

The Dynamics of Productive *Waqf* Management of Islamic Kingdom Property in Java

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Abstract: This study discusses the dynamics of the management of the *waqf* land inherited from the Islamic King of Demak Bintaro, Fatahilah, in the form of 350 ha of productive land managed by the Mosque Welfare Agency (BKM) of Demak Regency for the benefit of the community. This study aims to study the diversity of *waqf* asset management models and their distribution patterns framed in a productive *waqf* model in line with the provisions of Law No. 41 of 2004 and Government Regulation (PP) No. 42 of 2006 concerning *waqf*. This study is classified as qualitative which examines *Nâzir*'s activities in managing *waqf* according to the perspective of Islamic law. Data were collected through in-depth interviews, direct observation, and historical documents, books and related articles. This study concludes that there is a development of management patterns by *Nâzir* from traditional to semi-professional dynamic governance. This is implemented through the development of a productive economy for *waqf* land in the form of land auctions and the construction of shophouses, and lodgings for rent. The results are distributed to several segments such as mosques and Qur'an Education Parks (TPQ), schools and graves, including for the commemoration of the royal family haul, maintenance and operational costs of the mosque, and the tomb of the Demak Sultanate.

Keywords: Demak King's *waqf*, development of productive *waqf* governance, *waqf* management

Abstrak: Studi ini membahas dinamika pengelolaan tanah wakaf warisan Raja Islam Demak Bintaro, Fatahilah, berupa lahan produktif seluas 350 ha yang dikelola oleh Badan Kesejahteraan Masjid (BKM) Kabupaten Demak untuk kepentingan masyarakat. Penelitian ini bertujuan untuk mempelajari keragaman model tata kelola harta wakaf tersebut dan pola pendistribusiannya yang terbingkai dalam model wakaf produktif, selaras dengan ketentuan UU No. 41 Tahun 2004 dan Peraturan Pemerintah (PP) No. 42 Tahun 2006 tentang wakaf. Studi ini tergolong kualitatif yang mengkaji aktivitas *Nâzir* dalam mengelola wakaf menurut perspektif hukum Islam. Data dikumpulkan melalui *in-depth interview*, observasi langsung, dan dokumen sejarah, buku-buku dan artikel terkait. Penelitian ini menyimpulkan bahwa ada pengembangan pola manajemen oleh *Nâzir* dari tata kelola tradisional ke semi-profesional yang dinamis. Hal ini diterapkan melalui pengembangan ekonomi produktif terhadap lahan wakaf berupa lelang lahan dan pembangunan ruko, dan penginapan untuk disewakan.

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Hasilnya didistribusikan ke beberapa segmen seperti masjid dan Taman Pendidikan al-Qur'an (TPQ), sekolah dan makam, termasuk untuk kegiatan peringatan haul keluarga kerajaan, biaya pemeliharaan dan operasional masjid, dan makam Kesultanan Demak.

Kata Kunci: wakaf Raja Demak, pengembangan wakaf produktif, manajemen wakaf

Introduction

The presence of Islam has provided a foundation for the spirit of generosity among Muslims. Philanthropy in the Islamic tradition in the archipelago was introduced in the 12th century and then developed along with the growth of religious beliefs that experienced rapid development in the 19th century.¹ This pattern of generosity is rooted in the teachings and values of Islami introduced and taught by early scholars in the process of spreading Islam in Indonesia.² The this generosity predominantly refer to the Shâfi'iyah School whose influence grew stronger in the archipelago in the 17th and 18th centuries.³

One form of generosity that continues to develop and blend with traditions in the archipelago is *zakat* (alms) and *waqf* (endowment). These two forms of generosity are very familiar among Muslims and have even become part of their lifestyle especially among the middle to upper economic classes. The potential of *zakat* and *waqf* is predicted to be very large in number and is believed to be able to solve the economic problems of the people and narrow the gap between the rich and poor.

Unfortunately, until now, such great potential has not been able to emerge due to several factors related to both the human resources and the management system adopted in the governance of *waqf* assets. Among a number of current problems related to the management of *waqf* land is the continuation of the *waqf* uses for the benefit of worship alone, and has not been developed into a more productive asset through a transparent

¹ Amelia Fauzia, *Filantropi Islam dan Keadilan Sosial* (Jakarta: UIN Syarif Hidayatullah, 2006), p. 97

² Muhammad Shulthoni and Norma Md Saad, 'Waqf Fundraising Management: A Conceptual Comparison between Traditional and Modern Methods in the Waqf Institutions', *Indonesian Journal of Islam and Muslim Societies*, 8.1 (2018): 57–86 <<https://doi.org/10.18326/ijims.v8i1.57-86>>.

³ Amelia Fauzia, p. 100

and accountable management system. In addition, the lack of awareness of the *wâqif* (*waqf* giver) regarding the variety of assets that can be given as *waqf*, as well as the minimal involvement of the government in promoting *waqf* have contributed to the low quality of *waqf* land utilization.

Moreover, things which is even more important is that many management institutions in managing *waqf* assets have not met the principles of accountability and transparency. In otherwords, many *waqf* reporting are not in accordance with 29 standard of the *Waqf* Core Principle (WCP) for assessing the quality of reporting. Thus the empowerment of *waqf* assets is highly dependent on the quantity of *waqf* assets, the guidelines for the governance system, and the competency of the *Nâzir* (guardian) in managing the *waqf* assets entrusted to him. In fact, if the management system and mechanism run transparently and accountably, it can be expected that the productivity of *waqf* assets can continue to increase and develop into an ideal direction.

To change the form of *waqf* which is still traditional into a productive *waqf*, an effective and efficient management system is needed so that the *waqf* assets can continue to provide the greatest possible benefits for the interests of the community.⁴ Besides, the competency of *Nâzir* to manage the *waqf* institutions and assets entrusted to him is also one of the factors that supports this success.

