

**Productive *Waqf* Management Viewed from the *Maqasid Syariah*  
Aspect at the UMI Makassar *Waqf* Foundation**

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**Abstract:** This research discusses the appropriateness between Maqasid Sharia aspects and the management of productive *Waqf* of Indonesian Muslim University's (UMI) *Waqf* Foundation. The primary objective of this research was to investigate whether the management practices of the *Waqf* of UMI had contributed to the *dharuriyah* needs of society or not. In this case, the *Waqf* management is expected to have beneficial functions for the religion and society where the distribution of its properties and returns could be used for the community's welfare. The methodological approach in this research was qualitative phenomenological, where the phenomena related to Maqasid Sharia and productive *Waqf* management at UMI foundation were investigated and thoroughly discussed. Last but not least, the *Waqf* development is carried out by actively providing the community with religious, Business, and health facilities. Therefore, based on the management practices mentioned above, the management of productive *Waqf* at the UMI foundation was considered to follow the principle of Maqasid Sharia. The purpose of Maqasid Sharia was to create prosperity and welfare for communities. This purpose has been considered to be achieved by the UMI foundation.

**Keywords:** At least three keywords are separated using a semicolon (;)

## **I. INTRODUCTION**

Regulations on *Waqf* in Indonesia consist of Law Number 41 of 2004, the Compilation of Islamic Law (HKI), Government Regulations, the Minister of Religion Regulations, and the Indonesian *Waqf* Board Regulations. Other regulations regarding *Waqf* management in Indonesia are as follows: Government

Regulation number 28 of 1977 concerning *Waqf* of land owned and Government Regulation number 42 of 2006 concerning *Waqf*, Regulation of the Minister of Religion number 4 of 2009 concerning the administration of cash *Waqf* registration and the regulation of the minister of religion number 73 of 2013 regarding the procedures for *Waqf* of immovable objects and movable objects other than money, the Indonesian *Waqf* agency regulation BWI regulation no. 2 of 2010 concerning the procedure for registering *nazhir* cash *Waqf*, BWI regulation no.<sup>1</sup>

Referring to the regulation of BWI regulation No. 4 of 2010 concerning the management and development of *Waqf* assets, what is meant is productive *Waqf*. The emergence of the productive *Waqf* paradigm is momentum as an effort to transform from traditional *Waqf* management to professional *Waqf* management to increase or increase the benefits of *Waqf*.<sup>2</sup> Term productive *Waqf* was unknown, but the essence of *Waqf* appeared in Prophet Muhammad's era.<sup>3</sup> So not too much attention.

Based on the *Waqf* literacy index survey 2020, the Indonesian *Waqf* Agency, the BAZNAS Strategic Study Center & the Directorate of Zakat and *Waqf* Empowerment, the Ministry of Religion of the Republic of Indonesia, the National *Waqf* Literacy Index (ILW) value overall got a score of 50.48 which was included in the low category, consisting of The Literacy of Understanding Basic *Waqf* is 57.67, and the Literacy Value of Advanced *Waqf* Understanding is 37.97. However, there are four provinces whose overall ILW scores are in the Medium category, namely Gorontalo (highest score of 73.74), Papua (64.04), Bali (62.49), and Central Sulawesi (62.28). For ILW understanding of basic *Waqf*, 12 provinces fall into the middle category, namely the last four provinces plus West Java, DI Yogyakarta, Bengkulu, West Nusa Tenggara, Central Java, South Sumatra, and Archipelago Riau, and East Java. Riau Province received the lowest overall ILW score, followed by Central Kalimantan and DKI Jakarta. Of the respondents interviewed, 80% said they had done *Waqf*, and from the aspect of time preference, there was no specific

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<sup>1</sup>Indonesian *Waqf* Board, Regulation, <https://www.bwi.go.id/regulation/>, (23 November 2020)

<sup>2</sup>Jaih Mubarak, *Productive Waqf*, (Bandung; Simbiosis Rekatama Media: 2008), p.16 in Masruchin, "Productive *Waqf* and Islamic Boarding School Independence: A Study on Productive *Waqf* Management in Pondok Modern Darussalam Gontor Ponorogo". Thesis (Surabaya: UIN Sunan Ampel, 2014): h. 2

<sup>3</sup>Dewi Angraeni, "Productive *Waqf* Management at the Indonesian Muslim University (Umi) Makassar *Waqf* Foundation" Thesis (Makassar, Graduate School of UIN Alauddin, 2016): p.2

period for the respondent's preference in *Waqf*. Most of the respondents (74%) mentioned any time.

