

Law Reform of Waqf Land Management in the North Coastal Area of Central Java

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Abstract. It is very important to reform the waqf land management law in the northern coastal area of Central Java because there are legal issues in waqf land management. This research aims to identify the legal issues of waqf land management in the northern coastal area of Central Java and their solutions. The significance of the research is as a novelty on waqf law enforcement and management so that the waqf land can be managed optimally. The type of this research is field research, and it uses an empirical legal approach. The data employed primary and secondary data. In addition, the data were analyzed qualitatively and concluded inductively. The results show that the legal issues regarding waqf land management in the northern coastal areas of Central Java are, namely: waqf practice occurs orally, the community is not fully aware of the waqf law stipulated by the state, and they have not fully supported the management of waqf land, the heirs' attitude which does not support their heirs as waqif, the nazhir (the waqf manager) resources have not been professional yet, the nazhir's attitude in managing waqf assets which are less transparent and accountable, the legality of nazhir's has not been realized, and PPAIW have not carried out their duties optimally. The solution to the legal issues is to reform the law on waqf land management by improving several aspects: institutions, juridical rules, and nazhir resources. The institutional aspects include improving the performance of PPAIW in waqf legality services and the existence of nazhir institutions and coordinating with BPN to certify the waqf land. The nazhir resources include improving their skills and knowledge through integrated management training, leadership, and performance. Lastly, the juridical aspects are by setting rules for waqf land management and professional nazhir certification as carried out by BWI.

Keywords: Law Reform, Management, Waqf Land, North Coast, Central Java

1 Introduction

Article 16 of Law of the Republic of Indonesia No. 41 of 2004 concerning Waqf explains that there are two waqf assets, namely fixed and movable waqf assets, and one of the fixed waqf assets is land. The land that has been waqf (waqf land) is prohibited from being used as collateral, confiscated, granted, sold, inherited, exchanged, and transferred in the form of other rights transfers (Article 40 of Law of the Republic of Indonesia No. 41 of 2004). However, the waqf land must be maintained/preserved by the nazhir (waqf manager) and used continuously/eternally by the community for interests that do not conflict with Islamic law/sharia. The immortality of the benefits of waqf land makes the Islamic community enthusiastic about waqf land because giving land as waqf is a social worship that brings alms

[1]. The community's enthusiasm for giving land as waqf has made the legal act of waqf land grow rapidly in Indonesia.

The development of waqf land in Indonesia experiences extraordinary developments every year. Data from the Directorate of Zakat and Waqf Empowerment at the Ministry of Religious Affairs shows that national land waqf assets reached 4.359 billion square meters in 435,768 locations throughout the country in 2016. In 2017, it reached 4.364 billion square meters and 4.4 billion square meters in 2018 [2]. Based on SIWAK (Waqf Information System by the Ministry of Religious Affairs) data, the number of waqf land assets in 2019 showed 50,200.38 ha, spreading over 372,322 locations [3]. The number of waqf assets that increases every year and the dynamic development of waqf regulations and practices in Indonesia is due to the enthusiasm of the community for waqf that is getting bigger, both inland communities and coastal areas community.

The communities in the northern coastal areas of Central Java, such as Demak, Kendal, the Coastal Areas of Semarang City, Batang, and Pekalongan, have made land waqf acts one of the religious activities in their daily lives. The practice of land waqf is a means to foster good relations in worshipping God and socializing. Even waqf acts can be used as a benchmark for the amount of wealth and success of one's life in community life. The people who endow their land will feel happy and satisfied because they can use their waqf land with the community and their descendants. The existence of waqf land can be used as an asset for coastal villages to serve the needs of the community, for example, the land built for mosques and other facilities that can be used for worship, social activities, meeting places, educational facilities/madrasah/TPA (Al-Qur'an Education Park), even a place of rest for the community when working in coastal areas [4].

The community of the northern coastal area of Central Java practices the land waqf based on the teachings of Islamic law obtained from an intensive study of Islamic religious understanding, which is carried out at least twice a week. Religious activities can be used as a means to strengthen social relations, improve behaviour in social relations, discuss social problems, and solve social problems. It also motivates to give waqf because waqf is included as a charity, in which the waqf land property can function socially [4]. People who give waqf (wakif) have given their wealth to be used by the community, and those who maintain and manage it (nazhir) have been trusted by the wakif. The nazhir are responsible for the waqf property of the land.