This also applies to the Grand Mosque on the Coast of Java, especially the Grand Mosque of Demak. Based on data from the Demak Mosque Welfare Agency (BKM), this mosque has assets covering an area of 346.9 ha which is the inherited land of the previous Islamic kings of Demak, outside of the land from development, namely *waqf* land with an area of 26.8 ha.⁵ These assets have received legal recognition and have been

⁴ Linatul Uyun and Nuriya Hamida, 'Waqf Productivity in Indonesia: Challenges and Prospects for Sustainability Mengungkap Tantangan dan Peluang Wakaf Produktif di Indonesia', *Qanun: Jurnal Hukum Keluarga Islam*, 2.1 (2024): 80–104 <<https://doi.org/10.21580/ahkam.2015.1.25.195.4>>.

⁵ 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', *Proceedings of the 2nd Southeast Asian Academic Forum on Sustainable Development (SEA-AFSID 2018)*, 168 (2021), 63–70 <<https://doi.org/10.2991/aebmr.k.210305.012>>.

legalized as *waqf* land for the benefit of the mosque through KMA No. 92 of 1962, which adopted the provisions of Stanblat No. 605 concerning *perdikan* land issued during the Dutch colonial government era.

The large number of *waqf* assets whose status is included in the ownership of the mosque certainly makes it possible to provide very large results that can be used to support the welfare of the mosque itself and for the interests of the surrounding community. This means that a modern *waqf* asset management model is needed that can respond to the dynamics of the development of the times as well as to the development of the needs of the surrounding community. To achieve this goal, one way that can be taken is to change the traditional *waqf* management pattern to be more modern, especially by implementing digital *waqf* management so that *waqf* productivity can be increased to be even more optimal.⁶

Meanwhile, research on *waqf* governance has been widely conducted by intellectuals in the country. Among them is by Imam Suhadi who found the fact that there were many *waqf* lands that had not been verified and also that *Nâzir* in the form of a legal entity was proven to be more effective than individual *Nâzir*.⁷ The next research is by Muhammad Sulthoni and Norma Md. Saad who conceptually compared the traditional *waqf* method with the modern one which were applied by a number of *waqf* management institutions in Indonesia.⁸ There is also another study on the same topic, namely by Umam and Hartutik who studied the optimization of productive *waqf* to improve the welfare of the community and teachers on Panjang Island, Banten Province.⁹ In

⁶ Nurul Nurul Faizah Rahmah, 'Manajemen Pengembangan Wakaf Era Digital Dalam Mengoptimalkan Potensi Wakaf', *Al-Awqaf: Jurnal Wakaf Dan Ekonomi Islam*, 14.2 (2022), 139–54 <<https://doi.org/10.47411/al-awqaf.vol14iss2.153>>.

⁷ Imam Suhadi, *Wakaf Untuk Kesejahteraan Umat* (Yogyakarta: PT Dana Bhakti Prima Yas., 2022), p. v

⁸ Muhammad Shulthoni and Norma Md Saad, 'Waqf Fundraising Management: A Conceptual Comparison between Traditional and Modern Methods Inthe Waqf Institutions', *Indonesian Journal of Islam and Muslim Societies*, 8.1 (2018): 57–86 <<https://doi.org/10.18326/ijims.v8i1.57-86>>.

⁹ Umam & Hartutik, 'Analisis Optimalisasi Wakaf Produktif Untuk Meningkatkan Kesejahteraan Masyarakat dan Pengajar di Madrasah Pulau Panjang Banten', *Journal of Conflict and Social Class (JCSC)*, 1.02 (2024): 1–7.

addition, there is also another study with a different object but still on the same theme, namely research conducted by Ram et al. who studied the framework of Islamic accountability in the management of *zakat* and *waqf* assets.¹⁰ Apart from those researches, there are many more similar studies conducted by researchers on *waqf* asset management, which may differ from each other in terms of approach and perspective used.

This study aims to analyze the management of productive *waqf* assets left by the kings of the Islamic Kingdom of Demak which are very large in number. The discussion on this object, as far as the author traced, has never been done by previous researchers. This study focuses on the dynamics of novelty in the *waqf* asset management system that correlates with the choice of the *Nâzir* towards a more transparent, progressive and accountable of *waqf* asset management model.

Research Methods

This study is the result of a field study using a qualitative approach.¹¹ This type of approach is used to study the behavioral patterns of the *Nâzir* as well as the *Waqf* Management institution of the Great Mosque of Demak in managing *waqf* assets, and their decisions in distributing the results of *waqf* asset governance.¹²

In this study, the primary data is closely related to the management and development practices of *waqf* assets carried out by the managers, the information of which is obtained through in-depth interviews and followed by observations of the existing reality.¹³ The informants are taken from personnel from two groups, namely from the management of the Mosque and the management of the Mosque Welfare Agency (BKM) of

¹⁰ Ram et al., 'Islamic Accountability Framework in the Zakat Funds Management', *Procedia: Social and Behavioral Sciences*, 164. August (2014): 508–15 <<https://doi.org/10.1016/j.sbspro.11.139>>.

¹¹ Denzin N.K. and Lincoln Y.S, *Handbook of Qualitative Research* (Baverly Hills, California: SAGE Publications Inc., 1994), p. 23.

¹² Mujahirin Thohir, *Memahami Kebudayaan: Teori Metodologi, dan Aplikasi* (Semarang: Fasindo Press, 2007), pp. 1-333.

¹³ Bernard, Harvey Russell, *Research Methods in Antropology: Qualitative and Qualitative Approaches*, 2nd Editio (Thousand Oaks: SAGE Publications Inc.), p. 165.

Demak Regency. While for secondary data, the information is obtained from various literature, articles and history books, including documents and regulations related to the focus of the discussion.¹⁴

All of the information above, both primary and secondary, is then collected, compared with each other and generalized to obtain a valid and complete picture of the problems being studied. Next, an analysis was carried out to obtain a picture of the interaction pattern between the *Nâzir* and the Demak Mosque Welfare Agency (BKM) in the Demak Mosque *waqf* asset management system, which was then concluded with the drawing of conclusions.

