

Cash Waqf and Community Economic Empowerment: A Study of *Qardhul Hasan* Management in a Mosque-Based Cooperative

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Introduction

The global financial crisis that struck in 1997–1998 had an adverse effect on both developed and developing nations. The global economy's stability was severely impacted. This crisis also had an impact on Indonesia. Among the effects of the pervasive economic crisis are the growing rates of poverty and unemployment in Indonesia as well as the wealth disparity (Agustin, 2021).

Waqf is prescribed in Islam since the Prophet Muhammad Saw. migrated to Medina in the second year of *hijriyah*. In history, there are two scholarly opinions, the first of which says that the first time waqf was implemented was the Prophet Muhammad Saw. who donated his land for the construction of a mosque. The second opinion of the scholars is Umar bin Khatab who first implemented the law of waqf by donating the land he owned in Khaibar (Herlena & Mujib, 2022).

Waqf has an important role in overcoming poverty and social problems in society. Empirical evidence states that the number of people living in poverty is one of the causes of unfair distribution of wealth, waqf is a voluntary activity in Islam. Waqf is also one of the instruments in Islam to lead a more prosperous life (Syahputra & Khairina, 2021).

At the time of the Prophet, the term cash waqf had not yet been used. Only from the start of the second century *hijriyah* has cash waqf been used. One of the most prominent scholars and one of the pioneers of *tadwin al-hadith*, Imam Al-Zuhri, recommended the waqf of Dinars and Dirhams for the development of Islamic social, educational, and *da'wah* facilities. By the fifteenth century after *hijriyah*, the word of "cash waqf" was widely used in Turkish society (Faujiah, 2021).

The Sabilillah Mosque Malang is one of the mosques that serves as a venue for ZISWAF administration in addition to providing financial support for the local community. Under the direction of KH. Masjukur, construction on this mosque started on August 8, 1974. Buildings for educational institutions, auditoriums, cooperatives, food courts, and a medical facility were constructed to the south and west of the mosque. In addition, the Sabilillah Mosque Cooperative Malang is a sharia cooperative institution that manages cash waqf, with 6.800 donors and 64.609 beneficiaries of mosque activities. This mosque was named the best national mosque by the DMI (Indonesian Mosque Council) in 2022.

The above description shows the phenomenon that the mosque has an effective role in improving the stability of community life in the social sector through *zakat*, *infaq*, *shadaqah*, and also waqf, from waqf of goods to cash waqf, these things can have a major effect on society if the *waqif* and *nazhir* waqf understand the pillars, conditions, and intentions of cash waqf properly so that it can be managed properly in accordance

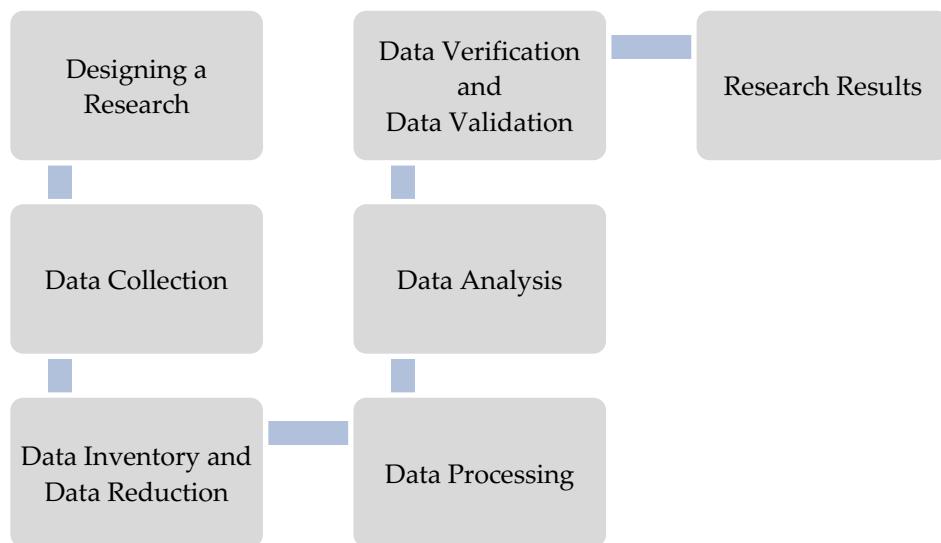
with existing Islamic law (Reyhan et al., 2024). Good waqf management must always involve management with Islamic law and modern management. From this statement, researchers hope that cash waqf carried out by the Sabilillah Mosque Cooperative Malang can be managed in accordance with the teachings of Islamic law.