Nazhir's duties regarding land waqf have been explained in Article 11 of the Waqf Law of Republic Indonesia No. 41 of 2004. The article explains that the nazhir has the tasks to administer, manage, and develop waqf property according to its purpose, function, and designation; supervise and protect the waqf property; report the implementation of tasks to the Indonesian Waqf Board (BWI). If understood, the article explains that the task of nazhir is to be responsible for waqf assets, including registering, managing, developing or empowering, supervising, and protecting waqf assets following the designation of waqf assets based on the agreement listed in the waqf pledge act.

In the management of waqf land, the nazhir is expected to be able to manage the assets for worship, social, and economic purposes because the use of waqf assets today is not only in the aspect of worship but also in economic aspects that can improve the welfare of the community. Nazhir may receive a reward from the net income for managing and developing waqf property in which the amount is not more than 10% (ten percent). Therefore, nazhir are expected to have the ability to empower waqf assets. Nazhir usually gets coaching from the Ministry of Religious Affairs and the Indonesian Waqf Board (BWI) to improve his ability.

However, the community's excitement about waqf is not directly proportional to the management of waqf assets. According to research conducted by Jaenal Arifin [5] it showed that there are assets that are neglected, unempowered, controlled by others, and not functioning optimally in the community. It is because there are several inhibiting factors in the management of waqf assets, such as the low quality of the nazhir's resources management of waqf assets and it is because the person considers that being a nazhir is still considered a side job, so there is no seriousness in empowering the waqf assets. It is reinforced by the research of Nilda Susilawati et al [6] entitled *Peran Nazhir Dalam Perlindungan Harta Wakaf (Nazhir's Role In The Protection of Waqf Property)* which explained that the appointment of nazhir by wakif is more based on the aspects of trust and closeness or kinship instead of management ability professionalism. In addition, it is also caused by the low understanding of nazhir about the management of waqf assets because most of them understand that the use of waqf property is only to be used as a place of worship, prayer rooms, and tombs instead of managing the assets to have economic value. According to the research of Mesi Herawati and Muhammad Mukhsin [7], it showed that the management of waqf land carried out by Nazhir is hampered because the waqf land is still in dispute as the waqf land certificate has not yet been issued, so it does not have legal certainty and protection.

Based on the description above, it can be seen that there are legal issues between the rules contained in Article 11 of the Indonesian Waqf Law No. 41 of 2004 concerning the duties of nazhir as the manager of waqf property with the practice of managing waqf land in the North Coastal Region of Central Java. This research's problem is the legal problems of waqf land management in the coastal areas of Central Java and how their legal reforms. This research is a follow-up study from the research conducted by the researchers above with the similarity of the problem of obstacles to waqf land management. At the same time, the difference lies in the research location. This study took research location in the coastal area, and certainly, there would be some differences in the character of nazhir in waqf land management. The research aims to identify the legal issues, analyze them, and optimize the law on managing waqf land assets in the North Coastal Region of Central Java. This research's significance is as a novelty on waqf law reform, waqf law enforcement, and management of waqf property so that the waqf land can be maximally useful in society in a sustainable manner.

2 Methodology

This research includes legal research that explores the legal reform of land waqf management carried out by nazhir in the northern coastal area of Central Java. Field research explores data in the community about implementing the legal rules for managing the waqf land by nazhir. The research took the northern coastal area of Central Java as the research location. The research sample consisted of Demak, Kendal, Jepara, the northern coastal area of Semarang Municipality, and Batang. The research used primary data originating from the research area, and it was about the actions and management of waqf land assets, obstacles, and challenges along with their solutions which were used as material to analyze the legal reform of land waqf management. In addition, this research also used secondary data consisting of primary legal sources (the laws and regulations) and secondary legal sources included: literature originating from books, journals, and legal magazines related to the research theme, namely: legal reform, waqf land, and waqf land property management; and tertiary legal sources if needed. The data were obtained from FGDs (Focus Group Discussions) and

interviews with nazhir and waqf institutions using the snowball system. In contrast, the secondary data was obtained through literature and document studies.