4.45% of respondents chose to carry out their *Waqf* to nadzir institutions, which is quite interesting because 29% of respondents carried out their *Waqf* through direct submission to *mauquf alaih*. Two main reasons respondents chose Nadzir Institutions were aspects of accountability and transparency, and accessibility. Moreover, from the aspect of time preference, there is no specific period that is the respondent's preference in *Waqf*. Most of the respondents (74%) mentioned any time. 4.45% of respondents chose to carry out their *Waqf* to nadzir institutions, which is quite interesting because 29% of respondents carried out their *Waqf* through direct submission to *mauquf alaih*. Two main reasons respondents chose Nadzir Institutions were aspects of accountability and transparency, and accessibility.

Furthermore, from the aspect of time preference, there is no specific time that is the respondent's preference in *Waqf*. Most of the respondents (74%) mentioned any time. 4.45% of respondents chose to carry out their *Waqf* to nadzir institutions, which is quite interesting because 29% of respondents carried out their *Waqf* through direct submission to *mauquf alaih*. Two main reasons respondents chose Nadzir Institutions were aspects of accountability and transparency, and accessibility.<sup>4</sup>Hence, that is the reason they choose *Waqf*.

The Directorate of *Waqf* Empowerment of the Ministry of Religion of the Republic of Indonesia in 2020 presented data that as many as 391,096 the number of *Waqf* land locations spread throughout Indonesia with a land area of 52,398.33 hectares, with a percentage of 60.50% certified with details of 134,237 certified *Waqf* land parcels in Indonesia. The National Land Agency (BPN), 111,487,173 M<sup>2</sup>, and the area of *Waqf* land in Indonesia that has a *Waqf* land certificate from the BPN, 1063.53 M<sup>2</sup>, the average area of land certified in Indonesia.<sup>5</sup>The percentage of utilization is as follows: Mosques 44.18%, Mushollah 28.43%, schools 10.65%, other social activities 8.69%, graves 4.44%, and Islamic Boarding Schools 3.58%.

In its development, *Waqf* has a significant role in improving the community's welfare in the economic, educational, social, cultural, and religious

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<sup>4</sup>Indonesian *Waqf* Agency, Report of the 2020 *Waqf* Literacy Index Survey Results", BWI Official website, <https://www.bwi.go.id/4849/2020/05/20/laporan-hasil-survey-index-literasi-wakaf-nasional-year-2020/>, (02 December 2020).

<sup>5</sup>Indonesian *Waqf* Agency, "Data of *Waqf* Land throughout Indonesia", BWI Official Site, <http://siwak.kemenag.go.id/index.php> accessed on 28 November 2020 at 23.01

fields.<sup>6</sup>The welfare of the community depends on five primary goals or basic needs that must be met (*maqasid Sharia*), which include, *Duriyyat* (religion (*al-din*), life or soul (*nafs*), family or offspring (*nasl*), property or wealth (*maal*), intellect or reason (*aql*),<sup>7</sup>*Hajjiyat* and *Thasiniyyat* it can be said that the content of *maqashid al-Syariah* or the purpose of the law is the benefit of humanity.<sup>8</sup>The problem is empowerment to realize the welfare of the community—human welfare as a whole, including material welfare, spiritual welfare, and morals.<sup>9</sup>

Benefiting humankind in this world and the hereafter (*falah*) is one of the main goals to be achieved. This goal is in line with empowering productive *Waqf* in the welfare of the ummah. as the goal of Islamic law itself (*maqashid ash shari'ah*), namely achieving happiness in the world and the hereafter (*falah*) through a good and honorable life order (*hayyah thayyibah*). Realizing essential welfare for humans is the basis and foremost goal of Islamic law (*mashlahah al ibada*)<sup>10</sup>because it is also the goal of *Waqf* management. The management of *Waqf* in question is the management of productive assets where the *Waqf* assets owned by the institution will then be used in productive activities such as the management of immovable assets such as land, property, and others.

Meanwhile, some people have not felt the benefits of productive *Waqf* in Indonesia. However, efforts are still being made to meet the needs of the ummah, even though the management of productive *Waqf* has been carried out in several educational institutions such as the *Waqf* Board Foundation of the Indonesian Islamic University (UII) Yogyakarta, the University *Waqf* Foundation. Paramadina Jakarta, Al-Azhar Islamic Boarding School Jakarta Foundation, Darussalam Gontor Modern Boarding School, *Waqf* Board Foundation of Sultan Agung University Semarang and *Waqf* Foundation of the Indonesian Muslim University (UMI) Makassar.

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<sup>6</sup>Agustianto, “Productive *Waqf* for Scholarships”, Official Website of Agustianto <http://www.agustiantocentre.com/?p=594>, (16 February 2016).