In conducting this research, the researchers took previous research as an overview of research from theses that have a relationship with the research title. The previous studies that researchers according to the thesis research by Gilang Adiputra (2022), that employs qualitative method and data collection techniques by means of observation, interviews, and documentation. In recognizing that the Darul Istiqomah Islamic Boarding School still uses a consumptive or traditional approach to waqf asset management, whereby the benefits of waqf objects are still managed to support the requirements of the Islamic Boarding School. The cash waqf contract at Darul Istiqomah Boarding School, as disclosed by the researcher, is also in violation of positive law since the management of the waqf is not conducted by a sharia savings and financing cooperative (LKS). As a result, the cash waqf procedure does not conclude with the creation of a cash waqf pledge certificate (AIW-U), as required by PP No. 42/2006 regarding The Implementation of Law No. 41/2004 concerning Waqf (Rohman, 2022). The similarities between this thesis and what we propose are in terms of data collection techniques, and the difference is in the place of research and research variables, where researchers discuss positive law reviews and Islamic law, while in the thesis we submit only discusses Islamic law reviews related to cash waqf management.

Methodology

The type of research used by the researcher is descriptive qualitative, where this research is independent to describe precisely the nature of individuals, circumstances, and symptoms to determine the frequency or distribution of a particular symptom (Abubakar, 2021) (Sup, et al., 2025a). This research uses several data collection techniques with certain methods that will be carried out by researchers, namely field studies. where researchers will go directly to the research site, namely the Sabilillah Mosque Cooperative Malang and collect data by observation, interviews, and also documentation contained in the object of research (Sugiyono, 2020) (Sup, et al., 2025b). The qualitative data analysis used by researchers is cultural theme analysis where researchers will look for existing relationships from the management of cash waqf at the Sabilillah Mosque Cooperative Malang and relate it to the values of Islamic law review so that it can create a view that something that is studied in the form of cash waqf management, is a whole and has a relationship with Islamic law (Abubakar, 2021). The research flowchart is as follows:

Figure 1. Research Flowchart



Source: Data Processed

Results and Discussion

The Arabic words *waqfa-waqfan* and *awqafayuqifu-iqfan*, which imply to stand, hold, and continue, are the origin of the word waqf. Waqf also signifies eternal in this sense since waqf objects are meant to be used eternally. Al-Manawi defines waqf as retaining an asset and distributing its benefits, the asset continues to exist and provide benefits. Legal scholars differ in their understandings of what waqf means and is not because they cannot agree on how to define it. There are various perspectives regarding waqf. These include (Nasution, 2023), according to Abu Hanifah (Imam Hanafi), waqf is a charity or gift, and is not separated as the property of the person who waqf, as long as the judge has not decided it, that is, if the law has not announced the property as waqf property, or required by *ta'līq* after the death of the person who waqf. For example, it is said "*When I die, I waqf this property (house) for the purposes of this madrasa*". So with the death of the person who made the waqf, the property left behind becomes waqf property for the madrasa. According to the Maliki school, a waqf does not transfer ownership of the property to another person, actually, it forbids the *waqif* from acting in a way that would transfer ownership to another person. Additionally, the *waqif* is required to contribute the benefits and cannot take back his waqf. Waqf, in the words of Imam Shafi'i, is a regulated act of worship. When a *waqif* specifically states, "*I have waqfed (waqaffu) even without being decided by a judge*", the waqf is considered real. Property that has been designated as waqf property, in other words, even while it is still in the individual's ownership, does not belong to the person who waqf. After the waqf procedure is finished, according to Syafi'i and Ahmad, waqf is

