

Cash Waqf and Crowdfunding: A Study Of Online-Based Cash Waqf in Pasif Amal Of Indonesian Waqf Education Foundation

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ABSTRACT

This research focuses on exploring the effectiveness of the crowdfunding strategy for online-based cash waqf by referring to the cash waqf turnover practice on the Indonesian Waqf Education Foundation's Pasif Amal website. The idea of cash waqf leads to actions that break through the previous limited values that were less inspired even though this waqf has been legislated. There are two problems raised in this research. First, how the practice of the dimensions of cash waqf crowdfunding strategies in the Pasif Amal institution, Indonesian Waqf Education Foundation. Second, how the effectiveness of the cash waqf crowdfunding strategy in Pasif Amal Indonesian waqf education foundations and the implications for the legalization of cash waqf.

To answer these problems, this research uses a qualitative method with the approach of Soerjono Soekanto's legal effectiveness. This research concludes that in the passive crowdfunding strategy, the Indonesian Waqf Education Foundation (YEWI) has changed the view that has so far been understood that the meaning of waqf is not limited to land alone but has represented goods in the form of money in cash. In this study, it confirms that Pasif Amal institutions are then linked to the level of effectiveness in which they have been effective and can even become a new concept in the world of waqf where there is already legality, even the institutions themselves in countries where the practice is less than optimal.

Keywords: *Cash Waqf, Crowdfunding, Pasif Amal.*

INTRODUCTION

The development of waqf in Indonesia in this era has not shown significant progress even though Indonesia already has complete laws and regulations regarding waqf. Binding regulations related to waqf include law number 41/2004 and government regulation number 42/2006 which legitimizes the implementation of law number 41/2004 concerning waqf.¹ The government has also established the Indonesian Waqf Agency (BWI) as the body that oversees waqf in Indonesia. The National Waqf Movement, especially cash waqf, has also begun to be officially launched by the 6th President of the Republic of

Indonesia, Susilo Bambang Yudhoyono.² However, the development of waqf in Indonesia has not shown significant progress even though waqf itself is one of the pillars that can build prosperity, welfare and social justice in civil society. The government has regulated the legislation and declaration of waqf in Indonesia but has not fostered the spirit of waqf nationally.

Waqf in Indonesia is still stalled and limited in its legality with binding legislation. Even though the rules have been regulated, the waqf movement in society has not been very moved, especially waqf with a new trend known as cash waqf.³ This is influenced by the assumption that the community

understands that objects that can be donated are only immovable objects, such as land or religious buildings. Even though in the current era there is a new trend which is also referred to as waqf in the form of money cash. In this case, waqf institutions actually need to work on crowdfunding strategies and models that help waqif channel their waqf funds and also educate the wider community that waqf is not only in the form of assets but can also be in the form of cash so that waqf in Indonesia can develop.

The development of waqf in Indonesia has also stagnated because some of the waqf assets in the form of land from the people have not been managed properly. More than 572,636,900 m² of community assets have not been optimally managed. The value of the waqf assets in the form of land is ± IDR 5,726,390,000,000 (if the price is IDR 100,000 m²), all of which are free from land and building tax. According to information retrieved from the Waqf Information System (SIWAK) by the Ministry of Religion on November 6, 2022, there are a total of 440,512 places in Indonesia with a waqf potential of 57,263.69 hectares. Then, according to BWI, Indonesia has a 180 trillion IDR annual potential for cash waqf. The waqf's enormous potential, however, cannot be fully realized.⁵ Even though the collection and management of good waqf can be used as a strength for the people in driving various sectors of economic empowerment, this is still only a hope. It should be as in article 42 Chapter 5 of Law no. 41 of 2004 that nazhir is obliged to manage and develop waqf assets in accordance with their objectives, functions and designations. In accordance with the mandate of the law, waqf assets should be optimally managed and developed through the nazhir role.

On the other hand, during rapid technological developments, it is imperative that any institution carry out

updates by utilizing this technology. With the rapid development of information technology in the financial sector, various business model breakthroughs and financial services have become fast-paced with changes from face-to-face to transactions that can be carried out remotely and in just seconds. Not a few management institutions have made updates by taking advantage of these technological developments such as online alms services, online zakat to online buying and selling. However, in waqf institutions there are still few institutions that are serious about making breakthroughs through these technological developments.

