

## Sustainable Living Legacy Integrated from *Mawarith* Linked *Waqf*

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## Introduction

The Islamic *mawarith* system (*faraid*) is one of the tools to combat the concentration of wealth in the hands of a few people by distributing it to a wider family circle. With this distribution, wealth will circulate so as to encourage economic growth. Thus, the Islamic *mawarith* system (*faraid*) prevents hoarding that results in idle assets. Assets must continue to rotate in economic activity so as to cause a multiplier effect that is beneficial to improving the welfare of society. When wealth is held in the hands of a few people, this will cause problems such as unemployment and poverty.<sup>1</sup>

Economic problems can be overcome by the potential of *zakat* and *waqf* in Indonesia. However, *mawarith* also has potential in the welfare of the people. When a heir, as the owner of the property who dies, does not have an heir, which is called in a state of *kalalah* (not having an heir), then the inherited property can be given to the *baitul mal* as the manager of public funds or the state,<sup>2</sup> or the *mawarith* can be given to the state treasury in an Islamic state.<sup>3</sup> Moreover, *mawarith* is included in compulsory charity as an instrument of obligation based income distribution between one Muslim and another.<sup>4</sup>

In addition to *mawarith*, one of the instruments of Islamic teachings regarding this issue is *waqf*. Since its inception, *waqf* has been intended to spread goodness in the form of economic benefits to others or the community. In recorded history, *waqf* has played a major role in improving the welfare of society in various fields.<sup>5</sup>

In the field of education, one of the *waqf* lands given to Islamic boarding schools has been able to improve the existence of the boarding schools. For an agrarian society at that time, land *waqf* was certainly very helpful as a source of funds. Likewise, many formal institutions, especially those under Islamic community organizations such as NU, Muhammadiyah, and others, have been able to increase their funding. Persisi and others, which grow and develop from *waqf* assets. Among the few examples of educational institutions that are considered quite successful in

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<sup>1</sup> Ahmad Fatoni and Najmudin, "Revitalisasi Harta Waris Islam (Faraid) Dalam Perekonomian," *Sy'ar Iqtishadi: Journal of Islamic Economics, Finance and Banking* 3, no. 1 (2019): 48, <https://doi.org/10.35448/jiec.v3i1.5514>.

<sup>2</sup> M. Ismail Yusanto and M. Arif Yunus, *Pengantar Ekonomi Islam* (Bogor: Al-Azhar Press, 2009), 173.

<sup>3</sup> Muhammad Sharif Chaudhry, *Fundamental on Islamic Economic System* (Jakarta: Kencana, 2012), 88.

<sup>4</sup> Mustafa Edwin Nasution, *Pengenalan Eksklusif Ekonomi Islam* (Jakarta: Kencana Prenada Media Group, 2007), 135.

<sup>5</sup> Wawan Hermawan, "Politik Hukum Wakaf Di Indonesia," *Taklim: Jurnal Pendidikan Agama Islam (TJPAI)* 12, no. 2 (2014): 148, <https://ejournal.upi.edu/index.php/taklim>.

managing *waqf* assets is the *Waqf* Board of Modern Islamic Boarding School Gontor Ponorogo.<sup>6 7</sup>

The great potential as well as the *waqf* practices of *pesantren* that have long been patterned in a management paradigm that tends to be consumptive, will certainly cause various problems when the *pesantren* must respond to the new productive *waqf* paradigm.<sup>8</sup> Gontor with its *waqf* system has also created a study center that focuses on *waqf*.

ICAST (The International Centre for Awqaf Studies) is a study center that offers academic and non academic educational programs in a conducive boarding school atmosphere. One of the programs is *mawarith* linked *waqf*, which is a new concept of *waqf* that integrates *mawarith* and *waqf* in its implementation. And one of the concrete examples of this concept is what Trimurti (the founder of Gontor) did at the beginning of the establishment of Pondok Modern Darussalam Gontor.

