

Developing Muhammadiyah Waqf Lands through Islamic Investment Model: Special Case in Indonesia

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ABSTRACT

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In some Muslim countries, including Indonesia, Waqf institutions face obstacles in providing funds to manage their waqf lands. This paper aims to propose an alternative developing model for Muhammadiyah waqf institutions to meet the financing and management constraints using waqf land categorization concepts using Islamic investment models. In this conceptual paper, the theory proposes a model for developing waqf Muhammadiyah in Indonesia. This study identified inefficiencies in managing Muhammadiyah waqf in Indonesia due to financial problems and the lack of waqf institutions' ability to develop assets. The authors have developed an investment model as a waqf land financing source for Muhammadiyah waqf institutions in Indonesia. This model is expected to empower undeveloped and unproductive Muhammadiyah waqf lands and be applied by Muhammadiyah waqf institutions in Indonesia. In this study's development, Muhammadiyah waqf institutions, Islamic financial institutions, and policymakers will find alternatives in developing productive Waqf for the ummah. The findings of this study will provide Muhammadiyah waqf institution with an Investment model to develop their Waqf. Through this study, Waqf will help resolve poverty, unemployment, social inequality, improve education and health facilities, and improve the Indonesian economy. This model is different from the management of the existing Muhammadiyah waqf, which is carried out consumptively. Then, waqf land that has been categorized is transformed into productive assets such as agricultural products and commercial business projects. The proposed investment model is to help Muhammadiyah waqf institutions to develop waqf land. The investment model is used to make Muhammadiyah waqf land more productive and play a social welfare role.

1. INTRODUCTION

Waqf now has been one of the most social instruments that have an essential role in ensuring the world economy's justice.¹ The *waqf* institution has a significant contribution to the welfare of the ummah since the early period of Islam in developing education and health, public facilities, religious services, alleviating poverty, and creating employment and support for the agricultural and industrial sectors without incurring government costs.² Budiman in Chrisna states that the development of *Waqf* currently demands a change in the use of assets from consumptive to productive.³

Waqf practice is not new in Indonesian history. *Waqf* in Indonesia has been practiced since pre-Islam came to Indonesia. It can be traced to the historical reality that is still ongoing in various regions in Indonesia. Such as the tradition of 'Huma Serang' in Banten, 'Tanah Pareman' in Lombok, and 'Tanah Perdikan' in East Java. This form is almost like a family *waqf* both in terms of function and utilization. *Waqf* administration in Indonesia was managed by institutions, hospitals, orphanages, mosques, and Islamic community organizations such as Nahdlatul Ulama, Muhammadiyah, and *Al-Washliyah*, *DDII*, *Persis*, *al-Irsyad*. These entities are responsible for managing and developing *Waqf* in Indonesia.

Especially Muhammadiyah, the management of *Waqf* has been started since 1972 when the appointment of Muhammadiyah as *waqf* nazir.⁴ The management of Muhammadiyah *waqf* in Indonesia is carried out by the Majelis Wakaf dan Kehartabendaan (MWK) both from the central, regional, and branch levels responsible for regulating and managing matters related to *Waqf* in particular.⁵

Following Muhammadiyah's policy, ownership of all *waqf* assets is under the Muhammadiyah Central Leadership auspices. Muhammadiyah acts as the party that is legally the owner of all *waqf* assets. This provision affirmed in Article 34 of the

¹ Farhah Saifuddin et al., "The Role of Cash *Waqf* in Poverty Alleviation: Case of Malaysia," in *Kuala Lumpur International Business, Economics and Law Conference 4 (KLIBELA)*, vol. 1, 2014, 272–89.

² Mohamed Asmy Mohd Thas Thaker, Hassanudin Mohd Thas Thaker, and Anwar Allah Pitchay, "Modeling Crowdfunders' Behavioral Intention to Adopt the Crowdfunding-*Waqf* Model (CWM) in Malaysia: The Theory of the Technology Acceptance Model," *International Journal of Islamic and Middle Eastern Finance and Management* 11, no. 2 (2018): 231–49, <https://doi.org/10.1108/IMEFM-06-2017-0157>.

³ Chrisna Bagus Edhita Praja et al., "Intellectual Property Rights as a *Waqf* Asset: The Way to Change an Old Paradigm in Indonesia," *International Journal of Innovation, Creativity and Change* 6, no. 1 (2019): 26–39.

⁴ Cucu Solihah, Dedi Mulyadi, and Hilman Nur, "Muhammadiyah Nazhir Organization Analysis of *Waqf* Management and Development in Cianjur," *Jurnal Dinamika Hukum* 17, no. 2 (2017): 125, <https://doi.org/10.20884/1.jdh.2017.17.2.702>.

⁵ Yenni Samri Juliati Nasution, Yasir Nasution, and Ahmad Qorib, "Cash *Waqf* on Organization of Muhammadiyah Area of Muhammadiyah North Sumatra Approach ANP (Analytical Network Process)," *The International Journal of Social Sciences and Humanities Invention* 5, no. 1 (2018): 4379–82, <https://doi.org/10.18535/ijsshi/v5i1.20>.

Muhammadiyah Bylaws on Financial Management and Wealth Paragraph (1), which states, "All of Muhammadiyah's finances and assets, including the finances and assets of the Assistant Management Leaders, Business Charities, and Autonomous Organizations at all levels the law belongs to the Central Executive."⁶ This centralized ownership of the Muhammadiyah leadership has several objectives; *first*, providing a robust legal guarantee against the safety or permanence of Muhammadiyah's Waqf's endowments. *Second*, joint supervision through Muhammadiyah's policies on assets of the same standard. These are some of the characteristics of Muhammadiyah's organizational management regarding *Waqf*. That is why many people entrust the management of Waqf over the assets of the land and buildings they own to Muhammadiyah and are different from other religious organizations or foundations.

In 2019, MWK, through <https://simam.wakafmu.org/>, reported (see Table 1) that the number of waqf land as recorded by representatives of the Muhammadiyah region of Central Java was about 2441 plots of land with an area of 189.35 ha.⁷ Although the number of *waqf* assets is quite extensive and has the potential for welfare, education, economy, and the social community, most *waqf* lands are unproductive and still used consumptively, such as mosques and orphanages, health facilities, and schools. These problems are due to the lack of financial resources and lack of *waqf* management expertise in developing *waqf* lands.