In the midst of these problems, the Indonesian Waqf Education Foundation (hereinafter YEWI) is established, which focuses on increasing literacy and community participation in waqf.⁸ YEWI itself is not a waqf or nazhir asset management institution but synergizes with nazhir in socializing nazhir waqf programs to the community through the Waqf Ambassador network coordinated by YEWI. In increasing literacy and raising cash waqf, he launched the Pasif Amal website as a means to strengthen networks and raise cash waqf as well as being a breakthrough in carrying out the process, education, promotion and inclusion of endowment to the public. YEWI is a waqf institution that has online waqf services with a massive movement that collects waqf funds with a wide range. From the background above, researchers are interested in examining how the implementation and effectiveness of waqf crowdfunding services with online systems is to determine the progressivity of online waqf, especially in Pasif Amal YEWI.

LITERATURE REVIEW

Cash Waqf

Waqf literally comes from the word waqafa-yaqifu, which means stopping, the opposite of istamarra.¹⁰ This word is comparable to al-tahbis or al-tasbil which means al-habs 'an tasarruf, signify regulating and preventing.¹¹ Regarding the definition, Abu Hanifah defined waqf as the holding of property under the ownership's supervision and the giving of benefits in the form of alms (habs al-'aini 'ala milk al-waqif wa tasadduq bi al-manfa'ah).¹² Then, according to the Jumhur Ulama, waqf is holding assets that make it possible to benefit, with these assets remaining and severing the management of waqif and other things with the aim of getting closer to Allah (habs mal yumkinu al-intifa' bihi, ma'a baqa' 'ainihi , bi qat'I at tasarruf min al-waqif wa gairihi, taqarruban ila Allah). However, according to Al-Kabisi he defines it more briefly and concisely (jami' mani') with the meaning of Ibn Qudamah¹³ taken from a fragment of the Prophet's hadith, which reads, (in syi'ta habasta aslaha fa tasaddaq biha).¹⁴ This hadith is clearly contained in Sunan At-Turmudzi¹⁵ and Sunan Ibn Majah.¹⁶ This opinion is also a reference in the definition of waqf in the view of the Indonesian Waqf Tube.¹⁷

Understanding the issues with the waqf pillars is crucial before implementing a waqf. There are four pillars of waqf, according to traditional texts like Raudatut Talibin: waqif (waqf subject), mauquf (waqf object), mauquf alaih (waqf manager), and sigat (contract). One of the objects of waqf is money cash waqf, which in an opinion Nawawi's is defined as any particular property that is possessed and permits it to be transferred and used for benefit.¹⁸ In the book Al-Iqna, Al-Khatib defines mauquf as a group of things that belong to the waqif and can profit from preservation.¹⁹ Thus, waqf objects, including cash waqf, include several conditions so that they are eligible to be donated goods.

In deciding the law of monetary waqf, scholars from the Syafi'iyah and the Hanafiyyah hold contrasting views. The Shafi'i school forbids cash waqf because dinar or dirham (currency) will disappear after being paid and cease to exist. The waqf property must also last long and not run out when it is used. Hanafiyyah scholars allow cash waqf by making it business capital by way of mudharabah, then the profits donated to mauquf alaih. This opinion is determined based on istihsan bil urf (customs), namely customs that have been carried out in society.²⁰ Imam Az-Zuhri also has the same opinion as the Hanafiyyah Ulama, namely that cash waqf is permissible by making the money cash as business capital and then the profits are distributed to mauquf alaih.

On cash waqf, the Indonesian Ulema Council (MUI) has issued a fatwa. By citing the opinions of Imam Az-Zuhri and Hanafiyyah Ulama, the MUI's fatwa declares that the law of cash waqf is jawaz (permissible), with the caveat that the principal value of money must be guaranteed to be preserved, may not be sold, donated, or inherited, and cash waqf may only be distributed and used for things that are permitted by shari'ah.²¹ According to Al-Kabisi, in terms of waqf, there are five conditions that must be owned by the object. The five requirements are that the waqf assets have worth (there is a price), are in plain form, are the waqif's property, can be transferred, and that the waqf assets be divided.²² In this situation, monetary waqf, which typically takes the form of money, logically satisfies these five requirements.