## Methodology

This research uses empirical juridical research methods by examining legal norms in the form of *mawarith* and *waqf* regulations related to Gontor's practices as one of the sustainable *waqf* based Islamic boarding schools. Using a case approach, historical approach and conceptual approach.<sup>9</sup> Researchers use a general rule approach regarding *mawarith* and *waqf* which is sourced from the Al-Qur'an and Hadith, the book of *turath*, and others. Then a case approach is used to study *mawarith* linked *waqf* in Gontor, and a historical approach to study the history of *waqf* in Islam and the development of *mawarith* linked to *waqf* in Gontor. Finally, a conceptual approach because there has been no research that discusses the relationship between *mawarith* and *waqf*, especially in Gontor, this is where researchers develop a concept to be used as a reference by referring to the development of doctrine and legal principles regarding *mawarith* and *waqf*. The descriptive analysis techniques are used to explain the practice of *mawarith* linked *waqf* that takes place in Gontor.<sup>10</sup>

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<sup>6</sup> Ibid.

<sup>7</sup> Abu Bakar, "Pengelolaan Wakaf Di Pondok Modern Gontor Ponorogo: Menjaga Kemandirian Civil Society," in *Revitalisasi Filantropi Islam* (Jakarta: Pusat Bahasa dan Budaya UIN Jakarta, 2005), 36.

<sup>8</sup> Achmad Siddiq, "Wakaf Produktif Dan Problematikanya Di Dunia Pesantren," *Millah: Journal of Religious Studies* 11, no. 1 (2011): 277, <https://doi.org/10.20885/millah.vol11.iss1.art14>.

<sup>9</sup> Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Media Group, 2015), 133.

<sup>10</sup> I Made Diantha, *Metodologi Penelitian Hukum Normatif Dalam Justifikasi Teori Hukum* (Jakarta: Kencana, 2017), 152.

## Results and Discussion

The term *mawarith* comes from the word *al-mirats*, which in Arabic is the *mashdar* (infinitive) form of the word *waritsa-yaritsu-irtsan-miratsan*. Its meaning according to the language is, “the transfer of something from one person to another, or from one people to another people”. Meanwhile, according to the term, as stated by Ali Ash-Shabuni and well known among the scholars, is the transfer of ownership rights from the deceased to his living heirs, whether what is left behind is in the form of property (money), land, or anything in the form of legal property rights in *shar’i*.<sup>11</sup>

The pre Islamic period is also known as the *jahiliyah* period, a time when the Arabs were always at war and acted unjustly. At that time, the lives of the Arabs depended on the proceeds of trade, booty, and the spoils of war from the nations they conquered. At that time, wealth was in the hands of adult men who were capable and had strength and power. This also applies to the distribution of *mawarith*. So, it is natural that the *mawarith* is given to adult men, not to women and children.<sup>12</sup>

In pre Islamic times, the distribution of *mawarith* was done using two systems, namely the descent system and the cause system. They forbade women from receiving *mawarith* just as they forbade it to small children. In fact, some of them thought that a widowed woman who died included property that could be passed on to and inherited by her husband's heirs.

*Mawarith* law in Islam is a subsystem of Islamic family law (*al-ahwal al-shakhsiyyah*). Linguistically, *mawarith* in Islamic law can be interpreted as the transfer of something from one person to another or from one people to another.<sup>13</sup> The basis and source of Islamic *mawarith* law is regulated in Al-Qur'an, namely surah An-Nisa' verse 7, 8, 10, 11, 12, 13, 33, 176, surah Al-Anfal verse 75, Hadith Rasulullah Muhammad Saw., and *ijma'*.

Pillars of *mawarith*: (1) Heir, the person who dies, either by right or by a judge's decision; (2) Heirs, people who are entitled to receive the heir's property because of the bond of blood relationship, marriage, or freeing slaves; (3) Inherited property, all types of property left by the deceased (heir).<sup>14</sup>

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<sup>11</sup> Muhammad Ali Ash-Shabuni, *Al-Mawaris Fi Al-Syari'ah Al-Islamiyyah Fi Dhaw'i Al-Kitab Wa Al-Sunnah* (Jakarta: Dar Al-Kutub Al-Islamiyah, 2010), 29.