The research used a socio-legal research approach. It is an approach that starts by observing the community's behaviour in carrying out the law, whether it follows the laws and regulations. If it is following the laws and regulations, what are the reasons, and if not, what the problem is. If the problem had been found, the data would have been analyzed, and further legal reform efforts would have been made using the existing theories. Drawing conclusions would be carried out inductively, from specific problems into general statements through scientific arguments.

3 Result

Essential efforts in managing waqf land refer to an activity to maintain, preserve, manage and empower the waqf land so that the community in a sustainable manner can feel its benefits. Waqf land management is one of the essential efforts to enforce the waqf law. The success of waqf land management will lead to people's enthusiasm for waqf. The proper management will make the waqf land function to meet the community's needs, both from the aspect of worship, social, economic, educational, or other. On the other hand, the improper management of waqf will cause the waqf land to be stalled (unmanaged), unmaintained, and its ownership transferred to someone else or even lost [7]. Such management will impact the enforcement and existence of waqf law and public trust in waqf.

Therefore, the role of nazhir as a waqf land manager is crucial. They are in charge of administering, managing, and developing waqf land so that it follows its purpose, function, and designation. In addition, they are also in charge of supervising and protecting the waqf property; and reporting on the implementation of tasks to the Indonesian Waqf Board (BWI) (Article 11 of the Act of The Republic of Indonesia). Nazhir, as waqf land manager, is expected to manage the assets following their designation that has been determined by wakif in the waqf pledge act; for example, the waqf land is built as a mosque, and it will be for worship, so Nazhir strives for it by fulfilling the facilities for places of worship. The finance can be obtained from various sources, such as crowdfunding from the public through cash waqf, infaq (a type of charity in Islam that is given without any expectation of reward or return), and alms.

According to the MUI (Indonesian Ulema Council) Fatwa Number 34 of 2013 concerning the Utilization of the Mosque Area for Social and Economic Value Activities, it stipulates that the function of the mosque is not only for *mahdlah* worship activities but also productive activities that benefit the community. Concerning the management of the waqf land built on the mosque, Nazhir must manage the mosque for worship and productive activities.

The study found that the management of waqf land in coastal areas experienced legal issues. The issues were related to wakif, wakif heirs, nazhir, Pejabat Pembuat Akta Ikrar Wakaf (Officials Maker of the Waqf Pledge Deed (PPAIW)), and the community as beneficiaries of waqf, the explanation is as follows:

1. Wakif becomes a problem in the management of waqf land. It happens as the wakif does not endow their land to PPAIW. It is often found that the waqf land has no waqf pledge act, and it is because the wakif pronounces the land waqf act orally and directly to the nazhir, either individuals or organizations (Muhammadiyah or Nahdhatul Ulama (NU)) or to the foundation directly as nazhir [As a result, the waqf act has no legal force because

there is no pledge act. According to Abdurrahman Kasdi [9], he explained the reason for waqif doing waqf verbally to nazhir, not to PPAIW, because they view that waqf as a worship that should only be intended to seek the pleasure of Allah, and it does not need to be known by the general public. In addition, it is believed that if others know the waqf worship, it will lead to the nature of *riya'* or arrogance and reduce the sincerity in worship.

According to the PPAIW of Demak Regency, the reasons why waqif do not do their waqf to PPAIW are sometimes because of the difficult conditions to obtain, and the wakif are not serious about fulfilling them; the location of the PPAIW office, which is far from the location of the waqf land and sometimes the difficult transportation access; and waqif are not familiar with PPAIW [10]. This situation impacts the management of waqf assets which experienced obstacles after the waqif died, and the nazhir who do not seriously manage the waqf assets and do part-time jobs. Therefore, the management of waqf land is not optimal. The orientation of nazhir in the management of waqf land is more on worship.

