

PRODUCTIVE WAQF: POTENTIAL RESOURCES FOR SOCIETY WELFARE: CASE STUDY IN CIREBON CITY, WEST JAVA

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ABSTRACT

Through Law Number 41 of 2004, the government introduced the concept of Productive Waqf. In this concept, various schemes that encourage waqf assets to be productive value are offered so that they can support them economically and assist in improving society welfare. The application of this waqf concept happens in Cirebon City through stakeholders, like the Office of Ministry of Religious Affairs Cirebon City, Indonesian Waqf Board of Cirebon City, ATR/BPN Cirebon City and other related institutions that determine the success of this concept. By using qualitative research approach, this research concluded that there are some factors that cause wakif (a person who gives a waqf) to be reluctant to take care of the legality of land: a) The old view said that the land given belongs to Allah SWT so it doesn't need to insert the legal documents which are acknowledged by nation, b) the cost is expansive to manage the certificate of waqf, c) the absence of strategic policy to manage the waqf, d) the effort to improve the welfare focuses on the first grade of welfare, namely the welfare for worship, e) the foundation/organization still focuses on the demand of worship so the waqf assets such as mosque or school are well maintained, g) the second grade of welfare hasn't achieve significance goal. The utilization of the result from productive waqf for society welfare can be seen in small area and it is based on local policy. For instance RS Muhammadiyah gave the donation to the poor. It is based on the policy given by the leader in the hospital level, h) there is no effort to utilize the result of productive waqf, for example, to open free health service, give the scholarship, and give trade modal for the poor.

Keywords: Waqf, Productive Waqf, Society Welfare, Cirebon

INTRODUCTION

Waqf has existed since Islamic empire era. Likewise the waqf institution which has the duty to manage it by the establishment of these empires. Formerly, waqf is regulated by a traditional law by taking source from Islamic law. It also happened in the colonialism era. The government of Indies didn't manage waqf property seriously, but at least they didn't prohibit Muslims to worship as it is stated in the Letter of Government Secretary at 31 January 1905, No. 435, as it is contained in Bijblad 1905 No. 6196, about the Toezicht op den bouw van Muhammaccitasche bedehuizen.

It started when Indonesia was independent. The Government of the Republic of Indonesia through the Ministry of Religious Affairs issued a procedure on land waqf since 1953. Unfortunately the management of waqf in Indonesia tends to be stagnant. Indonesian people are still old view. They assume that waqf property cannot be managed to obtain economic value.

It becomes a dilemma when operational costs are expansive and waqf buildings are getting old by the age, while there are only few rich people. The waqf assets are not well maintained and operated because of limited budget while the cost of waqf assets becomes cheap. For this

reason the government issued Law Number 41 of 2004 which became the highest legal on waqf management. In this legal product, procedures and regulations are discussed regarding the waqf management along with operators authorized to carry out the legal product. They are the Ministry of Religious Affairs as the protector of religious society in Indonesia and Indonesian Waqf Board as an independent institution in order to promote and develop national representatives.

It becomes a breakthrough because the waqf management is stagnant due to the government institution involved in this management is more than one, such as the Ministry of Religious Affairs and National Land Affairs Agency but the absence of clear regulation makes the authority from each party bias and creates complexity in procedures and bureaucracy. In addition, waqf is one of the tasks that must be handled by both agencies but it is often hampered by other urgent tasks.

Therefore, Indonesian Waqf Board is created as the agency to connect both agencies above and it is also as a leader in managing all problem related to waqf that becomes the main task and function.

Productive waqf is also introduced as starting point of new era about waqf in Indonesia. Waqf in Indonesia is expected to be productive in all areas where the management system uses professional management considering economic and strategic aspects. Indonesians are invited to change their point of view on waqf through the implementation of massive coaching and socialization after Law No 41 of 2004 is created.

