doi.org/10.30983/gic.v1i1.132>.

<sup>40</sup> Asep Saepudin Jahar, "Bureaucratizing Sharia in Modern Indonesia: The Case of Zakat, Waqf and Family Law," *Studia Islamika* 26, no. 2 (August 2019): 207–45, <https://doi.org/10.15408/sdi.v26i2.7797>.

<sup>41</sup> Miriam Kühn, "The Epigraphical Program of Mamluk Minbars: Religious and Quranic Inscriptions Emphasizing Minbars as a Site for Preaching," *Journal of Material Cultures in the Muslim World* 4, no. 1 (November 2023): 35–77, <https://doi.org/10.1163/26666286-12340039.pl.manabir>

Therefore, the role of waqf institutions, ulama, kyai, and local community leaders is vital in the supervision that must be carried out. At the same time, stakeholders, kyai or ulama, also function as managers of waqf assets with economic value so that management objectives can be achieved optimally and the community can feel the results. Islamic financial institutions play an essential role in supporting the progress of the world economy, especially in empowering the people's economy through waqf assets. History has proven that the development of waqf assets in building a macro-scale economy is through the role of utilizing waqf assets in financing various advances in education and health businesses, such as Egypt, Saudi Arabia, Turkey, and several other countries, in funding the operational activities mentioned above, which are supported and obtained from the results of waqf asset development, with a waqf asset commercialization model of buildings, apartments, hotels, plantations, agricultural land and others, so that they generate profits and the results are used to finance various activities in the community.<sup>42</sup>

Despite the challenges, the potential of waqf to address socio-economic issues is increasingly acknowledged. This suggests that waqf can play a significant role in community development by implementing reform and management. The waqf nazir is the party that has the most significant impact on the success or failure of utilizing waqf assets on a priority scale in the management of economically empowered waqf assets. Nazir is an individual responsible for the development and maintenance of waqf assets on behalf of the wakif. Consequently, the existence and function of nazir are essential, even occupying the primary position in the development, maintenance, supervision, distribution, empowerment, and even targeting of waqf assets to achieve economic welfare in society. The government must promptly resolve the issue of disharmony in waqf management, particularly the obstacles encountered by Nadzir, to attain effective waqf management. Waqf can substantially contribute to economic development and community welfare when managed appropriately and operates within a legal framework.<sup>43</sup>

To guarantee the efficiency and optimization of waqf administration in Indonesia, it is imperative to enhance the legal system's substance, structure, and legal culture. Increasing public awareness of the significance of good waqf administration, professionalizing nazir, and harmonizing regulations are essential steps in enhancing the function of waqf as a sustainable socio-economic instrument. Waqf can be transformed into a strategic resource that contributes to the welfare of the populace and national development with the assistance of the government, waqf institutions, and other stakeholders. Waqf governance reforms must persist to ensure that waqf assets generate the greatest possible benefits by national law and sharia objectives.

### ***Empowering Waqf Through Law: Toward a Unified Islamic Economic Models***

Islam transforms waqf into a more expansive instrument that encourages its administrators to be more entrepreneurial about its teachings. The results are the primary factor in developing the people's economy; waqf assets are temporary capital. Waqf is a teaching that is endorsed (sunnah) in terms of the strength of its legal basis; however, its power is so significant that it serves as a

<sup>42</sup> Muneer M. Alshater et al., "Fintech in Islamic Finance Literature: A Review," *Heliyon* 8, no. 9 (September 2022): e10385, <https://doi.org/10.1016/j.heliyon.2022.e10385>.