The term cash waqf, which is well-known in Bangladesh and where A. Mannan first came up with the concept, is directly translated as cash waqf. Some literary works understand cash waqf to mean money waqf. Simply put, unless it is specified in affirmative law and the name of the item, such as a Cash Waqf Certificate, the meaning of cash waqf will

be translated as money waqf. This is because the definition of cash is frequently interpreted as the antithesis of credit.²³ Furthermore, according to the Ministry of Religion, a cash waqf is a waqf made in the form of money cash by an individual, a group of individuals, an organization, or a legal entity.²⁴ As a result, a waqif can give cash waqf to a nazhir in the form of money in cash. This concept of waqf is consistent with the fatwa on cash waqf given on May 11, 2002, by the Fatwa Committee of the Indonesian Ulema Council.

حُبْسُ مَالٍ يُمَكِّنُ الْإِنْتِفَاعَ بِهِ مَعَ بَقَاءِ عَيْنِهِ بِقَطْعِ فِي رَبِّيهِ
عَلَى مَصْرُفٍ مُبَاحٍ مُؤَجُّودٍ

"Restrain assets that can be utilized without the loss of the object or its principal, by taking legal action against the object (selling, giving, or bequeathing it), to distribute (the proceeds) to something that is permissible (not haram) that exists"

With the concept given above, waqf is no longer restricted to things that are still around; it can even take the shape of things with a fixed value or principal. The group of items that remain primarily includes money in cash. Thus, the MUI formulation above justifies the validity of cash waqf.

Legality of Waqf (UU on Waqf in Indonesia)

Law Number 41 of 2004 concerning Waqf states that waqf assets consist of immovable objects and movable objects. Immovable property includes:

1. Land rights, both registered and unregistered, are in compliance with the terms of applicable laws and regulations.
2. Buildings or parts of buildings that stand on land as referred to in letter a.
3. Plants and other objects related to land.
4. According to the terms of the relevant laws and regulations, the

residential unit is owned.

5. In conformity with sharia law and relevant laws and regulations, other immovable objects.

According to sharia law and relevant rules and regulations, moveable things are defined as property that cannot be consumed, including money, securities, cars, intellectual property rights, metals, rental rights, and other movable properties.

Cash waqf in this context has also been regulated in the same law. The provisions and criteria for cash waqf are regulated therein. Although in Indonesia cash waqf has not developed significantly. These provisions are as follows:

1. Waqifs can donate movable objects in the form of money through Islamic Financial Institutions appointed by the Minister of Religion.
2. Waqf of movable objects in the form of money is carried out by the waqif with a written statement of the waqif's will.
3. Waqf of movable objects in the form of money is issued in the form of cash waqf certificates.
4. As evidence of the delivery of waqf assets, Islamic Financial Institutions issue and submit cash waqf certificates to waqif and nazhir.
5. No later than 7 (seven) working days following the issue of the cash waqf certificate, Islamic financial institutions acting on behalf of Nazhir must register waqf assets to the Minister of Religion in the form of money.

Other provisions regarding cash waqf are regulated in Government Regulation Number 42 of 2006 concerning the Implementation of Law Number 41 of 2004 concerning Waqf, as follows:

1. Cash waqf that can be donated is the rupiah currency.
2. If the CASH to be donated is still in foreign currency, it must first be converted into rupiah.

3. The waqif donating the funds must:
 - a. appear in person at the CASH Waqf Recipient Islamic Financial Institution (LKS-PWU) to declare the cash waqf's intentions.
 - b. Describe who owns it and where the cash waqf came from.
 - c. make a cash deposit to LKS-PWU in the amount specified.
 - d. complete the waqif will statement form, which serves as the AIW.
4. In the event that the waqif cannot be present at the LKS-PWU to express his intention to cash waqf, then the waqif may designate a representative or proxy.

