

The Impact of Productive Waqf's Implementation to the Development of Sharia Economics in South Kalimantan

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ABSTRACT

Waqf is one of the sources of Nation's income that can empower the sharia economy. The Implementation of waqf cannot be separated from the supervision of the Indonesian Waqf Board. Indonesian Waqf Board supervises at the provincial level as an independent institution tasked with empowering productive waqf. In this study, the supervisory process carried out by the Indonesian Waqf Board in South Kalimantan applies the empowerment of productive waqf by the Indonesian Waqf Board of South Kalimantan to the development of the sharia economy. This study aimed to determine how to implement the empowerment model applied by the Indonesian Waqf Board to the sharia economy. This research is a descriptive study with a sociological and normative approach. Data collection techniques through observation, interviews, documentation, and triangulation with the determination of informants through purposive snowball sampling. The results showed that from these results the implementation of (1) the waqf model for building construction in building facilities and infrastructure, and (2) the waqf model for business development covering agriculture, animal husbandry, and business units. The two models are then linked to management, including investment management and productive waqf distribution management. The management of the Indonesian Waqf Board in South Kalimantan implements the empowerment of Human Resources with the supervision of nazhir based on waqf law, sharia economic system, and waqf administration or entrepreneurship. The managerial process is inseparable from the leadership factor. Through direct supervision by South Kalimantan BWI staff and the Ministry of Religion, control is carried out to oversee productive waqf assets.

Keywords: *Implementation, Productive Waqf Model, Islamic Economy*

Introduction

Waqf means a gift by detaining the original ownership (taḥbisul aṣhli) and using universal or general effect. The meaning (taḥbisul aṣhli) is to hold a waqf item not inherited, sold, gifted, pawned, leased, and so on. This utilization is based on a waqf giver contract (wāqif) without considering rewards or benefits (Achmad Junaidi & Thohieb al

Asyhur, 2005; Direktorat Pemberdayaan Wakaf dan Direktorat Jendral Bimbingan Masyarakat Islam, 2008; Jaih Mubarak, 2018).

The practice of waqf was known before the arrival of Islam, many places of worship stood on empty land and then managed, and the proceeds were to pay for the maintenance and fees for the upkeep of the Mosque. This practice is well known in countries such as Egypt, Rome, and Germany, which have already carried out waqf first. The country of Egypt, the second King of Ramses, used the “Adibus” place of worship with a huge area. This culture introduces that the person who manages the property left by the mayyit (inheritance), the distribution of the proceeds is given to his family and descendants, thus the manager can take part of the property, but the principal property cannot be the property of anyone (Tim Dirjen Bimas Islam dan Penyelenggara Haji Depag RI, 2007).

This representation also developed until Islam came and ran based on Islamic teachings until it became known in Indonesia. The history of Indonesian waqf has to set the Islamic community’s social, economic, and cultural activities (Achmad Junaidi & Thohieb al Asyhur, 2005). Waqf as a regulatory instrument in terms of education in all fields of science. Because waqf has succeeded in building a means of economic empowerment for the welfare or benefit of the community. Meanwhile, the Islamic economy is one way of economic development and legal action institutionalized and practiced in Indonesia.

Along with the times that the waqf institution has been institutionalized very rapidly, The development of waqf from time to time is not supported by the formal regulations governing it. The practice of waqf has only been guided by traditional fiqh books, which have been used as the basis of classical society. Along with developments, waqf regulations and institutions were established for government intervention. The presence of this legislation is a new change in waqf, and makes developments (Tim Dirjen Bimas Islam dan Penyelenggara Haji Depag RI, 2007).

Law No. 41 of 2004 concerning waqf makes changes to the development of Indonesian waqf more advanced, developing of course by obtaining a solid legal basis. The formation of law on waqf is the goal of Muslims working on waqf issues for academics and practitioners. In the previous laws and regulations, many new things have not been regulated very systematically, and logically, one of them is about waqf assets that do not move or move.

In a structured manner, the formation of the Waqf Law is systematized in its management and carried out by nazirs who are in charge of taking the waqif mandate (which gives waqf). An example is a plot of land. Then over time, many economic actors changed the classical view of waqf before it developed meaning from the meaning of harfiyah and the technical meaning related to the existence of “immortality” of the main element (substance) where it must stop, not to be sold or transferred to other than the interests of the people—mandated by waqif to nazir waqf. This is based on the meaning and meaning of waqf (R. I. Departemen Agama, 2007).

The Indonesian waqf body (BWI) was formed by the government as a form of Implementation of Law Number 41 of 2004 concerning waqf and Government Regulation no. 42 of 2006, which is the presence of BWI in article 47 to promote and develop waqf in Indonesia. Meanwhile, BWI’s task is to develop the management of waqf in Indonesia in a more professional and productive direction so that waqf can positively contribute to the country’s economy.

The donated assets will provide benefits for the syiar of Islam. Waqf in Islam is circumscribed because it is an act to get the pleasure of God Almighty. This is as Allah SWT. Said in Q.S. Ali-Imran / 3:92.

لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ

“You will not eat welfare until you had acquired some of what you loved. And whatever you spend, about it, God knows”. (Departemen Agama RI, 2011)

Another argument that forms the basis of waqf law is Q.S.Al-Hājj/22: 77.

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

“O you who have believed, bow down, prostrate yourselves, worship your Lord, and do good, that you may be victorious.”. (Departemen Agama RI, 2011)

The development of the professional model of waqf empowerment is marked by the abundance of productive waqf potential for human welfare. Productive waqf is a property or property of waqf. The main thing is that waqf is not directly used to achieve its goals, but is developed first to produce something and is productive (productive), and the results are channeled or used according to the purpose of waqf, such as land waqf for use in farming water for sale of water and others without removing the land (Achmad Junaidi & Thohieb al Asyhur, 2005).

Productive waqf is nothing new, but the Implementation so far has been chiefly for immovable waqf objects and more for *mahdhah* worship purposes, such as mosques, prayer rooms, Islamic boarding schools, and burial grounds. Economically, waqf is expected to build productive assets through current investment and production activities, so that the results are utilized for future generations and continue to benefit the general public.

This utilization is carried out through the management of waqf through two models; namely traditional management models such as *āriyah*, *iṣṭibda*, *iyadāh*, and *ijarātain*, and institutional management models such as *murabahah*, *iṣṭiṣna*, *ijarah*, and *mudārabah* models. This method develops based on Islamic economic principles and develops in waqf management, namely through the management of production quotas, cooperation stocks, waqf bonds, monopoly shares, and loan bonds. Meanwhile, the management system for the development of waqf must be carried out professionally by the manager of several aspects, including institutional aspects, financial aspects, and human resources aspects. The targets achieved in the management of waqf include targets for the interests of religious, educational, social and business facilities based on the purpose of waqf (Munzir Kahaf, 2005).

The development of Indonesian waqf is increasingly sticking, and this can be seen from the increase in the number and objects of waqf assets, including land, money, and others, which are scattered in several parts of Indonesia. The data states that donated land has continuously been developing, in 2010, it was called 415,980 objects of waqf land in Indonesia, in 2013, it became 435,395 land objects, with an area of 414,246,429 hectares of waqf land in Indonesia. As for cash waqf moving in 2010, it was started by the Money Waqf Movement, which was intensified by the Indonesian Waqf Board (BWI) with a capital of 2 billion rupiah, until 2015 the money was raised as much as 185 billion (Badan Wakaf Indonesia, n.d.).

This increase is a great potential and tremendous asset and becomes a new pillar in the community's economic development. According to data held by the Ministry of Religion in 2018 AD, the wealth of donated land in Indonesia is vast, namely, 435,765 location points with an area of 4,359,443,170 M² of which 287,608 locations have been certified and around 148,160 have high economic potential. A large number of waqf objects, especially land and buildings, is a massive opportunity for the economic development of the ummah in the future (Badan Wakaf Indonesia, n.d.). Data from the Directorate of Waqf

of the Ministry of Religion in 2018 in the BWI annual report throughout Indonesia, including waqf, has just used the Akta Ikrar Waqf (AIW) certified be seen in table 1.

Table 1
Potential Data of Waqf based on the 2018 BWI

Province Area	Area	Certified	Not Certified%	Wafak	Land
Nanggro Aceh					
1 Darussalam	27,416	1,333.233,627,26	12,245	15,171	45
2 Jawa Barat	70,749	116,662,017,81	45,401	25,348	64
Kalimantan					
3 Selatan	8,772	110,208,613,54	7,271	1,501	83
4 Riau	7,897	978,448,625,81	2,761	5,136	35
Nusa Tenggara Barat					
5 Barat	11,793	83,060,488,00	7,635	4,158	65

Source: BWI,2018

This data shows that the location of the donated land is the province of West Java, but in terms of the area of the donated land, the dominant one is South Kalimantan. This percentage of waqf land has great potential in developing productive waqf because of the vast area of the waqf land. This issue is seen from the potential for waqf in South Kalimantan Province. There are around 8772 points of unproductive waqf land with an area of approximately 110 208 613.54 square meters and only about seven thousand square meters that have been certified. The latest information states that at the inauguration ceremony of BWI South Kalimantan for the 2018-2021 period, 90201 waqf points have not been used in South Kalimantan, even though the waqf points are very potential for the Kalimantan regional area and the Chairperson of BWI South Kalimantan. Manshur said that with the formation of BWI, it is hoped that the productive economy will increase as a result of empowering productive waqf.

The empowerment of this waqf can undoubtedly see the contribution made by the Indonesian Waqf Board in South Kalimantan, and the Implementation of what has been implemented to support the development of waqf. Of course, with the development of waqf, some of the empowerment models carried out by BWI South Kalimantan are role models that will become the center point for the development of the potential of waqf in Kalimantan.

By conducting this research, it is hoped that the potential and the model carried out as a contribution and Implementation will empower Productive Waqf by the Indonesian Waqf Board, South Kalimantan Province, towards the Development of Waqf ".