<sup>43</sup> Paramita Prananingtyas and Hari Sutra Disemadi, "Legal Consequences of Dualism Regulations on Micro Waqf Bank as a Sharia Microfinance Institutions in Indonesia," *Varia Justicia* 16, no. 1 (April 2020): 1–14, <https://doi.org/10.31603/variajusticia.v16i1.3205>.

milestone in the operation of community welfare. Model Islamic Economic Waqf is a new way to finance a range of global demands for goods and services. This discovery has increased the potential importance of waqf in advancing the Muslim country without relying too much on government support.<sup>44</sup> Waqf teachings that fall under *ijtihadi* principles allow flexibility in their management, making them adaptable for optimal administration. The verification of the results of waqf law and its implementation in its development are generally administered productively in Islamic boarding schools, schools, business ponds, hotels, and apartments for the continuity of institutions or businesses. The management of waqf land frequently results in internal issues for nazir, wakif, and waqf land that Islamic boarding schools, schools, ponds, and corporations occupy. This often leads to the emergence of resistance within the institution. Furthermore, concrete evidence remains to be clarified, such as the usage and allocation of waqf assets from the development, which is less transparent.<sup>45</sup>

Islam transforms waqf into a more expansive instrument that motivates its administrators to be more entrepreneurial in their approach to its teachings. The results are the primary factor in developing the people's economy; waqf assets are ephemeral capital. Waqf is a teaching that is endorsed (sunnah) in terms of the strength of its legal basis; however, its power is so significant that it functions as a milestone in the operation of community welfare. Consequently, the waqf teachings that are classified as *ijtihadi* are automatically transformed into non-managerial supporters that can be optimally managed. The verification of the results of waqf law and its implementation in its development are generally administered productively in Islamic boarding schools, schools, business ponds, hotels, and residences to ensure the continuity of institutions or businesses. The administration of waqf land frequently leads to internal issues for nazir, wakif, and waqf land that Islamic boarding schools, schools, ponds, and corporations occupy. Resistance often arises within the institution as a result. Additionally, concrete evidence, such as the usage and allocation of waqf assets from the development, requires clarification, as it is less transparent.<sup>46</sup> The role of legal jurisprudence in enforcing justice as the commander of justice needs to be strengthened at the implementation level to safeguard the rights of Nazir as a manager, but this has not yet been observed. The management and empowerment of productive waqf land that meets the productive criteria is managed by a Nazir who consistently meets the elements of development and productivity value. In addition to these components, there are numerous initiatives to oversee waqf land assets, including establishing schools, Islamic residential schools, and training for independent restaurant and hotel businesses near the waqf land.<sup>47</sup> At present, the rotation of productive waqf land is designated as strategic land to be developed into restaurants, forests, gardens, hotels, and fish ponds, which generate a variety of commodities and money. The condition of land management occupied by various categories of businesses that continue to develop along with the times is exemplified

<sup>44</sup> Dallh, "Accumulate but Distribute: Islamic Emphasis on the Establishment of Waqf (Pious Endowment)."

<sup>45</sup> Alija Avdukic and Mehmet Asutay, "Testing the Development Impact of Islamic Banking: Islamic Moral Economy Approach to Development," *Economic Systems*, May 2024, 101229, <https://doi.org/10.1016/j.ecosys.2024.101229>.

<sup>46</sup> Andri Soemitra, Kusmilawaty, and Tri Inda Fadhila Rahma, "The Role of Micro Waqf Bank in Women's Micro-Business Empowerment through Islamic Social Finance: Mixed-Method Evidence from Mawaridussalam Indonesia," *Economies* 10, no. 7 (July 2022): 157, <https://doi.org/10.3390/economies10070157>.

<sup>47</sup> Sugianto Sugianto et al., "The Implementation of Waqf Planning and Development through Islamic Financial Institutions in Indonesia," *JPPI (Jurnal Penelitian Pendidikan Indonesia)* 8, no. 2 (July 2022): 267, <https://doi.org/10.29210/020221430>. and handed over directly to Nazir, even though there are also cash waqf through Islamic financial institutions (IFI)

by the results of the management of productive waqf above.<sup>48</sup> Stated differently, it is necessary to implement and utilize a more modern and pertinent management technique, particularly to address the lack of strategic planning activities inside the Waqf institution. Another problem with waqf reporting is the lack of required reporting standards, which results in inconsistent recordkeeping and a lack of transparency.<sup>49</sup>