Results and Discussion

The Dynamics of Philanthropy Development and Regulations on *Waqf* in Indonesia

As previously stated, Philanthropic practices in Indonesia are not a new phenomenon, but have developed for a long time, especially in the 12th century along with the entry of Islam into the Indonesian archipelago. This practice of generosity generally occurs among the rulers as indicated by the habit of the Sultans routinely giving alms, especially during Friday prayers.¹⁵ The practices carried out by the sultans then spread to the lower level leaders as indicated by the large number of *waqf* lands initiated by the regents who had converted to Islam under the leadership of the Susuhunan or sultans.

In the early 20th century, the tradition of Islamic philanthropy in Indonesia had grown rapidly, one of which was the establishment of the "Sarekat Islam Kemerdekaan *Waqf* Center" initiated by the Sarekat Islam organization in 1918 which aimed to raise funds to fight for Indonesian independence.¹⁶ Based on this issue, the Dutch colonial government

¹⁴ Denzin N.K. and Lincoln Y.S, pp. 353-373.

¹⁵ Agus Wahyu Triatmo and others, 'A Political Ideology of the Indonesian Islamic Philanthropy: A Case Study of Suryakarta Berama Foundation', *Indonesian Journal of Islam and Muslim Societies*, 10.2 (2020): 353–380 <<https://doi.org/10.18326/IJIMS.V10I2.353-380>>.

¹⁶ Achmad Djunaidi dan Thobieb al-Asyhar, *Menuju Era Wakaf Produktif* (Jakarta: Era Press, 2016), pp. 1-128.

began to intervene in the philanthropic activities of Muslims, including by implementing supervision over the management of mosque cash.¹⁷ However, this intervention was completely unable to prevent Muslims from donating, as indicated by the increasing number of *waqf* lands in the Indonesian archipelago.

In the next phase, one important example of the development of *waqf* institutions is the birth of the concept of cash *waqf* introduced by M.A. Mannan, an economic figure from Bangladesh.¹⁸ In the Indonesian context, the productive *waqf* movement managed through a professional management system has been initiated by the Dompot Dhuafa Foundation with the idea of investment *waqf*. Other institutions that also apply professional management in *waqf* management are PPPA Daarul Qur'an, the al-Falah institution in Surabaya, which has also applied a professional management pattern.¹⁹ Recently, the push to empower the potential of *waqf* under the public welfare paradigm, especially among Indonesian Muslims, has spread widely to various fields, including education, health, technology, and other social sectors.

In the context of regulation, the regulation of *waqf* has been started since the Dutch Colonial Government era which was enacted through the Circular Letter of the Government Secretary issued on May 27, 1935 Number 1273/A which was then included in Bijblad Number 13480 of 1935. The Circular Letter refers to Bijblad Number 6196 of 1905 which emphasizes the importance of registering *waqf* assets in the form of land in the Madura and Java Islands. Specifically for the asset of Java Kingdom, Stanblat No. 605 mentioned that the *waqf* proceeds were allocated to the Grand Mosques of Semarang, Demak, Kendal, and Kaliwungu.

During the independence era, the rules regarding land *waqf* were regulated in detail through Government Regulation (PP) Number 28

¹⁷ Ram et al., 'Islamic Accountability Framework in the Zakat Funds Management', *Procedia: Social and Behavioral Sciences*, 164. August (2014): 508–15 <<https://doi.org/10.1016/j.sbspro.2014.11.139>>.

¹⁸ Ram et al.

¹⁹ Moh. Asep Zakariya Ansori and others, 'Tinjauan Hukum Ekonomi Syariah Terhadap Pengelolaan Zakat Produktif di BAZNAS Kabupaten Bogor', *Economic Reviews Journal*, 3.1 (2024): 132–145 <<https://doi.org/10.56709/mrj.v3i1.138>>.

of 1977 and Regulation of the Minister of Home Affairs (Permendagri) Number 6 of 1977 concerning the registration of *waqf* in the form of land assets. These rules were then followed up with the issuance of the Letter of the Director General of Islamic BIMAS and Hajj Affairs Number D.II/5/Ed/11/concerning Instructions regarding Land *Waqf* Forms.²⁰

Another regulation related to *waqf* assets is Presidential Instruction Number 1 of 1991 concerning the Compilation of Islamic Law (KHI). This KHI is the result of struggle and *ijtihad* of Muslim scholars regarding issues of marriage, inheritance, and *waqf*, which serves as the main guide for judges in the Religious Court. Then, in 2004, Law Number 41 of 2004 concerning *Waqf* was born, which then became the legal basis for the development of productive *waqf* in Indonesia.

The Development of *Waqf* at the Great Mosque of Demak

The history of the Great Mosque of Demak began with the rapid Islamic missionary movement carried out by the Wali on the North coast of Java in the 15th century. In order to support the missionary movement, in 1476 Walisongo initiated the construction of a mosque in the Bintaro Demak area which was the center of government of the first Islamic kingdom in Java. The construction process of this mosque lasted until 1479 and was a legacy from the first King of the Islamic kingdom, Raden Fatah. After the construction of this mosque was completed, the Wali then focused on Islamic missionary activities in this mosque, then Raden Fatah was given the task of teaching various things about Islamic values and rules through the establishment of an Islamic boarding school institution in the Glagah Wangi village area.²¹

Since its establishment until now, the age of the Great Mosque of Demak has reached 544 years and has become the oldest mosque on the island of Java. The characteristic of this mosque building is the presence of

²⁰ Jaih Mubarak, *Wakaf Produktif* (Bandung: Simbiosis Rekatama Media, 2008), pp. 1-286.