<sup>12</sup> Asrizal Saiin, “Menelaah Hukum Waris Pra-Islam Dan Awal Islam Serta Peletakan Dasar-Dasar Hukum Kewarisan Islam,” *Al-Ahwal: Jurnal Hukum Keluarga Islam* 9, no. 1 (2016): 126, <https://doi.org/10.14421/ahwal.2016.09108>.

<sup>13</sup> Mustafa Ahmad Al-Zarqa, *Al-Fiqh Al-Islam Fi Thaubih Al-Jadid Al-Madkhal Al-Fiqh Al-Amm* (Damascus: Al-Adib, 1968), 34.

<sup>14</sup> Abdullah bin Muhammad bin Ahmad Al-Tayyar and Jamal Abd Al-Wahhab Al-Hilafi, *Mabahith Fi 'Ilm Al-Faraidh* (Riyadh: Maktabah Al-Rushd, 2010), 30.

Conditions of *mawarith*: (1) The death of the heir, either by right or by law; (2) The existence of heirs who are still alive in fact at the time the testator dies; (3) All heirs are known with certainty, including the amount of each part.

Heirs in Islam:<sup>15 16 17 18</sup>

1. *Ashab al-furud*, that is, the group of heirs who have certain rights, namely 2/3, 1/2, 1/3, 1/4, 1/6, or 1/8.
2. *Asabah*, namely the group of heirs whose share is not certain, but get the rest of the *ashab al-furud*, or get everything if there is no *ashab al-furud*. *Asabah* there are two kinds:
  - a. *Asabah nasabiah*, namely *asabah* because *nasab*:
    - (1) *Asabah bi al-nafsi*, which is a man whose lineage to the heir is not mixed with women. Has four directions: (a) Direction of children, including all sons and their descendants, from grandchildren, great grandchildren, and so on; (b) Paternal direction, including father, grandfather, and so on; (c) Direction of brothers, including biological and paternal brothers, and their respective descendants, and so on; (d) The direction of uncles, including biological and paternal uncles, and their descendants, and so on.
    - (2) *Asabah bi al-ghair*, there are only four heirs and all of them are women, namely: (a) Girls if together with boys; (b) Granddaughters descended from sons if with grandchildren descended from sons; (c) A female sibling if with a male sibling; (d) A female sibling if with a male sibling.
    - (3) *Asabah ma'a al-ghair*, specifically for one or more biological or father sisters if they inherit together with daughters or granddaughters of sons who do not have brothers.
  - b. *Asabah sababiah*, which is *asabah* due to cause, in this case due to freeing a slave. This is because of the bond that binds the one who frees the slave to the one who is freed (*'atiq*), because it restores to him perfect freedom and humanity.
3. *Zawil arham*, namely the group of relatives who are not included in the first and second groups.

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<sup>15</sup> Otje Salman and Mustofa Haffas, *Hukum Waris Islam* (Bandung: Refika Aditama, 2006), 51.

<sup>16</sup> Ahmad Abd Al-Jawad, *Usul 'Ilm Al-Mawarith* (Beirut: Dar Al-Kutb Al-Ilmiyah, 1986), 6.

<sup>17</sup> Salih Ahmad Al-Shammi, *Al-Faraid: Fiqhan Wa Hisaban* (Beirut: Al-Maktabah Al-Islami, 2008), 54.

<sup>18</sup> Muhammad Al-Ansari Al-Sunayki, *Nihayah Al-Hidayah Ila Tahrir Al-Kifayah* (Riyadh: Dar Ibn Khuzaymah, 1999), 202.

People who are entitled to receive the *mawarith* (inherit) of the person who died are called heirs. The *mawarith* only occurs if there are causes that bind the testator with his heirs. The causes are marriage and kinship.<sup>19</sup>

*Wala* or obstacles to receiving *mawarith* or called *mawani 'al-irs* are things that cause the disqualification of the heir's right to receive *mawarith* from the estate of *al-muwarris*. As for the things that can hinder it, which is agreed upon by scholars there are three, namely slavery, murder, and different religions. As for what is not agreed upon by the scholars is different countries.