A standard enactment for the management of waqf land that is in line with the goals and interests of the country is the Remodel Regulation. In order to create a comprehensive and up-to-date list of waqf land and, more crucially, its present condition or the status of projects started for the land, they need also establish a suitable process for registering and gazetting the waqf land under their control. Additionally, it is essential to indicate the donors' intended development use of the waqf property (such as agriculture, education, etc.). When creating the special rules for waqf land, it is important to make sure that they do not conflict with other laws and that they complement the current requirements to enable industry 4.0 with implemented technology. Due to their reliance on limited federal funds, Waqf institutions are encouraged to use their own financial resources. As a result, it seems that most Waqf institutions have started collecting Waqf funds through a variety of methods. Cash Waqf is essential to promoting Cash Waqf contributions. It can be achieved by provide greater access to online facilities which it can reach young, increasingly IT literate, generation to promote online Waqf.<sup>50</sup>

In the context of waqf, which encompasses both a socio-economic and worship dimension, cash waqf is anticipated to serve as a tool for social development and reconstruction that can engage the majority of the community. To achieve this participation, it is necessary to make significant efforts to recognize the significance of cash waqf as a method of transferring the savings of affluent individuals to entrepreneurs and citizens to finance a variety of activities in Islamic countries.<sup>51</sup> MA Mannan posits that cash waqf can serve as a complementary source of financing for a variety of social investment initiatives overseen by Islamic banks, thereby enabling it to be converted into a waqf bank (a financial institution that accepts waqf funds).<sup>52</sup>

As a waqf manager, Nazir is seen as a subject that causes business actions to develop productive waqf land with a motive of generosity. This proposition strengthens the institutional management of productive waqf land carried out by nazir when the function of waqf land does not develop productively in overcoming the economic gap that continues to press to meet the needs of life, especially for the community or students who are unable to go to school, Islamic boarding schools,

<sup>48</sup> Hariyanto Hariyanto, Mabarroh Azizah, and Nurhidayatuloh Nurhidayatuloh, "Does the Government's Regulations in Land Ownership Empower the Protection of Human Rights?," *Journal of Human Rights, Culture and Legal System* 4, no. 2 (May 2024): 391–421, <https://doi.org/10.53955/jhcls.v4i2.222>.

<sup>49</sup> Wan Musyirah Wan Ismail, "Significance of Technology to Cash Waqf Collection: Application of Unified Theory Acceptance and Use of Technology (UTAUT)," *International Journal of Academic Research in Business and Social Sciences* 11, no. 1 (January 2020), <https://doi.org/10.6007/IJARBSS/v11-i1/8994>.

<sup>50</sup> Norfaridah Ali Azizan et al., "Revitalising Waqf (Endowment) Lands for Agribusiness: Potentials of the Anchor Company Models," *Journal of Agribusiness in Developing and Emerging Economies* 12, no. 3 (May 2022): 345–70, <https://doi.org/10.1108/JADEE-05-2021-0128>.

<sup>51</sup> Sulistyandari Sulistyandari et al., "Implementation of Prudential Banking Principles: State Responsibility in Combating Banking Crimes in Indonesia," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, November 2024, 341–59, <https://doi.org/10.24090/volksgeist.v7i2.12132>.

<sup>52</sup> Hidayatus Sholihah and A. Zaenurrosyid, "Islamic Philanthropy Development Model Based on Management of Waqf Treasure Improvement on the Mosques of the Northern Seaboard of Java," 2021, <https://doi.org/10.2991/aebmr.k.210305.012>.



and work.<sup>53</sup> It is necessary to manage waqf land that has economic value, namely Nazir, as the subject of management. The theoretical perspective of socio-economic experts, such as Douglas and Purvis, who use Strategic Management in management functions include 1) body, 2) work process, 3) object or person who carries out the process, and 4) purpose.<sup>54</sup>