Theoretical Background

Waqf

The word waqf comes from Arabic with tasrifan وقف يقف وقفا, which means to stop or stand (Mahmud Yunus, 1973). Waqf is also called the term الحبس which comes from the verb حبس يحبس حبسا which means to keep people away from something or to put it away. Then this word developed into حبس which means to donate property because of Allah (Adijani Al-Alabij, 1973; Huda et al., 2017; Nur Khalidah et al., 2014; Perdana et al., 2018).

In terms of waqf, it means to hold back. Meanwhile, according to the term syara ', is to hold something immutable in substance, to be used for the good and advancement of Islam. Withholding an object whose substance is firm, meaning that it is not sold and not given, nor is it inherited, but is only given to its benefit.

Waqf in the science of tajwid contains the meaning of stop the reading, either so on or to take a temporary breath. According to the rules, a reader must not stop in the middle of the syllable, it must be at the end of the word at the end of the verse so that the reading is perfect. The meaning of waqf in staying in place is associated with wukuf at Arafah on the 9th of Zulhijjah when performing the pilgrimage. Without wukuf at Arafah, there is no hajj for someone (Muhammad Daud Ali, 1988).

Furthermore, the understanding of waqf according to the four priest mazhab is as follows:

- 1) Mazhab Syafi'i dan Hambali, Waqf is someone withholding his property so that it can be used in all areas of benefit while still perpetuating the property as taqarrub to Allah SWT.
- 2) Mazhab Hanafi, Waqf is holding property so that it becomes the law of Allah Almighty, then someone who donates something means that he gives up the ownership of the property and gives it to Allah to be able to provide benefits to humans permanently and continuously, not to be sold, gifted, or inherited.
- 3) Mazhab Maliki, Waqf is giving something due to the benefit of the assets, where the principal asset is permanent or sustainable over the beneficiary's ownership even for a moment.
- 4) Abu Hanifah, Waqf is the holding of assets in possession of a person with waqf and giving a shahadaqah, the results of which can distribute the benefits of these assets to their loved ones. Based on the definition of Abu Hanifah, the property is under the supervision of the person who has waqf (waqif) as long as he is still alive and can be inherited to his heirs if he has died either for sale or as a gift.

Waqf, according to the term syara 'according to Zainuddin Al-Malibary is "to hold an object that allows it to be used along with the immutability of the substance by deciding the classification in its guard of the manager that is allowed" (Zainudin al-Malibary, 1980). Waqf, according to government regulation No.28 of 1977 is a legal act of a person or legal entity that separates part of his assets in the form of land belonging to them and institutionalizes them forever. For the sake of worship or other public needs following the teachings of the Islamic religion (Departemen Agama RI, 2012).

From this definition, it can be concluded that waqf is one of the kinds of gifts, but only benefits can be taken, and the object must remain intact. Therefore, assets eligible to be donated are not used up and generally cannot be moved, such as land, buildings and the like. Mainly for the public interest. For example, mosques, prayer rooms, Islamic boarding schools, orphanages, public roads, etc.

In article 215, paragraph 1 of the compilation of Islamic law, it is stated that a waqf is a legal act of a person or group of people who separates a part of their property and institutionalizes it forever for worship or other public purposes following the teachings of the Islamic religion (Departemen Agama RI, 2012). The source of waqf law in the Alquran is not very clear, but it means "giving property" unlike zakat. But the legal basis in the Alquran about waqf is related to QS Al- Hājj: 77, QS Āli Imrān: 92, QS Al-Bāqarah: 261, QS An-Nahl: 97 and QS Al-Bāqarah verse 282.

The above verses mention various kinds of worship, which can cover many things and can even include daily activities to seek the pleasure of Allah Almighty with orders to do worldly and ukhrawi goodness, both based on revelation and values that are in line with the objectives of sharia, both in the form of laws and laws. The laws and traditions and customs and these verses also explain when and how a person's property will be useful, namely by spending the assets he likes (including waqf) (M. Qurais Shihab, 2002).

Rasulullah saw. say,

أصاب عمر أرضا بخيبر فأتى النبي صلى الله عليه وسلم يستأمره فيها فقال يا رسول الله إني أصبت أرضا بخيبر لم أصب مالا قط هو أنفس عندي منه فما تأمرني به قال إن شئت حبست أصلها وتصدقته بها قال فتصدق بها عمر أنه لا يباع أصلها ولا يبتاع ولا يورث ولا يوهب قال فتصدق عمر في الفقراء وفي القربى وفي الرقاب وفي سبيل الله وابن السبيل والضيف لا جناح على من وليها أن يأكل منها بالمعروف أو يطعم صديقا غير متمول فيه قال فحدثت بهذا الحديث محمدا فلما بلغت هذا المكان غير متمول فيه قال محمد غير متأثل مالا قال بن عون وأنبأني من قرأ هذا الكتاب أن فيه غير متأثل مالا

"Umar got a piece of land in Khaibar and then he went to the Prophet Muhammad. to ask for instructions on how to manage it, he said: "O Messenger of Allah, I got a piece of land in Khaibar, I have never obtained a better asset than this, what is that advice in connection with that ?. He said: if you like, you hold the land and you donate its benefits. So Umar donated the produce of the land on the condition that the land could not be sold, bought, inherited, or donated. Umar donated the proceeds to the poor, relatives, liberate slaves, jihad fisabillah, people on their way, and guest meals. The person who takes care of it can eat some of the products in a good way and may feed his friends as little as possible ". (H.R.Muslim)" (Abid, 1993).