1. Slavery, a slave, even a *mukattab* slave, cannot inherit and bequeath property from and to his heirs. He can't inherit because it is considered incompetent to take care of property, and his family status is cut off with his heirs, he can't inherit property because he is considered a person who does not have even a little property.
2. Murder, the majority of *fuqaha* have agreed on murder as a barrier to *mawarith*. Only *fuqaha* from the Khawarij group deny it. Murder that has been agreed as a barrier to *mawarith* is murder that is intentional and accompanied by hostility.
3. Different religions, what is meant is the different religion of the person who becomes the heir with the person who becomes the heir. Regarding the position of religious differences as a barrier to *mawarith*, the scholars have agreed (*ijma'*). This is due to the Rasulullah Muhammad Saw. Hadith, narrated by Bukhari and Muslim, "There is no mutual *mawarith* for two religions with anything, there is no right for a Muslim to inherit the property of a disbeliever, and there is no right for a disbeliever to inherit the property of a Muslim".

In addition to slavery, murder, and different religions, there are those who argue that the things that can prevent a person from receiving *mawarith* are due to apostasy and missing without news.<sup>20</sup>

The word "*waqf*" comes from the Arabic word "*waqafa*". The origin of the word "*waqafa*" means "to hold" or "to stop" or "to stay in place" or "to remain standing". The word "*waqafa-yuqifu-waqfan*" is the same as "*habasa-yahbisu-tahbis*". According to the meaning of the word, *waqafa* means to restrain or prevent, e.g. "I refrain from walking".<sup>21</sup>

This definition of stopping. If it is associated with *waqaf* in the term *tajwid* science, it is a sign of stopping in the recitation of Al-Qur'an. However, the meaning of stopping, holding back or *waqf* here is related to property in the view of Islamic

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<sup>19</sup> Saiin, "Menelaah Hukum Waris Pra-Islam Dan Awal Islam Serta Peletakan Dasar-Dasar Hukum Kewarisan Islam," 134.

<sup>20</sup> Idris Ramulyo, *Perbandingan Hukum Kewarisan Islam* (Jakarta: Sinar Grafika, 2004), 89.

<sup>21</sup> Muhammad Jawad Mughniyah, *Fiqh Lima Mazhab* (Jakarta: Penerbit Lentera, 2007), 635.

law, as it is called *waqf* worship or *habs*. What is meant is to hold the *waqf* item so that it is not inherited, used in the form of selling, donating, mortgaging, renting, lending, and the like. Meanwhile, the method of utilization is to use it in accordance with the will of the *waqf* giver without reward.<sup>22</sup>

There are differences of opinion among scholars about the definition of *waqf*, but Sayyid Sabiq explains that the definition of *waqf* in Islamic law when viewed from the actions of the person who endows, *waqf* is a legal act of a person who deliberately separates/releases his property to be used for the benefit of the needs in the way of Allah Swt. or in the way of goodness.<sup>23</sup> The Compilation of Islamic Law (KHI) also explains that *waqf* is a legal act of a person or group of people or legal entities who separate part of their property and institutionalize it forever for the benefit of worship or other public purposes in accordance with Islamic teachings.<sup>24</sup>

On the other hand, *waqf* has three important elements according to the Islamic macroeconomic system, namely *waqf* is one of the mechanisms of wealth redistribution, *waqf* can reduce interest rates, and *waqf* mechanisms contain elements of investment and savings. In addition, *waqf* assets can help the economic activities of a country, whether used as a source of development capital or otherwise.