Today, it is more than one decade after Law No 41 of 2004 is created, and it is also more than one decade for muslim to implement it but waqf policy is not effective in its implementation because the new policy of waqf management is not fully implemented especially for muslim in Cirebon City.

Muslim in Cirebon City is still dominated by the understanding of waqf management traditionally. It is based on the educational management of school and boarding school. There are not many efforts related to the implementation of productive waqf policy and its development in Cirebon City. It needs to analyze how far is productive waqf policy is implemented in Cirebon City.

LITERATUR REVIEW

Waqf is a topic that is always developing in several literatures from year to year. In Indonesia waqf also becomes a separate event and is expected to be managed well so as to create many benefits for the community. Siswantoro et al (2018) Reconstruct accountability of cash waqf institutions in Indonesia, including logic that can refer to accountability goals. The results of the study indicate that cash waqf institutions in Indonesia have unique and distinct logical characteristics, which are neither unity nor pluralist.

At first pure waqf is in the form of land, but with the development of civilization and the needs and patterns of human life, other alternatives arise in endowments even though they share the same essence. One such alternative is cash waqf. Rizal and Amin (2017) developed a conceptual model that explained Muslim intentions for cash endowments. The results of the model testing show a significant relationship between the perception of ihsan, egalitarian Islam, and Islamic religiosity in the contribution of cash waqf.

The concept is also supported by Pitchay et al (2017) which states that Waqf (Islamic waqf) in the form of cash is important to overcome the problem of developing idle waqf land. Although there are various cash waqf models available, there is still a need for innovative cash waqf models. This paper aims to offer alternative financing modes to develop idle waqf

land using the concept of cooperatives and endowments. The current cash waqf model uses a traditional method in which donors only contribute cash waqf without awareness of how the contribution is used. Usually, this problem occurs because of a lack of reciprocal communication between cash waqf donors and waqf institutions.

The implementation of cash waqf requires a trusted institution to manage waqf so that any form of waqf both land and cash remains channeled well and with functions that are in accordance with Islamic guidance. The development of waqf management units is discussed by Sulaiman et al (2018) Application of contemporary waqf through waqf units. The study found that there is no written text in the Qur'an and Sunnah that explicitly prohibits or sanctions the trust waqf unit. The novelty of this study lies in the proposed model for channeling trust units for waqf purposes along with their application parameters which can be useful for waqf stakeholders in Malaysia. This can be considered fully in future implementation. This study is part of many efforts from various groups to promote the application of contemporary waqf, especially unit trust as a new category of waqf assets. Finally, and more importantly, trust waqf units can be a vehicle to encourage more philanthropic and charitable activities among community members.

The proposed parameters are divided into several parts:

- i. legality of trust waqf units from a sharia perspective and waqf law and
- ii. regulations in Malaysia;
- iii. supervision of trust waqf unit investment;
- iv. risk management; and
- v. sustainability of unit trust waqf investments

The development of waqf management and other benevolent funds is expected to be able to overcome social problems. This was analyzed by Raimi et al (2014) which discussed the inclusion of integration of corporate social responsibility (CSR), waqf systems (WS) and Zakat systems (TZS) as FBMs for poverty reduction, business development and economic empowerment. The FBM framework is practically a corporate social investment (CSI), which will be funded a lot by zakat payers, CSR contributions, and endowments. The funds will be used for poverty reduction in a number of ways ranging from training, micro-credit support for SMEs, internships, establishing technology business incubation centers, cluster development, infrastructure development in industrial parks, and providing welfare support services for the poor, marginalized and other disadvantaged economic groups.