With these various development efforts, the Nazir also worked with the government to manage economically empowered waqf assets so that they could be realized and continued. Other parties that can be determining factors in the development of productive waqf land assets are political policies, economic laws, and the role of Islamic financial institutions in managing large amounts of waqf assets.<sup>55</sup> To achieve professional and productive waqf management, the Indonesian government issued Law No. 41 of 2004 concerning Waqf and Regulation 42 of 2006 concerning implementing Law No. 41 of 2004. From the structural and legal aspect, the Law and Government Regulation mandates establishing the Indonesian Waqf Agency, which is tasked with developing waqf management in Indonesia in a more professional and productive direction so that waqf can genuinely contribute to the currently very concerning economy. The birth of an independent institution is essential to fostering Nazhir's management and development of waqf assets nationally and internationally.<sup>56</sup>

Seeing the current condition of waqf management in Indonesia, which is not yet productive, it is an alarm for BWI to examine further the leading causes of waqf in Indonesia's lack of productivity. In principle, this problem lies in the hands of nazhir, as the holder of the Amanah from the wakif to manage and develop waqf assets. BWI, as a national waqf institution, can lead in fostering and supervising the performance of Nazhir. Thus, the functions of motivator, facilitator, regulator, and other supporting functions inherent in BWI can be in harmony and not overlap in their implementation. The existence of Nazhir is essential because, without good management, waqf assets can be neglected or unproductive. The existence of Nazhir, witnesses, and Waqf Pledge Deed Making Officers (PPAIW) are new waqf elements that do not exist in Islamic law. Waqf regulations stipulate PPAIW as an element of waqf, and the waqf pledge must also be written. The existence of a written waqf pledge as a basis for strengthening if a dispute occurs.<sup>57</sup>

From the aspect of legal substance, waqf management in Indonesia still faces various challenges, especially regarding regulations governing the management of waqf assets more effectively and transparently. Law No. 41 of 2004 has provided a legal basis for waqf management, but its implementation in the field is still not optimal. One of the main problems is the lack of clarity in the regulations related to the supervision and accountability mechanisms of nazhir. The absence of clear standards regarding the competence and responsibilities of nazhir causes the quality of

<sup>53</sup> Armalia Berlinda Irawan, Rahayu Subekti, and Bobur Baxtishodovich Sobirov, "Legal Protection in Land Acquisition for Public Interest: A Dilemma Between State Regulation and Social Welfare," *Journal of Sustainable Development and Regulatory Issues (JSDERI)* 2, no. 2 (May 2024): 148–68, <https://doi.org/10.53955/jsderi.v2i2.38>.

<sup>54</sup> Endang Suhendra, Henry Aspan, and Bambang Fitrianto, "The Problematic Management Of Waqf In Subulussalam (The Overlap Between Law Number 41 Of 2004 And Qanun Aceh Number 10 Of 2018)."

<sup>55</sup> Aam Slamet Rusydiana, "Mekanisme Transmisi Syariah Pada Sistem Moneter Ganda Di Indonesia," *Bulletin of Monetary Economics and Banking* 11, no. 4 (2009): 353–470, <https://doi.org/10.21098/bemp.v11i4>.

<sup>56</sup> Selamat Hartanto, May Shinta Retnowati, and Devid Frastiawan Amir Sup, "Waqf in the Perspective of Waqf Rules in Indonesia," *Al-Iktisab: Journal of Islamic Economic Law* 5, no. 1 (June 2021): 37, <https://doi.org/10.21111/al-iktisab.v5i1.6203>.

<sup>57</sup> Ali Rama et al., "Religious and Social Narratives and Crowdfunding Success," *Journal of International Financial Markets, Institutions and Money* 80 (September 2022): 101595, <https://doi.org/10.1016/j.intfin.2022.101595>.