<sup>7</sup>Faizatu Almas Hadyantari, “Empowerment of Productive *Waqf*: Strategic Efforts for Community Economic Welfare”, *Journal of Middle East and Islamic Studies*, Vol 5, No.1 (2018) :1-22

<sup>8</sup>Kutbuddin Aibak, “Zakat in Maqashid Al-Syariah Perspective”, *Ahkam Journal*, Vol. 3, No. 2, (2015): p. 199-218

<sup>9</sup>Rizky Saputra, “The Existence of Baitul Mal in Langsa City in Improving the Welfare of the Poor”, *J-EBIS Journal*, vol. 4 No. 2 (2019): p. 126-154

<sup>10</sup>Agil Bahsoan, “Mashlahah as Maqashid Al Syariah (Overview in the Perspective of Islamic Economics)”, *Journal of Innovation*, vol 8, No.1, (2011): p.113

The *Waqf* Foundation of the Muslim University of Indonesia is the largest in Eastern Indonesia. This foundation is a body that manages *Waqf* and is distributed in the fields of education, research, community service, Business, Health, and society based on Islamic principles. Those who try to broadcast Islam by bringing the value of the benefit of humans and their surroundings. This foundation was founded in 1953 in Makassar City, South Sulawesi. Initially, the foundation was only focused on education and da'wah. However, over time this foundation built a new pillar, namely Business and da'wah, and then in 2003, succeeded in building the last pillar related to *amaliyah* through the pillars of Health and da'wah, namely the establishment of the Ibnu Sina hospital.

There are three main mechanisms for managing *Waqf* of the *Waqf* Foundation of the Indonesian Muslim University, which consists of the pillars of education and da'wah, Business, and da'wah, and the last is Health and da'wah.<sup>11</sup> So far, the three pillars mutually finance the activities carried out at the UMI *Waqf* foundation, which is managed professionally, so they can contribute funding to support the foundation's activities.

In the business and da'wah pillar, six management mechanisms have been initiated since 1994, including Baitul Maal Wattamwil Ukhuwah (BMTU), namely services in the form of savings and loans and sharia financing, PT Ukhuwah UMI Teknik, a contractor, and housing company (Real Estate). The result of the construction consists of housing Ukhuwah UMI on Jl. Racing Center/ Jl. Pettarani II Makassar covers an area of 2.77 ha, Taman Ukhuwah Sakinah Daya Housing with an area of 26 ha, and a housing complex of 1291 units covering an area of 9.7 ha, and Ukhuwah Antang housing with an area of 3.6 ha totaling 239 units currently under construction; PT. Ukhuwah UMI Bisnis (General Trading), consisting of general trading units, convection, and canteens; PT.UMI Ukhuwah Industri (Packaged Mineral Water with the brand "Ukhuwah"),

PT UMI Toha Ukhuwah Graphics (printing and publishing) is a collaboration between YWUMI and PT. Toha Putra Semarang. Engaged in printing, publishing, and consulting publications NaHe has published many general books and literature and has even been trusted to print and publish 30 chapters of the Qur'an and Amma by the Ministry of Religion of the Republic of Indonesia. These business units are located strategically in the Makassar area, land management

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<sup>11</sup>Indonesian Muslim University, "A Brief History of the UMI *Waqf* Foundation", YWUMI Official Site. <https://www.umi.ac.id/about-kami/model-manajemen-yayasan-wakaf-umi> (28 November 2020)

development. *Waqf* campus 1 of the Indonesian Muslim University, which is located on Jalan Kakatua<sup>12</sup> and units of Rice Fields, Ponds, and Fishing Vessels. As mentioned above, the UMI Waqf Foundation business units have legal entities in the form of a company; besides that, there are other business units, namely Sawah and Pond, with an area of 45.115 M<sup>2</sup> located in Kalibone Regency Pangkep and 2 (two) fishing vessels with a size of 6 x 14 m (T. Ziat 1), which were acquired in 1993, while T. Ziat 2, with a size of 4 x 16 m, was acquired in 1997. Both fishing vessels The fish rests on Barombong Kab. Takalar. At first, the fields, ponds, and ships were under the coordination of the Faculty of Agriculture and Fisheries of UMI and field laboratories for students. The existence of rice fields, ponds, and ships, being a laboratory, can also be commercialized,<sup>13</sup>

The results management of productive *Waqf* provides a reasonably good development of the education of the UMI Foundation, which can be seen in the development of education and da'wah as well as Health and da'wah. In the field of education, namely the Indonesian Muslim University, Postgraduate Program, Preparatory Education Institutions (LPP) consisting of Junior High Schools (SMP), High Schools (SMA), and Vocational High Schools (SMK). In addition, YWUMI also established educational institutions (pesantren) outside Makassar City, namely the Wihdatul Ulum Borisallo Islamic Boarding School, Gowa Regency, and the Mizanul Ulum Sanrobone Islamic Boarding School in Takalar Regency. These two pesantren play a role in fostering Madrasah Tsanawiyah and Aliah. Then the Darul Mukhlisin Islamic Boarding School, Padanglampe Village, Pangkep Regency. This Islamic boarding school is specialized as a place for fostering students and the general public in character or spiritual education. Guidance is carried out with accommodation for 30 days for students and three days for the general public in the pesantren environment.