With increasing public interest in waqf management, several waqf concepts have been found that can overcome social problems, one of which is productive endowments. Faizah (2013) states that productive waqf can be a solution in overcoming the problem of unemployment. As a new concept, productive endowments introduced in Indonesia are cash endowments. Prompt and waqf practices have been regulated under national law and have strong support from the world of Islamic education (Islamic scholars) that Muslims have a great opportunity to be able to maximize use and utilization. To improve and expand the functions of cash waqf as a solution to the problem of reducing unemployment it is important for each waqf organization to develop its human resource capacity, especially in professionalism, commitment and understanding of the importance of cash waqf for development. This paper was built by reviewing several current journals, government reports and other publications that revolve around the issue. To analyze productive endowments, this study conducted a literature review. In reviewing the relevant literature, the focus is on finding potential contributions that productive waqf can produce in the form of cash waqf specifically in reducing unemployment.

Then it was also discussed about how waqf became the basis of community entrepreneurship. Faith and Mohammad (2017) recommend waqf-based entrepreneurship as an alternative socio-economic framework for community welfare. The waqf system is a social tool that not only finance social development projects but also has socio-economic alternatives to help the poor and disadvantaged groups in society.

The development of the waqf concept is also supported by Puspitasari (2017) land waqf can be managed by the local government and used as agricultural land by involving farmers as workers. The concept of land waqf is muzara'ah, there is an agreement between the local government (as manager of land waqf) and farmers (as workers) to cultivate land, so at the end of this agreement, the total results will be taken by the local government to meet the needs of farmers. Then Shaikh et al (2017) discussed the application of endowments (endowments) in the social finance sector to fund social and development projects and services. On the other hand Hartini and Amborse (2017) formulate a financing model for endowments of public goods and mixed public goods in Malaysia.

With the many benefits of waqf, it is necessary to also manage and develop waqf funds collection. Thaker and Pitchay (2018) discuss a new concept, namely an alternative source of financing for developing Waqf land, known as Crowdfunding-Waqf Model (CWM). The proposed model is unique because of the new dimension of membership embedded in the waqf project. He considers donors as members of waqf projects, funded through collected cash waqf, and as such, donors are privileged to receive benefits from commercial projects developed on waqf land. The current cash waqf model uses a traditional method in which donors only contribute cash waqf without awareness of how the contribution is used. Usually, this problem occurs because of a lack of reciprocal communication between cash waqf donors and waqf institutions.

DISCUSSION

1. Definition of Productive Waqf and Its Relation to Economics Values

According to Law No 41 of 2004, waqf is defined as follows:

Wakif legal action to separate and/or give some of the property to be used forever or for a certain period of time for the use of worship and/or general welfare according to sharia.

Based on the data taken from Ministry of Religious Affairs, there are 403.845 locations with the wide 1.566.672.406 M² belonging to Indonesia. Those properties are coming from land of waqf. 75% of them have got waqf certificate and 10% of them have high economic potential. There are many that haven't been identified.

The area is equal to five times with the wide of Singapore or five times with the wide of Jakarta, with an estimated asset value of Rp. 600 trillion, or it is equivalent to ¼ Indonesian debt (2,273 trillion) or equivalent to 171 times Singapore's waqf assets (3.5 trillion). Imagine if assets of 600 trillion can be managed properly. Indonesia can imitate Egypt. Egypt finance its need through waqf.

The condition of waqf that can finance itself and support society welfare is categorized as productive waqf.

Productive waqf is not a new term. In religious principle, a waqf should be productive so that the result can be used optimally. The object of waqf must produce a benefit for society. But by the time, the basic principle of waqf is worn off by the old habit and understanding of society. They argued that the property of waqf may not produce a profit because the property of waqf must be permanent and sterile from profitable activities.

This fact urges the emergence of a new paradigm of waqf, namely productive waqf, to wear off the old understanding of society with modern economic society but it still orients to the function of waqf.

In Law No 41 of 2004 in Article 43 paragraph (1) and (2), it states as follows:

- 1) The management and development of waqf by *Nazhir* as it is referred to Article 42 is implemented with sharia principles.
- 2) The management and development of waqf as it is referred to paragraph (1) is implemented productively.

Through this law, the government builds a new era of waqf where the property of waqf must produce a benefit that can be utilized by muslim in Indonesia.