²¹ Yuliani Dwi and others, 'Heliyon The Development of National Waqf Index in Indonesia: A Fuzzy AHP Approach', *Heliyon*, 9,5 (2023): e15783 <<https://doi.org/10.1016/j.heliyon.2023. e15783>>.

three domes on its roof,²² each dome holding the philosophical meaning of three strata related to Allah, namely Faith, Islam, and Ihsan.²³ The *Mustoko* (top end) of the mosque is made of copper weighing around 250 kg²⁴, with four main supporting pillars called *sokoguru*, plus several other pillars called *sabak*.²⁵

With regard to the history of the endowment of the Great Mosque of Demak itself, it can be said that this began since the *coup d'etat* in the Demak Sultanate led by Joko Tingkir. After successfully holding the reins of government, Joko Tingkir then moved the center of government, along with all the assets of the kingdom's wealth, from Demak to Pajang. As for the wealth in the form of land that was previously controlled by the sultanate, it was left alone and then controlled by individuals.²⁶ Currently, the land still functions as productive agricultural land.²⁷

Furthermore, according to documents at the Mosque Welfare Agency (BKM) of Demak Regency, the endowment assets in the form of land have an area of 346.9 Ha consisting of rice fields and dry land spreading across 9 villages. Although the status of the *waqf* property of the Great Mosque of Demak is Raden Fatah's inherited land,²⁸ the *waqf* land certificate is registered in the name of the Mosque Welfare

²² Firman Menne and others, 'Sharia Accounting Model in the Perspective of Financial Innovation', *Journal of Open Innovation: Technology, Market, and Complexity*, 10.1 (2024): 100176 <<https://doi.org/10.1016/j.joitmc.2023.100176>>.

²³ Ahmed Mansoor Alkhan and M. Kabir Hassan, 'Does Islamic Microfinance Serve *Maqâsid al-Shari'a*?', *Borsa Istanbul Review*, 21.1 (2021): 57–68 <<https://doi.org/10.1016/j.bir.2020.07.002>>.

²⁴ H. Şaduman Okumuş, 'Performance Assessment of Participation Banks Based on Maqasid Al-Shari'ah Framework: Evidence from Türkiye', *Borsa Istanbul Review*, 24.4 (2024): 806–817 <<https://doi.org/10.1016/j.bir.2024.04.011>>.

²⁵ Raditya Sukmana, 'Critical Assessment of Islamic Endowment Funds (Waqf) Literature: Lesson for Government and Future Directions', *Heliyon*, 6.10 (2020): e05074 <<https://doi.org/10.1016/J.HELIYON.2020.E05074>>.

²⁶ Hasanudin, Jaih Mubarak, and Muhammad al Fayyad Maulana, 'Progressiveness of Islamic Economic Law in Indonesia: The *Murâ'at al-'Ilal Wa al-Masâlih* Approach', *Samarah*, 7.2 (2023): 1267–1292 <<https://doi.org/10.22373/sjhk.v7i2.17601>>.

²⁷ Andri Soemitra and Stai HM Lukman Edy Pekanbaru, 'Studi Literatur Model Penerapan Wakaf pada Organisasi Pengelola Wakaf di Indonesia', *Jurnal Ilmiah Ekonomi Islam*, 8.01 (2022): 483–90.

²⁸ G Kartasapoetra, *Hukum Tanah, Jaminan UUPA Bagi Keberhasilan Pendayagunaan Tanah* (Jakarta: PT Rieka Cipta, 1991), p. 5.

Agency (BKM). Therefore, the strategic choices of the management of the Mosque Welfare Agency (BKM) will be tested, whether it will continue to develop or stop in the status of *Nâzir*.²⁹

According to Islamic law, *waqf* can be in the form of movable or immovable assets. Especially for land assets, the assets must not be left abandoned. For that, there must be a party who will manage it, which in Islamic jurisprudence is known as a trustee. This granting of authority gives legal power to the trustee to control, manage, and regulate the land by managing, prospering, and providing results to the parties entitled to receive it.³⁰ For this purpose, the Mosque Cash Manager (PKM) was appointed as the *waqf* manager based on the Decree of the Minister of Religion.³¹

As an official institution having authority to manage *waqf* assets, the Mosque Cash Manager (PKM) then carries out the diversification and certification process for the lands to provide security and certainty of ownership status.³² The endowment lands inherited by the first King of the Islamic Kingdom in the Demak Regency area were then developed by the Mosque Welfare Agency (PKM) which includes cemetery areas, productive rice fields and large yard areas.³³

Initially, the proceeds from these lands were used for the maintenance of mosques and royal family tombs and were not yet focused on productive economic activities. Now, the duties and responsibilities of BKM as *Nâzir waqf* have expanded, no longer covering the tasks previously appointed

²⁹ Ahmad Sofyan Mustafa and Nurul Hikmah, 'Konsep Wakaf Profesi Pada Hukum Positif di Indonesia', *Novum: Jurnal Hukum*, (2023): 119–29.

³⁰ Muhammad Fathul Arifin and Syufa'at Syufa'at, 'Peran Lembaga Pemberdayaan Wakaf Indonesia dalam Meningkatkan Kesejahteraan Ekonomi', *JIIIP - Jurnal Ilmiah Ilmu Pendidikan*, 7.3 (2024): 2367–2371 <<https://doi.org/10.54371/jiip.v7i3.3686>>.

³¹ Agus Fathuddin Yusuf, *Melacak Bondo Masjid Yang Hilang* (Semarang: Aneka Ilmu, 2001), p. 258.

³² Abdurrahman Dahlan and others, 'Al-Bûti's Thoughts on *Maslâhab* and Its Application in the Fatwa of World Fatwa Institutions', *Samarah*, 7.2 (2023): 1148–1170 <<https://doi.org/10.22373/sjhk.v7i2.17552>>.