Legal Effectiveness Theory

In analyzing the effectiveness of a law, it is the same as discussing the value and results of the application of legal work in regulating and forcing people to obey the law. If the elements that affect the law are in good working order, the legislation can be said to be effective. The pattern of people's behavior can be used to determine whether or not a law or regulation is applicable. If the community conducts in accordance with what is expected or wanted by the aforementioned statutory regulations, legislation or statutory regulation will be effective. If the anticipated outcome has been accomplished in theory, then the law has actually been effective.²⁹ According to Soerjono Soekanto, five variables affect a law's effectiveness, including:

1. The legal factor itself (law).
Law has elements of justice, certainty and expediency. In practice, it is not uncommon for conflicts to occur between legal certainty and justice. Legal certainty is concrete or real, while justice is abstract. Sometimes in deciding a case, the judge has not

been able to achieve the value of justice. So, when looking at a problem regarding the law, the aspect of justice must be a top priority. Because law is not only seen from written sources of law, because there are still many values and rules of life in society that are able to regulate life in society.

2. Law enforcement factors, namely the parties that form or apply the law.

Law enforcement officers must be able to give certainty, justice, and legal advantages proportionately when enforcing the law. While law enforcement officials in a narrow sense begin with nazhir waqf, BWI staff, officials making Waqf Pledge Deeds (PPAIW), administrators of the Indonesian Ulema Council (MUI), and cash waqf Islamic banking bankers, law enforcement officials in a broad sense are the institutions of the Indonesian Waqf Agency (BWI) as law enforcers and (individual) law enforcement officers. Receiving reports on the administration of cash waqf is one of the jobs that each officer and tool is given the ability to perform.

3. Factors of facilities or facilities that support law enforcement.

Facilities can be thought of as a tool. The primary focus is on the physical infrastructure that serves as a supporting factor, which also includes qualified people resources, effective management, enough resources, and sound financial standing. Law enforcement cannot fulfill its objectives if the necessary supporting infrastructure is not in place. The realization of current supporting facilities in various cash waqf sectors can be used to gauge the assurance and success of waqf administration.

4. Community factors, namely the

environment where the law applies and is applied.

Community factors as law enforcers come from the community and aim to achieve peace in society. Every citizen or group has more or less legal awareness. Awareness regarding the procedures for collecting and distributing cash waqf legally depends on the will and legal awareness in society. Legal awareness and low literacy of the community will affect the development of cash waqf at the macro level. The formulation of laws regarding cash waqf must also pay attention to the social and legal conditions that occur in society which in the end are able to apply them effectively as well as a means of regulating society.

5. Cultural factors, namely as a result of work, creativity and taste based on human work in social life.

Legislation can impact social development both directly and indirectly. Social engineering and social planning are terms used to describe methods of influencing society that follow a systematic process and are preplanned. Examination of the core values that underpin the dominant spiritual culture in society. Laws that can affect people's conduct must be applied in a way that makes them institutionalized in society.

Soerjono Soekanto defines efficacy as the degree to which a group is able to accomplish its objectives. When the law succeeds in guiding and altering human conduct such that it becomes legal behavior, it is considered to be effective if there is a positive legal impact. Legal identification involves components of external coercion as well as court procedures in implementing legal effectiveness. Coercion and threats are necessary conditions for a rule to qualify

as law. Thus, the factor of coercion has to do with how effective a law or rule of law is.

Cash Waqf Collection at Pasif Amal YEWI Indonesian Waqf Education Foundation (YEWI)

The Indonesian Waqf Education Foundation (YEWI) according to the chosen name focuses on increasing literacy and community participation in waqf. YEWI itself is not a waqf or nazhir asset management institution but instead synergizes with nazhir in socializing nazhir waqf programs to the community through the Waqf Ambassador network coordinated by YEWI. One important element in increasing literacy and community participation in waqf is having Waqf Ambassadors or Waqf Extension or Waqf Amil or Waqf Consultants who professionally carry out education, promotion and inclusion in the community. Until now the availability of Waqf Ambassadors is very minimal and to answer the challenge of availability of personnel, YEWI has since 2014 recruited and trained Waqf Ambassadors as spearheads in carrying out the process of education, promotion and inclusion of waqf in the community. To produce professional Waqf Ambassadors, YEWI established the Waqf Institute with an operational license as an official Course and Training Institute with a National School Identification Number (NPSN) from the Ministry of Education and Culture. Waqf Ambassadors who have been certified can then have a career independently or work at institutions/institutions related to the waqf program.