2. Waqif heirs sometimes become a problem in managing waqf land. For example, they always interfere with the authority of nazhir in the management of waqf land, request the results of waqf land management to meet the needs of their family, reduce the area of waqf land to be built in the name of their owners because they assume that on waqf land there is an inheritance [11]. Such a thing can hamper the management of waqf land because nazhir are not free to have ideas and innovate because of the attitude of the heirs who tend to control the waqf land, and there is also a possibility of waqf land disputes. If the dispute over the waqf land is not resolved, the management will probably not run smoothly, and even if it stops, it means that the waqf land will stagnate or not function. Thus, the success of waqf land management can also be caused by the attitude of the waqif heirs towards the waqif. The results showed two attitudes of the heirs to the heir as waqif: positive and negative [12]. A positive attitude means an attitude that shows that the heirs support the waqf of the heir (waqif) by maintaining the trust of the heir (waqif) in the waqf land so that the community can sustainably use it. The attitude is shown by establishing good and harmonious relations with nazhir as waqf manager, working together and hand in hand managing the waqf assets, including in matters of waqf land certification. Heirs, who support the waqf of the heirs (waqif), are usually heirs who are economically strong or rich and know Islamic teachings about waqf as alms. Meanwhile, the negative attitude of the heirs towards the heirs (waqif) who endowed their land is indicated by the efforts to thwart the waqf by the heirs (waqif), for example: usurp the waqf land, reduce the waqf land area, eliminate the waqf land documents, take over the land that has been waqf, or always be hostile to nazhir by showing disagreement in maintaining and managing waqf land. The heirs' negative attitude impacts the management of waqf land because nazhir would feel disturbed or uncomfortable, so the waqf land management would not be optimal.
3. Nazhir is a party entrusted with the mandate as the custodian and manager of waqf land so that it is beneficial in a sustainable manner for the community. The existence of Nazhir is a benchmark for the success of waqf land management. Their roles are essential in the maintenance and management of waqf land so that the waqf property is maintained and can be utilized by the community. However, there are some problems for nazhir in doing their tasks, namely: lack of resources in the management of waqf land, their attitudes that are not open in managing waqf assets, and their ways of thinking that are not following the times [13]. In the community, some nazhir manage waqf only for worship (consumptive management), even though there is still vacant land that can be rented out for productive activities. Some nazhir do not have a certificate from PPAIW, which means they do not have legal force, or their legality is not fulfilled. Therefore, their performance is lacking,

- and they cannot solve problems related to waqf land. In addition, it is often found that some nazhir have died, and waqf management cannot be continued. The nazhir's unserious attitude in doing the job, as they consider it a part-time job, has caused the waqf management to be unproductive and unprofessional.
4. PPAIW is a government official who implements land waqf and makes and provides land waqf pledge acts to nazhir and waqif. Then, they register the waqf land to BPN (Indonesian National Land Office) to obtain a waqf land certificate. There is also a legal issue related to PPAIW in the management of waqf land when they have not carried out their authority to the fullest, for example: when they are less optimal in socializing the law of waqf land, and they are not diligent and serious about waqf land registration process until waqf land certification. In addition, when they do not register the waqf land and nazhir as its manager, do not issue a decree on the appointment of individuals and institutions/organizations/foundations nazhir, and do not control the performance of nazhir in managing waqf land [14]. In reality, it is often found that waqf land is stalled, it is disputed, people tend to give waqf land directly to the nazhir, and the existence of waqf land is without nazhir. It shows that the waqf institution, which is responsible for the existence of waqf law in society, has not fulfilled its obligations following the existing law.
 5. The community is the party that utilizes the waqf land managed by nazhir. The use of waqf land in social relations is the goal of implementing waqf land. On the principle of waqf law, it is explained that the management of waqf land is intended to meet the community's needs following Islamic law and to realize welfare and social justice. However, the reality shows that the community has not fully supported the management of waqf land; for example, they occupy the waqf land, destroy the waqf buildings, or eliminate the waqf objects. It has made the management of waqf land less effective and optimal [15].

Based on the description of the research results above, it can be concluded that the legal issues of waqf land management in the northern coastal area of Central Java are in the waqif, waqif heirs, nazhir, PPAIW, and the community. The explanation of the conclusions above can be seen in the table below:

Table 1. The Legal Issues for Waqf Land Management in the North Coast Region Central Java

No.	The Legal Issues for Waqf Land Management	The Main Legal Issues of the Waqf Land Management
1.	Waqif	Waqif gives the waqf verbally, they tend to do it without going to PPAIW, and It hampers nazhir in the waqf land management.
2.	Waqif Heirs	The unsupported attitude by the waqif heirs toward the waqif in endowing their land makes the waqf land management not maximum.
3.	Nazhir	The resources of nazhir have not been professional enough; their attitudes have not been open about the waqf assets management; their ways of thinking have not followed the times; the legality of the nazhir has not been fulfilled, and it makes the waqf land management ineffective and not optimal.
4.	PPAIW	They have not conducted their tasks maximally, making the waqf land management not maximal.
5.	Community	They have not fully supported the waqf land