2. Responsible Parties in The Implementation of Productive Waqf

According to the data released by the Office of Ministry of Religious Affairs in Cirebon City at 2013, Cirebon City has 361 locations of waqf with 213.875,63 m². The assets of waqf are separated in the form of mosque, boarding school, and empty land. Unfortunately, it couldn't find the valid data related to the total asset of waqf that use productive management. The temporary data showed that the total of waqf property which is managed productively is as follows:

Manager/Nazhir	Waqf Location	Utilization
Darul Hikam Foundation	Kesambi	Renting the shophouse
Darul Hikam Foundation	Kesambi	Renting part of parking area in Lotte Mart
Muhammadiyah	Harjamukti	Midwifery Academy and Pratama Clinic

The problems of waqf management are complex. There are three agencies made by the government that manage them. Those are Ministry of Religious Affairs, National Land Affairs Agency, and Indonesian Waqf Board. The last agency is created after publishing Law No 41 of 2004. Before that era, the management of waqf problems are handled by Ministry of Religious Affairs and National Land Affairs Agency.

In that era, the management of waqf property is done by the activities of data collection of waqf property and the effort to certify waqf land because there are many waqf lands claimed by the heir who did a waqf (wakif). It is caused by wakif that doesn't want to manage legal documents after doing waqf pledge in front of waqf pledge of deed official (PPAIW) bases in KUA subdistrict. There are some factors causing wakif not to manage legal documents of waqf land. Those are as follows:

- a. The old view; the land given belongs to Allah SWT so it doesn't need legal documents.
- b. The cost of waqf certificate is expensive.
- c. The absence of strategic policy in waqf management.

The present of Indonesian Waqf Board is to solve those problems, especially to provide agencies that have special nomenclature to deal with waqf issues because Ministry of Religious Affairs and National Land Affairs Agency have complex nomenclature. At least, each agency has its role in the waqf management.

a. Ministry of Religious Affairs

In waqf management, Ministry of Religious Affairs has a function of coaching and supervising to workers who use organizational system vertically.

In the center government, the waqf empowerment is handled by Ministry of Religious Affairs through directorate of waqf empowerment. In Cirebon City, waqf empowerment is handled by the Office of Ministry of Religious Affairs of Cirebon City through the Moslem Guidance Section.

While at subdistrict level, Ministry of Religious Affairs is front liner in registering waqf events through the Head of KUA that has additional role as waqf pledge of deed official (PPAIW).

Based on Law No 41 of 2004 on Waqf. PPAIW is an authorized official from Ministry of Religious Affairs to make waqf pledge of deed (AIW). One of the PPAIW tasks is to provide waqf administration and serve the candidate of wakif to give part of his property well. PPAIW is fully responsible to register waqf events in the first level.

b. National Land Affairs Agency

Land Agency is an institution that records events and agrarian status in Indonesia. In waqf land management, National Land Affairs Agency has a role to receive waqf land registration, complain and information on land case, and legal action to obey the verdict of the court. One of them is based on government regulation No 24 of 1997 on Land Registration. It explains that registration is conducted by National Land Affairs Agency including the registration of **waqf land**.

c. Indonesian Waqf Board.

Indonesian Waqf Board is an independent institution which is given a task to increase and develop Indonesian waqf.

Based on Article 29 of Law 41 of 2004, Indonesian Waqf Board has the duty and authority as follows:

- a. To do coaching to Nazhir in managing and develop waqf property;
- b. To do national and international property management and development;
- c. To give approval and/or permission for the change of use and status of waqf property.
- d. To dismiss and replace Nazhir;
- e. To give approval on the exchange of waqf property;
- f. To provide advice and consideration to the Government in formulating the policy on waqf.