In order for YEWI's activities to be more focused in accordance with the applicable waqf laws and regulations, on March 24, 2016, YEWI signed a cooperation "Waqf Training and Outreach" with BWI as the endowment authority in Indonesia. This collaboration allows the

supervision of YEWI activities to be carried out by BWI down to the district level in increasing literacy and participation in waqf in the community. YEWI has a vision "Waqf becomes a Lifestyle of society in Indonesia where everyone can give waqf and have charity jariah without exception in a simple and affordable way so that civil society is realized through a socially equitable sharia economic system without riba' based on Waqf". As for the mission, it has five missions to be directed as follows:

1. Increase the number of Waqf Ambassadors who are professionally certified as the spearhead of increasing literacy and community participation in waqf according to the proportion in every city throughout Indonesia.
2. Carrying out educational and promotional activities about waqf creatively through all media channels on an ongoing basis to build literacy and public awareness about the importance of waqf.
3. Creating innovative waqf programs and products for the community through waqf stakeholders so as to increase community participation in waqf without exception.
4. Increasing nazhir competence in productively optimizing waqf assets, especially in the field of empowering the people's economy by conducting training and mentoring for nazirs.
5. Helping the growth of the implementation of waqf-based social, economic and religious programs for the distribution of waqf benefits that are right on target to mauquf alaih in reducing social inequality through equal distribution of welfare in society.

YEWI was established on December 15, 2015, with the ratification of the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number

AHU-0024372.AP.01.04. 2015. The members of the YEWI foundation are as follows:

1. Supervisor: Retno Wulandari, SE
2. Supervisor: Indra Adiwijaya, SH
3. Sharia Supervisory Board: Prof. Dr. Muhammad, M.Ag

Manager:

1. Chairman: Yusri Akhyar, S.Sos
2. Secretary: Mohammad J Prasetya, SE
3. Treasurer: Moch. Zaenal Muttaqin

YEWI already has the following trademarks that have been registered with the Directorate of Intellectual Property, Ministry of Law, and Human Rights of the Republic of Indonesia:

BRAND NAME
1. Duta Waqf™
2. Waqf Planner™
3. Pasif Amal™
4. Tawaf – Tabarru Waqf™
5. Deposit Waqf™
6. Arisan Waqf™
7. RWP™ (Registred Waqf Planner)
8. CWP™ (Certified Waqf Planner)

Of these brands, it is included in the brand classification class 36, namely the brand class for the category of charity fundraising activities that must obtain written permission from YEWI if used by a party other than YEWI.

Pasif Amal

The Pasif Amal Platform is one of YEWI's products which aims to collect and distribute cash waqf from the public to nazhir waqf. The flow of collection is by nazhir cash waqf to provide information to the public in a transparent manner about programs that can be funded through cash waqf management and also help partners from nazhir cash waqf incubators/institutions to be able to collect cash waqf funds together and through cooperation with several nazhir waqf

institutions. Nine out of 306 nazir cash waqf institutions in Indonesia have collaborated using the services of the Pasif Amal platform, namely the Indonesian Mosque Council (DMI), Baitul Maal Wat Tamwil Mandiri Ukhuwah Persada (BMT Muda), Mothers' Economic Movement (GEMI), KSPP Syariah BMT Bina Ihsanul Fikri, KSPPS BMT Dana Insani, the National Intelligence Build Foundation, KSPPS BMT Artha Amanah, PWNU Care-LAZISNU.

