

## DISTRIBUTION STRATEGY TO MAUQUF TO CREATE THE TRUST OF NAZIR

Hendri Setyo Wibowo<sup>1)</sup>, Yusuf Al Manaanu<sup>2)</sup>, dan Bahrul Ulum<sup>3)</sup>

<sup>1, 2, 3)</sup>Universitas Darussalam Gontor

e-mail: [hendrisetyowibowo@email.com](mailto:hendrisetyowibowo@email.com)<sup>1)</sup>, [yusuf.almanaanu@email.com](mailto:yusuf.almanaanu@email.com)<sup>2)</sup>,  
[bahrulprime@email.com](mailto:bahrulprime@email.com)<sup>3)</sup>

### ABSTRACT

*Waqf assets that are well managed and developed according to a clear direction can increase the economic level of the community with the economic means therein. The role of Waqf nazir becomes very important considering their duties, namely, the manager, as well as the Waqf object service, according to their functions. Of course, this is related to mauquf 'alaihi, in which they are appointed to benefit from the allocation of Waqf. The purpose of this research is to look at the mauquf ' alaih strategy in maintaining Nazir's trust so that the assets of the Waqf were maintained and well maintained. The method used in this research is descriptive qualitative research with a literature study approach, which will explain about Waqf. The type of data used in this scientific paper is secondary data. The data sources referred to are journals and books on Waqf management. However, the results show that the management of Waqf assets has a very significant impact and produces greater benefits if it is managed and developed productively. Then the role of nazir will be seen as more visible considering that they are the ones in the workshop for the Waqf. Economic opportunities in productive Waqf can boost nazir's confidence and encourage him to be more active in the organization and Waqf.*

**Keywords:** *Waqf, Distribution, Mauquf 'Alaih, Nazir, Mauquf 'Alaih Distribution Strategy*

### **ABSTRAK**

*Harta wakaf yang dikelola dengan baik serta dikembangkan sesuai arah yang jelas mampu meningkatkan taraf ekonomi masyarakat dengan munculnya sarana ekonomi didalamnya. Peran nazir wakaf menjadi sangat penting mengingat tugas mereka yaitu memelihara, mengelola, serta mengurus benda wakaf, sesuai peruntukannya. Tentu hal ini berkaitan dengan mauquf 'alaih, yang mana merekalah yang ditunjuk untuk memperoleh manfaat dari peruntukan wakaf Tujuan dari penelitian ini adaah melihat strategi mauquf 'alaih dalam menjaga kepercayaan narzir, agar harta wakaf tetap terjaga dan terpelihara dengan baik. Metode yang digunakan dalam penelitian ini adalah penelitian kualitatif deskriptif dengan pendekatan studi kepustakaan, yang akan menjelaskan tentang wakaf. Jenis data yang digunakan dalam penulisan karya ilmiah ini adalah data sekunder. Sumber data yang dimaksud adalah jurnal-jurnal serta buku-buku mengenai pengelolaan wakaf. Dan hasilnya menunjukkan bahwa pengelolaan harta wakaf sangat berdampak signifikan dan menghasilkan manfaat yang lebih besar, jika dikelola dan dikembangkan secara produktif. Maka peran nazir akan lebih terlihat mengingat merekalah yang bertugas untuk mengelola wakaf tersebut. Dengan munculnya peluang-peluang ekonomi dalam wakaf produktif, bisa menambah kepercayaan nazir untuk lebih giat dalam menjaga dan mengelola wakaf.*

**Kata Kunci:** *Wakaf, Distribusi, Mauquf 'Alaih, Nazir, Strategi Distribusi Mauquf 'Alaih*

## A. INTRODUCTION

In Islam, the practice of Waqf is one of the practices that have a high degree, the same as Zakat and alms.<sup>1</sup> Because they both gave up their property for the public interest, be it worship or other good. The Waqf property that has been surrendered is no longer its property but has become a right of the people. This indicates that the expenditure of wealth by a Muslim for Waqf is intended for the people to be used, of course, in terms of goodness.

