

Developing a Waqf Institution through Repairment Management and Institutional Legalization

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Abstract—Foundation Waqf of Baitul Hidayah is a waqf institution under The Institution Baitul Hidayah. During three years of operation The Management of The Institution has been less than optimal. This research aims to find a solution for the development and management of The Foundation Waqf of Baitul Hidayah. The Title of Research is “Development Foundation Waqf of Baitul Hidayah through Repair Management and Legality Institution”. A Descriptive-analytic-participatory method was used in This research .The objectives of this program are: (i) Making a work plan for 2018, as reference activity management endowments at Foundation Waqf (ii) Restructuring manager endowments at Waqf Foundation (iii) It has legality management waqf through the submission process sand advocacy licensing. The results achieved are: (i) Waqf Foundation has established a work plan for 2018 plan working 2018, and (ii) Initiated legal management endowments (in process).

Keywords—*component; management; legality and endowments*

I. INTRODUCTION

Waqf productivity can be done through optimization of property endowments and also money waqf. Money waqf or cash waqf is more productive because waqf funds can be directly used for productive activities such as building shops, supermarkets, hospitals and so on [1, 2].

Foundation Waqf is an institution that has activities to collect, manage and utilize waqf, both productive waqf, social waqf, educational waqf and other waqf. Foundation Waqf under the auspices of the Baitul Hidayah Nurul Kholis foundation located in Bandung Indonesia.

The Waqf Foundation is located in the area of Baitul Hidayah Islamic Boarding School on waqf land covering an area of 1.5 Ha, with a waqf deed number 05 / w.2 / 2009 and located at an altitude of 950 meters above sea level [3]. Establishment of Foundation Endowments originates from the expectations of boarding school management to optimize the potential of existing waqf land in Islamic boarding schools, to be more productive and can be used as an income opportunity for the development and management of Baitul Hidayah Islamic Boarding Schools.

Based on the monitoring and evaluation in the preliminary study the implementation of waqf management at the Foundation Waqf has been less than optimal. This happened

because of several problems including: First. Its how ed with level gathering, optimizing waqf assets, administration and finance. The problems start from not having annual work plan, which is a detailed activity guide as a derivative of a long-term strategic plan organizing and legality operation Foundation Waqf of Baitul Hidayah.

Second. The implementation of the tasks of each part of the Waqf Foundation organizational structure has not been carried out so the activities of organizing the waqf organization resources also do not work. Organizing is the second management function in order to organize human resources and fiscal resources to achieve effective and efficient organizational goals another condition is the resignation of the Foundation Waqf board who acts as chairman [4]. Therefore restructuring is needed with the selection of the right human resources. The process of organizing waqf, nadzir chairman optimizes organizational resources including human resources in accordance with work plans that have been made, based on organizational frameworks [5].

Third. The legal aspects of waqf operations are not yet available. Legal waqf management operations issued by the National Waqf Board (BWI) become important in order to maintain the security and security of the management of waqf by nadir waqf.

Thus this paper provides thoughts about the development of management and legality of Foundation Waqf. In detail this article discusses: (1) Definition of waqf. (2) Waqf Management. (3) Development of Management and Legality of Waqf Foundation.

II. RESEARCH METHODS

This research is a case study research using descriptive and participatory analysis methods, namely methods that try to decide the current problem solving based on the data, so it also presents data, analyzes and interprets. Descriptive method aims to describe systematically the facts and meticulously, so that the results of the research are scientific, namely rational, empirical and systematic [6].

The use of these methods is intended to analyze and present facts systematically regarding matters relating to the research title so that they can be easily concluded. The collection of these data using observation and interview techniques, because

these two techniques are relevant to the condition of the research object. Then the type of data collected in the form of qualitative data including words, actions and realities in the field the rest are additional data such as documentation and others about management development and legality of Foundation Endowments.

III. DISCUSSION

A. Definition of Waqf

In etymology waqf means to hold, prevent, forever, remain, understand, connect, revoke, leave and so forth. Endowments are acts of a person to separate part of his property / property used for the benefit of worship and general welfare. Endowments according to Law number 41 of 2004 are: waqif legal acts to separate and / or surrender some of his property to be used forever or for a certain period of time in accordance with the interests for the purposes of worship and / or general welfare according to sharia [7].

Endowments according to Government Regulation number 28 of 1977 are: a legal act of a person or legal entity that separates a portion of the price of his wealth in the form of property and institutionalizes it forever for the purposes of worship or other general purposes in accordance with Islamic teachings. While in the Compilation of Islamic Law: is a legal act of a person or group of people or legal entity that separates some of their objects and institutionalizes them for the sake of worship or other general purposes in accordance with Islamic teachings.