No.	The Legal Issues for Waqf Land Management	The Main Legal Issues of the Waqf Land Management
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Data were obtained from the secondary data

4 Discussion

Based on the results of the research above, some legal problems of waqf land management in the northern coastal areas of Central Java can be seen, such as waqf endows the waqf land orally and has not gone to PPAIW; the attitude of the waqif heirs does not support the heirs (waqif) who endow their land; nazhir resources are not professional yet; nazhir attitude has not been open in managing waqf assets as transparent and accountable as possible. In addition, the legality of the nazhir validity has not been fulfilled, PPAIW has not carried out their duties optimally, and the community has not fully supported the management of waqf land.

The legal problems of waqf land management in the northern coastal areas of Central Java are caused by the characteristics of coastal areas with low education and strong adherence to Islamic religious law, which makes them tend to be waqf orally. Moreover, they do not fully believe and obey state law as positive law, so they do not understand the matters of formal requirements and material conditions of waqf. In addition, it is also caused by the existence and resources of nazhir who tend to manage waqf consumptively. It means that the management of waqf land is not oriented to the development of waqf that has economic value (productive).

If there is no effort towards improving the legal issues above, it will impact waqf land law for the community in the northern coastal areas of Central Java. For example, the waqf law cannot be enforced, people no longer believe in waqf institutions, and the enthusiasm for waqf is low. In addition, it also results in the management of waqf land in coastal areas being hampered, and the utilization of waqf land cannot be optimal for the community.

Therefore, it is crucial to reform the law on waqf land management through legal development so the community can feel the benefits of waqf land. The reform of the waqf land management law is an effort to reorganize the law due to several circumstances that make the waqf land management law ineffective and not optimal so that the law cannot be enforced fairly in the community. The legal reform of waqf land management aims to realize the significance of waqf land following its designation to realize welfare and social justice. While the significance of legal reform of waqf land management is that it can change the legal ideas so that the waqf land management follows the needs of the community that continues to develop and provides legal protection to parties involved in waqf land management.

Starting from the legal issues in the management of waqf land in the northern coastal area of Central Java above, the analysis of legal reform used by the researchers used the theory of legal reform proposed by Lawrence M. Friedman. According to Lawrence M. Friedman, he explained that the law enforcement process is influenced by three components known as the legal system [16], namely: legal structure, legal substantiation, and legal culture; and the explanations are as follows:

- a. The legal structure is an institution created by the legal system, which consists of judges, court jurisdictions, and court clerks who provide services and work on the law regularly. The judiciary greatly influences law enforcement because it is authorized to handle cases submitted to it following its absolute competence. The judges, as the main element of the

- judiciary, are obliged to settle legal cases submitted to them. They function as the state apparatus who have the power to uphold justice. Therefore, the results of the judge's decision must be able to reflect the value of justice.
- b. Legal substance refers to several regulations and provisions on how the law must be carried out. It contains statutory material used as a guideline or basis for law enforcement. There are two legal regulations: primary legal or material law and secondary legal or formal law. The substance of the law is likened to one part of the body called a strong and upright body framework, hard and rigid bones that keep the blood or body circulation process running smoothly within its limits.
 - c. Legal culture is a legal component in the form of ideas, attitudes, hopes, and opinions about the law that come from the community. This component comes from social power to enforce the law. Community culture or habits are one of the most important elements in carrying out legal regulations. Legal culture is certainly different because the law is always limited by the situation or environment in which the law is located [17].