Waqf is a form of worship that is highly recommended for Muslims because the reward of Waqf will always flow even though the wakif has died.<sup>2</sup> Waqf is also said to be crucial practice because it can be used in the interests of many people. Because, in reality, Waqf is one of the instruments used in the economic empowerment of the Ummah and aids in the resolution of community issues such as poverty.<sup>3</sup> Because basically, Waqf has two interconnected sides, namely the relationship to Allah as a form of worship and obedience to Him and also the relationship between humans in the form of muamalah.<sup>4</sup>

Therefore, Islam places the practice of Waqf as one of the most joyful practices of worship, especially for Muslims around the world.<sup>5</sup> Good property management can also help people's economies. This can be seen from the economic means contained in the Waqf itself. The purpose of the economy in this context is to generate financial materials as a basic need through the management and development of Waqf assets. For Waqf property to be managed productively in order to

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<sup>1</sup> Bashlul Hazami, 'Peran Dan Aplikasi Wakaf Dalam Mewujudkan Kesejahteraan Umat Di Indonesia', *Jurnal Analisis*, XVI.1 (2016), p. 174.

<sup>2</sup> Lutfi El Falahy, 'Alih Fungsi Tanah Wakaf Ditinjau Dari Hukum Islam Dan Undang-Undang Nomor 41 Tahun 2004 Tentang Wakaf', *Al Istinbath : Jurnal Hukum Islam*, 1.2 (2016), p. 123.

<sup>3</sup> Farida Prihatini, Uswatun Hasanah, and Wiryaningsih, *Zakat Dan Wakaf : Hukum Islam : Teori Dan Prakteknya Di Indonesia* (Jakarta: Papas Sinar Sinanti, 2005), p. 131.

<sup>4</sup> Resfa Fitri and Heni P Wilantoro, 'Analisis Prioritas Solusi Permasalahan Pengelolaan Wakaf Produktif (Studi Kasus Kabupaten Banjarnegara)', *Jurnal Al-Muzara'ah*, 6.1 (2018), p. 42.

<sup>5</sup> Ahmad Azhar Basyir, *Hukum Islam Tentang Wakaf, Ijarah Dan Syirkah* (Bandung: Al Maarif, 1977), p. 7.

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generate opportunities in the economic sector in the community by providing facilities for the development of economic enterprises.<sup>6</sup>

Waqf management and development should be taken to a more productive path. Nazir task was executed after Wakif pledged endowments for the role of the Waqf objects. In terms of administration or management, so that the purpose and function of Waqf assets can be met in accordance with their intended use.<sup>7</sup> Because of the important role of nazir in the affairs of Waqf, this paper would like to discuss how the mauquf mauquf 'alaih strategy is to maintain nazir's trust so that the assets of the Waqf were well preserved and maintained.

## **B. RESEARCH METHOD**

Research methods or how to do research can also be said to be the science used to research. Such a study could produce a scientific work optimal and beneficial to society at large, and can also be accounted for when the study using the methods of science or methodology appropriate and commonly used in scientific research.<sup>8</sup>

This study using qualitative research. The reason for using this approach is to find out how the mauquf alaih distribution strategy creates nazir trust. Then, based on the explanation that has been presented on the background of the problem to refer to the formulation of the problem, as well as the research objectives, the approach used in this study uses a qualitative research approach.<sup>9</sup> In this study, what is meant by this phenomenon are all activities related to the distribution strategy of mauquf alaih in creating nazir trust. The type of data used in writing scientific papers is secondary data. The data sources in question are journals obtained from internet search results as well as books on Waqf management.

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<sup>6</sup> Dir. Pemberdayaan Wakaf Kemenag, *Panduan Pemberdayaan Tanah Wakaf Produktif Strategis Di Indonesia* (Jakarta: Direktorat Pemberdayaan Wakaf, 2008), p. 7.

<sup>7</sup> Nilda Susilawati and Ita Guspita, 'Implementasi Tugas Nazir Dalam Pengelolaan Harta Wakaf Berdasarkan Undang-Undang No. 1 Tahun 2014 Di Kecamatan Kaur Utara Kabupaten Kaur', *Al-Intaj*, 5.2 (2019), p. 269.

<sup>8</sup> Supardi, *Metodologi Penelitian Ekonomi Bisnis* (Yogyakarta: UII Press, 2005), p. 10.

<sup>9</sup> Robert Yin, *Studi Kasus Desain Dan Metode* (Jakarta: PT Raja Grafindo Persada, 2011), p. 19.