Table 1. Muhammadiyah waqf land categories

No.	Types of Waqf	Percentage
1	Schools	61
2	Orphanages	8
3	Health facilities	4
4	<i>Da'wah</i>	5
5	Mosques	17
6	Empty lands	5
Total		100

Sources: Majelis Wakaf dan Kehartabendaan reports, 2019

Based on Table 1, more than 78% of Muhammadiyah's waqf land is used for educational, social, and religious purposes. Even 5% of them are still in the form of unproductive vacant land and are professionally empowered. One reason why empty land does not develop is that the categorization of waqf land makes it unattractive for Waqf. Also, waqf land-use problems occur due to lack of financial resources, land location, and

⁶ Ministry of Religious Affairs RI, *Pedoman Pengelolaan Dan Perkembangan Wakaf*, 2013.

⁷ Fahmi Medias and Eko Kurniasih Pratiwi, "The Evaluation of Muhammadiyah Waqf Asset Utilisation in Magelang," *IQTISHADIA* 12, no. 1 (2019): 101–18, <https://doi.org/10.21043/iqtishadia.v12i1.3208>.

improper management.⁸ The *waqf* management factor is the main limiting factor regarding why empty waqf land has not been maximally empowered because of the classic understanding of waqf managers who think that waqf land must be used following the waqf pledge deed and cannot be replaced as a productive asset. MWK has used several instruments to increase its financial resources. However, some tools are used on waqf land without adjusting to waqf land and its strategic location.

In solving problems in waqf institutions, waqf land has been categorized in Selangor, Malaysia, into the economic sector and strategic location. It is easier for waqf managers to develop their waqf assets by determining waqf land's location and economic potential. The investments in the form of agriculture, commercial, residential, and religious can help the use of Waqf in Selangor.

As a result of implementing the investment model, previous research has devoted considerable attention to learning about it. The IWM model provides advantages in group-based decision making and innovation and has proven successful in several countries such as Singapore, Malaysia, UAE, and Bangladesh.⁹ These studies analyze the problems in the development of Waqf due to the lack of funding sources. The IWM is an alternative solution in increasing the role of Waqf for the ummah welfare. Besides, the potential of this model for the development of Muhammadiyah *waqf* land in Indonesia is outstanding; consumptive *waqf* land is then converted into productive assets in the form of agriculture using the *Ijārah* contract, *Ijārah Muntahiya bit Tamlik* and *Muzāra'ah*.¹⁰ Besides, it can also be productively developed in the form of buildings (commercial) using *Mudhārabah*, *Musyārah*, *Muqāradah*, and *Ijārah* investment agreements.¹¹

The challenges faced by Muhammadiyah institutions become the primary basis for this study to formulate a sustainable development model to make Muhammadiyah *waqf* more productive and beneficial for the ummah. With different characteristics from other waqf institutions, MWK as a supervisor and the main responsible person for

⁸ Azizatul Islamiyah et al., "Muhammadiyah Waqf Land Empowerment Model in Magelang," in *1st Borobudur International Symposium on Humanities, Economics and Social Sciences (BIS-HESS 2019)*, vol. 436, 2020, 725–28, <https://doi.org/10.2991/assehr.k.200529.152>.

⁹ Masoud Ahmad, "Role of Waqf in Sustainable Economic Development and Poverty Alleviation: Bangladesh Perspective," *Journal of Law* 42, no. 1 (2015): 2224–3259; Zulkifli Hasan and Muhammad Najib Abdullah, "The Investment of Waqf Land as An Instrument of Muslims' Economic Development in Malaysia," in *The Dubai International Conference on Endowments' Investment, 4-6th February 2008*, 2008, 1–25; Hari Candra and Asmak Ab Rahman, "Waqf Investment: A Case Study of Dompot Dhuafa Republika, Indonesia," *Jurnal Syariah* 18, no. 1 (2010): 163–90; Hasan Shabana, "Role of Waqf in Enhancing Muslim Small and Medium Enterprises (SMEs) in Singapore," in *8th International Conference on Islamic Economics and Finance*, 2011, 1–50; Farra Munna Harun et al., "Issues and Economic Role of Waqf in Higher Education Institution: Malaysian Experience," *Al-Iqtishad: Journal of Islamic Economics* 8, no. 1 (2016): 149–68, <https://doi.org/10.15408/aiq.v8i1.2514>.

¹⁰ Abdul Hamid Mar Iman and Mohammad Tahir Sabit Haji Mohammad, "Waqf as a Framework for Entrepreneurship," *Humanomics* 33, no. 4 (2017): 419–40, <https://doi.org/10.1108/H-01-2017-0015>.

¹¹ Madga Ismail Mohsin, "Waqf-Shares : New Product to Finance Old Waqf Properties," *Bank and Bank Systems* 7, no. 2 (2012): 72–78.

developing Muhammadiyah *waqf* in Indonesia must have a new mechanism for sustainable management is needed in developing Muhammadiyah *waqf* land in Indonesia. As a solution, this study proposes categorizing *waqf* lands using the investment *waqf* model (IWM). IWM is expected as the alternative model that can effectively overcome or minimize idle *waqf* lands faced by the Muhammadiyah institutions.

In this conceptual paper, the theory is developed about the relationship between *waqf* land categorization and the appropriate investment model in developing the land. This research's specific objective is to propose a suitable model of *waqf* development in overcoming the problem of unproductive *waqf* land and policies to increase the role of Muhammadiyah *waqf* land for ummah welfare. As far as the authors' knowledge, there has not been much study conducted that proposes an investment model to empower Muhammadiyah *waqf* land. Therefore, it is expected that the investment models developed in this study can be useful for Muhammadiyah *waqf* institutions in Indonesia.

This study complements previous research by offering new concepts and paradigms in the development of Muhammadiyah *waqf*, which has educational, social, and health development characteristics. However, this development has not yet led to productive sectors that can produce benefits distributed to those in need. Because of the increasing interest in speaking in Indonesia, this study claims three essential contributions. First, this research aims to provide input for MWK to categorize the empty *waqf* land they have and have not been maximally empowered. Second, the research findings are expected to help develop *waqf* literature by economic conditions in Indonesia. Third, this research provides insight into new models of Muhammadiyah *waqf* land development in Indonesia.