Although basically, the mujtahid priests differ in their views on the waqf institution, all of them agree that to form a waqf institution, harmony and conditions of waqf are needed.

Indonesian Wakaf Board (BWI)

The Indonesian Waqf Board (BWI) was established as an embodiment of the mandate outlined in Law Number 41 of 2004 concerning waqf. The presence of BWI, as explained in article 47, is to promote and develop waqf in Indonesia. For the first time, BWI membership is appointed by the President of the Republic of Indonesia, in accordance with Presidential Decree (Kepres) No. 75 / M of 2007, which was enacted in Jakarta on July 13, 2007. Thus, BWI is an independent institution to develop waqf in Indonesia, which carries out its duties free from the influence of any power, and is accountable to the community. BWI consists of the Implementing Body and The Advisory Council, each chaired by one Chairperson and two Deputy Chairmen elected from and by the members.

The executing agency is implementing the task, while the Advisory Council is the supervisory element for implementing BWI's duties. The number of members of the Indonesian Waqf Board consists of at least 20 (twenty) people and a maximum of 30 (thirty) people who come from elements of society (Articles 51-53, Law No.41 / 2004). Members of the Indonesian Waqf Board are appointed and dismissed by the President. The task of BWI is that representatives of the Indonesian Waqf Board in the regions are appointed and dismissed by the Indonesian Waqf Board. Membership of the Indonesian Waqf Board is set for a term of office of 3 (three) years and can be reappointed for 1 (one) term of office. For the first time, membership appointment The Indonesian Waqf Board is proposed to the President by the minister. The proposal for the appointment of the

Indonesian Waqf Board membership to the President will be carried out by the Indonesian Waqf Board. (Departemen Agama RI, 2012; Salmawati, 2019). (Articles 55, 56, 57, Law No. 41/2004).

Following the Law no. 41/2004 Article 49 paragraph 1 states, BWI has the following duties and authorities:

- a. To guide nadzir in managing and developing waqf assets.
- b. Managing and developing waqf assets on a national and international scale.
- c. Give approval and or permit for changes in the designation and status of waqf assets.

In paragraph 2 of the same article, it is explained that BWI can cooperate with both Central and Regional Government agencies, community organizations, experts, international agencies, and other parties deemed necessary in carrying out its duties. In carrying out these tasks, BWI considers the suggestions and considerations of the Minister and the Indonesian Ulema Council, as reflected in article 50. Concerning the duties in fostering nadzir, BWI takes several strategic steps, as stated in PP No.4 / 2006 article 53, including:

- a. Preparation of facilities and infrastructure to support the operation of nadzir waqf for individuals, organizations and legal entities.
- b. Arranging regulations, providing motivation, providing facilities, coordinating, empowering and developing waqf assets.
- c. Provision of facilities for the Waqf certification process.
- d. Preparation and procurement of AIW forms, both waqf for immovable objects and/or moving objects.
- e. Preparation of information instructors in the regions to carry out guidance and development of waqf to nazirs in accordance with their scope.
- f. Providing facilities for the entry of waqf funds from within and outside the country in the development and empowerment of waqf.

The strategies for realizing the vision and mission of the Indonesian Waqf Board are as follows:

- a. Improve the competence and network of Indonesian waqf bodies, both nationally and internationally.
- b. Making regulations and policies in the area of waqf.
- c. Increase public awareness and willingness for waqf.
- d. Increase the professionalism and security of nazir in the management and development of waqf assets.
- e. Coordinating and fostering all waqf nazir.
- f. Ordering the administration of waqf assets.
- g. Overseeing and protecting waqf property.
- h. Collect, manage, and develop waqf assets nationally and internationally (Badan Wakaf Indonesia, n.d.).

As part of good governance and best practices of modern management, effective management of risk is fundamental to any institution's proper functioning, including waqf institutions, to ensure accountability and transparency, especially to the stakeholders. (Khalid et al., n.d.) see this, of course, we can make a benchmark in risk in management in the empowerment of Islamic economic waqf.

Productive Waqf Empowerment

Productive waqf requires empowerment with a pattern or model of empowerment and good management in meeting the goals and benefits of productive waqf. This is the

goal of management to compile the process from planning, strategic, managing resources and asset development. Empowerment cannot be separated from the productive waqf organization with the model of collecting, managing, and distributing benefits. However, in general, an institution implements an initiative method and is flexible. This method as a combination of gathering aims to:

1) Raising Funds

Raising funds is a fundamental raising goal. Funds here are waqf funds, operating funds, waqf management, goods or services with material value. The purpose of raising funds is the first thing in management. This activity is a collection that fails to produce no resources, so that the institution will find it challenging to continue to maintain the continuity of its program.

2) Catch wakif

The second objective of collecting is to increase the wakif. Nadzir, who does the collection, must increase in number. Two ways can be taken to improve wakif: adding new donations or wakif among the two most relatives in increasing the number of donations from each *wakif*.