## C. RESEARCH AND DISCUSSION

### 1. Concept of Waqf

Waqf comes from the word *waqafa* which means to hold, stay put, stop, and remain standing.<sup>10</sup> Waqf in the term *syara* ' is a gift by holding and making its benefits for the public interest.<sup>11</sup> Waqf, according to Al Minawi, are held properties owned and provide benefits to keep principal and immortality goods from philanthropists or any party to the treasure immoral because the intention is to get closer to God.<sup>12</sup> Waqf, according to Mundhir Qahaf, is defined as providing productive assets or property without interfering with individuals' interests, delivering results and benefits for the benefit of individuals, communities, religions, and countries.<sup>13</sup>

Law P.41 2004, "Waqf is a legal act performed by *wakif* to separate and/or transfer a portion of their wealth, either permanently or for a specified period of time, in accordance with their interests for the purposes of worship and/or the welfare of people under sharia". The exposure of the call has urgency and a broader direction, Is than the interests of religious Waqf *mahdhah*, and there is an emphasis on the need for the empowerment of Waqf performed productively for social purposes. To support the case of welfare society, such as education, health, poverty, or even poverty alleviation, banks can be established to fund Waqf.<sup>14</sup>

After the issuance of the law that regulates Waqf, namely Law P.41 of 2004, it was then continued with the establishment of the Indonesian Waqf Board (BWI), an independent institution that

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<sup>10</sup> Muhammad Al Syarbaini Al Khatib, *Al-Iqna Fi Halli Al Faz Abi Syuja* ' (Beirut: Dar al Fikr, 1995), p. 26.

<sup>11</sup> Muhammad Daud Ali, *Sistem Ekonomi Islam Zakat Dan Wakaf* (Jakarta: UI Press, 1988), p. 53.

<sup>12</sup> Al-Minawi, *At-Tauqif Alâ Muhimmât Ta'arif* (Cairo: Alamul Kutub, 1990), p. 340.

<sup>13</sup> Mundzir Qahaf, *Sanadât Al-Ijârah, Al-Ma'had Al-Islâmy Li Al-Buhûts Wa At-Tadrîb* (Cairo: Dar as-Salam, 1995), p. 64.

<sup>14</sup> Achmad Djunaidi and Thobieb Al-Asyhar, *Menuju Era Wakaf Produktif: Sebuah Upaya P Rogresif Untuk Kesejahteraan Umat.* ((Jakarta: Mitra Abadi Press, 2006), p. 89.

specifically manages Waqf funds which have a national area of duty. The institute also has a housekeeper task to promote and develop national Waqf in Indonesia. Although the BWI's headquarters are in the state capital, the organization has the authority to establish representatives in provinces, districts, or cities as needed.<sup>15</sup>

The objectives of Waqf implementation are numerous, especially since Waqf is closely related to the people's economy. One of them is to achieve prosperity and benefit for Muslims. Of course, with the written and unwritten rules and conditions as well as terms and conditions in Waqf. As a result, the community, particularly Muslims, can reap the benefits of Waqf property in accordance with Islamic law and provisions.<sup>16</sup>

To maintain people's trust and raise awareness of the importance of Waqf, the empowerment and management of Waqf assets must be immediately changed to a better and more productive path. Because many Waqf institutions have still not implemented productive management. This is what will cause a sense of concern and diminished public trust in the institution. Because the loss of public trust in Waqf institutions will conflict with the goal of making Waqf an instrument of community welfare, trust is the most important element in Waqf management.<sup>17</sup>

## **2. Distribution Concept**

Distribution in the large Indonesian Dictionary (KBBI) is defined as distribution, distribution and delivery from several people to several places.<sup>18</sup> Distribution is a marketing activity to facilitate and facilitate the delivery of goods and services from producers to

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<sup>15</sup> Hujrman, *Hukum Perwakafan Di Indonesia (Suatu Pengantar)* (Yogyakarta: Budi Utama, 2018), p. 42.

<sup>16</sup> Nahed Nuwairah, 'Pemberdayaan Ekonomi Umat Melalui Wakaf', *Jurnal Kajian Islam*, 1.1 (2009), p. 54.

<sup>17</sup> Sri Fadilah, 'Going Concern: An Implementation in Waqf Institutions (Religious Charitable Endowment)', in *2nd Global Conference on Business and Social Science-2015* (Bali: Procedia - Social and Behavioral Sciences, 2015), p. 357.