Cash waqf in Pasif Amal has three types which include collective perpetual cash waqf with a minimum endowment of IDR 50,000.00, personal endowment money with a minimum endowment of IDR 1,000,000.00 and term cash waqf with a minimum period of one year. The three types of cash waqf received cash waqf certificates and cash waqf pledge deeds from BWI. In collecting waqf funds, Pasif Amal provides a path for waqif by selecting the features of the type of waqf program from the nine waqf nazhirs, then choosing the type of cash waqf, the waqifs also have the right to fill in and intend waqf for the deceased's family, then choose transfers from 57 available banks. After completing the entire filling process, BWI will send a cash waqf certificate and cash waqf pledge deed. Waqifs are also subject to administration fees paid to the platform in the amount of IDR 10,000.00 for collective cash waqf and IDR 50,000 for personal cash waqf. Administrative fees charged will later be used for platform service fees and amil waqf services. With this cash waqf, Muslims are able to have endowment funds for religion, education, health, social assistance and business capital.

Cash waqf in Indonesia is still hampered by certain reasons. One of the reasons for the delay in the cash waqf program in Indonesia is that it is influenced by the low level of public literacy about waqf. This is shown by the Waqf Literacy Index in Indonesia, which is only 0.472. Meanwhile, the problem of

waqf participation in Indonesia is much lower with the Waqf Participation Index in Indonesia of only 0.282.38 Since YEWI was founded seven years ago, it has been recorded that there have been 600 waqfraisers in collecting cash waqf endowments.

A waqfraiser is someone who works as a fundraiser who promotes waqf to the public both through online and offline media so that people's understanding of waqf increases and ultimately community participation also increases.³⁹ Waqfraiser is under the guidance and supervision of YEWI in collaboration with BWI as the endowment authority in Indonesia. This profession is open to all levels of society regardless of profession and religion as long as they have an Identity Card. In November 2022, the total portfolio of cash waqf collected from people was IDR 15,935,201,300.00 with 10,138 cash waqf deposits. With 225 programs that have been carried out, assive Amal has raised a total of 9,725 people to donate money in cash.

The proceeds from the collection, management and benefits that have reached mauquf alaih are Rp. 10,253,635.00. In 2021, at the peak of the Islamic Women's Milad event in collaboration with YEWI, it has been able to raise funds for its members reaching 4789 waqifs with a total money in cash waqf of Rp. 259,100,000.00 so that they received the Muri Record award with the "First Simultaneous Cash Waqf Online". One of the programs that has been carried out by YEWI in 2022 is the distribution of cash waqf funds for agriculture to nazhir cash waqf from the Hasanah Jariyah Indonesia Foundation (YHJI) and Nazhir Tanah Waqf through the Digital Cash Waqf Corner Program (PWUD) which is supported by BI KPW DIY, BWI DIY, DIY Ministry of Religion Office and BTN Syariah DIY.

Through the cooperation in the management of waqf land through cash waqf which was held on July 16, 2002, it

also resulted in the Prime Harvest Management and Funding of Waqf Land through cash waqf for agriculture in Gunungkidul by Mr. Mayor Chb. P. Sunaryanta as Regent of Gunungkidul in Playen District. It was noted that one of the three locations with an area (10,000 m²) had produced its first harvest of elephant grass. The harvest has been invested in the next waqf land and distributed to empower mustahik.

DATA AND METHODOLOGY

The method of writing this research is using library research. The research method used is qualitative by using normative juridical as a research approach. The theory used by the author in this study is Soerjono Soekanto's theory of legal effectiveness. The data studied were obtained from library sources in the form of books, journal articles, research results and various other data sources that can support the results of the analysis. In a normative juridical approach, referring to the applicable laws and regulations.⁴¹ This study uses primary legal materials, namely: Law no. 41 Concerning Waqf, Government Regulation Year 42 of 2006 and the theory of legal effectiveness according to Soerjono Soekanto.