3) Increase or develop the organization

Activities carried out by a non-governmental organization (NGO), either directly or indirectly, will affect the institution's image. The collection is the front line that conveys information, and interactions will shape the institution's image in the general public. Everyone who evaluates the institution, which in the end shows a positive attitude or behavior of the institution. This goal is a positive image so that support and sympathy will flow automatically to the institution so that there is no difficulty finding wakif.

a) Gathering sympathizers/relations and supporters

Groups that interact with collection activities by the Waqf Management Organization or Non-Governmental Organization. They have a positive impression and sympathy for the institution. However, it may be that they cannot provide funds to the institution as a donation. Groups like this then become sympathizers and supporters of the institution even though they do not become direct supporters. Groups like this are taken into account in the gathering activity. This gathering in the group is an informal network that is very profitable in gathering activities.

b) Increase the satisfaction of the donor

Increasing donor satisfaction is satisfying wakif. These goals are the highest and valued plans for the long term, which were carried out as technical. Wakif satisfaction dramatically affects the value of the donations that will be given to the institution. They will donate funds to the institution in a positive way to others. In addition, a satisfied wakif will become a natural accumulating force (unsolicited, inducted, and unpaid). Because the collection function interacts more with wakif automatically, the collection activity must also satisfy wakif.

c) Productive waqf empowerment can be implemented in various ways.

Productive categories that can be carried out include methods of collection, investment, investment, production, partnerships, trade, agribusiness, mining, industry, technology development, building construction, apartments, flats, supermarkets, shops, offices, educational facilities, business efforts that do not conflict with sharia (Badan Wakaf Indonesia, n.d.).

In developing productive waqf, there are two financing models for productive waqf projects, namely the business development and building construction models. This model is the development of productive waqf as follows :

1) The waqf model for business development

In 2006 the productive waqf empowerment model in the agribusiness sector, animal husbandry, and small industry began to be noticed. This interest is because the wheels of the national economy are growing. And Indonesia itself has two enormous natural resource potentials, so this is some economic efforts and a model for developing waqf and empowering productive waqf (Tim Dirjen Bimas Islam dan Penyelenggara Haji Depag RI, 2007).

However, in empowering waqf in the business sector, several things need to be considered. Namely, productive waqf management requires an objective selection of the appropriate technology-making efforts as a selling power in society. Guarantee from the entrepreneur that the business does not harm the surrounding environment. There is a marketing model. And the need for moral commitment, namely conformity between business behavior and its social implications, includes professionalism, honesty, transparency, and reliability.

2) The Waqf model for building construction

The development of waqf in Indonesia with other countries is very different and not yet significant. However, recently, the development of waqf has been very much done. In Egypt, for example, al-Azhar University carries out its activities using waqf funds. The university manages a building or company on the Suez canal, and this campus only takes the proceeds for educational purposes. In Qatar and Kuwait, waqf funds have formed office buildings. This area is leased, and the result is the empowerment of waqf funds, Islamic educational institutions such as Sal-Azhar University in Cairo, Zaitunniyyah University in Tunis, and Madaris Imam Lisesi in Turkey and has developed and can survive until now. They rely on development funds from the government and waqf as a source of financing for all administrative and academic activities (Direktorat Pemberdayaan Wakaf, 2008).

a. Islamic Economic

Islamic economics in Arabic is termed *al-ijtihad al-Islami*. *Al-iqtishad* is in the foreign language of *al-qashdu*, which is middle and justice. (Al-Mishri, 1993) The architecture is moderate and fair is found in the Qur'an "And be simple in walking" (Luqman:19) and "Yes there is middle class" (al-Maidah:66). That is people who are honest and not beautiful without burning the rules.

Iqtishād (economics) is defined by knowledge of the rules relating to production, distribution, and consumption. Economics, in general, can be explained by human nature in conjunction with the utilization of rare sources of production for production and consumption. (Munzir Kahaf, 2005) While the Islamic economy, according to Abdul Mun'in al-Jamal, is a collection of general policies on economics excavated from the Qur'an and as-sunnah.(Al-Jamal, 1980) As for Abdul Manan's opinion, Islamic economics is a social science that studies the economic Problems of a people imbued with the values of Islami. (Manan, 1980). Social science explains financial conflicts that apply Islamic values. While Hasanuzzam argues defining Islamic economics is the knowledge and application of sharia teachings and rules that prevent injustice

in obtaining material resources to meet the needs of men who make it possible to perform obligations to God and society. (Hasanuzzaman, 1984).

The application of sharia in economic activity is used to analyze the problematika economic activities in the community, for example, on the behavior of public consumption based on the model of Islamic economic framework.