³³ Dzulqarnaim Dzulqarnaim, Nuraeni Nuraeni, and Hasanah Hasanah, 'Determinan Kinerja Amil dengan Reward Sebagai Variabel Intervening pada Lembaga Amil Zakat Infak dan Shadaqah Pimpinan Pusat Muhammadiyah', *Media Bina Ilmiah*, 18.6 (2024): 1503–16 <<https://doi.org/10.33758/mbi.v18i6.542>>.

by the kingdom which were limited to maintaining mosques and royal family tombs, but covering all aspects related to the maintenance and development of *waqf* assets more productively.³⁴

The PKM makes a number of efforts to develop *waqf* assets under its authority so that they can provide the greatest possible benefits for the welfare of the people and the interests of the wider community.³⁵ This effort has been started since 2009 by constructing a number of buildings on *waqf* land which are then managed through an auction system. After running for ± 12 years, the results of the auction of productive *waqf* land were calculated and the amount reached IDR 5,000,000,000.³⁶ Part of the auction proceeds were then used to purchase new land assets covering an area of 26.8 hectares which currently have shop-houses, Islamic boarding schools, and offices on them, while the rest is used for other public interests. Currently, there are several sectors that are being evaluated for their feasibility to be used as new land that can be developed.³⁷

Management Pattern of *Waqf* Assets of the Heritage of the Javanese Islamic Kingdom

To analyze the management function in the management of *waqf* assets inherited from the Javanese Islamic Kingdom, the author uses the perspective of Decenco and Robbin, which states that management is a process of achieving the main goals of an institution professionally by involving individuals. Management includes various actions, namely planning, organizing, actuating, and controlling, which are carried out

³⁴ Nun Harrieti and Agus Suwandono, 'Aspek Hukum Waqf FinTech: Perkembangan dan Tantangannya di Indonesia', *Amnesti: Jurnal Hukum*, 6.1 (2024): 116–129 <<https://doi.org/10.37729/amnesti.v6i1.4072>>.

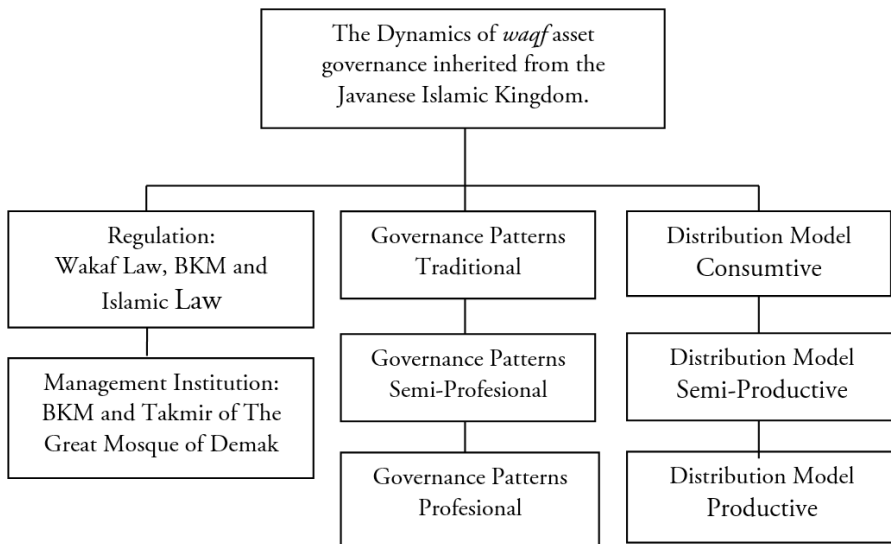
³⁵ Raju Adha and others, 'Peran Lembaga Amil Zakat, Infaq, Shadaqah Muhammadiyah (Lazismu) dalam Pemberdayaan Mualaf Kota Medan', *Economic and Business Management International Journal Januari*, 6.1 (2024): 2715–3681.

³⁶ Muhtadi, Head of the Office Religious Affairs and Chair of Mosque Welfare Agency (BKM) of Demak Regency, interview on June 23, 2023.

³⁷ Yenni Samri Juliati and Maftah Rizki Addin HRP, 'Wakaf dan Dasar Hukum Wakaf', *Jurnal Manajemen dan Bisnis Ekonomi*, 2.2 (2024): 63–76 <<https://doi.org/10.54066/jmbe-itb.v2i2.1431>>.

to achieve goals through the Human Resources (HR) owned. This management pattern also reflects control over the targets to be achieved by the institution.³⁸

To facilitate the analysis process, the following description begins by displaying the flow of interconnection between the governance and distribution model of the results of the *waqf* assets inherited from the Islamic Kingdom of Demak is described as follows.



Idris Khalifah identified a number of important mandates that must be fulfilled by *waqf* managers in carrying out their duties, they include (1) maintaining and developing *waqf* assets so that they continue to provide benefits and are not neglected; (2) implementing various conditions set by the *wâqif* in accordance with Islamic law; (3) distributing the profits obtained from *waqf* management to parties who have *the right to receive them*; (4) *paying for various obligations that arise in the waqf management process using waqf proceeds*; (5) utilizing *waqf* assets through economic efforts, such as renting assets at a good price.³⁹ What Khalifa emphasized

³⁸ David A Decenco, dan Stephen P. Robbins, *Human Resource Managemement* (New York: John Wiley & Sons, Inc, 1999), p. 5

³⁹ Mukhyar Fanani, *Berwakaf Tidak Harus Kaya, Dinamika Pengelolaan Wakaf Uang di Indonesia* (Semarang: Walisongo Press, 2010), p. 215.

here can be used as an indicator in assessing the performance of the management of the Demak Grand Mosque endowment both in terms of management and in terms of program implementation.