2. LITERATURE REVIEW

2.1. *An Overview of Waqf*

As a religion with rules, concrete social arrangements, accommodative and applicable, Islam is very concerned about economic justice to create a just and prosperous society and minimize social inequality with an economic background between the poor and the rich. The Islamic law project to distribute economic justice so that wealth does not only revolve among rich people is through various programs, including the almsgiving program (*Waqf*).¹² As a voluntary sector of Islamic economics, *Waqf* functions as an economic development asset for society's welfare. The principle of *waqf* teachings encourages people who can help the underprivileged by giving endowment that is managed. The results are used to improve the needs, even fostering and elevating their degrees.

¹² Mücahit Özdemir and Öznur Özdemir, "Bridging the Gap: The Restitution of Historical Cash Waqf Through Vakıf Participation Bank," no. July (2017): 74–99, <https://doi.org/10.25272/j.2149-8407.2017.3.2.04>.

The practice of Waqf has been known long before the advent of Islam, which was brought by the Prophet Muhammad (PBUH) even though with different names and terms. It is evident that many places of worship are located on land whose yard is managed, and the results are to finance the care and honorariums that care for the place of worship.¹³ Because before the end of the Prophet Muhammad (PBUH), many mosques, such as the Grand Mosque and the Aqsa Mosque, had stood before Islam's presence and not the property of anyone but belongs to Allah SWT for the benefit of the people. In several countries in the world, the practice of Waqf was known before Islam, such as in Egypt, in Rome, and Germany. The practice of Waqf in Egypt was carried out by the Second King Ramsi, who gave a vast "Abidus" place of worship.¹⁴

There are a lot of hadiths that encourage the practice of *waqf*. For example endowment by Umar in Khaibar as described in the following hadith:

حَدَّثَنَا مُسَدَّدٌ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا ابْنُ عَوْنٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ أَصَابَ عُمَرُ بِخَيْبَرَ أَرْضًا فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ أَصَبْتُ أَرْضًا لَمْ أُصِبْ مَالًا قَطُّ أَنْفَسَ مِنْهُ، فَكَيْفَ تَأْمُرُنِي بِهِ " إِنْ شِئْتَ حَبَسْتُ أَصْلَهَا، وَتَصَدَّقْتُ بِهَا ". فَتَصَدَّقَ عُمَرُ أَنَّهُ لَا يُبَاغُ أَصْلُهَا وَلَا يُوهَبُ وَلَا يُورَثُ، فِي الْفُقَرَاءِ قَالَ وَالْقُرْبَى وَالرِّقَابَ وَفِي سَبِيلِ اللَّهِ وَالضَّيْفِ وَابْنِ السَّبِيلِ، وَلَا جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ، أَوْ يُطْعِمَ صَدِيقًا غَيْرَ مُتَمَوِّلٍ فِيهِ.

Meaning: *When `Umar got a piece of land in Khaibar, he came to the Prophet saying, "I have got a piece of land, better than which I have never got. So what is your suggest about it?" The Prophet said, "If you wish, you can keep it as an endowment to be used for charitable purposes." So, `Umar gave the land in charity (i.e., as endowments on the condition that the land would neither be sold nor given as a present, nor bequeathed, (and its yield) would be used for the poor, the kinsmen, the emancipation of slaves, Jihad, and for guests and travelers; and its administrator could eat in a reasonable just manner, and he also could feed his friends without intending to be wealthy by its means."*¹⁵

The absence of *waqif's* ownership in an asset after being dedicated for Allah's ownership (SWT) may revert to or be applied for humanity's benefit. *Waqf* is different from a donation because *waqf* generates an endless profit to the needy and a reward to the donors. *Waqf* applies to non-perishable properties that can be used without damaging the property. Therefore, *waqf* widely relates to land and buildings. However, there is *waqf* of books, laptops, computers, chairs, tables, cars, or even cash.¹⁶

¹³ Monzer Kahf, "The Role of Waqf In Improving The Ummah Welfare," *The International Seminar on "Waqf as a Private Legal Body,"* 2003, 1–26, <https://doi.org/10.1108/IMEFM-08-2013-0094>.

¹⁴ Buerhan Saiti and Muhammad Hamal Musito, "Islamic Crowdfunding: Fundamentals, Developments and Challenges," no. December (2018).

¹⁵ Sahih al-Bukhari, *How to Write the Endowment? Vol. 4, Book 51, Hadith 33*, n.d.

¹⁶ Syahnaz Sulaiman, "Isu Pembangunan Wakaf Menggunakan Struktur Amanah Pelaburan Hartanah Islam Di Malaysia: Satu Tinjauan," *Jurnal KANUN*, 2012.

Many Muslims lack *waqf* endowment due to the wrong perception of *waqf* made only through fixed assets but never in cash. Most Muslims believe that fixed assets such as land and buildings can fulfill the three *waqf* conditions: perpetuity, irrevocability, and inalienability. However, land may be subjected to demolition, destruction due to natural calamities such as earthquakes, landslides, or floods, while *waqf* will only last if its value exists.¹⁷

Through proper cash *waqf* management, it is possible to maintain and enhance *waqf* value. Those who do not have fixed assets such as land and building can participate in *waqf* endowment through cash *waqf*. Moreover, cash *waqf* is far more critical since it is more productive than fixed assets, as proven by existing research studies on the modern Islamic financial system's profitable practices. The amount of cash *waqf* donation is not an issue; to a certain extent, it is worthy of involving the whole *ummah* in donating *waqf* fund. Thus, every Muslim can contribute to cash *waqf* donation.¹⁸

Waqf can be defined as an act of holding specific property such as moveable and immovable assets and preserving it for the confined benefit of specific philanthropy that prevents any use or disposition of the property outside the specific objective. *Waqf* applies to a non-perishable asset, the benefit of which can be extracted without consuming the property itself. Moreover, *waqf* can also be defined as promoting donations that are gifts of productive resources to be spent for public benefit. Apart from that, scholars define *waqf* as holding specific properties held or preserved for the confined benefit of any philanthropy using.¹⁹

According to these definitions, once a person donates their asset as *waqf*, the property or the assets will belong to Allah (SWT), and the *waqif* cannot take back their property. The benefits of *waqf* can be used syar'ah so that *waqf* can last a long time and can be enjoyed by Muslims and the surrounding community. They can gain benefits from the *waqf* property without any period limitation.²⁰

On the other hand, cash *waqf* can be defined as a donation of a certain amount of fiat money or cash by a founder and the dedication of its usufruct in perpetuity for the prescribed purpose. Cash *waqf* can also be defined as an endowment of an amount of money managed by *mutawallī* to support a diversity of charitable work financially. The

¹⁷ Muhammad Ridhwan Ab. Aziz et al., "Relationship between Level of Income and Method of Contribution and Appointment of Islamic Waqf Bank as an Agent in Collecting Waqf Fund," *Journal of Emerging Economies and Islamic Research*, 2014.