Research Methods

The type of research used is field research which can be called empirical research. Research is conducted intensively, in detail, and in-depth on a particular object by studying as a case to look for empirical data studies found in the field, which in this case is a model of productive waqf empowerment, in this case, BWI South Kalimantan. This study uses a sociological approach. The sociological approach intended here is a study that focuses its attention on community interaction. This approach aims to see how social and cultural factors of society or impacted by productive waqf either directly or indirectly. In this study, researchers used triangulation to test the validity of the data used. Researchers chose to use source triangulation techniques and methods. Source triangulation refers to researchers' efforts to access more varied sources to obtain data on the same issue. The use of source triangulation is due to the triangulation of the source according to the needs of researchers who want to test the credibility of the data by checking the data obtained. The data is described, categorized, and analyzed to create a conclusion. Triangulation used is to compare the results of interviews that have been conducted with documents in the form of reports on the application of productive waqf in one period and the mission of BWI-South Kalimantan and researchers down directly to some areas to see instantly with the conditions of the productive waqf. This is done what happened in the report of the Indonesian Waqf Agency with the field that occurred. For example, researchers plunged directly into several areas, including Banjarmasin city with research in Jami Mosque and Hasanuddin Majedi Mosque. Banjar Regency with Pondok Pesantren Ushuluddin Tambak Hanyar, North Hulu Sungai Regency Pondok Pesanteren Rakha Amuntai, Langgar Al-Ikhlas Kota Baru, Mosque At-Taqwa Binuang Tapin Regency, and The Great Mosque of Syuhada Tanah Laut.

Result and Discussion

Analyze the impact of the Implementation of productive waqf on the development of sharia economics in South Kalimantan

Implementation of Productive Waqf by Indonesian Waqf Board for South Kalimantan is as a supervisor and guidance. The supervisor here is as controlling to ensure that the actual activities are as planned. This supervision is an implementation to ensure that all systematics are planned, organized, and carried out based on the performance that occurs (Ernie Tisnawati Sule & Kurniawan Saefullah, 2008). Systematics in this supervision is related to the empowerment of productive waqf as a supervisory function carried out by the Indonesian Waqf Board towards nadzir to evaluate the goals and targets of activities carried out productive waqf.

Meanwhile, coaching or leadership is the process of directing and influencing activities related to group members or the entire organization. Meanwhile, Mujibburrahman says the supervision carried out by the Indonesian Waqf Board of South Kalimantan is to take leadership in implementing the guidance process and provide motivation to nadzir recruited to work effectively and efficiently in achieving the goal of

waqf. Then, provide regular assignments and explanations regarding the work and policies that have been set.

The contribution of the Indonesian Waqf Board, South Kalimantan, to the development of productive waqf presents an interactive process of the productive waqf management function. The function of productive waqf management carried out is supervision in ensuring that the management of productive waqf achieves the goals and objectives of waqf. Then what is done in coaching or leadership is directing, influencing, and motivating the *nadzir* to carry out the tasks that have been applied. (Aini & Nasri, R, 2018).

The Implementation of productive waqf runs based on the duties and authorities of the Indonesian Waqf Board. This Implementation can be carried out based on the productive waqf empowerment model in collaboration with the Ministry of Religion. As a result, the South Kalimantan Waqf Board makes a significant contribution every year in *nadzir* guidance supervised by the division of productive waqf management and empowerment. Meanwhile, the advice carried out by the Indonesian Waqf Board of South Kalimantan is to guide several waqf places that already have a waqf certificate.

The productive waqf model in the Indonesian Waqf Board in South Kalimantan

Waqf is an "economic corporation," with activities containing elements of future investment and developing productive assets for future generations in accordance with the purpose of waqf, either in the form of services or utilizing the results directly (Munzir Kahaf, 2005). The development of waqf that we continue to work on is using the proceeds from the investment unit. Investment is the main objective in economic development, property owned by a person to form production capital capable of producing benefits and can be used universally or generally. Islamic economics is related to waqf in terms of investment, which is distributed by waqf in a pledge of waqf (Munzir Kahaf, 2005).

Economically, waqf is a development paradigm of productivity in investment activity for their benefit based on the pledge delivered by waqf. Thus, the results or products of the waqf property can be divided into two parts. First, direct waqf is a waqf property that produces goods for immediate consumption by people entitled to waqfs, such as hospitals, schools, orphanages, and settlements. Second, productive waqf is managed for investment and production of goods and services permitted under sharia. This means that capital (waqf property) is invested and distributed to those in need.

The new model in current waqf management is a potential development of productive waqf management as an investment in various companies either by contact or by leasing (Munzir Kahaf, 2005). The concept of the model used in this productive waqf is the waqf model of management for the development of the Islamic economy by applying the productive waqf development model.

Based on the concept of productive waqf, according to Antonio, waqf empowerment has three characteristics, namely the waqf management pattern that must be integrated, the principle of *nadzir* welfare, and the principle of transformation and responsibility. It means the Implementation of waqf can be appropriately implemented. A productive waqf can be empowered with rapid development. This development is definitely in the productive waqf empowerment model implemented by the Indonesian Waqf Board, which applies the waqf empowerment model including (1) the waqf model for building construction which includes the construction of hospitals, mini markets, ATM centers, shops, shop houses, multipurpose buildings, wallet nests, boarding house, mini gas station; and (2) productive waqf model for business development which includes rice

fields, plantations, tent rental, animal husbandry, and fisheries. Of course, these two implementations of the Indonesian Waqf Board in South Kalimantan.