waqf management to vary significantly. Meanwhile, the existing regulations still have weaknesses in resolving waqf disputes. Although Law No. 41 of 2004 has regulated that waqf disputes can be resolved through mediation, arbitration, or courts, the dispute resolution mechanism is still ineffective. Many waqf dispute cases drag on due to the lack of clarity in legal procedures and the weak role of supervision from the Indonesian Waqf Board. In addition, the absence of a unique body that handles waqf disputes in a focused manner is also an obstacle to ensuring fair and fast resolution. As a result, many cases of waqf land disputes hinder optimizing its use for social and economic interests. Therefore, a more specific revision of regulations is needed regarding dispute resolution procedures and strengthening the role of supervisory institutions so that waqf can be managed more professionally and productively. Then, from the aspect of legal culture, the administrative culture of waqf management is still weak, with messy recording and minimal transparency in the management of waqf funds, often triggering disputes and public distrust. In addition, compliance with existing regulations is still not optimal, especially regarding waqf asset certification and periodic financial reporting. The lack of education and socialization regarding the importance of waqf as a productive economic instrument also causes the public to tend to view waqf as a form of passive worship without development potential.<sup>58</sup>

It is important to highlight the model for resolving regulatory issues. Islamic law governs all of the aforementioned laws' Waqf provisions. Consequently, every clause in the laws that conflicts with Islamic law will be declared null and void to the degree of the conflict. The state should incorporate this provision. The clause ought to disclaim jurisdiction over disagreements involving non-Muslims. The law should also contain the clause prohibiting the civil courts from getting involved, with the exception of situations involving non-Muslims. While acknowledging the advantages of litigation, the recommendations have strongly advocated for the use of effective alternative dispute resolution (ADR) in the management of Waqf issues. When used correctly, the alternative dispute resolution (ADR) approach is free, flexible, and allows parties to control the session's outcome while maintaining their connection<sup>59</sup>. This is the most advantageous for Waqf as well. Even though the guidelines acknowledge the advantages of litigation, they strongly advocate for the use of efficient ADR in handling Waqf conflicts. It is flexible, free, and allows the partners to control the session's conclusion while maintaining their relationship. To help the parties reach an agreement through a third party who is knowledgeable in negotiation methods and tactics, assisted discussions in the form of mediation have also been suggested as an alternative in the event that an equitable settlement cannot be reached during negotiations.<sup>60</sup>

The concept of productive Waqf in Islamic economics must be based on a practical foundation that fosters all forms of economic activity to achieve noble objectives. The fundamental principles of Islamic economics are refraining from prohibited purchasing and selling, refraining from monopolization, and not hoarding. By the provisions above, Article 22 of Law No. 41 of 2004 regarding Waqf also stipulates that, in principle, waqf assets may only be utilized for the following purposes: means and activities of worship, means and activities of education and health, assistance

<sup>58</sup> Ahmad Lukman Nugraha et al., "Waqf Literacy: The Dynamics of Waqf in Indonesia," *Journal of Islamic Economics and Finance Studies* 3, no. 2 (December 2022): 102, <https://doi.org/10.47700/jiefes.v3i2.5082>.

<sup>59</sup> Masrizal Masrizal et al., "Determinant Factor of Crowdfunders' Behavior in Using Crowdfunding Waqf Model in Indonesia: Two Competing Models," *Journal of Islamic Marketing* 14, no. 7 (June 2023): 1793–1816, <https://doi.org/10.1108/JIMA-08-2021-0246>.

<sup>60</sup> Tika Widiastuti et al., "Developing an Integrated Model of Islamic Social Finance: Toward an Effective Governance Framework," *Heliyon* 8, no. 9 (September 2022): e10383, <https://doi.org/10.1016/j.heliyon.2022.e10383>.

to the poor, abandoned children, orphans, scholarships, progress and improvement of the people's economy, and/or other general welfare improvements that do not conflict with sharia and laws and regulations. This is to maximize the productivity of Waqf's objectives and functions.<sup>61</sup>