The real picture that has been practiced by Al-Azhar has inspired the founder of Pondok Modern Darussalam Gontor to take part in providing the welfare of the *ummah*, it is clearly stated that Egypt with Al-Azhar became one of the synthesis of *Pondok*. Synthesis is with the determination to become a quality educational institution, Pondok Modern Darussalam Gontor reflects on leading international educational institutions. Four educational institutions that become the synthesis of Pondok Modern Darussalam Gontor are: (1) Al-Azhar University in Cairo, Egypt, which has a *waqf* so extensive that it is able to send scholars to all corners of the world, and provide scholarships for thousands of students from various parts of the world to study at the university; (2) Aligarh, located in India, which pays great attention to improving the education and teaching system; (3) Syanggit, in Mauritania, which is adorned with the generosity and sincerity of its caregivers; (4) Santiniketan, in India, with all its simplicity, tranquility and peace. But so far Pondok Modern Darussalam Gontor with its *waqf* land, has not been able to follow in the footsteps of Al-Azhar in one hundred percent providing scholarships to all students. However, efforts in that direction have begun by providing assistance that can ease the burden for a small number of students. As a result, the existing *waqf* can provide

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<sup>22</sup> Muhammad Daud Ali, *Sistem Ekonomi Islam* (Jakarta: UI Press, 1988), 80.

<sup>23</sup> Sayyid Sabiq, *Fiqh Al-Sunnah* (Kairo: Dar Al-Fath, 1995), 378.

<sup>24</sup> MA, *Himpunan Peraturan Perundang-Undangan Yang Berkaitan Dengan Kompilasi Hukum Islam Dengan Pengertian Dalam Pembahasannya* (Jakarta: Mahkamah Agung RI, 2011), 119.

great benefits for *mauquf 'alaih*, which has an impact on the welfare of the community.<sup>25</sup>

Gontor broke the paradigm in society about the Kyai ownership of his hut that had prevailed in society for centuries. The founder of Gontor has donated his property to the people. Kyai Gontor endowed the *Pondok* so that Trimurti ideals would continue even after the founders passed away. Ideas have been sparked, Gontor values and philosophies are also preserved even though the Kyai died.

Based on the pillars of *waqf*, the Gontor *waqf*: (1) *Wakif*, founded by three brothers, KH. Ahmad Sahal, KH. Zainudin Fananie, and KH. Imam Zarkasyi on 20 September 1926; (2) *Mauquf*, movable and immovable objects, dry land covering 1.740 hectares, wet land covering 16.851 hectares, and 12 buildings and their equipment to Muslims. Among these buildings are a Mosque, two classroom buildings, a meeting hall, six girls' dormitory buildings, one teachers' housing, and a library building.

*Waqf* from this *mawarith* does not violate the sharia with *waqf* that does not heed *faraidh* or the share of the heirs, although Trimurti *waqf* much of his *mawarith* for the advancement of *Pondok*, he is also committed to the next generation. This is evidenced by the explanation of the *waqf* charter that the coconut tree is a plant planted by Kyai Sahal with his own hands, so the results of the coconut tree will be taken from him until his children finish school, as well as Kyai Sahal house, Kyai Zarkasyi house, and Trimurti printing press are not included in the property of *waqf* in the charter.<sup>26</sup>

*Mauquf 'alaihi*: (1) Pondok Modern Darussalam Gontor as an Islamic educational institution, must be subject to the provisions of Islamic law and become *amal jariyah* and a place of charity; (2) Pondok Modern Darussalam Gontor must be a source of Islamic religious knowledge, Arabic language, and general science, but still have the spirit of *Pondok*; (3) Pondok Modern Darussalam Gontor must be an institution that serves the community and forms the character of the people, for the welfare of the inner and outer, world and hereafter; (4) The trustee is obliged to maintain and perfect Pondok Modern Darussalam Gontor so that it becomes a quality and meaningful Islamic university.

*Shighah/ikrar*, precisely on 12 October 1958 the founder of Pondok Modern Darussalam Gontor endowed his *Pondok* in the form of movable and immovable objects. Movable and immovable objects include values and teachings as well as the philosophy of life in Gontor. At the time of the *waqf* pledge, the *waqif* conveyed his

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<sup>25</sup> Rahmat Dahlan, "Analisis Kelembagaan Badan Wakaf Indonesia," *SENSI: Jurnal Bisnis Dan Manajemen* 6, no. 1 (2016): 116, <https://doi.org/10.15408/ess.v6i1.3125>.