¹⁸ Muhammad Ridhwan Ab. Aziz et al.

¹⁹ Mohammad Monirul-Islam, "Cash Waqf: An Innovative Instrument for Development of Ummah," *Banglavisian Reseach Journal*, 2015.

²⁰ Khairi Khairil Faizal et al., "Human And Economic Development Through Share WAQF (WAQF Corporate): The Case Of GLCS In Malaysia," *Life Science Journal* 11, no. 1 (2014): 104–10.

collection of cash *waqf* will be converted to a permanent property that will then be used for the community's welfare and interest and managed by *mutwallī*.²¹

Furthermore, to have a usufruct of cash, it must be invested, and the usufruct is the profits generated from the original fund. It is exposed to cash *waqf* to the investment in Islamic banking products such as *Muḍārabah*, *Mushārah*, *Tawarruq*. Some scholars explained the use of cash *waqf* in financing the agricultural sector through *Muḍārabah* contract. This entire contract's profit will be used for charity such as building schools, masjid, orphanages, health care.²²

There are four parties involved with cash *waqf*. The first party is *waqif* or donors, who intend to get rewarded by Allah by contributing part of their income or earnings as assistance to the poor through *waqf* institution. The second part is the *mutwallīs* or management team from a *waqf* institution. Third-party is the cash *waqf* investees who receive cash *waqf* from *mutwallīs* to generate profit to help the poor. Moreover, the final party consists of the beneficiaries who will receive the profit earned from *waqf* investment.²³

Generally, *waqf* is categorized into two. One *waqf* is known as *waqf khayriy*, which is the type of *waqf* solely created for charities. Another is *waqf zurriy*, which is family *waqf*. *Waqf khayriy* is further classified into two, known as general *waqf* and specific *waqf*. General *waqf* is for charity without a pre-determined motive, condition, or beneficiaries. While specific *waqf* is for charity with a pre-determined motive, condition, and beneficiaries.²⁴

Waqf zurriy will benefit families. Some Muslim scholars consider this type of *waqf* as *bid'ah* and are not in line with *sharīah* rules. Within *Waqf Zurriy*, two forms of *waqf* for property exist. One is *waqf* for immovable assets such as land and building that can be endowed, and the other is for movable property such as cash and share. For movable property, Muslim scholars agreed that it is legitimate because it meets the *waqf*'s main principles, which requires it to be permanent.²⁵

2.2. *Developing problems of waqf lands*

Many previous researchers in many countries have researched *Waqf* to evaluate the unproductive *Waqf* due to consumptive management constraints. According to the earlier study by Masyita on *waqf* challenges in Indonesia, they found that problems

²¹Mohammad Monirul Islam, "Cash Waqf: An Innovative Instrument for Development of Ummah," *Banglavisian Research Journal* 15 (2014): 117–24.

²²Mahadi Ahmad, "Cash Waqf: Historical Evolution, Nature and Role as an Alternative to Riba-Based Financing for the Grass Root," *Journal of Islamic Finance* 4, no. 1 (2015): 63–74, <https://doi.org/10.12816/0024801>.

²³Ahmad.

²⁴et al Khairi, Khairil Faizal, "Human and Economic Development Through Share Waqf (Waqf Corporate): The Case of GLCs in Malaysia," *Life Science Journal* 11 (2014): 104–10.

²⁵Khairil Faizal et al., "Human And Economic Development Through Share WAQF (WAQF Corporate): The Case Of GLCS In Malaysia."

occurred due to lack of socialization of regulations and *waqf* fiqh, unproductive and undeveloped *waqf* land, and lack of financial resources.²⁶ They mentioned that *waqf* lands are the most popular forms of *Waqf* in Indonesia. Most of Indonesia's *waqf* assets have not been utilized productively and only used for mosques, cemeteries, orphanages, etc.²⁷ On the other hand, the existence of *Waqf* in Indonesia is essential for poverty alleviation programs such as health services, improving education, public facilities, and other socio-economic development.

Budiman states that Muslim countries like Indonesia have not been able to optimize the role of *Waqf* because of internal and external constraints.²⁸ According to him, finance and land location are the main factors inhibiting *waqf* land development in Indonesia. That findings are also in line with Haneef's latest research, which found that lack of funding sources, lack of selling the power of *waqf* assets, lack of managerial skills, and abused *waqf* assets were the main reasons *waqf* land not useful for the ummah.²⁹ Syamsir poses another problem in managing *waqf* land, such as insufficient income to cover operational costs, and *waqf* assets have no self-generating and unproductive income.³⁰

Many previous studies have sought to find solutions to the problem of unproductive *waqf* land. The researchers have divided the empowerment model of *waqf* land into two methods; classic and modern. The *istibdal* (substitution) and *ibdal* (exchange) methods are the first two models of empowering consumptive *waqf* land; other classical methods such as *hukr* and *Ijārah* are also used to develop *waqf* assets.³¹

Over time, the *waqf* empowerment model has developed in various forms. Kholid proposed a model of *Sukuk Al-Intifā'a* in improving *waqf* performance based on the *Ijārah* contract.³² This type of *Sukuk* can generate new financing sources for empowering *Waqf* to generate income to fund projects in *waqf* institutions. On the other hand, alternative models for the management of *Waqf* can be in the form of direct investment

²⁶ Dian Masyita, Muhammad Tasrif, and Abdi Suryadinata Telaga, "A Dynamic Model for Cash Waqf Management as One of the Alternative Instruments for the Poverty Alleviation in Indonesia," in *The 23rd International Conference of The System Dynamics Society Massachusetts Institute of Technology (MIT)*, 2005, 1–29.

²⁷ Candra and Rahman, "Waqf Investment: A Case Study of Dompot Dhuafa Republika, Indonesia."

²⁸ Mochammad Arif Budiman, "The Significance Of Waqf For Economic Development," *Equilibrium* 2, no. 1 (2014): 19–34.

²⁹ Mohamed Kamil Bin Mustaffa Nazrol Haneef, Aslam Mohamed Kamil and Qurroh Ayuniyyah, "Development of Waqf in Indonesia: The Swot Analysis of Indonesia Waqf Board (BWI)," *Jurnal Ekonomi Islam* 8, no. 2 (2017): 2087–2178.