In addition to education, *Waqf* Empowerment is also channeled in the fields of research, community service and community development (da'wah), rural community empowerment through education and da'wah, namely fostering cooperation/partnerships through fostered partner villages by involving all village potentials that can be developed for the welfare of rural communities. Partners and surroundings. To increase understanding of Islam and public welfare, foster

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<sup>12</sup>Indonesian Muslim University, "A Brief History of the UMI *Waqf* Foundation", YWUMI Official Site. <https://www.umi.ac.id/about-kami/model-manajemen-yayasan-wakaf-umi>, (28 November 2020).

<sup>13</sup>Indonesian Muslim University, "Pillar of Business and Da'wah", YWUMI Official Site, <https://www.umi.ac.id/about-kami/usaha-dan-dakwah>, ( 05 December 2020).

cooperation or partnerships with relevant agencies, private or government. The fostered villages are the foundation's efforts to alleviate poverty and educational backwardness by sending outstanding students to serve in the fostered villages. In addition to fostering the foundation, it also provides full scholarships for the underprivileged who excel.

Productive *Waqf* management is managed by the Indonesian Muslim University *Waqf* Foundation, which consists of three main pillars; researchers are interested in looking at productive *Waqf* by Maqasid sharia aspect, its aim is to create benefit and avoid harm in the world and the hereafter, hence the purpose is empowerment by fulfilling aspects of human needs in order to survive. Sustainability of human life can occur if basic needs are met, such as primary, secondary, and tertiary needs, or in *maqasid Sharia* called *Daruriyah*, *Hajjiyat*, and *Tahsiniyat* needs. In this *maqashid* sharia approach, the study focuses on values in the form of human benefit in every *taklif* revealed by Allah SWT. *Maslahah* or community welfare depends on five primary goals or basic needs that must be met (*maqasid Sharia*), which include religion (*al-din*), life or soul (*nafs*), family, or descendants (*nasl*), property or wealth (*maal*), intellect or reason (*aql*),<sup>14</sup> it can be said that the content of *maqashid* Sharia or the purpose of the law is the benefit of humankind.<sup>15</sup>

*Maqasid* is an alternative statement for problematic / *maslahah* (benefits)<sup>16</sup> *Maqasid* Sharia is the goal desired by Allah SWT in every law or most of it. When Allah SWT prescribes the law, it aims to maintain the benefit of humans by opening spaces of benefit to them and lifting harm.<sup>17</sup> The principle of *maqasid Sharia* as the goal of Islamic law towards implementing *zakat* and *Waqf* and taxes emphasizes the principles of usefulness, togetherness, mutual help, justice, and social solidarity. For this reason, the presence of *zakat* and *Waqf* can complement

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<sup>14</sup>Faizatu Almas Hadyantari, "Empowerment of Productive *Waqf*: Strategic Efforts for Community Economic Welfare", *Journal of Middle East and Islamic Studies*, Vol.5, No.1(2018): 22

<sup>15</sup>Kutbuddin Aibak, "Zakat in the Perspective of *Maqashid* Al-Syariah", *Ahkam Journal*, Vol.3, No.2 (2015): p.199

<sup>16</sup>Muhammad Iqbal Fasa, "Reforming the Understanding of *Maqāṣid* Sharia Theory, Analysis of the Jasser Auda System Approach", *Hunafa: Jurnal Studia Islamika*, Vol.13, No.2 (2016): p. 220

<sup>17</sup>Oom Komariyah, "Analysis of the Implementation of *Maqashid* Syariah in Zakat Management Institutions in Building the Concept of Community Empowerment", *Islaminomic Journal of Islamic Economics and Banking*: p.120.

sources of state income other than taxes so that the distribution of collected funds can be more effective and on target. Maqashid sharia does not want anything in vain or avoid harm because every law of Allah has and carries a noble mission for the benefit of His people.<sup>18</sup> So every decree from Allah SWT has a good purpose for the ummah.

The primary purpose of Sharia is to serve the interests of human beings and to protect them from anything that threatens their existence. Al-Syatibi further divides or classifies maqashid into three categories. The division is based on the role and function of *maslahah* for the survival of the creature's life. The three categories include the dimensions of *dharuriyyah* (immediate needs), *hajjiyyah* (secondary needs), *tahsiniyah* (tertiary needs).<sup>19</sup> Generally, the scholars of *ushul fiqh* share the same perception in categorizing the three dimensions.

In line with the objectives to be achieved by Maqasid Syariah, researchers try to formulate aspects of Maqasid Syariah on the results that have been achieved by the *Waqf* Foundation of the Muslim University of Indonesia in the management of productive *Waqf*, so this research will focus on the results of productive *Waqf* management which are reviewed in terms of Maqasid Syariah aspects. The form of productive *Waqf* management results has achieved the goal of maqasid Sharia to meet the needs of the *Daruriyah*, *Hajjiyat*, and *Tahsiniyat* aspects. The main discussion in this study is the *dharuriyyah* aspect, which includes five things: the protection of religion, reason, soul, property, and offspring.