If the opinion by Lawrence M. Friedman above is related to the enforcement of waqf law in the management of land waqf. In that case, it can be explained that the component of law enforcement on waqf land management is influenced by three (3) aspects, including:

- a. The legal structure refers to an institution that has the authority to carry out policies in law enforcement of waqf land management, namely: nazhir institution as waqf land management institution; the Ministry of Religious Affairs as the stakeholder of government policy in the management of waqf land; KUA/PPAIW as government officials who provide legality of waqf land; and BPN which is obliged to legalize the waqf land through waqf land certification. The goal is to save waqf land assets so that there is no usurpation of waqf land or waqf land movement from unauthorized parties. Waqf land certification is authentic evidence that a waqf legal act has occurred. The authentic evidence is in the form of an official document on waqf land, where the document is very influential in managing waqf land. The management of waqf land will run smoothly if its legality has been fulfilled because the waqf assets get legal protection and certainty.
- b. Legal substance refers to the legal basis of waqf derived from Allah's revelation: Al-Qur'an and Al-Hadith as basic sources and Ijtihad as additional rules. Concerning waqf land management, some rules come from Islamic and state laws. The law of waqf land management established by the state is in the form of rules of law, and according to scholars, it is part of the Ijtihad of waqf law. The law is allowed if it does not conflict with the rules or principles of waqf law, for example, Law Number 41 of 2004 concerning Waqf, Government Regulation Number 42 of 2006 junto Government Regulation Number 25 of 2018.
- c. Legal culture refers to the social power of the community to support the management of waqf land carried out by nazhir; for example, the community becomes a partner of nazhir in managing waqf land with a rental, profit sharing, or investment system. The community can participate in managing waqf land productively so that the benefits of waqf land can be felt to the maximum by the community.

Based on the explanation above, it can be seen that legal issues regarding waqf land management can be solved by using the legal system theory. Based on the legal system theory, law enforcement on waqf land management must be carried out systematically through institutional aspects, juridical aspects (laws and regulations), and community cultural aspects. If these three aspects are realized in the waqf legal system, then waqf land management law enforcement can be achieved.

Reforming the management of waqf land is crucial as it can maximize the benefits of waqf land for the community, both in the social, economic, religious, and labour fields. The productive waqf is a reform of waqf management in the modern era, which changes the mindset of waqf management from traditional to professional. Therefore, the waqf assets increase, develop, and can control the national economy [17]. In the management of productive waqf land, professional nazhir is needed. They are the one who masters property and business management and has an entrepreneurial spirit because productive waqf is always directed at increasing economic activities that generate money; the example is waqf land that is leased for shops, plantations, agriculture, parking, and the results can be used to provide capital for small and medium-sized economic entrepreneurs so that they can advance their business [18]. Thus, the productive waqf is directed at the reform of waqf law in the aspect of waqf management (nazhir) on managing the waqf land.

Before the Waqf Law Number 41 of 2004, nazhir were a noble job that anyone could become a nazhir, and the most important thing was to make waqf assets sustainable and beneficial to society. However, after issuing the Waqf Law Number 41 of 2004, BWI determined that nazhir was the waqf manager who became the spearhead of waqf law enforcement. Article 42 of the Waqf Law explains that nazhir must manage and develop waqf assets following their objectives, functions, and designations productively and following sharia principles; if a guarantor is needed, then a sharia guarantor institution is used (Article 43). Article 44 explains that nazhir is prohibited from changing the designation of waqf property except based on written permission from the Indonesian Waqf Board, and the permission can only be granted if the waqf property cannot be used following the designation stated in the waqf pledge. The Waqf Law Number 41 of 2004 explains that the task of nazhir is not easy, and they have been appreciated by giving a salary of 10% of net profit after managing waqf assets. This policy has attracted entrepreneurs to become nazhir to obtain business capital for their companies. If the nazhir fails in the productive waqf efforts, they only need to return the initial waqf fund.

Therefore, the stipulation of juridical rules regarding the management of land waqf assets, namely Articles 42 to 45 of the Waqf Law Number 42 of 2004, is a manifestation of the legal reform of land waqf management in substance. The nazhir's obligations and rights have been determined and the conditions for being a nazhir. The Waqf Act can be an aspect of legal certainty and protection for nazhir in carrying out their rights and obligations.

Nazhir, as the manager of waqf land assets, must strive so that the use of waqf land can benefit the community continuously. Therefore, the government, through the Ministry of Religious Affairs (KEMENAG) and the Indonesian Waqf Board (BWI), seeks to optimally improve the capacity of nazhir resources. The capacity improvement can be through training, workshops, or leadership management. The objective is to make nazhir trustworthy, responsible, and able to work effectively and rationally so that they can work professionally. Their professionalism in managing waqf land assets is needed because the problem of land waqf today is not only a matter of worship but also extends to other problems, such as: social, economic, educational, legal, and others.