In the context of management, since the colonial era to the Old Order the administrator of the Demak Grand Mosque *Waqf* era has experienced various dynamics in every phase of its historical development.⁴⁰ Each administrator of the mosque *waqf* asset management institution has a specialty, which ultimately creates significant differences in management patterns. Currently, the management of the Demak Grand Mosque *waqf* assets is entirely carried out by the Demak BKM, whose structural position is between the provincial BKM and the sub-district BKM,⁴¹ having legal authority over the *waqf* assets.⁴²

As a legal entity under the auspices of the Ministry of Religion, the Demak Regency Mosque Welfare Agency (BKM)⁴³ has the primary responsibility to ensure that the welfare of mosques and places of worship for Muslims runs as expected.⁴⁴ From an Islamic legal perspective, the primary mandate for managers is to maintain and develop the entrusted *waqf* assets. Meanwhile, from a positive legal perspective, as regulated in Law Number 41 of 2004 and also Government Regulation Number 28 of 1977 and KHI, the structural duties and authorities of the *Nâzir waqf* are to ensure the continuity of the use of *waqf* assets.⁴⁵

⁴⁰ Ah. Kholis Hayatuddin, 'Pengembangan Program Studi Manajemen Zakat dan Wakaf Fakultas Syariah IAIN Surakarta Berbasis Kebutuhan Masyarakat', *ZISWAF: Jurnal Zakat dan Wakaf*, 6.2 (2019): 183 <<https://doi.org/10.21043/ziswaf.v6i2.6417>>.

⁴¹ Muhammad Fauzi, Mursal Mursal, and Muhammad Ridha DS, 'Wakaf Pada Asuransi Jiwa Syariah: Analisis Pada Fatwa DSN-MUI No:106/Dsn-Mui/X/2016', *USRATY: Journal of Islamic Family Law*, 1.2 (2024): 113 <<https://doi.org/10.30983/usraty.v1i2.7570>>.

⁴² Kyai Asyiqin, Head of administration of Demak Mosque, interview on June 23, 2023.

⁴³ Amin Awal Amarudin, Rika Annisa Febia, and Bektu Widyaningsih, 'Implementasi Pengembangan Wakaf Produktif Untuk Pemberdayaan Pendidikan Pesantren Tebuireng Jombang', *Minhaj: Jurnal Ilmu Syariah*, 5.1 (2024): 72–92 <<https://doi.org/10.52431/minhaj.v5i1.2318>>.

⁴⁴ A Matswa and others, 'Analisa Bisnis Usaha Mikro Berbasis Wakaf di Pesantren Moden Gontor', *Jurnal Ekonomi*, 10.1 (2024): 13–25 <<https://doi.org/10.55210/iqtishodiyah.v10i1.1405>>.

⁴⁵ Mutiara Siti Safira, M. Abdurrahman, and Siska Lis Sulistiani, 'Analisis Sertifikasi Wakaf Masjid Nurul Iman Kelurahan Cipageran Menurut Undang - Undang Nomor 41 Tahun 2004 Tentang Wakaf dan *Maqasid Asy-Syariah*', *Bandung Conference Series: Islamic Family Law*, 4.1 (2024): 1–7 <<https://doi.org/10.29313/bcsif.v4i1.9715>>. See also Siti Rochmiyatun, and Yusida Fitriyati. "Implementation of Arrangements for Ikrar Wakaf Land (AIW) in The Indonesian Waqf Law (Case in Palembang City)." *Al-Adalah*, 16.1 (2019): 135-154.

It can be said that the management pattern of the *waqf* assets of the Great Mosque on the Java Coast has adapted to the development of the times. This is indicated by the management of agrarian-based *waqf* land, with a focus on renting rice fields through auctions.⁴⁶ There is also land that has been built and used as shops, supermarkets and shophouses to be rented to third parties. Besides, there is also *waqf* land located in strategic locations that are built into guesthouses and lodgings,⁴⁷ including buildings as shopping centers or swallow nests.⁴⁸ All of this shows that the *waqf* management pattern has transformed from a manual-traditional pattern to a more productive-modern system along with the expansion of *waqf* asset development programs, especially in the economic business sector.⁴⁹

From the description above, it appears that the manager/*Nâzir* of the Great Mosque of Demak's endowment has implemented professional management, although in terms of technical skills and interpersonal work mechanisms, there are still possible deficiencies/weaknesses that need to be corrected/improved so that the quality of the endowment management results can be maximized.⁵⁰

Waqf Proceed Distribution Model

The results and potential that can be developed from the assets owned from the *waqf* assets of the Great Mosque in Java, especially Demak, are very large.⁵¹ When viewed from the vast area of land

⁴⁶ Kyai Yasin, Chair of Indonesian Council of Ulama (MUI) of Demak Regency and Muhtadi, Head of the Office Religious Affairs and Chair of Mosque Welfare Agency (BKM) of Demak Regency, interview on June 23 and 25 2023'.

⁴⁷ Qurratul 'Aini Wara Hastuti, 'Peran Lembaga Keuangan Syariah Penerima Wakaf Uang (LKS-PWU) Bagi Optimalisasi Wakaf Uang', *ZISWAF: Jurnal Zakat dan Wakaf*, 4.1 (2018): 41 <<https://doi.org/10.21043/ziswaf.v4i1.3030>>.

⁴⁸ Shiska Imadul Umaiya and Malik Ibrahim, 'Tinjauan Normatif dan Yuridis Terhadap Pelaksanaan Wakaf Uang Secara Online Pada Lembaga Wakaf', *Az-Zarqa: Jurnal Hukum Bisnis Islam*, 13.2 (2022) <<https://doi.org/10.14421/azzarqa.v13i2.2400>>.

⁴⁹ Ahmad Munandar and Asyari Hasan, 'Tinjauan Mekanisme Pengelolaan Wakaf Uang Berbasis Digital Pada Lembaga Wakaf Majelis Ulama Indonesia Pusat', *Jurnal Ilmiah Ekonomi Islam*, 9.01 (2023): 1057–63.

⁵⁰ Achmad Arief Budiman, 'Akuntabilitas Lembaga Pengelola Wakaf', *Walisongo: Jurnal Penelitian Sosial Keagamaan*, 19.1 (2011): 75 <<https://doi.org/10.21580/ws.2011.19.1.213>>.

⁵¹ Ken Aryana.

owned and also from the side of the products produced, the position of *waqf* assets is strategic to support various other productive business developments.⁵² However, even though the potential for *waqf* is abundant, its allocation has not touched the formal education sector.⁵³ In other words, the management of various budget items obtained from *waqf* governance is only intended for the informal education sector, and this is done through grants to educational institutions, especially Islamic boarding schools in Demak Regency.