In the interim, based on legal substance, it is crucial to clarify the significance of the management and implementation of this waqf, as both directly influence the model of management and the development of economically empowered waqf land. Furthermore, implementing this waqf has advanced and has a sustainable economic value. The management of economically empowered waqf land must be conducted to meet the community's demands and achieve financial independence. The implementation of empowerment must be altered. The function of productive waqf land must be prioritized as a more advanced strategic measure. The resolution of waqf management issues and disputes and the development of productive waqf in the community can be achieved by explicating the economic value of waqf that employs legal, financial, and social perspectives.<sup>62</sup> According to data from the Ministry of Religious Affairs, the wealth of waqf land in Indonesia is very extensive (403,845 locations with an area of 1,566,672,406 M2), 75% have been certified, and around 10% have high economic potential. The large number of waqf objects, especially land and apartment buildings, is a huge opportunity to develop the people's economy. This discussion aims to create the economic value of waqf, especially in building economic balance and a sense of social justice for all levels of poor society to become prosperous. Economic needs through productive waqf land management are a tangible manifestation of khifdul-mal in community life. This is implemented as a distribution of the monetary value of waqf generated from the unlimited management of waqf in the community.<sup>63</sup>

The Qur'an contains the internalization of Islamic economic values to manage nature and to uphold the Islamic religion.<sup>64</sup> It is proven that one type of waqf, namely cash waqf, opens up unique opportunities for creating investments in the fields of religion, education and social services. High-income residents' savings can be utilised by exchanging cash waqf certificates.<sup>65</sup> Even though the income generated by cash waqf can be allocated to a variety of purposes, including the selection of waqf assets, there is still ample flexibility and room for further reforms to be implemented in the development of waqf management and administration in Muslim countries or countries with a Muslim majority. This is particularly true for cash waqf, which is intended not only to provide a variety of social and religious services but also has the potential to advance public welfare through economic means. Consequently, ensuring its utilization is based on Sharia principles is imperative.<sup>66</sup>

<sup>61</sup> Nur Izzatul Afrina Azham, "Islamic Finance for Social Good: Exploring the Synergy Between Sukuk and Waqf," *SSRN Electronic Journal*, 2024, <https://doi.org/10.2139/ssrn.4845573>.

<sup>62</sup> Hisam Ahyani et al., "Integration of Productive Waqf in Sharia Insurance: Enhancing Investment and Life Protection," *Review of Islamic Social Finance and Entrepreneurship*, September 2024, 169–83, <https://doi.org/10.20885/RISFE.vol3.iss2.art5>.

<sup>63</sup> Munjed M. Murad, "The Western Orientation of Environmentalism in the Islamic World Today," *Religion and Development* 2, no. 1 (September 2023): 41–62, <https://doi.org/10.30965/27507955-20230015>.

<sup>64</sup> Istianah Zainal Asyiqin, M Fabian Akbar, and Manuel Beltrán Genovés, "Cryptocurrency as a Medium of Rupiah Exchange: Perspective Sharia Islamic Law and Jurisprudential Analysis," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 7, no. 2 SE-Articles (November 2024): 227–92, <https://doi.org/10.24090/volksgeist.v7i2.10975>.

<sup>65</sup> Mukhlishin Mukhlishin et al., "Zakat Maal Management and Regulation Practices: Evidence from Malaysia, Turki and Indonesia," *Journal of Human Rights, Culture and Legal System* 4, no. 2 (July 2024): 569–92, <https://doi.org/10.53955/jhcls.v4i2.204>.

<sup>66</sup> Danang Purbo Raharjo and Mei Mugiyati, Dr. Mugiyati, "Penerapan Wakaf Saham Di Indonesia Dalam Perspektif Islamic Social Finance Abdul Manan," *Jurnal Ilmiah Ekonomi Islam* 8, no. 1 (March 2022): 402, <https://doi.org/10.29040/jiei.v8i1.4302>.