From the above understandings, the endowments can be interpreted as the process of giving away property, either assets or funds belonging to a person or entity, to a person or entity that acts as a nadzir with the aim of being managed and utilized for the benefit of the ummah for a long time.

B. Waqf Management

Management in general is the art or process of completing something related to the achievement of goals so that the goals

of the organization can be achieved effectively and efficiently [8]. Waqf management is the process of managing waqf property, collecting waqf and maintaining the relationship between nadzir, wakif and society [9].

Waqf management process is related to planning, organizing, implementing and controlling, in collecting waqf, managing waqf assets and utilizing waqf in accordance with the mandate conveyed by *muwakif*.

The collection of waqf is the first step taken by the waqf institution, by referring to the rules of the Islamic sharia and the waqf law, with the aim of increasing the waqf property entrusted by *muwaqif* in the form of assets or cash. The success of the organization of waqf organizations is based on the extent to which the institution carries out the process of endowment education, waqf socialization as well as waqf promotion to the public in general. In addition, collection can be made to the existing waqifs, through the process of reporting the progress of waqf and building waqif loyalty.

Every acquisition of waqf is managed professionally and transparently, especially with regard to finance. Waqf financial standards currently still refer to the Zakat Financial Accounting Statement (PSAK) no. 109, some of which use non-profit institutions. The standardization aims to create accountability and transparency in the management of waqf property, which is commonly used as a reference for *muwaqif* to entrust their waqf property.

The next step is the use of waqf assets for the welfare of the community. Waqf assets in the form of assets or cash must be used based on the mandate of the waqif with an empowerment program approach, so that any existing waqf assets can be of greater benefit to the wider community. This utilization program can be in the fields of health, education or economics.

In simple terms the waqf management can be described in the flow diagram as follows:

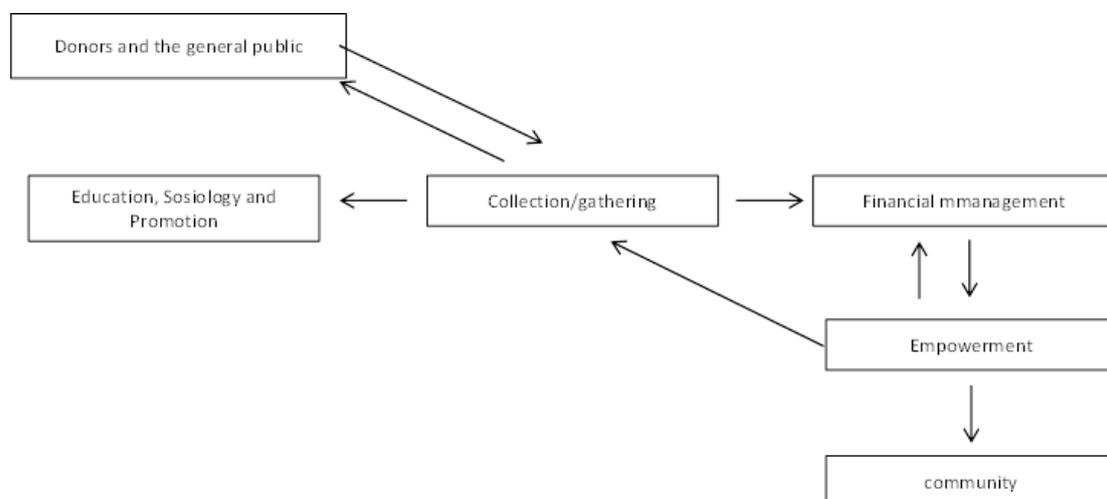


Fig. 1. Diagram waqf management.

C. *Development of Management and Legality of Waqf Foundation*

Based on the background of the problems that have been submitted, the development of waqf management carried out in the Foundation waqf focuses on two things: First, Work Program Preparation in 2018 The 2018 work program preparation process is carried out using the Focus Group Focus (FGD) approach. FGD is a qualitative data collection technique that is designed to obtain information on participants' wants, needs, points of view, beliefs and experiences about a topic by directing a facilitator or moderator [10].