## II. THEORETICAL REVIEW

### A. Economic Empowerment Strategy Through *Waqf*

Community empowerment strategies can be carried out in community empowerment, primarily through training and advocacy for the poor. The motivation of each family must be to understand the value of togetherness, social interaction, and power through understanding their rights as citizens and members of society. Therefore, each household needs to be encouraged to form groups, an important institutional mechanism for organizing and implementing community development activities. This group is then motivated to use its resources and capabilities in income generation activities.

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<sup>18</sup>Aries Munandar, "Optimizing Zakat and Taxes for People's Welfare in a Maqasid Al-Syariah Principled Economic Review", Annual Conference for Muslim Scholars (2018): p.345.

<sup>19</sup>Eka Yunia Fauzia, "The Urgency of Green Economy Implementation: Dharuriyah Approach Perspective in Maqashid al-Shariah". *Journal of Islamic Economics and Business*, Vol.2, No.1 (2016): p.89.



Increased public awareness can be achieved through primary education, health improvement, immunization, and sanitation. Meanwhile, vocational skills can be developed through participatory ways. Local knowledge, usually obtained through experience, can be combined with knowledge from outside. This kind of training can help poor communities to create their livelihoods or help improve their skills to find work outside their area.

Self-management, Each community group should be able to elect its leaders and organize their activities, such as holding meetings, recording and reporting, operating savings and credit, conflict resolution, and community ownership management. Outside assistants can assist them in developing a system in the early stages. The group can then be given full authority to implement and manage the system.

Developing methods to pool individual resources through regular savings and voluntary donations are necessary to create social capital. This idea is based on the view that everyone has resources that, if collected, can substantially improve socioeconomic life. Developing a collection, allocation, and resource use system must be done carefully so that all members have equal opportunities. It can ensure sustainable ownership and management.

M Umar Chapra admits that changing the paradigm of people's economic empowerment is not an easy thing. It requires several revolutionary changes in the socioeconomic environment. According to him, there are six steps to support the establishment of the people's economy.<sup>20</sup>

*First*, lifestyle patterns change in the orientation of love for domestic products (domestic products) and the use of labor in abundance. *Second*, changes in official attitudes and policies in favor of people's economic efforts so that people's economic efforts are not issued. *Third*, the people's economic business unit must be empowered through assistance in obtaining better economic inputs, appropriate technology, effective marketing techniques, and other extension services. *Fourth*, people's economic business units must also be empowered to improve skills through training. *Fifth*, given the opportunity to access funding sources.

Empowerment is not just giving authority or power to the weak. Empowerment contains the meaning of the educational process in improving the

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<sup>20</sup>Muhammad, Principles of Islamic Economics, (Yogyakarta: Graha Ilmu, 2007). h. 109.

quality of individuals, groups, or communities so that they are empowered, have competitiveness, and can live independently.<sup>21</sup>

There are three main goals in community empowerment: developing community capabilities, changing people's behavior, and protecting the community.<sup>22</sup>

- 1. It is developing community capacity** and creating an atmosphere that allows the potential of the community to develop. Here the starting point is the recognition that every human being, every society, has potential that can be developed. That is, no society is complete without power. Empowerment is an effort to build that power by encouraging, motivating, raising awareness of its potential, and trying to develop it.
- 2. They are changing people's behavior and** strengthening the community's potential or power. In this context, more positive steps are needed, apart from just creating a climate and atmosphere. This strengthening includes concrete steps, providing various inputs, and opening access to various opportunities that will empower communities. In the context of this empowerment, the primary efforts are increasing the level of education, the degree of Health, and access to sources of economic progress.
- 3. Protection of society,** Empowering also means protecting. In the empowerment process, the weak must be prevented because of their powerlessness in dealing with the strong. Therefore, protection and partiality to the weak are fundamental in the concept of community empowerment. Protecting does not mean isolating or covering up from interaction because doing so will dwarf the small and weaken the weak. Protecting must be seen as an effort to prevent unequal competition and exploitation of the strong over the weak. Community empowerment does not make the community dependent on various social funding programs.

Community empowerment also aims to motivate and facilitate people to improve themselves, their communities, and their environment in achieving their

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<sup>21</sup>Edi Suharto, Building a Community Empowering People: A Strategic Study of Social Welfare Development and Social Work. h.67

<sup>22</sup>Gunawan Sumodiningrat, Community Empowerment Strategy in the Implementation of Regional Autonomy. <http://www.suniscome.50webs.com/data/.../008%20strategi%20pemdayaan.pdf-Cached> – Similar (10 September 2020).

goals<sup>23</sup> Meanwhile, according to Law no. 20 of 2008 concerning Micro, Small and Medium Enterprises Article 5, the objectives of empowerment are: (a) to realize a balanced, developing and just national economic structure, (b) to grow and develop the capabilities of micro, small and medium enterprises to become solid and independent businesses, and (c) increasing the role of micro, small and medium enterprises in regional development, job creation, income distribution, economic growth, and alleviating people from poverty.