the *waqif* relinquishment of ownership of the asset being waqfed. With regard to the waqf property, the *waqif* is prohibited from doing any of the following, treating the owner as an owner of another, whether or not in trade. However, PP No. 28/1977 concerning Waqf, Article 1, states that waqf for houses of worship and public interests is included in the concept of waqf in Indonesia (Indonesia, 1977), "*Waqf is a legal act by a person or legal entity that separates part of their wealth in the form of land and institutionalizes it forever for the purposes of worship or other public needs in accordance with Islamic teachings*". Waqf is an additional source of income where the *waqif* is permitted to divide his assets according to Allah Swt. will. Property will no longer basically flow among rich people since the waqf, which is permanent, aims to empower people and reduce poverty, and gives the poor even impoverished priority when it comes to receiving the results of its management (Aziz, 2021).

The definition of cash waqf has a meaning, cash in Indonesian is translated as "*money*". While the word waqf is an absorption from Arabic which means waqf. The term cash waqf was first introduced by A. Manan from Bangladesh. The Indonesian Ulema Council (MUI) through the *Fatwa* Commission produced a definition of cash waqf, which is waqf done by a person, group of people, institution or legal entity in the form of money (Rohman, 2022).

On the opinions of earlier scholars of fiqh on cash waqf, some of them permit it while others forbid it. The quality of its application, whether or not it disturbs the source of perception, is the issue of difference. On the basis of *qiyas*, the scholars permit cash waqf because it is permissible for paying employees. Because the donation serves as aid with the provided items, some people also accept this waqf as a donation or assistance. There exist individuals who speculate on cash waqf as an investment and then allocate the proceeds towards the waqf's goals (Kahf, 2007).

According to K.H. Didin Hafifuddin's explanation, a productive waqf is a gift that can be utilized for the betterment of society. In terms of type, it may take the shape of cash or securities. This indicates that one of the most productive waqfs is cash waqf (Tim, 2007).

The legal basis for waqf according to Al-Qur'an is found in Surah Al-Baqarah verse 261 (Al-Qur'an, n.d). In another letter, Allah Swt. reiterates in Surah Ali Imran verse 92 (Lasmana, 2016) and in Surah Al-Baqarah verse 267 which discusses the recommendation to spend property in the way of Allah Swt. (Al-Qur'an, n.d).

As for the legal basis of waqf according to the Hadith from Abu Hurairah Ra., "*The Messenger of Allah Swt. said "When the son of Adam (man) dies, his deeds are cut off, except for three things, jariyah charity, useful knowledge, and a righteous child who prays for his parents"* (HR. Muslim).

According to Hadith, there are three deeds whose rewards continue after a person passes away. One of these deeds is "*shadaqah jariyah*", for which the *shadaqah* will always receive their recompense (*jariyah*). Based on this, waqf can be defined as an asset that consistently bestows benefits from Allah Swt. upon the *waqif* (Hardiati, 2020).

According to Islamic law, there are several pillars of waqf. Based on the opinion of the scholars there are four, namely as follows: *Waqif* (the person who donates the property); *Mauquf* (the object being donated); *Mauquf a'laih* (the party to whom the waqf is given); and *Shighat* (*waqif* pledge).