³⁰ Rozalinda Syamsir, "The Economic Empowerment of the Ummah on the Basis of Productive Waqf in West Sumatra, Indonesia," *International Journal of Nusantara Islam* 3, no. 1 (2015): 33, <https://doi.org/10.15575/ijni.v3i1.314>.

³¹ Hasan and Abdullah, "The Investment of Waqf Land as An Instrument of Muslims' Economic Development in Malaysia."

³² Muhamad Kholid, R Sukmana, and Kak Hassan, "Waqf through Sukuk Al-Intifa'a: A Proposed Generic Model," *Awqaf Journal* 17, no. 1 (2008): 1–16.

in the real sector and financial instruments such as cash *waqf*. Shirazi offers a model in poverty alleviation of the world through a combination of two Islamic financial tools (*zakat* and *Waqf*) that provide lasting funds for prosperity through a profit-sharing and loss-based model.³³ Therefore, the *waqf* institution needs to develop a lucrative project to finance the primary sector required by many people, such as education, health, etc.

Meanwhile, applying a *Waqf*-based social micro venture fund (WSMVF) would strengthen the ummah's economic status, both in the fields of social, religious fronts, and education.³⁴ The focus on developing microenterprises can have a positive impact on creating employment opportunities and improving household economics. According to him, through strengthening micro-enterprise funds, WSMVF could be a financing mode for *Waqf* recipients.

Also, Pitchy promoted a cooperative-*waqf* model to solve the financial constraints faced by *waqf* institutions. According to them, both of these models combine a donation and gift-based crowdfunding model.³⁵ This model is different from the cash *waqf* model, which is done offline and online by financial institutions. Then, collected cash *waqf* funds are managed into assets such as hospitals, construction of educational institutions, and others.

2.3. Existing models of investment *waqf*

According to Law Number 41 of 2004 concerning *Waqf*, investment in *waqf* land is allowed; to ensure *waqf* land sustainability. Before determining a model that is suitable for the development of empty *waqf* land. Then proceed with identifying supporting sectors such as housing, agriculture, commercial, and religious needs. Therefore, the financing source for developing *waqf* land has become a significant issue for many *waqf* institutions.³⁶ Many types of *waqf* investment models have unique strengths and have been practiced in most Muslim countries. Chowdury et al. 1, in their study, concluded that

³³ Nasim Shah Shirazi, "Integrating Zakāt and Waqf into the Poverty Reduction Strategy of the IDB Member Countries," *Islamic Economic Studies* 22, no. 1 (2014): 79–108.

³⁴ Norliana Mohammad Hamber and Mohamed Aslam Haneef, "Waqf-Based Social Micro Venture Fund: A Proposal for the Malay-Muslim Community in Singapore," *Journal of King Abdulaziz University, Islamic Economics* 30, no. 1 (2017): 37–60, <https://doi.org/10.4197/Islec.30-1.3>.

³⁵ Mohamed Asmy Thas Thaker, Hasanudin Mohd Thas Thaker, and Anwar Allah Pitchay, "Modeling Crowdfunders' Behavioral Intention to Adopt the Crowdfunding-Waqf Model (CWM) in Malaysia The Theory of The Technology," *International Jurnal of Islamic and Middle Eastern Finance and Management*, 2018, 419–40, <https://doi.org/10.1108/IMEFM-06-2017-0157>.

³⁶ H. M Musae Anwar et al., "Waqf Land in the West Bank and Investment Current State of Affairs," *Asian Social Science* 10, no. 14 (2014): 23–39, <https://doi.org/10.5539/ass.v10n14p23>; Mohd Thas Thaker Mohamed Asmy and Mustafa Omar Mohammed, "The Challenges of Micro Enterprises in Malaysia and the Prospect for Integrated Cash Waqf Micro Enterprise Investment (Icwme-I) Model," in *2nd International Conference on Islamic Economics and Economies of the OIC Countries*, 2013, 203–22; Jarita Duasa and Mohamed Asmy Mohd Thas Thaker, "A Cash Waqf Investment Model: An Alternative Model for Financing Micro-Enterprises in Malaysia," *Journal of Islamic Monetary Economics and Finance* 1, no. 2 (2016): 161–88, <https://doi.org/10.1108/IMEFM-08-2013-0094>.

are five investment models used in developing *waqf* land, namely, *Ijārah Muntahiya bit Tamlīk*, *Murābahah*, *Istishnā'*, *Mudhārabah*, and *Musyārahah*.³⁷

Ijārah muntahiya bit tamlīk currently practiced in Muslim countries such as Singapore, Kuwait, Malaysia, and Bangladesh.³⁸ Through this investment model, *waqf* institutions would lease buildings that investors have built for a certain period. At the end of the lease, the capital owner will get the agreed profit, and ownership of the asset will be used to develop *Waqf* either through sales or other.

Meanwhile, *Murābahah* currently practiced in Malaysia, Bangladesh, Singapore, Kuwait, Sudan, and the United Kingdom.³⁹ According to Ali, this investment model requires the *Waqf* Manager as a seller by buying the equipment needed through a *Murābahah* contract, while the financing comes from one Islamic bank.⁴⁰ The *waqf* manager becomes a debtor for a price plus profit. This debt will eventually be paid using the income from the development of *waqf* assets.

The *Istishnā'* model allows *waqf* managers to order the development of *waqf* assets needed by financial institutions through *Istishnā'* contracts.⁴¹ The Islamic Bank then contracts with the contractor to fulfill the *waqf* manager's order on behalf of the bank.⁴² The *Istishnā'* financing model also creates debt for the *waqf* property managers and can be settled from *waqf* assets development. The financing provider has no right to interfere in the management of *waqf* assets.

The current *Mudhārabah* and *Musyārahah* investment models are also practiced in several Muslim countries such as Indonesia, Singapore, Malaysia, and Bangladesh.⁴³ In *Mudhārabah*, *waqf* institutions ask capital owners to build buildings on *waqf* land, while the developer carries out project management. Upon project completion, a third party will rent the building. The rental income is divided between the *waqf* institution and the developer. *Waqf* institutions then use the rental income to develop other assets and

³⁷ Md. Shahedur Rahaman Chowdury, "Economics of Cash WAQF Management in Malaysia: A Proposed Cash WAQF Model for Practitioners and Future Researchers," *African Journal of Business Management* 5, no. 30 (2011): 12155–63, <https://doi.org/10.5897/AJBM11.1810>.