<sup>18</sup> Depdiknas, *Kamus Besar Bahasa Indonesia* (Jakarta: Balai Pustaka, 2005), p. 270.

consumers.<sup>19</sup> According to Kotler and Armstrong, distribution is a system or flow to distribute manufactured goods to consumers.<sup>20</sup>

The Islamic economic system expects that distribution must be based on two principles, namely freedom and justice. Freedom to act in accordance with religious values, as well as justice that allows humans to act and act freely, as well as material and spiritual balance, and balance between personal and other societies.<sup>21</sup> The concept of distribution according to Rahman is an increase in profit sharing so that it can be abundant and evenly distributed to all parties and not only to some parties.<sup>22</sup> Anas Zarqa defines distribution as the exchange of income or wealth among individuals through the market or the way, such as alms, infaq, inheritance, zakat, and Waqf.<sup>23</sup> Mannan defines distribution as a social transaction as well as a commercial transaction. He also divided the distribution into the distribution of wealth and the distribution of income.<sup>24</sup>

The forms of distribution of assets include:

- a. Granting of State assets to citizens who are deemed necessary
- b. Giving zakat assets paid by muzakki to mustahik
- c. Giving sadaqah, infaq, grants and Waqf to people in need
- d. Distribution of assets to the heirs.<sup>25</sup>

Islam defines distribution as not only giving to certain people or groups, which must be based on a sense of justice towards others. The giving of goods also needs to be based on Islamic principles because it shows something related to the problems of the Ummah. Even though humans themselves are not considered fair, they should

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<sup>19</sup> Kunarjo, *Glosarium Ekonomi, Keuangan Dan Pembangunan* (Jakarta: UI Press, 2003), p. 81.

<sup>20</sup> Philip Kotler and Gary Amstrong, *Prinsip-Prinsip Pemasaran, Terj, Damos Sihombing* (Jakarta: Erlangga, 2001), p. 7.

<sup>21</sup> Nandang Ihwanudin, Udin Saripudin, and Suryani, 'Keseimbangan Dalam Produksi, Distribusi, Dan Konsumsi Sebagai Upaya Pembangunan Ekonomi Berkelanjutan', *Al-Insyiroh: Jurnal Studi Keislaman*, 6.2 (2020), p. 38.

<sup>22</sup> Afzalur Rahman, *Doktrin Ekonomi Islam* (Yogyakarta: CV. Taberi, 1995), p. 93.

<sup>23</sup> Atok Syihabuddin, 'Etika Distribusi Dalam Ekonomi Islam', *Al Qanun*, 20.1 (2017), p. 82.

<sup>24</sup> M. Abdul Mannan, *Teori Dan Praktik Ekonomi Islam* (Yogyakarta: PT. Dana Bhakti Wakaf, 2002), p. 111.

<sup>25</sup> Moh. Muhlis, 'Sisitem Distribusi Dalam Prespektif Islam', *Jurnal Perbankan Syariah*, 1.2 (2016), p. 12.

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be able to give a sense of justice to others and only hope for the pleasure of Allah alone.

### 3. The Mauquf 'Alaih Concept

Mauquf 'alaih is one of the important elements in Waqf activity, because it has a position or as a party-appointed to benefit from the allocation of Waqf as a statement of the wakif as outlined in the Waqf Pledge Deed. In other terms, mauquf 'alaih is usually referred to as the target of Waqf or the parties entitled to receive Waqf. Some claim that their position is as a Waqf destination, or that fields with the right opportunities benefit. This gives Mauquf 'alaih a unique position in the contract Waqf; in other words, their Waqf is carried out because there are needs for Mauquf' alaih, such as mosques, tombs, educational institutions, hospitals, and so on.<sup>26</sup>

The fuqaha agreed and argued that Waqf should be reserved for those who aim for goodness, who can make Waqf a form of worship that brings humans closer to their God. As for the designation of Waqf for mauquf 'alaih also has several provisions, as was the opinion of Imam Hanafi, who said that the legal condition of Waqf is that if mauquf' alaih can manifest activities or as things that support worship in accordance with Islamic law and according to Waqf beliefs. And also to proclaim the symbols of Islam.<sup>27</sup>

Mauquf 'alaih is valid if the property has value, is durable, and can be used purely by the wakif. The following conditions must be met by the Waqf object:<sup>28</sup>

- a. Objects must have a useful value. Something is illegitimate if it is not an object, such as usage rights, irrigation rights, and so on. Objects that are not valued according to sharia should also not be donated, such as haram and intoxicating items.