1. Productive Waqf Model for Building Construction

The Implementation of the productive waqf model carried out by the Indonesian Waqf Board of South Kalimantan in constructing buildings is the construction of buildings on the waqf land developed in the empowerment of productive waqf. This empowerment is to build a building with business and trade units used as means of empowering waqf. The empowerment of waqf building construction models is a dynamic nature beneficial in developing the pace of development. The pace of development in the Implementation of the waqf empowerment model in South Kalimantan is one of the effects of the productive waqf empowerment model that utilizes the waqf land and then builds buildings with benefits and can be produced.

The Indonesian Waqf Board of South Kalimantan in empowering productive waqf provides annual supervision in the field of building construction, even the Indonesian Waqf Board for South Kalimantan and the Ministry of Religion of South Kalimantan provide assistance and guidance to one of the places considered capable of developing productive waqf, one of which is the At-Taqwa Mosque. Bnuang Tapin District.

2. Productive Waqf Model for Business Development

The introduction of the productive waqf model in 2005 was in business in the rice fields, plantations, livestock, and fisheries sectors. Looking at this business, many of the national economic wheels are driven in this field. Indonesia is very well known for its two potentials whose natural resources are very large in agriculture or rice fields and fisheries. These two natural resources can undoubtedly break the national economic needs of the community (Jaih Mubarak, 2018). Meanwhile, in terms of this potential, South Kalimantan has excellent potential in empowering waqf in the fisheries sector. Twenty productive waqf empowerments have five places empowered in this field. This is because the environment is very effective in fisheries development.

The Indonesian Waqf Board of South Kalimantan in empowering productive waqf provides annual supervision in the field of business development, even the Indonesian Waqf Board for South Kalimantan and the Ministry of Religion of South Kalimantan provide assistance and guidance to one of the places deemed capable of developing productive waqf, one of them is Pondok Pesantren Rakha Amuntai, Hulu Sungai Utara Regency.

The Implementation of the productive waqf by the Indonesian Waqf Board in South Kalimantan is applied based on what has been done based on seeing the potential of the existing area by using based on the vision and mission of the Indonesian Waqf Board for South Kalimantan for economic development efforts.

Because of this, developed waqf is part of economic development, with stages including planning, organizing, developing human resources, leadership and supervision, and several empowerment models with the primary objective of creating an ever-increasing development of waqf and producing an independent or protective economy. By resolving all the development issues, all waqf properties would have the opportunity to be developed into income-generating assets, creating wealth. This would potentially reduce the gap between the poor and the rich, and ultimately, provide a socio-economic balance for a sustainable society. (Shabbir, 2017).

Analysis of Productive Waqf by BWI-South Kalimantan on Islamic Economic

By looking the results of the analysis of the contribution of the productive waqf empowerment model carried out by the Indonesian Waqf Board in South Kalimantan can be seen with some of the data attached to table 4.2 linked to the 4.3 scheme of productive waqf management to the economy then described with a supervisory strategy carried out by the Indonesian Waqf Board with fundamental values Islamic economics.

This Implementation certainly makes it analysis in carrying out productive waqf empowerment, which are several principles that can be carried out based on the supervisory strategy carried out by the Indonesian Waqf Board in the fundamental values of Islamic economics. As the following explanation:

a. First Rule

الأَصْلُ فِي الْعُقُودِ رِضَا الْمُتَعَاقِدَيْنِ، وَمُوجِبُهَا هُوَ مَا أُوجِبَاهُ عَلَى نَفْسِهِمَا

"The law of origin in a transaction is the willingness of both parties to act, the result will be subject to the contracting agreement." (Muhammad Muthafa Az-Zuhaily, 2009)

This rule is the first principle associated with one of the empowerment stages, namely leadership in management. In this case, it is ahead of BWI South Kalimantan who must be a figure, but in terms of constraints in this empowerment, namely the role of actors needed to advance the empowerment of waqf. Because based on the potential of waqf owned, only a few are empowered, this is an example for other places to be empowered. Mujibburahman says A leader, in this case, must be sincere and pleased with his determination as a nazir and give his life to develop the potential of waqf. This regulation is the leader's function and authority to be administrative and maintain Islamic values in his leadership.

Some things that can be taught from actors for *nadzir* in management, for example conducting nadzir training and education to managers, is a provision in developing waqf empowerment, and this training provision is also an example for other places.

b. Second Rule

الأَصْلُ صِحَّةُ الْعُقُودِ وَالشَّرْطُ

"Basically (all forms of transactions) in muamalah dah (allowed) and in the contract apply provisions (as agreed)." (Yusuf Ahmad Muhammad Al-Badawi, 1993)

This rule is associated with planning from an organizational stage of forms and human resources (HR). This is an agreement that applies in planning and organizing must be based on a contract.

The manager or committee certainly forms a plan to go hand in hand with the *wakif* mandate agreed in the contract. In the short or long term, this planning has taken into account the investment and the return on profits. This profit will be used for two sectors, both the economy and the social sector, education spelled out in waqf. For example, this is for business development, so the estimated profit from this result is to fulfill the mandate of the wakif in the agreement.