³⁸ Mohamed Asmy Bin Mohd Thas Thaker, "Alternative Model For Micro Enterprises' Human Capital Development in Malaysia," in *Proceedings of the 2nd Applied International Business Conference (AIBC2013)*, 2013, 585–92.

³⁹ Ahmad, "Role of Waqf in Sustainable Economic Development and Poverty Alleviation: Bangladesh Perspective."

⁴⁰ Sirajul Arefeen et al., "Use of Crowdfunding for Developing Social Enterprises: An Islamic Approach," *International Journal of Business and Management* 13, no. 6 (2018): 156, <https://doi.org/10.5539/ijbm.v13n6p156>.

⁴¹ Hussein Elasrag, "Towards a New Role of the Institution of Waqf," *SSRN Electronic Journal* I, no. I (2017): 3–29, <https://doi.org/10.2139/ssrn.3011290>.

⁴² Fahmi Medias, "Bank Wakaf: Solusi Pemberdayaan Sosial Ekonomi Indonesia," *Indonesian Jurnal of Islamic Literature and Muslim Society* 2, no. 1 (2017): 61–84, <https://doi.org/10.22515/islimus.v2i1.749>.

⁴³ Duasa and Mohd Thas Thaker, "A Cash Waqf Investment Model: An Alternative Model for Financing Micro-Enterprises in Malaysia."

distribute them to *mauqūf 'alaih*.⁴⁴ This model is a solution for *waqf* institutions in financing *waqf* land because of high development costs.

Islamic Development Bank (IDB) has developed this model in the form of increased capital inflows from its *waqf* funds (*Musyārahah Mutanāqisah*). Examples of *Musyārahah Mutanāqisah* project IDB are constructing the At-Ta'awun Commercial Center Project in the United Arab Emirates (UEA) of US \$ 18.34 million high-rise buildings for commercial on *waqf* land in Kuwait, namely Awqaf Commercial Building worth 12.35 million dollars with the profit-sharing system.⁴⁵ In addition to the investment model above, several previous studies also suggested using *Muzāra'ah* and *Musāqat* as investment models for developing *waqf* land.⁴⁶

2.4. *The proposed investment waqf model (IWM)*

This study aims to adopt several models, which is permitted by law No. 41 of 2004 as ideal solutions improve the development of empty *waqf* lands and resolve the utilization problems faced by Muhammadiyah institution *waqf* in Indonesia. It proposes a new mechanism through the categorization of Muhammadiyah *waqf* lands using Islamic investment models.

Based on the MWK report in 2019 (Table 1), the investment *waqf* model proposed in this study aims to resolve the development of the 5% empty *waqf* land problem faced by Muhammadiyah institutions. This model combines the Muhammadiyah *waqf* land category with an appropriate investment model in Islam to solve managerial problems in Muhammadiyah *waqf* institutions in Indonesia. Figure 1 explains the *modus operandi* of IWM.

There are at least five steps proposed in categorizing the Muhammadiyah *waqf* lands in Indonesia and their matching with IWM:

- *Step 1*: Classification of the *waqf* lands. Examples of categories that Muhammadiyah *waqf* institutions can determine are potential locations, such as business centers, agriculture, commercial, residential, industrial estates, facilities for religious activities, and access to *waqf* lands.

⁴⁴ Iman and Mohammad, "Waqf as a Framework for Entrepreneurship."

⁴⁵ Khairil Faizal et al., "Human And Economic Development Through Share WAQF (WAQF Corporate): The Case Of GLCS In Malaysia."

⁴⁶ Yusuff Jelili Amuda, "Empowerment of Nigerian Muslim Households through Waqf, Zakat, Sadaqat and Public Funding," *International Journal of Trade, Economics and Finance* 4, no. 6 (2013): 419–24, <https://doi.org/10.7763/IJTEF.2013.V4.329>; Ajeng Wahyu Puspitasari, "Optimizing Productive Land Waqf Towards Farmers Prosperity," *Journal of Indonesian Applied Economics* 6, no. 1 (2017): 103–12.

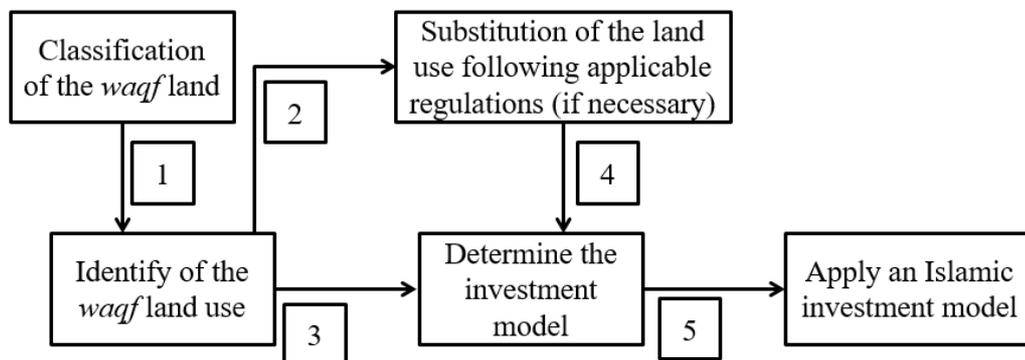


Figure 1. The proposed steps in developing Muhammadiyah waqf lands

- *Step 2:* The use of *waqf* lands is adjusted to Indonesian law No. 41 of 2004 Market 22, by facilities for worship, educational facilities, economic improvement, and general welfare.⁴⁷ Thus, the utilization and development of *waqf* land can be optimized according to the land's uniqueness.
- *Step 3:* If the utilization of *waqf* land is not optimal and does not comply with applicable regulations, then substitution of *waqf* land needs to be done in increasing the role of *Waqf* for the service of the ummah. Mohd Puad et al., in their conceptual paper, state that the substitution model at least provides income without changes in designation determined by *waqif*.⁴⁸ Consequently, substitution is not a financing model. A classic example of this is the exchange of school buildings in sparsely populated areas with densely populated school buildings. The substitution model can quickly provide liquid funds needed for operational activities of *waqf* assets. In some instances, substitution can also improve *waqf* assets services, mainly if they use new *waqf* assets due to technological or demographic changes.⁴⁹
- *Step 4:* Determine the investment model that fits the category of *waqf* land. The right investment model can increase productivity and *waqf* income. In this case, the Muhammadiyah *waqf* institution can choose an Islamic investment model such as *ijārah muntahiya bit tamlīk*, *murābahah*, *istishnā'*, *mudhārabah*, *musyārahkah mutanāqisah*, and *muzāra'ah*.
- *Step 5:* The Muhammadiyah *waqf* institution will develop assets by choosing an investment in commercial service projects and agricultural products.