<sup>26</sup> A. Hasan Z. H. and Abd. Hafizd Dasuki, *Sejarah Gontor* (Ponorogo: Etifaq Production dan Pondok Modern Darussalam Gontor, 2020), 257.



remarks that, starting from the day and date of the handover, his children, and grandchildren did not have the right to own the *waqf* property of Pondok Modern Darussalam Gontor as heirs.

However, as long as Trimurti is still alive and still able to carry out his duties, the *waqf* board functions as his assistant as explained in the Charter of *Waqf* Handover and AD & ART of the *Waqf* Board of Pondok Modern Darussalam Gontor, revised at the 79<sup>th</sup> plenary session of the *Waqf* Board, 1 January 2017. From then on, Pondok Modern Darussalam Gontor (according to the *wakif* and also the leaders of Gontor) is no longer the personal property of the Kyai, family or certain groups, but has become the property of all Muslims, but it should be noted that it is stated in the Articles of Association of the *Waqf* Board, that as long as Trimurti (*wakif*) is still alive and can carry out his duties, the board of the *Waqf* Board of Pondok Modern Darussalam Gontor functions as his assistant. As for after the *wakif* died, then the position of the *Waqf* Board at Pondok Modern Darussalam Gontor became the highest institution. In the secretariat records of the third mould 1415/1995 explained, after the last Trimurti Founder of Pondok Modern Darussalam Gontor KH. Imam Zarkasyi died in 1985, the *Waqf* Board became the highest institution in Pondok Modern Darussalam Gontor in charge of carrying out the Trimurti mandate. See Charter of *Waqf* Handover of Pondok Modern Darussalam Gontor and AD & ART of the *Waqf* Board of Pondok Modern Darussalam Gontor Ponorogo Indonesia.

Based on *waqf* management, Gontor *waqf* assets are managed by *nazir*, namely: (1) Public figures from all over Indonesia who have studied at Pondok Modern Darussalam Gontor; (2) Willing to accept the terms of *waqif* ensuring *mauquf 'alaihi*; (3) The *nazir* is called the *Waqf* Board; (4) After the founders passed away the *Waqf* Board became the highest body that elected the Gontor leadership, the head of the institution; (5) The *Waqf* Board as *nazir* has no authority to manage *Pondok* finances, *Pondok* finances are taken care of by the leadership and assisted by the maintenance foundation. Organise for the second party to have a notary deed in which the terms and regulations are clearly stipulated in the shortest possible time.<sup>27</sup>

Development and use of *waqf* assets (*Panca Jangka*):<sup>28 29 30 31</sup>

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<sup>27</sup> Sekretariat Pondok Modern Darussalam Gontor, *Piagam Penyerahan Wakaf Pondok Modern Darussalam Gontor Dan AD & ART Badan Wakaf Pondok Modern Darussalam Gontor Ponorogo Indonesia* (Ponorogo: Sekretariat Pondok Modern Darussalam Gontor, 1995), 7.

<sup>28</sup> PMDG, "Panca Jangka," Pondok Modern Darussalam Gontor, 2024, <https://gontor.ac.id/panca-jangka>.

<sup>29</sup> Abdullah Syukri Zarkasyi, *Manajemen Pesantren: Pengalaman Pondok Modern Gontor* (Ponorogo: Trimurti Press, 2005), 186.

<sup>30</sup> Siddiq, "Wakaf Produktif Dan Problematikanya Di Dunia Pesantren," 282.