The development of social institutions and financing of various business initiatives necessitates a more serious approach to cash waqf in broader development. At this juncture, waqf is empowered by possessing movable or immovable objects that have previously impeded its development. Middle and small communities face a challenge in obtaining cash waqf certificates, which are necessary to create business opportunities and alleviate destitution or depression resulting from the economic crisis. The waqf nazir is the individual most accountable for the success or failure of waqf management. In administering waqf assets, the nazir's professionalism is the standard. The philosophy of waqf mandates that waqf assets be regarded as concealed assets, and the marque 'alaih or the party entitled to receive the results of the waqf may benefit from them in addition to the reward that accrues to the wakif. The potential for fruitful waqf land is substantial. The empirical reality demonstrates that waqf management has experienced both progress and decline, as well as numerous issues, even though waqfs with economic value should be managed more empowered, progressive, and accountable. Consequently, waqf must be developed to obtain monetary value.<sup>67</sup>

Furthermore, the management of productive waqf land has been impeded by the lack of attention given to waqf administration by local governments and waqfs. Furthermore, the weak management of waqf distribution is exacerbated by the necessity for waqf administrators to receive salary incentives for participating in various waqf operational activities. Currently, the administration of waqf land is conducted voluntarily by both nazir and marque alaih.<sup>68</sup>

Waqf is one of the Islamic economic instruments that has not been utilized to its full potential in Indonesia. In contrast to numerous other Muslim nations, including Bangladesh, Singapore, Saudi Arabia, Jordan, Turkey, and Egypt, waqf is designed to serve as an inexhaustible funding source for advancing the populace's economy. In order to enhance the welfare of the impoverished, it is imperative that Muslims as a collective manage waqf assets that have economic value. Furthermore, scholarships, shophouses for developing hotel businesses, building rentals, and vehicle rentals may be implemented if the waqf assets are advantageous. The resulting revenue may be allocated to the community's welfare. This noble purpose requires A strategy to attain the desired conditions in a bottom-up rather than a top-down manner. The top-down development model frequently requires additional attention to mapping specific problems, potentials, and constraints based on region or group, particularly the types of activities involved in managing waqf assets. Furthermore, it must be accompanied by a sufficient management and administration system and the preparation of essential human resources to serve as a solution to the challenges that waqf land encounters during its development.<sup>69</sup>

The national waqf ecosystem can be enhanced to address the challenges of Waqf. One method to accomplish this is to modify the Indonesian waqf law. Indonesia has at least several rules and regulations that govern Waqf. These regulations encompass Government Regulation No. 42/2006, which pertains to the implementation of Law No. 41/2004, which relates to Waqf and

<sup>67</sup> Ahmad Syihan Ali, Heru Fahlevi, and Mulia Saputra, "Accountability and Management of Waqf: An Analysis of Waqf Practice in Banda Aceh, Indonesia," *Journal of Accounting Research, Organization and Economics* 2, no. 1 (June 2019): 11–19, <https://doi.org/10.24815/jaroe.v2i1.12866>.

<sup>68</sup> Khairul Hidayatullah Basir and Amnisuhailah Abarahan, "Islamic Crowdfunding: Principles, Practices, and Impact on Business Management," in *Reference Module in Social Sciences* (Elsevier, 2024), <https://doi.org/10.1016/B978-0-443-13701-3.00518-1>.

<sup>69</sup> Muhammad Lutfi Hakim, "Islamic Law and Society in Indonesia: Corporate Zakat Norms and Practices in Islamic Banks , by Alfitri," *Bijdragen Tot de Taal-, Land- En Volkenkunde / Journal of the Humanities and Social Sciences of Southeast Asia* 179, no. 1 (March 2023): 115–18, <https://doi.org/10.1163/22134379-17901001>.



the Compilation of Islamic Law (KHI). Subsequently, the Regulation of the Minister of Religious Affairs No. 4 of 2009 regarding the administration of cash waqf registration, BWI Regulation No. 2 of 2009 regarding the guidelines for receiving cash waqf for Nadzir of the Indonesian Waqf Board, and BWI Regulation No. 2 of 2010 regarding the procedures for registering cash waqf. The majority of the provisions of these laws and regulations are adequate for optimizing Waqf in Indonesia.<sup>70</sup>