RESULT AND DISCUSSION

In analyzing the effectiveness of law and the role of cash waqf in Pasif Amal, the author uses Soerjono Soekanto's theory of legal effectiveness by looking at five factors, namely law, law enforcement, facilities and infrastructure that support law enforcement, society and culture. By looking at the law as a source of law that applies in Indonesia, in article 1 of Law 41 of 2004, YEWI through the Pasif Amal platform positions itself not as an institution managing waqf or nazhir assets. However, it is included in the amil waqf because it collects cash waqf funds from the public to the nazhir or Islamic Financial Institutions Recipient of Cash

Waqf (LKSPWU) which are continued by BWI. Registered waqf assets are registered in the name of the nazhir with the purpose of endowment in accordance with its designation, with a note that the waqf assets are registered in the name of the nazir does not mean that the nazhir has ownership of the property. Cash Waqf Pledge Deed and Cash Waqf Certificates issued are cash waqf certificates signed by officials of the State Savings Bank, Yogyakarta Sharia Branch Office. Whereas the cash waqf pledge deed was signed by the Waqf Promising Agency, namely YEWI, Witness 1, Witness 2 and Bank Officials. This is in accordance with Article 3 PP 42 of 2006.

Pasif Amal has a strategic role and platform in raising large amounts of waqf funds for Muslims. It is recorded that there are nine nazhir waqf institutions that have synergized with YEWI by developing community participation in waqf which is still low. All nazhirs who synergize by using the services of the Pasif Amal platform have been included in the list of 309 nazhirs for official cash waqf from BWI, this is in accordance with Government Regulation (PP) Year 42 of 2006. The results of the management of waqf assets managed by nazhir are in accordance with the amount set does not exceed 10% of all cash waqf assets. All registered institutions are only entitled to provide documents to waqif with permission from BWI. In this case, the eight registered nazhir institutions have fulfilled the requirements in the waqf document, but LAZISNU as one of the registered cash waqf nazhirs has provided written documents themselves, this is contrary to Article 68 of Law 41 of 2004 and can be subject to administrative sanctions. However, after being investigated, LAZISNU issued the document for waqif who did not channel funds from Pasif Amal.

In collecting community funds, Pasif Amal becomes an active facilitator in understanding literacy and educating the

community through the role of waqf raiser. By law, Pasif Amal and Waqf raiser are under the guidance and supervision of YEWI who works closely with BWI as the waqf authority in Indonesia with the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number AHU-0024372.AP.01.04.Year 2015. This is a means of access and legal aspects used by YEWI in developing waqf funds in Indonesia. In carrying out various YEWI programs through Pasif Amal, we always look at the legal aspects of the law and BWI as the endowment authority in Indonesia. Not only that, YEWI through Pasif Amal and the role of Waqf raiser always prioritizes legal aspects in building literacy and community participation in cash waqf. However, it is undeniable that Indonesia has many nazhirs, totaling 309 with waqf collection funds spread across cash waqf nazhir institutions.

Public interest in literacy and low participation in cash waqf in Indonesia has resulted in the potential for cash waqf not being able to be optimally collected in Pasif Amal. The community regarding waqf is very limited to traditional waqf such as land and buildings for the benefit of places of worship and education only. This low literacy directly causes community participation in waqf to be low. The community considers that waqf is something exclusive, only for people who can afford it, who have more wealth and have a high religious commitment. In general, people still think that waqf is something exclusive.

The presence of YEWI is a new hope in developing waqf, especially cash waqf in Indonesian society. It was recorded that YEWI had collected a total portfolio of cash waqf collected from the public with a nominal value of IDR 15,935,201,300 with cash waqf deposits 10,138 times and 225 programs that had been implemented by Pasif Amal which had collected a total of 9,725 waqifs for cash waqf. The proceeds from the collection, management and benefits that

have reached mauquf alaih are Rp. 10,253,635. This shows the positive trend of waqf which is able to increase the effectiveness of cash waqf especially through digitalization of cash waqf. This means that through YEWI accompanied by Pasif Amal, he has streamlined the circulation of waqf which at the same time collects and distributes waqf to those entitled to waqf who have so far been ineffective. This effectiveness is evidenced by the large number of waqf funds that have been collected and channeled properly through Pasif Amal with a nominal value of Rp. 15,935,201,300.