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<sup>26</sup> Nurodin Usman, 'Varian Mauquf 'Alaih 'Am Sebagai Alternatif Dalam Pengembangan Wakaf Produktif', *Al-Ahkam*, 2.1 (2017), p. 40.

<sup>27</sup> Sarpini, 'Telaah Mauquf 'Alaih Dalam Hukum Perwakafan', *ZISWAF: Jurnal Zakat Dan Wakaf*, 6.1 (2019), p. 23.

<sup>28</sup> Maskur and Soleh Gunawan, 'Unsur Dan Syarat Wakaf Dalam Kajian Para Ulama Dan Undang-Undang Di Indonesia', *Tazkiya Jurnal Keislaman, Kemasyarakatan & Kebudayaan*, 19.2 (2018), pp. 86–87.

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- b. Moving or fixed objects. The Syafi'iyah group views the wealth of Waqf based on the usefulness and permanence of property, both movable and immovable property.
- c. When there is a Waqf contract, the object that is Waqf must be known. Determination of the provisions of the amount, such as one hundred thousand rupiahs or ceding land owned. Waqf is not valid if it's not clearly stated, such as donating part of the land.
- d. The Waqf object has become the property of the wakif (the person who donates) during the Waqf contract. It is not legal for someone to donate objects that do not belong to him.

The Shafi'i and Hambali schools of thought agree that allocating Waqf to mauquf alaih is worship only from an Islamic perspective, regardless of wakif beliefs. Because it is legal for Muslims and non-Muslims to donate to charities such as shelters, resting places, or places of worship. The Waqf becomes invalid if it is allocated to social agencies that are not in line with Islamic law, or used for places other than Islamic worship, such as churches. According to both sects, the division intended is: to the person or a specific group, and the group is not specific.<sup>29</sup>

#### 4. Nazir Concept

Nazir is a word from *nazara* which means *Basar* (seeing) and *tadabbara* (contemplating).<sup>30</sup> As well as having the meaning, *al hafiz* is to maintain, also the person responsible or a group of people to manage and organize items.<sup>31</sup> According to Sanhuri, nazir refers to the party given the authority of *wakif* to maintain, administer, manage, distribute, develop, and even repair the Waqf and its benefits to mustahik in accordance with Shari'a Islam.<sup>32</sup> To be able to carry out this mandate, *nazir* must have a thorough understanding of religious teachings as well as the ability to manage Waqf assets responsibly.

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<sup>29</sup> Sarpini, p. 24.

<sup>30</sup> Ahmad Warson, *Kamus Al-Munawwir* (Surabaya: Pustaka Progresi, 1997), p. 1532.

<sup>31</sup> Qalah Jay and Muhammad Rawwas, *Mu'jam Lugah Al-Fuqaha* (Beirut: Dar al Nafais, 1988), p. 75.

<sup>32</sup> Khalid Abdullah Asy-Syu'aib, *Al-Nazarah 'Ala Al-Waqf* (Kuwait: Al-Amanahal-Ammah li al-Awqaf, 2006), p. 58.

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To maintain and manage and realize the realization of Waqf in accordance with the provisions of Islamic sharia law, it takes a role from the nazir part of the Waqf which plays an important role in the management of the Waqf assets. *Nazir* Waqf is a person who is given the task of managing Waqf assets, or it can be called a group of people or legal entities assigned to maintain and manage Waqf objects. As a result, nazir can be interpreted as a person who has the authority to act on Waqf property, including the authority to manage, maintain, and distribute the results of Waqf to those who are entitled to receive them.<sup>33</sup>

According to classical scholars, the qualifications for becoming a *nazir* include being sensible, balanced, fair, trustworthy, competent, and Islamic. Management experts add that, in addition to being sensible and *nazir baligh*, they must have self-esteem and self-confidence based on their personal standards, work experience to see nazir's professionalism, and finally, a *nazir* must be trustworthy and fair.<sup>34</sup>