Regarding physical organization, the empowerment model in a building or business unit is inseparable from wakif's expectations. For instance, if Wakif wants a place for business empowerment and other activities, the building is managed as much as possible to support further developments. This was exemplified in one place at the At-Taqwa Binuang Mosque. In addition to the minimarket or this business, a hall was built for community activities. This community activity is free of charge provided that the community can maintain, care for and protect it (Direktorat Pemberdayaan Wakaf, 2008).

Besides physical organizing, HR organizing is also needed, for example, considering the quality of personnel in the placement of the organizational composition in the management of waqf. This placement is based on the BWI Decree that is based on the benefit and purpose of empowerment.

c. Third Rule

الأَصْلُ فِي الْمُعَامَلَاتِ الْإِبَاحَةُ إِلَّا مَا دَلَّ الدَّلِيلُ عَلَى تَحْرِيمِهِ

"The law of origin in all forms of muamalah is permissible unless there is an argument against it". (Shalih bin Ghanim As-Sadlan, n.d.).

The third principle is undoubtedly based on the mission of BWI-South Kalimantan to develop the economy through donations. This development or empowerment can be done with various variations, one of which is productive waqf.

Productive waqf has been regulated in the Qur'an and Hadits. However, the development of the practice demands *ijtihad* *jumhur* ulama, so variations of waqf have begun to emerge, one of the productive waqfs. This is shown in the productive waqf transactions, which become a medium for developing muamalah transactions to support the regional economy. This transaction can, of course, be carried out based on no arguments against it and runs according to Islamic rules.

d. Rule Four

لَا تَتِمُّ الْهَبَةُ وَلَا تَمْلُكُ إِلَّا بِالْقَبْضِ

"It is not perfect 'aqad tabbaru' (giving) except after being submitted, (before being asked it has been given)". (Ahmad bin Muhammad Az-zarqa, 1989)

This rule is associated with the stages between planning and organizing. Before the waqf fund is further organized, it must be ensured that there is a sincere handover by the waqf to *nadzir*. This handover is undoubtedly an object that becomes an object as a sign of the goods being handed over and a mandate to *nadzir*. The management and empowerment of productive waqf are carried out optimally. In contrast, *nadzir* must follow the provisions of waqf as long as it does not violate the conditions.

e. Fifth Rule

الأَصْلُ هُوَ الْعَدْلُ فِي كُلِّ الْمُعَامَلَاتِ وَمَنْعُ الظُّلْمِ وَمُرَاعَاةُ مَصْلَحَةِ الطَّرْفَيْنِ وَرَفْعُ الضَّرَرِ عَنْهُمَا

"As long as every muamalah is fair and prohibits doing injustice as well as paying attention to the wrongdoing of both parties and eliminating harm". (Arie Santoso, 2018).

The fifth principle can be linked to the stages of empowering human resources (HR), financial organizing, and supervision. Regarding HR development, of course, a *Nazhir* or in this research, BWI as a supervisor of empowerment routinely guards various aspects. These aspects are, for instance, the legal basis for waqf, the Islamic economic system, administration of waqf, and other related materials. With the many potentials for waqf in South Kalimantan, the community can take advantage of this potential and be empowered.

These results indicate that coaching is related to law and administration and the Islamic economic system, which embodies an Islamic economy that requires fair and reasonable behavior to achieve *maslahah*. This is also the goal of maintaining waqf trust and paying attention to the benefits of empowering productive waqf for the region.

Regarding the financial management of BWI South Kalimantan, financial management, of course, uses the main methods, namely collection management,

investment management, and distribution management. Financial management begins to be carried out neatly and regularly. The tidiness of recording can be done by minimizing the possibility of wrongful economic storage and causing harm.

This rule relates to the supervisory stage. Supervision on the management of productive waqf is carried out for administrative supervision, the performance of Nazhirs or BWI administrators, and finances. Supervision becomes control to ensure and ensure that there are no saving practices that can reduce harm and cause harm.

Based on the explanation of these rules, the empowerment of productive waqf for BWI South Kalimantan has generally followed the principles of Islamic economics. Islamic economic principles refer to muamalah fiqh principles, especially those related to productive waqf. This linkage is based on the vision and mission of BWI South Kalimantan in general as the basis for planning, organizing, empowering productive waqf models, human resource development, leadership, and supervision to achieve an independent economy that is aligned with economic values.

Conclusion

From this explanation, in the contribution of the productive waqf empowerment model by the Indonesian Waqf Board in South Kalimantan to the development of waqf, there is an oversight from the institution on the development of the Islamic economy, so the researchers draw the following conclusions: Implementation of the supervision of the Indonesian Waqf Board for South Kalimantan to organize from the physical side and human resources (HR). This physical organization resulted in several empowerment models, including (1) the waqf model for building construction; (2) The waqf model for business development. This model is implemented based on the vision and mission of the Indonesian Waqf Board for South Kalimantan. The Implementation of the Indonesian Waqf Board in South Kalimantan is the supervision of the models applied to empowering productive waqf. Then, the Implementation of the productive waqf empowerment model by BWI South Kalimantan, in this case, sees the development of the two models based on a vision and mission based on Islamic values. All governing processes run in an orderly and structured manner to produce a protective or independent economy.

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