Initially, the use of the *waqf* assets of the Great Mosque of Demak was distributed to limited sectors including mosque repairs, grave maintenance, and the cost of organizing *haul* (a ceremony to commemorate the deceased). Commemorating the King's *haul* in the Great Mosque area is intended not only to commemorate the *wâqif* family of the descendants of the kings who have given land *waqf* but also as a fulfillment of the will to the *waqf* asset manager.⁵⁴ This activity involves various elements of society, participating in the celebration to commemorate the services of figures who have contributed to the development of Islam in Java.⁵⁵

Nowadays, in addition to the above purposes, other *waqf* distribution programs have been expanded to include socio-religious activities, such as assistance for the poor and mass circumcisions. This activity as a concern for the underprivileged community also strengthens the role of the mosque as a center of social activities in the community.⁵⁶

⁵² Ibrahim Hanif, Ikhwan Hamdani, and Sutisna, 'Analisis Sistem Pengelolaan Wakaf Tunai Oleh Yayasan Citra Prakarsa Nusantara dan Dampaknya Pada Tingkat Penerimaan Wakaf Tunai', *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam*, 5.3 (2024): 1445–1457 <<https://doi.org/10.47467/elmal.v5i3.745>>.

⁵³ Kyai Yasin, Chair of Indonesian Council of Ulama (MUI) of Demak Regency, and Muhtadi, Head of the Office of Religious Affairs and Chair of Mosque Welfare Agency (BKM) of Demak Regency, interview on June 23 and 25 2023'.

⁵⁴ Dzulqarnaim, Dzulqarnaim, Nuraeni Nuraeni, and Hasanah Hasanah, 'Determinan Kinerja Amil dengan Reward Sebagai Variabel Intervening pada Lembaga Amil Zakat Infak dan Shadaqah Pimpinan Pusat Muhammadiyah', *Media Bina Ilmiah*, 18.6 (2024): 1503–1516 <<https://doi.org/10.33758/mbi.v18i6.542>>. Compare Rasiyam, Rasiyam, Umiyati Umiyati, Habibullah Habibullah, Dimas Kenn Syahrir, and Muhammad Said. "Integration of New Media and Prophetic Communication Enhanced for Zakah, Infâq, Shadaqah, and Waqf Fundraising: A Case Study of Baitulmaal Munzalan Indonesia." *Journal of Islamic Law*, 4.1 (2023): 28–46.

⁵⁵ Muhtadi.

⁵⁶ Faridatun Nadya Imaniah, Ahmad Asrof Fitri, and Muhammad N. Abdurrazaq,

Furthermore, the Demak Mosque Welfare Agency (BKM) another institution outside the management of the Great Mosque also disbursed 40% of the *waqf* assets for the mosque administrators and Islamic educational institutions in the Demak district. Some of the assistance was intended for Islamic boarding schools, al-Qur'an education parks, and Islamic study groups, including for asset maintenance costs and land development. This assistance was provided based on proposals submitted by related parties to the Demak BKM.⁵⁷

The description above indicates that the choice of *Nâzir waqf* actions at the Great Mosque of Demak seems more consumptive than productive. The meaning of consumptive here refers to the utilization of *waqf* results that reflect the fulfillment of immediate needs rather than sustainable long-term development.⁵⁸ This tendency, indeed, almost always becomes the main preference among the majority of *waqf* management.⁵⁹

The development of the economic sector that supports the development of community prosperity is indeed highly emphasized in the *Waqf* Law. Based on the normative basis of the Prophet's hadith, it can also be understood that the main principle of *waqf* is to maintain the integrity of *waqf* assets and distribute the results obtained for the benefit of the community.⁶⁰ Therefore, the main objective in the management and

'Strategi Komunikasi Lembaga Nazhir Wakaf dalam Mensosialisasikan Program Wakaf Produktif Kepada Umat Islam', *al-Adalah: Jurnal Politik, Sosial, Hukum dan Humaniora*, 2.2 (2024): 64–83 <<https://doi.org/10.59246/aladalah.v2i2.786>>.

⁵⁷ M. Iqbal and others, 'Implementasi Good Corporate Governance Terhadap Pengelolaan Wakaf Produktif Pada RSUD Haji Medan', *MUQADDIMAH: Jurnal Ekonomi, Manajemen, Akuntansi dan Bisnis*, 2.2 (2024): 211–18 <<https://doi.org/10.59246/muqaddimah.v2i2.746>>.

⁵⁸ Ghea Agita and Moch. Khoiril Anwar, 'Strategi Manajemen Fundraising Wakaf oleh Lembaga Wakaf al-Azhar dalam Optimalisasi Wakaf Uang', *Jurnal Ekonomika dan Bisnis Islam*, 4.2 (2021): 1–12 <<https://doi.org/10.26740/jekobi.v4n2.p1-12>>. Also read Saprida Saprida, Zuul Fitriani Umari, and Fitri Raya, 'Sistem Pengelolaan Wakaf Saham di Indonesia dalam Perspektif Hukum Islam dan Perundang-Undangan Perwakafan', *Ekonomica Sharia: Jurnal Pemikiran dan Pengembangan Ekonomi Syariah*, 9.2 (2024): 221–34 <<https://doi.org/10.36908/esh.v9i2.991>>. See also Sukianti, Sukiyati, Rahmadany Rahmadany, Muhamad Hasan Sebyar, Purnama Hidayah Harahap, and Yovenska L. Man. "Copyright as a Waqf Object in the Context of Fiqh and Positive Law." *Al-Istinbath: Jurnal Hukum Islam*, 8.1 (2023): 269-290.

⁵⁹ Ananto Triwibowo, 'Penerapan Prinsip-Prinsip Good Corporate Governance dalam Pengelolaan Wakaf Tunai pada Badan Wakaf Uang Tunai MUI Yogyakarta', *Tapis: Jurnal Penelitian Ilmiah*, 4.1 (2020): 123 <<https://doi.org/10.32332/tapis.v4i1.1995>>.