Regarding the mentioned pillars of waqf, there are a few requirements that must be fulfilled. *First*, a *waqif* needs to possess legal capacity, this can be determined by fulfilling four requirements, specifically reasonable, adult (*baligh*), free from reliance because of *ghaflah* (dumb), and *safih* (wasteful) according to their own volition (Huda, 2015). *Second*, the allocation of waqf assets (*mauquf 'alaih*) is meant to achieve particular goals under certain restrictions, such as a particular kind of virtue is the aim, it contains absolutely nothing that is disapproved of by morality or prohibited by sharia and the law, it does not conflict with the relevant legislation, the charitable endeavors that fulfill the waqf objective ought to be long-lasting, the items that are waqfed do not come back to the *waqif*, and the waqf recipient have the legal capacity to possess and manage the waqf property (Huda, 2015). *Third*, the waqf asset (*mauquf bih*) provided by a *waqif* needs to meet a several characteristics in order to be considered true, specifically the waqf asset needs to be valuable or have a cost, the waqf asset needs to be understood clearly, the *waqif* entire right constitutes the waqf asset, and the waqf asset needs to be owned separately not jointly (Huda, 2015). *Fourth*, a statement or pledge from the *waqif* (which may be made verbally, by *kinayah*, through action) must be sent with the transfer of waqf assets. *Shighat* needs a few things, specifically *shighat* waqf needs to be *tsa'bit* or eternal, the waqf is not subject to any future periods or factors since the *sighat* is *tanjiz*, to ensure that the object waqfed cannot be withdrawn by the *waqif* then *shighat* is *iltizam* (binding), there is no void condition associated with *shighat*, making explicit mention of *mauquf 'alaih*, and *shighat* uses an understandable *lafadz* (Yusup et al., 2023).

The word "*manage*", which implies control, is where the name "*management*" originates. Management can be understood as dealing, controlling, or managing in Indonesian. In their writings, Kathryn M. Bartol and David C. Martin define management as a process that involves organizing, directing, controlling, and planning. It operates to accomplish established goals by utilizing an understanding of the basic responsibilities associated with management (Bartol, 1998).

In his book *Al-Idarah fi Al-Islam*, Ahmad Abu Sinn states that management is understood as information that has been gathered, organized, and recognized in reference to general management truths. The art of management involves arranging and making use of human abilities. Another definition of management is a chain of coordinated actions to transform an organization as a technical economy (Sinn, 1986).

Ahmad Al-Shabab stated in his book *Mabadi'ul Al-Idarah*, management is a process carried out by mobilizing all resources to realize the goals that have been set. He also argues that the main elements of management are, planning (*al-takhtith*) includes the process side, the management function side, and the decision-making side (Indra, 2023a). Organizing (*al-tanzim*) by coordinating existing human resources to achieve waqf goals. Leadership (*al-qiyadah*) by arousing the enthusiasm of others and motivating and directing existing human resources (Indra, 2023a). Supervision (*al-riqabah*) includes the process of ensuring that actual activities are in accordance with what was planned (Al-Shabab, n.d.).

Because waqf was made lawful in Medina following the Prophet Saw. in the second year of *hijriyah*, Islamic history claims that waqf was already known during the time of the Prophet Saw. Here, he gave his land for the construction of the Quba Mosque. The Prophet Muhammad Saw. is credited with building this mosque as his first. In the Hadith of the Prophet Muhammad Saw. narrated by Bukhari about waqf reads, "*Ibn Umar (may Allah Swt. be pleased with him) reported that Umar ibn Khattab received a share of land in Khaibar, so he went to the Prophet Muhammad Saw. for guidance. Umar said, 'O Messenger of Allah Swt., I have acquired wealth in the form of very good land, which I have never acquired before. What would you advise me to do with it?' The Prophet Saw. said, 'If you wish, you can endow the principal of it and give it in charity'. Then Umar donated his land on the condition that it was not sold, not donated, and not inherited. Umar donated his land to the poor, relatives, to free slaves, sabilillah, ibn sabil, and guests. There is no sin on the one who takes care of it if he seeks or feeds from it in a good way and does not hoard*" (HR. Bukhari).