In terms of Waqf, the role of *nazir* is very important. Law No. 41 of 2004, *nazir* is the party who receives Waqf property from *wakif* and is tasked with managing and developing it in accordance with its allotment. As a result, the empowerment of Waqf assets is heavily reliant on *nazir*. This further clarifies *Nazir's* position in the management and development of Waqf.<sup>35</sup> The importance of planning, organizing, institutional leadership, and supervision stages in empowering Waqf in order to achieve the best results.<sup>36</sup>

As for the compensation for *nazir*, it has not been truly discussed in the laws and in the KHI, what is stated in the Waqf regulations are only the provisions of *nazir*, such as individual *nazir*,

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<sup>33</sup> Fachrodin, 'Peran Nadzir Dalam Pengelolaan Tanah Wakaf Ditinjau Dari Perspektif Undang-Undang Nomor 41 Tahun 2004', *Al-Hakim Journal of Islamic Family Law*, 4.1 (2020), p. 51.

<sup>34</sup> Yayasan Hidayat, 'Wakaf Produktif Dalam Meningkatkan Pemberdayaan Ekonomi Umat', *Jurnal Keislaman, Kemasyarakatan & Kebudayaan*, 8.1 (2017), p. 138.

<sup>35</sup> Abdurrahman Kasdi, 'Peran Nazir Dalam Pengembangan Wakaf', *ZISWAF*, 1.2 (2014), p. 218.

<sup>36</sup> Iqbal Imari and Syamsuri, 'Pemberdayaan Wakaf Produktif Sebagai Media Pembangunan Ekonomi Pesantren', *Islamic Economic Journal*, 2017, p. 12.

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legal entity *nazir* and organizational *nazir*. However, the amount of compensation for *nazir* is already restricted by law, and cannot exceed 10% of the net proceeds from the management and development of Waqf assets.<sup>37</sup>

## 5. Distribution Strategy for Mauquf 'Achieve in Increasing Nazir's Trust

Waqf is one of the high-level practices in Islam, along with *zakat* and alms.<sup>38</sup> Because they both volunteer their property for the public interest, be it worship or other good. The Waqf property that has been surrendered is no longer his property but has become a right of the people. This indicates that the expenditure of wealth by a Muslim for Waqf is intended for the benefit of the people to be used, of course, in terms of goodness.

Waqf is a form of worship that is highly recommended for Muslims because the reward of Waqf will always flow even though the wakif has died.<sup>39</sup> Waqf is also said to be a very important practice because Waqf can be used in the interests of many people. Because, in reality, Waqf is one of the instruments used in the economic empowerment of the Ummah and aids in the resolution of community issues such as poverty.<sup>40</sup> Because basically, Waqf has two interconnected sides, namely the relationship to Allah as a form of worship and obedience to Him and also the relationship between humans in the form of muamalah.<sup>41</sup>

Therefore, Islam places the practice of Waqf as one of the most joyful practices of worship, especially for Muslims around the world.<sup>42</sup> Good management of Waqf assets can also improve the community's economic standing. This can be seen from the economic means contained in the Waqf itself. The goal of the economy in this case is to generate financial materials as a basic need through the management and development of Waqf prices.

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<sup>37</sup> Fachrodin, p. 55.

<sup>38</sup> Hazami, p. 174.

<sup>39</sup> Falahy, p. 123.

<sup>40</sup> Prihatini, Hasanah, and Wiryaningsih, p. 131.

<sup>41</sup> Fitri and Wilantoro, p. 42.

<sup>42</sup> Basyir, p. 7.

Because Waqf assets must be managed productively in order to generate opportunities in the community's economic sector by facilitating the development of economic enterprises.<sup>43</sup>

Waqf management and development should be taken to a more productive path. Because it plays a role in the Waqf object, the *nazir* task is completed after the wakif has made a wakaf pledge. In terms of administration or management, so that the purpose and function of Waqf assets can be met in accordance with their intended use.<sup>44</sup> Because of the importance of *nazir* in Waqf affairs, this paper would like to discuss how the mauquf mauquf 'alaih strategy is to maintain *Nazir's* trust, ensuring that Waqf assets are well maintained.