⁴⁷ Chrisna Bagus Edhita Praja et al., "Patent Right Transfer Through Waqf: What Are The Requirements?," *Yustisia Jurnal Hukum* 1, no. 1 (2018): 301–13, <https://doi.org/https://doi.org/10.20961/yustisia.v7i2.20720>.

⁴⁸ Noor Aimi Bt Mohd Puad, Nurauliani Bt Jamlus Rafdi, and Wan Shahdila Shah Bt Shahr, "Issues and Challenges of Waqf Instrument: A Case Study in Mais," in *Conference on Management and Muamalah (CoMM 2014)*, 2014, 116–27.

⁴⁹ Mohamed Asmy and Mohammed, "The Challenges of Micro Enterprises in Malaysia and the Prospect for Integrated Cash Waqf Micro Enterprise Investment (ICWME-I) Model."

Management of Muhammadiyah *waqf* is currently only categorizing *waqf* land according to the deed of *waqf* pledge. Muhammadiyah's *Waqf* is now more directed towards utilizing schools and social facilities that cannot produce new benefits. In addition to the existing structure of *waqf* land, *waqf* land should also be classified into usage forms according to location. By identifying the use of *waqf* land following current *waqf* regulations in Indonesia, MWK will avoid *waqf* land that is not empowered productively. For example, if most *waqf* land is in the form of paddy lands, MWK can use it in agriculture. If the *waqf* land is strategic, MWK can request changes to the *Waqf* land use. However, if it is in commercial land, commercial projects must be developed to obtain income that can be used to establish existing *waqf* land and distribute it to those who need it.⁵⁰ To solve the problem of funding in empowering Muhammadiyah's empty *waqf* land, Figure 2 below illustrates the proposed categorization of *waqf* land using investment models.

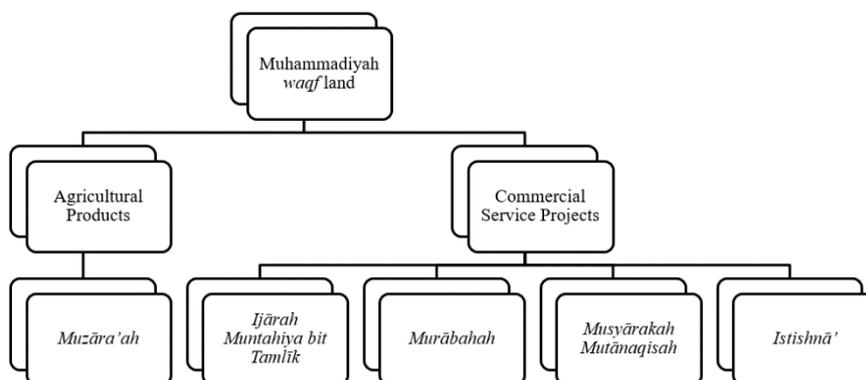


Figure 2. The proposed investment model with the category of *waqf* land

In utilizing vacant *waqf* land owned by Muhammadiyah, there are at least several investment models as described below.

a. *Muzāra'ah*

This investment model is based on the *muzāra'ah* contract, where the Muhammadiyah *waqf* institution provides land (and possibly machinery) to farmers. Muhammadiyah *waqf* institutions offer land and other fixed assets owned by the *Waqf*, while Islamic financial institutions provide operational and management costs. Muhammadiyah *waqf* institutions, in collaboration with Islamic financial institutions, can also provide some or all of the equipment. This model is thus suitable for Islamic financial institutions in Indonesia who want to

⁵⁰ Aden Rosadi, Deden Effendi, and Busro Busro, "The Development of Waqf Management Through Waqf Act in Indonesia (Note on Republic of Indonesia Act Number 41 of 2004 Regarding Waqf)," *Madania: Jurnal Kajian Keislaman* 22, no. 1 (2018): 1, <https://doi.org/10.29300/madania.v22i1.881>.

take management responsibilities, while the *waqf* property manager takes the position of sleeping partner.⁵¹ It is one of the models where management will exclusively be in the hands of financial institutions. Because of the potential of Muhammadiyah *waqf* land in rice fields in Indonesia, this model is a solution for developing *waqf* land in agricultural output. This investment concept offers justice between two parties, Muhammadiyah *waqf* institutions and farmers.

b. *Ijārah Muntahiya bit Tamlik*

Build-lease-transfer (*Ijārah Muntahiya bit Tamlik*) requires the Muhammadiyah *waqf* manager to control *waqf* land development. In its implementation, the manager of Muhammadiyah's *Waqf* gave a permit, which was valid for several years, to investors to erect a building on *waqf* land. Then the Muhammadiyah *waqf* manager rents out the building for the same period. The fund owner owns the period used for *waqf* purposes, such as hospitals, office rental spaces, or apartments.⁵² The Muhammadiyah *waqf* manager runs the management and pays the rent periodically to the owner of the funds. The lease amount has been determined to cover the principal and profits desired by the fund provider. At the end of the permitted period, the owner of the funds will recover their desired capital and profits, and after that, the fund provider cannot re-enter the *waqf* property.

c. *Murābahah*

The application of the *murābahah* investment model requires Muhammadiyah *waqf* institutions to act as capital owners (entrepreneurs) who control the investment process that purchases equipment and materials needed through *murābahah* contract letters. At the same time, the funding comes from an Islamic bank. Muhammadiyah *waqf* institutions become the debtor to Islamic banking institutions for the price of equipment and materials purchased plus the financing mark-up. This debt will be paid from income from the development of *waqf* property.

d. *Musyarakah Mutānaqisah*

In the context of this investment model, Muhammadiyah *waqf* institutions develop *waqf* land through partnerships with other parties to establish commercial buildings such as shops, shop houses, or others on *waqf* land. Muhammadiyah *waqf* institutions and *waqf* partners then develop businesses to generate profits, with a payback agreement at the end of the period. After the business has been

⁵¹ Puspitasari, "Optimizing Productive Land Waqf Towards Farmers Prosperity."