From the description and Hadith above, we can draw the following conclusions. Waqf must be founded on free will and unaffected by outside pressure. Whether it is exchanged, inherited, or donated, a waqf asset cannot be transferred to another individual. The waqf asset is removed from the *waqif* property. According to Islamic beliefs, the waqf's objectives must be explicit and include doing good works. A supervisor may be given authorization to use the waqf asset, with the ability to participate in it only when needed. Waqf assets can take the shape of real estate or other enduring items that hold their value even after being used (Sabiq, 1992).

Applying waqf management funds can provide opportunity for economic study of resource allocation within the context of public finance. According to Abdul Mannan, there are three anticipated consequences of using cash waqf assets. Good deed, where the proceeds of the waqf are simply handed over and considered a good deed. Free rider, where the results of waqf make no distinction between the rich and the poor. Income redistribution, i.e. the operationalization of waqf will obtain a reality that there has been a significant horizontal income distribution from one income group to another (Pusparini, 2016).

The socialization of cash waqf can be utilized in the fields of education, health, social services, and the development of small and medium enterprises by providing business capital. To realize a good waqf empowerment, several cash waqf financing models are formed, namely loan (*qardh*) by endowing a sum of money to the *nazir*, *al-mudharabah* or *al-qiradah* by investing waqf assets in the form of money for profit, and *ibda'* by providing business capital to others and the profits earned belong to the investor as a whole (Lubis & Wajdi, 2016).

The Sabilillah Mosque Cooperative Malang uses the principle of *ta'awun* (helping) in the management of its cash waqf, the context of helping in the cooperative is described by providing assistance to the community in the form of business capital loans and other financial needs. The cash waqf funds collected are a form of property *infaq* from cooperative members to help those in need, the *infaq* is in the form of money that is endowed solely for the sake of Allah Swt.

The concept of cash waqf management management in the Sabilillah Mosque Cooperative Malang can be described in several aspects as follows. The Sabilillah Mosque Cooperative Malang as an institution that carries out waqf management has developed several plans, consisting of add 100 new members per year, increase the amount of savings from members, pursue additional investment from non-members or third parties, enhancing the synergy between the institution and the Sabilillah Foundation, collecting 50 million cash waqf funds yearly from members, enhancing Kopmas and BPJS foundation Sabilillah Partnership, arranging the Annual Meeting of Members (RAT).

Naturally, the performance of the cooperative must be given to its human resources following the creation of the cash waqf management plan. So as to facilitate the correct execution of the specified plans, the Sabilillah Mosque Cooperative Malang has established a cooperative management structure to support the management of cash waqf and other financing. The organization's division has also been modified to reflect the skills held by the current employees.

To increase the percentage of success in achieving its achievements, the cooperative must always discuss programs and goals in order to mobilize existing resources. As has been conveyed by Mr. Heru that the Sabilillah Mosque Cooperative Malang always holds a meeting between the management once a week to reminder about the programs that have been prepared and motivate the performance of the cooperative management to be more effective and efficient (Heru, 2024).

The control process is a crucial step in keeping management in existence. The purpose of supervision is to make sure that all planned programs can be carried out in accordance with their goals (Indra, 2023b). In this context, the Sabilillah Mosque Cooperative Malang always oversees the process of managing cash waqf and other financing, as stated by Mr. Heru that in addition to supervising the performance of its management, the Sabilillah Mosque Cooperative Malang also always monitors waqf funds that are used as financing so that they can be distributed and used properly by borrowers, this is intended to ensure that the funds lent can be used in a *halal* way.

Beyond this, the Sabilillah Mosque Cooperative Malang also always supervises its customers in terms of relationships with Allah Swt. and also relationships with humans by always reminding them in terms of worship. Cooperative supervision of its members is by ensuring that the type of business carried out by cooperative members is a *halal* business, besides that the cooperative also always monitors the development of businesses carried out by its members. The cooperative also oversees the behavior of its members in terms of worship, this is a statement delivered by Mr. Heru as the management of the Sabilillah Mosque Cooperative Malang (Heru, 2024).