1. Education and Teaching.

The purpose of this term is to make maximum efforts to improve and perfect education and teaching at Pondok Modern Darussalam Gontor. This effort is recorded in the history of this *Pondok* journey which began with the establishment of *Tarbiyatul Athfal* in 1926, *Sullamul Muta'allimin* in 1932. Ten years later, 1936, *Kulliyatu-l-Mu'allimin Al-Islamiyah* was established, at the level of Secondary Schools (*Tsanawiyah* and *Aliyah*). In 1963, the Darussalam Institute of Education (now called the Darussalam Institute of Islamic Studies) was established. The next goal is to establish the Darussalam Islamic University, as written in the Charter of Handover of *Waqf* of Pondok Modern Darussalam Gontor.

2. Cadre Formation.

3. Building.

4. *Khizanatullah*.

The *waqf* assets of this *pesantren* experienced quite fantastic dynamics, if at the time of its *waqf* in 1958 Gontor *pesantren* had land assets of 18,59 hectares, then in 2009 the *pesantren* land assets grew to 825.184 hectares, of which approximately 651 hectares were *waqf* land. The land assets were obtained through *waqf*, grants, exchanges, and purchases. In addition, the *pesantren* has invested its *waqf* assets in 27 productive business units. Even Ahcmad Siddiq wrote in his research that Abu Bakar stated that this *pesantren* had implemented the productive *waqf* paradigm as constitutionalised in Indonesia's *waqf* regulations.

5. *Pondok* Family Welfare

Among the forms of welfare provided by Pondok Modern Darussalam Gontor to the *Pondok* family are in the form of housing facilities for core teachers (cadres) with the right to use staterooms, giving new clothes every year for all teachers, helping with wedding expenses for *Pondok* cadres, general checkups for health every two years, outings for extended families followed by children and grandchildren of cadres, and many more forms of health provided from *waqf* proceeds to the *Pondok* family. For the welfare of students, assistance can be in the form of waiving meal money by including some students eating in several family kitchens.

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<sup>31</sup> Jarman Arroisi and Syamsuri, "Manajemen Wakaf Pondok Modern Darussalam Gontor: Analisis Model Pemeliharaan, Pengembangan Wakaf, Dan Kesejahteraan Umat," *Ijtihad: Jurnal Hukum Dan Ekonomi Islam* 14, no. 2 (2020): 172, <https://doi.org/10.21111/ijtihad.v14i2.4701>.

YPPWPM and all sectors in the *pesantren* have developed the management of *pesantren waqf* assets by investing the *waqf* assets it manages in the form of modern management based business units, expanding the form of *waqf* which is not only limited to fixed objects but also movable objects, the exchange of *waqf* objects which has been perceived by most *waqf* actors as something closed and last but not least, this *pesantren* applies the utilisation of *waqf* proceeds which is not limited to the aspect of worship an sich, but penetrates into improving the economy and welfare of the people.<sup>32</sup>

Among the advances felt today include: (1) From the regeneration of teachers, Pondok Modern Darussalam Gontor now has 30 branches and each branch is led by caregivers, teachers who are all cadres; (2) Now the number of students of Pondok Modern Darussalam Gontor and its branches is 30.000 including 5.000 University of Darussalam Gontor students; (3) Of the Gontor alumni there are now approximately 400 alumni who run boarding schools with the Gontor system and 600 boarding schools from alumni boarding schools. In Indonesia today there are 1.000 modernised boarding schools; (4) The amount of land owned by Pondok Modern Darussalam Gontor across the campus is approximately 1.000 ha.

## Conclusion

Based on the description above, it can be concluded that *waqf* is a legal act of a person who deliberately separates/releases his property to be used for the benefit of the needs in the way of Allah Swt. or in the way of goodness. The assets that are endowed can also include inherited assets as Trimurti endowed his inherited property. The integration of *mawarith* and *waqf* has great potential and benefits not only to the heirs but to the people in general. Trimurti had the idea that in order for the leadership system of the boarding school not to die, the boarding school should be endowed. Gontor is the realisation of *waqf* the modern boarding school system from the *mawarith*.

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<sup>32</sup> Yusuf Suyono, *Wakaf Produktif Di Indonesia: Studi Atas Pengelolaan Aset Wakaf Pondok Modern Gontor Ponorogo* (Semarang: IAIN Walisongo, 2007), 154.

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