⁵² Shabana, "Role of Waqf in Enhancing Muslim Small and Medium Enterprises (SMEs) in Singapore."

running, then the Muhammadiyah *waqf* institution takes over the ownership of partner shares through purchase.

e. Istishnā'

The *istishnā'* model allows Muhammadiyah *waqf* institutions to develop the required *waqf* property to the financial institution through an *istishnā'* contract. The financial institution or bank then contracts with the contractor to fulfill the *waqf* property manager's order on behalf of the financial institution. The *istishnā'* financing model also incurs debts for the management of the Muhammadiyah *waqf* property and can be resolved from the development of the *waqf* property. The financing provider does not have the right to interfere in the management of the *waqf* property.

2.5. Significance of the investment waqf model

There are currently no previous studies that analyze using investment models to develop Muhammadiyah *waqf* land in Indonesia. Therefore, proposing an investment model in developing *waqf* land is considered a model that can make *waqf* land more productive and used by the Muhammadiyah *waqf* institutions in Indonesia.

This proposed investment model has a significant role in making Muhammadiyah *Waqf's* empty land more beneficial to the ummah. In the end, *waqf* land financing did not become a major obstacle faced by Muhammadiyah *waqf* institutions. Besides, consistent development of *waqf* land will enhance the reputation of Muhammadiyah *waqf* institutions. In addition to the implications for *waqf* institutions, this alternative model is expected to reduce Muhammadiyah *waqf* institutions' problems in providing funds for asset development.

3. DISCUSSION AND IMPLICATIONS

The problem in developing *waqf* land received the most attention from previous researchers. The former argument suggested that the majority of *waqf* land had not been managed productively and professionally. Proper management can play an essential role in *Waqf* for the development of socio-economic societies. Besides, it was said that the problem was due to the lack of funding sources, consumptive understanding of *waqf* institutions, and lack of management expertise. This *waqf* investment theory has implications for the development of literature on *Waqf* and empowerment of the ummah for *waqf* institutions and policymakers.

This proposed model suggests some suggestions for practitioners. First, *waqf* institutions that aim to improve social welfare must consider the supporting and inhibiting factors for the development of *waqf* land.⁵³ As discussed earlier, *waqf* institutions must-

⁵³ Syamsir, "The Economic Empowerment of the Ummah on the Basis of Productive Waqf in West Sumatra, Indonesia."

do projects that appeal to *waqif* (e.g., by offering productive projects that impact society,⁵⁴ such as increasing collaboration with social institutions, other sharia finance, and stakeholders.⁵⁵ However, improving the skills of *waqf* managers are needed to create productive *Waqf*⁵⁶. Thus, *Waqf* becomes more attractive to *waqif* in donating their donations to waqf institutions.

It is also suggested that the construction of Muhammadiyah empty *waqf* land using Islamic investment models must consider future risks. Finally, *waqf* policymakers must be aware that waqf land development faces challenges such as the lack of *waqf* institutions' capacity in empowering *waqf* land, lack of financial resources for maintenance of *waqf* assets, and lack of support from stakeholders regarding the regulation of empowering *waqf* land. Our findings agree with Ali and Arefeen that *Waqf* plays an essential role in reducing poverty, unemployment, and social inequality.^{57 58} The amount of *waqf* land is not in line with the understanding of *waqf* institutions in managing the *waqif* beliefs. However, the submission of alternative models is expected to solve the problems that Muhammadiyah *waqf* institutions have recently faced. Thus, Muhammadiyah waqf can play a significant role in Indonesia's economic development.

4. DIRECTIONS FOR FUTURE RESEARCH

The opportunity for future *waqf* scholars is to empirically analyze the role of investment models in enhancing the role of *Waqf* as proposed in this paper. Some challenges for investigating the role of investment models are the nonlinear nature of the effects of the development of *Waqf*, such as waqf income generated by *waqf* institutions from the use of investment models both in terms of number and type in *waqf* institutions.

Finally, the investment model has increasingly considered a revitalization solution endowments and economic improvement. On the other hand, *waqf* policymakers turn to new models to overcome problems faced by *waqf* institutions. Thus, *Waqf* can be a social instrument capable of providing *Waqf* and is essential for the welfare and creating a new economic climate for Indonesia.

⁵⁴ Anwar et al., "Waqf Land in the West Bank and Investment Current State of Affairs."

⁵⁵ Zaiyu Huang et al., "The Nature of Crowdfunding in China: Initial Evidence," *Asia Pacific Journal of Innovation and Entrepreneurship* 12, no. 3 (2018): 300–322, <https://doi.org/10.1108/apjie-08-2018-0046>.

⁵⁶ Aam S Rusydiana and Abrista Devi, "Elaborating Cash Waqf Development In Indonesia Using Analytic Network Process," *International Journal of Islamic Business and Economics* 22, no. 1 (2018): 1–14.

⁵⁷ Khalifa Mohamed Ali, "Waqf for Poverty Alleviation: Challenges and Opportunities," *IRTI Working Paper Series*, 2014, <https://doi.org/10.1453/jest.v3i4.1087>.

⁵⁸ Arefeen et al., "Use of Crowdfunding for Developing Social Enterprises: An Islamic Approach."

5. CONCLUSION

The development of Muhammadiyah's waqf land currently faces several problems and challenges such as lack of financing, unproductive waqf land, to the understanding of consumptive waqf management. Because of these obstacles, Muhammadiyah's Waqf in Indonesia requires strategic steps through more effective approaches to enhance its future role. As has been suggested, through IWM, it is essential to change the perception of Muhammadiyah waqf institutions that are dedicated to waqf land only for educational and social purposes and are reluctant to change the status of existing waqf property. This lack of understanding of waqf management leaves many empty waqf lands that are not empowered productively. In contrast, the land can generate profits through commercial and agricultural projects to provide income that will be used to develop existing waqf land and finance the community's social needs. The proposed IWM model offers the categorization of waqf land before determining investment models (Muzāra'ah, Ijārah Muntahiya bit Tamlik, Murābahah, Musyārahah Mutānaqisah, and Istishnā') in the form of agriculture or commercial business that are following the characteristics of Muhammadiyah's Waqf. The strategic position of waqf land can help with initial analysis to determine its more productive use. Thus, Muhammadiyah waqf institutions in Indonesia can offer great potential from the waqf land they currently have.

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