The cooperative uses two distinct methods for financing, loans and deposits (*wadi'ah*). But when it comes to cash waqf financing, the Sabilillah Mosque Cooperative Malang exclusively employs the *qardhul hasan* (net loan) capital loan model. Under this arrangement, the cooperative will lend money to clients who require it for other purposes, such as capital for new businesses.

To carry out the financing, the customer is required to put collateral as a substitute for the loan that has been given, besides that there are several steps that must be taken by the customer in accordance with what has been conveyed by Mr. Heru that the conditions for making a loan, namely customer registers to become a member of the cooperative, fill out the loan application form, providing security items, and have savings amounting to 10% of the loan amount. Raising waqf funds is the process of getting the public to bestow their assets, whereas fundraising is the act, procedure, or method of raising money (Setiadi et al., 2021). This process is the main program carried out by financial institutions.

The Sabilillah Mosque Cooperative Malang receives cash waqf funds from the cooperative members themselves. Cooperative members invest their wealth in the form of waqf, the *infaq* is *shadaqah jariyah* which is sustainable benefits and also goodness (Hardiati, 2020). The collection of these funds is carried out through direct submission to the cooperative through the existing cooperative management, as conveyed by Mr. Heru about the collection of cash waqf funds that the cash waqf funds of the Sabilillah Mosque Cooperative Malang are collected from several sources. New member registration, every person who registers as a member of the cooperative will be charged a fee of IDR 10.000,- to make an endowment or waqf. Financial transaction flow, members who want to make financing will be invited to donate 0,5% of the amount of financing they receive. For example, if you take a loan of IDR 1.000.000,- you will be offered to give waqf of IDR 5.000,-. Waqf fund management profit, the profit generated from the management of waqf funds and also *qardhul hasan* will be allocated to increase the collected waqf funds (*rewakaf*) by 10% per year. For example, if the profit generated reaches IDR 10.000.000,- IDR 1.000.000,- will be allocated for cash waqf (Heru, 2024).

Distribution is the process of getting commodities from producers to consumers by way of intermediaries. Distribution channel management, which starts with planning, organizing, operating, and regulating methods to meet the business's goals, can be used to develop distribution (Suryanto, 2016).

The distribution and utilization of cash waqf funds carried out by the Sabilillah Mosque Cooperative Malang is aimed at one shade into the cooperative work program formed by the Sabilillah Mosque Cooperative Malang, the program is aimed at micro-economic development and opening opportunities for the lower middle class to form a business easily and quickly without usury, as stated by Mr. Heru that cash waqf financing carried out by the Sabilillah Mosque Cooperative Malang is distributed to cooperative members who need business capital, besides that, cash waqf funds are also distributed to teachers, students, mosque administrators, and others in the form of loans. Cooperatives have a big role in uniting community joint ventures with small potential. The effort is made by the Sabilillah Mosque Cooperative Malang by helping people who need loan assistance in an easy, fast, and *halal* way (Sari & Perkasa, 2023). This perspective leads us to empower the cash waqf program, such as the Sabilillah Mosque Cooperative Malang which provides good service to its members, from these actions can generate extensive information about cash waqf from one member to another.

The model used by the cooperative in managing cash waqf is *qardhul hasan*, with this model the cooperative can help the community by providing loans to its members

without interest. In addition, the Sabilillah Mosque Cooperative Malang also helps people who are bound by debt with *da'wah* funds obtained from the management of waqf funds and *infaq* of cooperative members, as revealed by Mr. Heru in the interview that *da'wah* funds are used to help the social needs of the community and are also used to complement the operational needs of the mosque.