Indicators of the success of community empowerment as a process are often taken from the purpose of empowerment which shows the conditions or results to be achieved by a social change, namely: poor people who are empowered, have power, or have the knowledge and ability to meet their needs, both physical, economic, and social. as well as social, such as having self-confidence, being able to express aspirations, having a livelihood, participating in social activities, and being independent in carrying out their life tasks.<sup>24</sup>

## **B. Maqasid Shariah Concept**

the objectives to be achieved in the determination of sharia law (maqasid Sharia) include:

### **1. Educating individuals (Tahdhib al fard)**

That is so that each individual becomes a source of good for his community, not vice versa, to be a source of evil for every human being. So that the various kinds of worship prescribed are aimed at training the soul so that it does not tend to the evil that results in dholim, vile, and evil actions against others to create harmony in society.

### **2. Upholding justice (Iqamah al 'Adl)**

namely realizing justice in all areas of human life, in the field of muamalah by respecting rights and carrying out obligations between parties who are muamalah because, in the eyes of the law, all humans are the same; there is no difference between rich and poor, the strong and the weak have the same obligations, namely respect the rights of others and carry out their obligations.

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<sup>23</sup>Totok Mardikanto, Poerwoko Soebiato, Community Empowerment, (Bandung: Alfabeta, 2012) h. 170

<sup>24</sup>Achmad Subianto, Summary and How to Pay Zakat, (Jakarta: Foundation starts from right, 2004). h. 40

### **3. Generate benefit (Jalb al Maslahah)**

That is to produce the public benefit, not the specific benefit for a particular party. The benefit based on sharia laws and religious texts is a real benefit because it leads to the protection of religion, life, property, reason, and offspring.

As for the legal basis of maqashid Sharia in the Qur'an and Hadith, we will get some of the arguments. Nevertheless, before that, the writer would like to explain the division of Sharia – as has been divided by the Fuqaha – which is divided into issues: 'aqidah, worship, mu'amalat, family law, criminal, and others. In line with this, as explained by Usul Fiqh experts, there is also a division of maqashid Sharia, divided into Dharuriyat, Hajiyat, and Tahsiniyat.

### **C. RESEARCH METHODOLOGY**

The type of research used is qualitative research. This research was conducted at the Indonesian Muslim University *Waqf* Foundation, Menara UMI, and PT. Industrial Ukhuwah (bottled water with the Ukhuwah brand). The consideration is that the UMI Makassar *Waqf* foundation is the largest *Waqf* management foundation in Eastern Indonesia. The research methods are observation, interviews, documentation, and focus group discussions.

### **D. RESEARCH RESULTS AND DISCUSSION**

#### **Productive *Waqf* in Community Welfare at UMI Makassar Foundation.**

Welfare (welfare, al-ghany) is a condition where all human needs are appropriately met. The definition of welfare is usually associated with the economic conditions of individuals or communities. The primary consideration of the economy is to meet the needs of life, which tend to increase in line with the level of progress of society. The standard of need in question tends to be relatively related to the level of income and the wage system in a country.<sup>25</sup> Welfare is a dream and hope for every human living on this earth. Every parent expects welfare for their families, both material welfare and spiritual welfare; parents always try to provide for their family's needs. They will work hard, do anything to meet their family's needs, and provide protection and comfort for their families from various kinds of disturbances and dangers that confront them.<sup>26</sup>

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<sup>25</sup>Hasyimsyah et al, "Empowerment of Philanthropy in Improving Welfare". MIQOT Journal, 43, No. 2, (2019): p. 283

<sup>26</sup>Amirus Sodiq, "The concept of welfare in Islam", Journal of Equilibrium, 3, No. 2, (2015): p. 381

In its program, the UMI *Waqf* Foundation in the field of community service institutions has now fostered 36 fostered villages spread across various districts in South Sulawesi, and the village fostered program, besides being focused on the field of da'wah, there is also training and business development carried out by service lecturers sent by the foundation. One of the regencies fostered by the institution is a group of women who manage seaweed in Kab. Jeneponto, the results achieved after conducting counseling and training on seaweed management for the partners of the white and noble orchid groups have been able to process seaweed products. One of the processed products has been developed into a business, namely seaweed chips, and produced and marketed, then IBM fisherman group producing fish food in Bacukiki subdistrict, Pare-pare city. After counseling, training, and demonstration stages, at this time, the group has developed a business with four products that are marketed around pare-pare, namely spicy anchovy sauce, anchovy Balado seasoning, anchovies with peanut brittle, and shredded tuna. That is the result achieved by the foundation in realizing the community's welfare.<sup>27</sup>Muh. Yusri Lukman confirmed this:

We, from the development center of the fostered villages, have a program to help the community develop the natural potential in their area. We aim that these small businesses can help the community's economy.<sup>28</sup>

Economic welfare results include societal elements, both the government and the community. Awareness of distributing for social purposes is part of the Sunnah of the Prophet, so it should be developed both from the theoretical and reality levels. The state's scope and role in managing the public sector do not stop with implementing the allocation function only. However, the state also has a role to play in ensuring that every member of society can enjoy just welfare. If in the allocation function, the state regulates how the allocation of economic resources should be used reasonably and efficiently, then with this distribution function, The state must ensure that all members of society can enjoy the results of development in the form of meeting the minimum needs of life. The distribution instruments are

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<sup>27</sup>Report Archives of Village Service Assistance by Lecturers of Community Service at the UMI Makassar *Waqf* Foundation.

<sup>28</sup>Moh. Yusri Lukman (47 years old) Head of Center for Development of Assisted Villages, Disasters, and the Environment LPKM-UMI, Interview 16 February 2021

generally used in *Waqf*, zakat, infaq, and alms institutions. The concept is a social and individual guarantee as the realization of community welfare.<sup>29</sup>

In its application, the UMI *Waqf* foundation has tried various sectors that are fostered in building a prosperous community, including the procurement of fostered villages in collaboration with village partners in developing the potential of a village to foster its natural resources so that the community has income through the results of the businesses they develop. The fostered villages owned by the foundation have reached 36 villages in various districts in Sulawesi and outside Sulawesi, such as Maluku province. It is hoped that the fostered village will help achieve the economic level of the people targeted by the students sent, as well as a team of lecturers who have expertise in their respective majors, such as agriculture, animal husbandry, and fisheries.

H. Lambang Basri Said conveyed the community welfare programs carried out by the foundation, namely:

Mass Sunnat and the allocation of ZIS by the foundation to communities in need, Then, through the partner villages, business skills training is provided.<sup>30</sup>

More Moh. Yusri Lukman also stated that: community development is carried out by:

Provide business assistance to the assisted villages, distribution, and business training in agriculture, animal husbandry, and other businesses. We strive to make the assisted villages genuinely productive.<sup>31</sup>

In this case, the foundation carries out village development intending to empower the community so that their economy can at least improve. Community empowerment also aims to motivate and facilitate people to improve themselves, their communities, and their environment in achieving their goals<sup>32</sup> Meanwhile, according to Law no. 20 of 2008 concerning Micro, Small and Medium Enterprises article 5, the objectives of empowerment are: (a) to realize a balanced, developing

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<sup>29</sup>Ari Murti, "The Role of Islamic Philanthropic Institutions in the Ziswaf Distribution Process (Zakat, Infak, Sodaqoh and *Waqf*) as Economic Empowerment of the Ummah", *Journal of Islamic Economics*, Vol.1, No. 1, )2017): h. 93

<sup>30</sup>Ir. H. Lambang Basri, (61 years old), Head of Program Development and Control, Interview, 09 February 2021

<sup>31</sup>Moh. Yusri Lukman (47 years old) Head of Center for Development of Assisted Villages, Disasters, and the Environment LPKM-UMI, Interview 16 February 2021

<sup>32</sup>Totok Mardikanto, Poerwoko Soebiato, *Community Empowerment*, (Bandung: Alfabeta, 2012) h. 170

and just national economic structure, (b) to grow and develop the capabilities of micro, small and medium enterprises to become solid and independent businesses, and (c) increasing the role of micro, small and medium enterprises in regional development, job creation, income distribution, economic growth, and alleviating people from poverty.

Indicators of the success of community empowerment as a process are often taken from the purpose of empowerment which shows the conditions or results to be achieved by a social change, namely: poor people who are empowered, have power, or have the knowledge and ability to meet their needs, both physical, economic, and social. as well as social, such as having self-confidence, being able to express aspirations, having a livelihood, participating in social activities, and being independent in carrying out their life tasks.

However, the assistance funds provided by the community in the assisted villages were not fully taken from the results of productive *Waqf* development. According to Nurjaya and H. Halim:

The funds used in the village development mostly come from charitable funds obtained from deductions from the salaries of employees, employees, and lecturers, which are intended for their *zakat*. Besides that, the results from the development of *Waqf* are partly channeled to be used as social funds, so it is not entirely the result of *Waqf* management. Only for institutional development, the profits obtained are also included in social funds to be subsequently handed over to the community as a form of social assistance (Nurjaya).<sup>33</sup>