Professional waqf land management can be carried out through several efforts, including

- 1) Developing and increasing the productivity of waqf land to achieve maximum results; for example, waqf land can be developed through agriculture, plantation, animal husbandry, and forestry;
- 2) Protecting, maintaining, and preserving the waqf land assets, for example: through waqf land certification.
- 3) Upholding the mandate of waqif in terms of empowerment and management of waqf land and distribution of waqf land products, for example, allotment of waqf land for the community or waqif heirs in need, empowerment of waqf land to help the

needs of the surrounding community, both education, health, religious and social. 4). Reporting the performance results of nazhir to the waqif and the community to motivate them to carry out new waqf assets. Each of nazhir's activities must consider the sustainability of the waqf property and channel the benefits for the *mauquf'alah* interest. Therefore, the role of nazhir is to channel the benefits of waqf property, mobilize assets, and seek to develop them [so that professional nazhir can be formed.

Establishing professional nazhir is one of BWI's tasks to develop the national waqf through organizational management, which includes: planning, organizing, implementing, monitoring, reporting, and evaluating in stages to improve the possibility of lack in the management of land waqf assets that always exists [20]. The management functions include: realizing the work effectiveness through effective and directed performance creation, coordinating and managing the work of all parts involved in the organization, and forming a conducive and comfortable work environment. Concerning the management of waqf land, the nazhir needs to carry out the right management pattern so that the management of waqf land can be organized. It can be carried out through several steps, such as mapping appropriate plans, creating effective and targeted performance, and coordinating and consolidating various parties invited to cooperate, evaluate, and improve so that waqf assets can be managed optimally and the community can get the benefits of it. Nowadays, professional nazhir has emerged from religious foundations, institutions, or organizations, where the management is not only for worship but also for the community's economic empowerment. Therefore, the waqif increasingly believe in nazhir and foster public enthusiasm to become waqif.

The realization of the performance of professional nazhir in waqf land management, according to the Waqf Law, includes;

1. Cooperating with the National Land Agency concerning the legality of waqf land, such as waqf land registration and certification;
2. Cooperating with government agencies, such as the Ministry of Religious Affairs and PPAIW, concerning registration and announcement of waqf assets;
3. Cooperating with regional companies, such as Islamic banking, Islamic schools, and Islamic hospitals, regarding its relation to the management and development of waqf assets;
4. Cooperating with religious organizations, such as NU and Muhammadiyah, regarding its relation to the empowerment and utilization of waqf land.

5 Conclusion and Suggestion

The legal issues of waqf land management in the northern coastal areas of Central Java, namely: waqf practice occurs orally, the community has not been familiar with the existence of PPAIW, the community accepts the teachings of waqf law from the Islamic leaders/ulama who use a religious teaching approach so that the community does not fully know and understand the waqf law stipulated by the state, the heirs' attitude who do not support the heirs (waqif) who endow their land, nazhir resources who have not been professional yet, and nazhir's attitude that has not been open in managing waqf assets as transparent and accountable as possible. In addition, the legality of the nazhir's validity has not been fulfilled, PPAIW has not carried out its duties optimally, and the community has not fully supported the management of waqf land. The legal issues are caused by several factors, namely: the lack of nazhir resources in the management of waqf land from the leadership and management

aspects, lack of community support in participating in waqf land management, the nazhir's lack of understanding of the development of waqf land management in the current era such as productive waqf and investment waqf.

Therefore, efforts to reform the law are urgently needed. Hence, the management of waqf land follows the mandate of the Waqf Act, and the utilization of the function of waqf land can improve the welfare of the community. The legal reform of waqf land management is carried out by improving several aspects: institutions, juridical rules, and nazhir resources. The institutional aspects can include improving PPAIW performance in waqf legality services, increasing the existence of nazhir, and coordinating with BPN to certify waqf land. The aspects of nazhir resources include improving skills and knowledge through integrated management training, leadership, and performance. At the same time, the juridical aspects are conducted by setting the rules for waqf land management and professional nazhir certification as conducted by BWI.

Based on the conclusions above, the researchers have made some recommendations. They are the efforts for BWI to form professional nazhir and establish and improve harmonious relations between nazhir as waqf land manager and PPAIW, BPN, community, and entrepreneurs/industry in maximizing waqf land management.

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