Cash waqf financing managed by the Sabilillah Mosque Cooperative Malang gets a positive impression from the surrounding community, especially from the cooperative members themselves. This description shows that cash waqf managed by cooperatives has a positive impact on society, as has been conveyed by Mr. Heru regarding the impact of such financing that the positive impact of cash waqf financing is based on several effects produced. Cash waqf can prosper the community in terms of financial finances that can be fulfilled even though the context is not entirely fulfilled. Cash waqf can increase financial literacy in the community that the wealth we get does not belong to us completely, but there are other people's property rights that can be channeled through *shadaqah*, *infaq*, and *zakat*. From cash waqf financing, people can know that there is a correlation between worship and the wealth obtained by humans that wealth can be an intermediary to get closer to Allah Swt. (Heru, 2024).

The Sabilillah Mosque Cooperative Malang distributes waqf funds for charitable purposes in accordance with the "*good deed*" effect by lending support to members in need of loans and business capital. The profits from the management of cash waqf funds are then available for use by the community to meet social needs, no matter their wealth or poverty, in accordance with the "*free rider*" effect. Furthermore, as a result of "*income redistribution*", the outcomes of the management of waqf funds can also be rebuilt in the form of help to those who are unable to reach social and economic justice in society, thereby closing the wealth gap.

Problems and obstacles are necessary components of any program that an organization runs. When the program's goals are not met, obstacles and problems will also show up, as the organization has attempted (Alam et al., 2021). With all the efforts that have been made in managing cash waqf, of course the Sabilillah Mosque Cooperative Malang also has several obstacles and problems like organizations in general. As stated by Mr. Heru as the person in charge and the management of the cooperative that there are people who do not confirm if they have not been able to make installments in paying off the dependents of the capital loans they have made, in addition, the lack of responsibility for debt repayment is marked by some people who forget that they have a waqf fund debt that must be repaid to the cooperative due to age and other factors, this is due to the lack of public awareness of the importance of the obligation to repay debts from lending transactions.

Conclusion

The management of cash waqf carried out by the Sabilillah Mosque Cooperative Malang is in accordance with existing Islamic law reviews, with the illustration that the cooperative uses the *ta'awun* principle with the source of waqf funds originating from the *infaq* of cooperative members, besides that they always supervise the development of businesses carried out by their members so that it can be ascertained that the funds collected from members are good and *halal* funds. This is in accordance with Al-Qur'an Surah Ali Imran verse 92 about the invitation to give and Al-Qur'an Surah Al-Baqarah verse 267 about giving with property produced in a good and *halal* way. Sabilillah Mosque Cooperative Malang waqf funds collected from cooperative members are based on voluntary, without any objections from cooperative members. As well as the level of cash waqf funds in the cooperative does not decrease and continues to increase, so that the status of waqf is not damaged in its implementation. This is in accordance with what has been explained in the Hadith of the Prophet Muhammad Saw. narrated by Bukhari from Ibn Umar who tells the story of Umar who endowed the land of Khaibar. The distribution of waqf funds of the Sabilillah Mosque Cooperative Malang is intended for benevolent charity by helping members who need business capital and loans, then the results of the management of cash waqf funds can be utilized for the social needs of the community regardless of the poor and the rich, besides that the results of the management of waqf funds (*da'wah* funds) can also be developed again in the form of assistance to people who are unable to achieve social and economic justice for the community to reduce the gap between groups of rich and poor people. This is in accordance with what has been revealed by Abdul Mannan about the effect of using waqf funds. In connection with the conclusions in this research, the researcher try to contribute thoughts as input for the poor Sabilillah Mosque Cooperative Malang and the community. Researchers hope that every Muslim always has to invite other fellow Muslims to do good things, of course, by spending their assets in the form of cash waqf to help people who need it. The Sabilillah Mosque Cooperative Malang should also introduce cash waqf widely to the public, especially to Muslims, with this, public knowledge will increase so that it can affect the increase in people's interest in waqf. Cooperatives need to expand socialization to the community directly or indirectly, especially through social media. In addition, products that have been implemented by the Sabilillah Mosque Cooperative Malang and are in accordance with sharia or Islamic law must always be maintained and developed properly so that they can gain the trust of the community and also more and more people are interested.

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