The funds are more than charitable funds intended for fostered villages, so for *Waqf* proceeds, it is preferred to use them in the form of developing pillars fostered by the foundation. However, not all of the results from productive *Waqf* management are used in institutional strengthening, but there are still some profits from the results of the management of the three pillars that are included in social funds to be distributed to the community, but the distribution is not in the name of *Waqf* but as a form of social assistance. Said H. Halim, who was met at his office at Menara UMI on Tuesday, February 9, 2021.<sup>34</sup>

Furthermore, Muh. Yusri Lukman said:

Regarding the funds used for training and counseling, it is partly funded by foundations, these funds are from charitable funds for social assistance

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<sup>33</sup>Nurjaya (65 years old), Head of Social Activities Development Section, Interview, Makassar, 11 February 2021

<sup>34</sup>H. Abdul Halim, (63 years old), Secretary of the Daily Management of the UMI *Waqf* Foundation for the 2020-2025 Amanah period, Interview, Makassar, 09 February 2021

obtained from salary deductions, and also the proceeds from the three pillars of *Waqf* management, which are developed the results are partly included in social funds and partly to finance each pillar to grow. So we channeled it to the assisted villages to develop their small businesses. Besides that, we also cooperate with the village and local district government because it is related to the development of district MSMEs and the social service. So the funds are not entirely from the UMI foundation.<sup>35</sup>

Islam guides its people to have a generous and forgiving soul, willing to assist without being asked. Emphasis on infaq and alms is the suitable means to help create a socially caring society because essentially every individual cannot live alone but needs the help of others. Infaq is not only material, such as money and goods, but can also be non-material in the form of skills and expertise. This instrument targets not individuals but community groups that will later be useful for their welfare. Then *Waqf* activities were initially more religiously and economically based and slowly began to move towards social justice that could bridge the rich and poor.

it is in line with Nurjaya's opinion that:

Currently, we are developing a cash *Waqf* fund (money) intended for pillar development and will later be given to the community as funds for them to open a business. However, this is only a program because, so far, what has been running here is still managed *Waqf* funds for immovable assets. Our cash *Waqf* was recently appointed as the nazir. Moreover, the program will run because it has collaborated with mega banks to collect cash *Waqf* funds.<sup>36</sup>

In its application, the UMI *Waqf* foundation has tried in various sectors to build a prosperous society, including the procurement of fostered villages in collaboration with village partners in developing the potential of a village to foster its natural resources so that the community has income through the results of the businesses they develop. In its program, the UMI *Waqf* Foundation in community service institutions has now fostered 36 fostered villages spread across various districts in South Sulawesi. The village fostered a program. Besides being focused on da'wah, there is also training and business development carried out by service lecturers sent by the foundation. One of the regencies fostered by the institution is a group of women who manage seaweed in Kab. Jeneponto,

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<sup>35</sup>Moh. Yusri Lukman, (47 years old) Head of Center for Development of Assisted Villages, Disasters, and the Environment LPKM-UMI, Interview 16 February 2021

<sup>36</sup>Nurjaya (65 years), Head of Social Activities Development Section, Interview, Makassar, 11 February 2021



Then the fisherman group produced processed fish food in Bacukiki District, Pare-Pare City. After the counseling, training, demonstration stages, and mentoring, the group has developed a business with four products that are marketed around Pare-Pare: spicy anchovy sauce, Balado anchovies, anchovies peanut brittle, and shredded tuna. Economic welfare results from the work of all societal elements, the government, and the community. Awareness of distributing for social purposes is part of the Sunnah of the Prophet, so it should be developed both from the theoretical and reality levels. Exploring the potential of natural resources owned by the assisted villages is also the foundation's effort in developing a village by empowering the community's economy to have their own Business in meeting the needs of life through the businesses they run. In addition to providing assistance related to Business, the foundation also provides financial assistance to the community to develop the Business they run through social assistance funds collected by the foundation's management. The business training to the financial assistance provided is aimed at enabling the community to independently meet their needs so that the welfare, which is the goal of distributing the results of *Waqf* management to the community, can be realized.

#### **E. CLOSING**

The suitability of the maqasid sharia aspect towards managing productive *Waqf* can be seen from 2 things. First, the results of productive *Waqf* to meet the needs of life for fulfilling the needs of dharuriyyah, namely the maintenance of the religion of the UMI *Waqf* foundation carrying out religious symbols through da'wah, and facilitating da'wah facilities and infrastructure. The maintenance of the soul includes providing health facilities for the community with the Ibn Sina hospital, maintaining the mind of the foundation by providing educational facilities and infrastructure with various levels of education, and nurturing offspring by actively conducting religious, Business, and Health counseling to the community, and secondly maintaining assets to be developed through property maintenance with the development of immovable *Waqf* assets through three development pillars, namely the Education pillar, Business, and also Health. So the suitability of maqasid Sharia for the management of productive *Waqf* at the UMI Makassar *Waqf* foundation follows the objectives of maqasid Sharia, where the purpose of maqasid Sharia is to create benefit and avoid harm in the world and the hereafter.

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