⁶⁰ Syafrina Yuni Lubis, Patma Wati, and Yenni Samri, 'Transformasi Digital Wakaf di Indonesia Syafrina', *Al-Sharf Jurnal Ekonomi Islam*, 5.1 (2024): 65–74.

distribution of *waqf* must be directed towards improving the economic sector to encourage the community's economy towards a better and more prosperous direction.⁶¹

The Demak Mosque Welfare Agency (BKM) has developed and distributed profits from the management of the Great Mosque of Demak's *waqf* assets in various forms. In the economic sector, a number of funds are allocated for the benefit of the community, such as building student dormitories, shops, and shophouses built for supermarkets. In addition, fertile *waqf* lands are also developed through an agricultural system with an auction mechanism.⁶² Indeed, in accordance with *waqf* regulations, managers are allowed to exchange or sell *waqf* assets and combine the proceeds with other *waqf* assets as long as they are for development purposes. This is practiced in Malaysia, Arabia, Egypt, Kuwait, and other Muslim countries.⁶³

The above facts illustrate that the governance of *waqf* under BKM has been running as expected and will be much better if combined with a routine monitoring and evaluation system in each certain period. This fact proves that through the formation of a formal institution *waqf* governance will be much better and inversely proportional to *waqf* governance carried out through the mosque institution governance system. This is in line with the thoughts of Sahal Mahfuds who suggested the need to appoint *Nâzir wadh'î* (*Nâzir* appointed based on legal principles) to ensure that *Nâzir*'s duties can be carried out properly. This is important because the Sharia Manager appointed by the *wâkif*'s due to trust factors is sometimes not satisfactory and often gives rise to various problems.⁶⁴

Last but not least, the issue of incentives for *Nâzir* is also important to consider. This is because appropriate and competitive rewards may

⁶¹ Taufik Churahman and others, 'Untuk Kesejahteraan Ummat', 01.01 (2024): 29–38.

⁶² Najiya Arini, Achmad Irwan Hamzani, and Moh. Taufik, 'Tinjauan Hukum Tentang Pengembangan Wakaf Uang Berbasis Online', *Jurnal Ilmiah Mahasiswa Perbankan Syariah (JIMPA)*, 4.1 (2024): 39–50 <<https://doi.org/10.36908/jimpa.v4i1.317>>.

⁶³ Asti Nur Wilda Ariza and others, 'Peran Institusi Zakat dan Wakaf Sebagai Pilar dalam Sistem Perekonomian Indonesia', *Jurnal Ilmiah Research and Development Student*, 2.1 (2024): 108–115 <<https://doi.org/10.59024/jis.v2i1.571>>.

⁶⁴ Ahmad Rofiq, *Fiqih Kontekstual Dari Normatif Ke Pemaknaan Sosial, Hukum Islam di Indonesia* (Jakarta: PT Raja Grafindo Persada, 1997), p. 336

encourage *Nâzir*'s performance to be stronger and more serious in carrying out the tasks entrusted to them. The Demak Mosque Welfare Agency (BKM) indeed receives a fixed monthly salary from the government, but the amount is only enough to cover transportation costs and to buy cigarettes.⁶⁵ This salary system ultimately causes problems that provoke *Nâzir* to be less than optimal in managing the development of *waqf* assets.⁶⁶ BKM members have the perception that their main job is just as part-time administrators whose duties are side jobs and can be done in their spare time, not as *Nâzir waqf*, who are entitled to a salary reward of 10% of the results of *waqf* management.⁶⁷

Regardless of the incentives received by the management of the Mosque Welfare Agency (BKM), this institution's management of *waqf* assets is still transparent. An indication of this openness can be seen from the consistent implementation of all provisions in the *Waqf* Law Number 41 of 2004.⁶⁸

Conclusion

The inheritance of the early Islamic Kingdom in Java has an active dynamic and produces prosperity for many parties. This success arises from the form of a model for managing and distributing *waqf* results optimally and appropriately. In addition, the existence of transparency and innovation in management by the *Nâzir* is essential for the impact of society and the common welfare (*maslahah âmmah*). The diversity of distribution patterns of management by the Demak Mosque Welfare Agency (BKM) also contributes to development in the fields of health services, education, and economic growth. This productive *waqf* development model tends to be managed through a semi-professional

⁶⁵ Sugianto, Staff of Mosque Welfare Agency (BKM) of Demak Regency, Interview on June 23, 2023

⁶⁶ Umam & Hartutik, 'Analisis Optimalisasi Wakaf Produktif Untuk Meningkatkan Kesejahteraan Masyarakat dan Pengajar di Madrasah Pulau Panjang Banten', *Journal of Conflict and Social Class (JCSC)*, 1.02 (2024): 1–7.

⁶⁷ M. Zainul Wathani et al, '*Manajemen Ekonomi Ziswaf*', 2023.

⁶⁸ Ahsyanul Takwin, 'Penggabungan Waqf Hijau Melalui Sistem Pendanaan Bersama Digital dan Implikasinya', *SHACRAL: Shari'ah Economics Review Journal* 1, 1.1 (2024): 1–11.

management pattern while still being in touch with the direction of business development and the use of *waqf* asset management results in the form of physical infrastructure development, improving Islamic education facilities, economic empowerment, community welfare, and other assistance that includes various cultural and socio-religious activities.

Authors Contribution

Ahmad Zainurrasyid is responsible for designing the research, conceptualizing, and developing methodology, whereas Hidayatus Sholihah is responsible for maintaining data accuracy, writing the Initial Draft, and editing and perfecting the final draft.

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Kyai Yasin, Chair of Indonesian Ulama' Council, Demak Regency.

Muhtadi, Head of the Office of Religious Affairs (KUA) and Chair of Mosque Welfare Agency (BKM) of Demak Regency.

'Sugianto, Staff of Mosque Welfare Agency (BKM) of Demak Regency.'