Nevertheless, the regulations have not been implemented effectively, which has led to an ineffective Waqf and a lack of improvement in the community's welfare. Consequently, the regulations must be reorganized with more adaptable rules and regulations. Implementing the waqf law contributed to the expansion of Waqf in Indonesia. Nevertheless, Indonesia has experienced substantial transformations in the 20 years since the waqf law was implemented. This development is unquestionably associated with waqf regulations; consequently, it is imperative to suggest a revision of the waqf law. When reforming the waqf law, it is essential to address several critical issues. The initial stage is to revise the existing waqf regulations to reflect the current situation, as they have not addressed the problems. Among the reforms required are institutional arrangements, such as establishing a regulator or authority for a national waqf asset management organization. Then, nadir regulations encompass operational costs, guidance, certification, requirements, and supervision. Contracts, registration, certification, exchange, and allocation to the productive sector comprise land waqf regulations. The cash waqf regulatory framework encompasses contracts, financial institution participation, investment, and profit-sharing allocation. It is also necessary to revise the legislation on Waqf to advocate for implementing digital technology in waqf management.<sup>71</sup>

Leveraging innovative strategies and addressing extant challenges are essential components of developing an integrated Islamic socio-economic model to implement waqf effectively. The integration of waqf with Islamic finance has the potential to improve societal welfare and economic development, while the modernization of management practices is essential for financial sustainability. Waqf institutions can achieve long-term economic sustainability and preserve their assets by concentrating on generating sustainable income and adopting innovative management practices. Creative solutions to global socio-economic challenges are accomplished by establishing self-sufficient institutions that reduce reliance on external assistance. Effective waqf management necessitates the implementation of sound governance practices and employing skilled human resources to guarantee sustainability and accountability (nazhir).<sup>72</sup> Increased public awareness and participation can substantially enhance the impact of Waqf on poverty alleviation and social welfare. Furthermore, the collection and management of Waqf funds can be optimized more effectively and efficiently through the adoption of alternative productive Waqf models through digitalization, which is intended to increase the efficiency, transparency, and accessibility of Waqf.

<sup>70</sup> R Sari Pertiwi et al., "Regulations and Management of Waqf Institutions in Indonesia and Singapore: A Comparative Study," *KnE Social Sciences* 3, no. 13 (March 2019): 766, <https://doi.org/10.18502/kss.v3i13.4246>.

<sup>71</sup> Syarifuddin, "Productive WAQF Business Models through the Integration of Islamic Social and Commercial Finance."

<sup>72</sup> Judijanto, Ladjin, and Novitasari, "Effectiveness of Productive Waqf Management in Improving the Welfare of the Poor: A Bibliometric Review."

## CONCLUSION

The management and development of waqf land have not progressed as efficiently or as anticipated; there are still many obstacles and impediments. The administration and implementation of productive Waqf have not been fully realized. This is due to the absence of a well-defined legal framework for waqf management. The current legal framework, which complicates conflict resolution, fails to address the social and religious nature of Waqf adequately. This ambiguity poses a challenge for Nadzir regarding effectively managing waqf assets. It is essential to maintain transparency in the utilization of waqf assets. In the context of Waqf, it is not enough to look at the regulations. We also need to review the legal structure of how waqf institutions work and the legal culture of how society understands and responds to waqf law. This research emphasizes the government's responsibility to implement waqf laws and improve asset management effectively. This includes improved supervision and support for Nadzir. The Indonesian Waqf Board (BWI) is critical in developing and overseeing nadzir as waqf administrators. BWI is accountable for ensuring that Nazir fulfills his responsibilities professionally, transparently, and Sharia-compliantly and for providing the requisite training, regulation, and monitoring. It is imperative to modernize management practices to ensure sustainability, and the integration of Waqf with Islamic finance can contribute to the economic development and welfare of the community. Waqf can contribute substantially to economic and social development through effective administration and reform. A more specific and adaptive regulatory revision is required to address the challenges in waqf management in Indonesia, particularly in supervision, transparency, and waqf dispute resolution. Furthermore, implementing financial incentives and training programs to enhance Nazhir's professionalism can guarantee more sustainable and productive waqf management. To optimize the potential of Waqf as an economic and social instrument, it is also necessary to implement digitalization in waqf recording and administration to enhance efficiency, accountability, and community participation.

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