To keep waqif trust, *nazir* must work efficiently and professionally to safeguard the assets that have been donated. Dr. Caliph Idris, Chairman of the Forum Ilmiah in Tethwan Maghreb said that task *nazir* Waqf also includes repairing damaged Waqf assets for management, so that these assets can be used again, and are responsible for any damage caused by his negligence.<sup>45</sup>

Therefore, *nazir* must meet several requirements to be considered a professional. As per the following criteria:

- a. A *nazir* must be said to be an expert, where the expertise and skills he gets from his past education or training and also comes from experience. That way, *Nazir* can work more professionally with the knowledge they have to be able to read problems and get solutions to the problems they face.
- b. A *nazir* must be able to devote his time, energy, and even his complete attention to the management of the Waqf land. Which also makes him get a wage equal to his work. When viewed in Indonesia, in general, a *nazir* gets 10% of the proceeds from the management of Waqf.

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<sup>43</sup> Kemenag, p. 7.

<sup>44</sup> Susilawati and Guspita, p. 269.

<sup>45</sup> Devi Megawati, 'Pengelolaan Dan Pengembangan Wakaf Produktif Di Kota Pekanbaru', *Hukum Islam*, XIV.1 (2014), p. 114.

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- c. A *nazir* must have a great commitment and responsibility for what has been mandated for him. As a result, he will be more cautious and will protect the Waqf assets entrusted to him.<sup>46</sup>

Nazir needs to carry out the allocation of funds for administrative costs in a transparent manner, including the honorarium for the administration of personnel who carry out the management and development of Waqf. Waqf property is not a job or business for which benefits are sought, but an attitude of sincerity to gain the pleasure of Allah which will be accounted for in the afterlife. *Nazir's* task is not only in management and development, he must also distribute the benefits or the results of the managed Waqf to the parties who are entitled to receive (*mauquf 'alaih*). The processing, distribution of Waqf by Nazir needs to be transmitted as soon as possible unless there is a primary need, such as maintaining the Waqf property or paying off the obligations of the Waqf property. Everything that is distributed to the *mustahik* must be based on the provisions given by the *wakif*.<sup>47</sup>

Waqf benefits from asset management and development can be distributed both directly and indirectly. The direct distribution is empowerment managed directly by *nazir*. These conditions can be carried out based on the following:

- a. Community empowerment and development programs run according to shari'ah and statutory regulations
- b. Right with the goals and objectives
- c. Impact on poverty reduction and job creation.<sup>48</sup>

While the distribution is indirectly an empowerment and coaching program with partners that have institutional and professional eligibility criteria. This can be through zakat management institutions, *baitul mal wa tamwil*, empowerment institutions, foundations, or social organizations on a national or international scale in accordance with shari'ah rules and statutory regulations.<sup>49</sup>

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<sup>46</sup> Megawati, p. 114.

<sup>47</sup> Murtadho Ridwan, 'Nazir Profesional Kunci Kesuksesan Wakaf Produktif', *Jurnal Muqtasid*, 3.1 (2012), p. 106.

<sup>48</sup> Ridwan, p. 107.

<sup>49</sup> Ridwan, p. 107.

The Waqf assets that have been handed over to the professional *nazir* are then managed more productively through management or utilization that can increase the productivity of the Waqf land. Such as being used as agricultural land, shops, or for other things that can make the land productive and produce results. Of course, in its implementation, it must always adhere to the provisions in accordance with Islamic law. And the proceeds from the productive Waqf management can be distributed to recipients entitled to receive the proceeds from the management of the Waqf land, or in other languages, it is called “*mauquf alaih*”.

#### **D. CONCLUSION**

Waqf assets that are managed and developed productively, are proven to be able to maintain the trust of the people and especially *nazir* and to raise a sense of awareness of the importance of Waqf. And, if the route is agricultural, the management and empowerment of productive Waqf assets are very appropriate. Moreover, our country is an agricultural country, and the majority of the population works as farmers.

Efforts to manage Waqf land for agricultural land are thus appropriate steps to increase the productivity of Waqf land. Government policies related to the use of Waqf land to make it more productive are very important, especially since the cooperation between the Waqf *nazir* and the managers of the donated land for agricultural land must also be considered in order to achieve community welfare, especially in the economic field. The welfare of the people can be achieved if the donated land is managed optimally and productively.

Financing models in the management of Waqf land in accordance with Islamic law make it easier for *nazir* to think about and run the program. The role of *nazir* is substantial in managing and developing Waqf assets according to models in the financing of Waqf land in order to provide more results and benefits for the people.

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