The effectiveness map of YEWI can also be measured through its strategic and effective role in collecting and distributing waqf funds. This effectiveness can be illustrated through the collaboration carried out by YEWI with Nazhir Waqf which empowers and manages waqf. This collaboration was built with nine partners, namely the Indonesian Mosque Council (DMI), Baitul Maal Wat Tamwil Mandiri Ukhuwah Persada (BMT Muda), Mothers' Economic Movement (GEMI), KSPP Syariah BMT Bina Ihsanul Fikri, KSPPS BMT Dana Insani, Foundation Build National Intelligence, KSPPS BMT Artha Amanah, PWNU Care-LAZISNU D.I. Yogyakarta, and Askar Kauny. Thus, the existence of collaboration involving several partners can be easily for the waqf funds that enter through YEWI to be managed properly through its partners so as to support its effectiveness.

The collection of large amounts of cash waqf also indicates that YEWI with its crowdfunding strategy has been able to reach a point of effectiveness. This is evidenced by the success of the funds that have been collected in the amount of IDR 259,100,000.00 whose members reached 4789 waqifs in an Islamic Women's Milad event in collaboration with YEWI in 2021. This success was also marked by the achievement of a Muri Record with "First Simultaneous Cash Waqf Online". The level of effectiveness can also be measured

through a program that was carried out by YEWI in 2002 regarding the distribution of cash waqf funds for agriculture to nazhir cash waqf from the Hasanah Jariyah Indonesia Foundation (YHJI) and Nazhir Tanah Waqf through the Digital Cash Waqf Corner Program (PWUD) supported by BI KPW DIY, BWI DIY, DIY Regional Office of the Ministry of Religion and BTN Syariah DIY

An assessment of the effectiveness of YEWI can also be measured through well-managed activities related to waqf. In 2021 through cooperation in the management of waqf land through cash waqf which was held on July 16, 2002, the Prime Harvest of Waqf Land Management and Funding through cash waqf for agriculture in Gunungkidul by Mayor Chb. P. Sunaryanta as Regent of Gunungkidul in Playen District. It was noted that one of the three locations with an area (10,000m²) had produced its first harvest of elephant grass. The harvest has been invested in the next waqf land and distributed to empower mustahik. The good implementation and management of this is certainly a measure in considering the level of effectiveness with certainty. The breakthroughs made by YEWI with its Crowdfunding strategy have certainly encouraged the development of waqf in Indonesia and the impact will be able to support people's welfare, especially poverty alleviation in Indonesia due to the successful management of the waqf funds that have been collected well.

CONCLUSION AND POLICY RECOMMENDATION

Cash waqf is one of the important breakthroughs in endowment in Indonesia. With the existence of cash waqf, the waqf lands that have been neglected so far have the potential for the development of a productive waqf project with large capital. The development of good cash waqf can be a means of forming good governance and development. The role of the Pasif Amal platform has a strategic role by

becoming a third party through the Indonesian Waqf Education Foundation (YEWI) in collecting cash waqf funds from Muslims and channeling them to cash waqf nazhirs who have been certified by the Indonesian Waqf Agency (BWI). In general, this institution has fulfilled the legality aspect.

YEWI's Pasif Amal role has proven capable of carrying out programs marked by the first harvest in Gunungkidul. The movement carried out by YEWI has built the participation of various elements of society to get involved and become waqf drives starting from ustadz, online entrepreneurs, banking and finance, Islamic economics students and professionals. This shows an increase and increases the effectiveness of cash waqf mobilization by utilizing structured, systematic and massive technology and digitalization. This is because access to technology provided through the Pasif Amal online platform is able to attract public interest in waqf as well as being a means and facility for collecting cash waqf funds.

In the collection and distribution that is carried out through the Pasif Amal platform, it has fulfilled the requirements of Law Number 41 of 2004 with synergy between the waqif and nazhir parties. Among the nine nazhir institutions that synergize with the Pasif Amal platform have carried out the procedure. However, errors were still found in the certification of cash waqf carried out by LAZISNU. By racing against Law Number 41 of 2004, in this case YEWI plays a role in educating amidst a lack of literacy and understanding regarding cash waqf to the waqif parties, nazhir waqf and amil waqif themselves.

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