Through the FGD process carried out by the Foundation Waqf board together with the research team, the results of the 2018 work program are as follows: Restructuring of the Foundation Endowments committee, Wakif family gathering and new Waqf Pledge Foundation, Changes to the Foundation Deed, Management of waqf management permits or Inauguration of nadzir waqf by the Indonesian Waqf Board (BWI), Upgrading the new board of Foundation Waqf, Socialization of the collection of waqf of mosques and teacher houses, Donor/*Muwakif* Gathering, Exploration of management permits for cash waqf to central BWI, and Evaluation Reports program plans.

D. *Restructuring of Waqf Foundation*

The restructuring in question is a change or replacement of the management of the Foundation Waqf which is considered important because the existence of the designated management has not worked optimally. This condition is partly due to the board of directors formed not specifically human resources who are appointed to fully manage the waqf institution.

Special human resources who focus on dealing with Foundation Waqf are the main keys to the sustainability of an organization. Because organizing through existing structures can be carried out properly, it can explain who does what, who leads who and centralizes resources against organizational goals [11]. The restructuring carried out through the FGD approach resulted in the following form of the Waqf Foundation new management period 2018-2020 as follows:

Chairman: Falah Ibrahim, S.Kom.

Secretary: Darma

Treasurer: Setyo Pambudi

Sections

Collection Field: Ridwan Sadili

Utilization Sector: Muhammad Rizaldi

E. *Advocacy Legality of Waqf Foundation*

Licensing advocacy is the process of proposing waqf management permits that begin with hearings to the licensing body, namely the Indonesian Waqf Board, which is an official form of the government to deal with Indonesian representation as well as the BAZNAS established by the government to manage Zakat, *Shadaqah*, *Infaq* (ZIS) [12].

Institutional advocacy in question is advocacy for the submission of waqf management operational permits. Advocacy is needed as a step to find a licensing process that has not yet been completed. Advocacy is a systematic and organized effort to influence and urge the occurrence of policy changes that take sides in society gradually [13].

Based on the results of advocacy and analyzing waqf licensing requirements, there are two licenses that must be owned by the Foundation Waqf, namely the Inauguration of the land waqf nadzir from BWI West Java province and the inauguration of nadzir cash waqf from BWI Pusat. Then the results of the assessment of the readiness of the requirements at the Waqf Foundation, the steps that must be taken are as follows:

First, the change meeting of the Baitul Hidayah Foundation Trustees as the parent organization of the Foundation Waqf, this was done by the board of trustees with the waif family, because of the death of the chairman of the Baitul Hidayah Foundation Trustee. The initial process has been carried out and results in a decision on the name of the replacement of the chairman of the coach and members of the supervisor. Formally there must be an official report on changes in the coach and the attendance list of the meeting that will be used as the basis for changes to the foundation deed. Second, Amendments to the Baitul Hidayah Foundation deed by changing the structure of the Trustees and including the activities of waqf management. Third, Creation of a Waqf Pledge Deed for new waqf land submitted on May 10, 2018 covering an area of 3.1 Ha. Thus the Baitul Hidayah Foundation has 3 parts or blocks of waqf land namely Block 1 covering an area of 7415 M², Block 2 covering 7420 M². Forth, at present, 2 Deed of Endowments (AIW) have been issued by the Office of Religious Affairs (KUA) in the district of Cimenyan. The existence of AIW is valid evidence.

Nadziran Baitul Hidayah Foundation as a full manager of waqf assets. The 1 new waqf block was handed over at this time in the process of making the Waqf Pledge Deed. 2 (two) AIW that have been owned by the Biatul Hidayah Foundation can be used as a basis for the management of waqf assets carried out by the Foundation Waqf which is a special unit of the management of waqf of the Baitul Hidayah Foundation.

IV. CONCLUSION

The implementation of waqf management at the Foundation Waqf previously stagnated management because there was no detailed work program for 2018, so the Waqf Foundation activity went without direction. For example, the process of preparing and submitting waqf management permits does not work, including changes in notary deeds. However, after the FGD was conducted the Waqf Foundation had 9 strategic work programs related to licensing and the collection of waqf. Several work programs have been carried out and have a positive impact, one of which is obtaining cash waqf for mosques and operational vehicle waqf. Legality of waqf management at the Waqf Foundation, currently only up to the stage of ownership of the Waqf Pledge Deed issued by the Office of Religious Affairs, Cimenyan District, Bandung District for 2 (two) parcels of land with a total area of 1.4 Ha.

Then there are 3.1 Ha that have just been handed over by *muwakif* and in the process of making the Deed of Endowments. Furthermore, the inauguration of the management of waqf by the Indonesian Waqf Board (BWI) West Java as the final stage of waqf legality is still in the process of changing the notary deed and is targeted for completion in December 2018.

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