Indonesian Waqf Board is in the capital of Republic of Indonesia and can form representatives in the Province and/or Regency/City depending on the needs. Since April 19, 2016 Indonesian Waqf Board has official representative in Cirebon City.

d. Nazhir

Nazhir is the party who is trusted to manage waqf property from people who give a waqf and wakif. The success or failure of waqf property to carry out its function is really determined by Nazhir. The more capable Nazhir is to manage waqf assets, the more powerful and productive the waqf assets he manages.

Nazhir can be individual or foundation/corporation. Nazhir can get salary from productive waqf but Nazhir cannot inherit and/or bequeath waqf property he manages to be owned by the heirs.

Law No 41 of 2014 on Waqf mandates to replace Nazhir every five years or to do re-election at that time. This is for the sake of fair and democratic succession in the management of waqf property.

e. Religious Court

Religious court has an important role in waqf management issues if there is conflict on waqf property. Various ways are taken to solve the conflict but the solution cannot be found. The last option is going the court, namely religious court.

It is stated in Article 62 of Law No 41 of 2004 on Waqf:

Article 62

- (1) The settlement of waqf conflict is done through discussion to get mutual understanding.
- (2) If the settlement of conflict is not success as it is meant by paragraph (1), the conflict is done through mediation, arbitration, or court.

Religious court also has a role in law enforcement for the actor of waqf that doesn't do the obligation given. For example: waqf based on testament. Religious court has legal power to force the heirs to transfer the property to be waqf assets. It is done as the action to do the testament.

3. The Implementation Form of Productive Waqf in Cirebon City

As it is mentioned in definition, productive waqf aimed to do the worship and/or general welfare according to sharia.

Edward III in Winarno said that the successful implementation of policy is influenced by four variable. Those are: communication, resources, attitude, and bureaucracy structure. Each variable influences each other for example bureaucracy structure can influence the implementation of policy indirectly or influences disposition variable directly. Communication also can influence the policy through bureaucracy structure, resource, and disposition indirectly or influence the implementation of policy directly.

a. Communication

In the beginning of Law No 41 of 2004 on Waqf, Ministry of Religious Affairs is the most important party to promote this product so the society understand the benefit of waqf assets which are managed productively.

Communication step is done in many ways such as press conference, socialization, publishing the books on Productive Waqf. The target of this book is not only society but also students, academician, and young generation.

One of the books given to students is *Fiqih Wakaf* published at 2006. It contains of Waqf viewed from Islamic lesson; while books for academician entitled *Paradigma Baru Wakaf di Indonesia*, published at 2013 containing productive waqf viewed from scientific perspective; and books for young generation entitled *Wakaf for Beginners – Panduan Praktis untuk Remaja agar Mencintai Wakaf* published at 2009. It contains of information on waqf, and the object of this book is the society from young generation.

It becomes as a penetration to inform society about productive waqf. But the content of the books or the style of writing is almost the same even though the style of speaking from students, academicians, and young generation is different. The purpose of socialization is to catch potential cadre to succeed productive waqf program through Indonesian Waqf Board.

The establishment of Indonesian Waqf Board is listed in the mandate of Law No 41 of 2004. It becomes a responsibility for Ministry of Religious Affairs to realise it. This makes Ministry of Religious Affairs one of the busiest parties in communicating productive waqf ideas so that potential cadres are willing to carry waqf ideas through Indonesian Waqf Board.

Since September 20, 2007 or nine months after the enactment of Government Regulation No 42 of 2006 on the Implementation of Law No 41 of 2004 on Waqf. The first management of Indonesian Waqf Board is officially formed through the Decree of the Minister of Religious Affairs of the Republic of Indonesia No 96 of 2007 on Decree of Indonesian Waqf Board in the period 2007-2010. It is also done by the Office of Ministry of Religious Affairs in Cirebon City as leading sector that handles waqf issues in Cirebon City.

As it is mentioned earlier, Indonesian Waqf Board as the representative in Cirebon is officially established in Cirebon City since April 19, 2016. Indonesian Waqf Board in Cirebon must work together with the Office of Ministry of Religious Affairs to succeed productive waqf program in Cirebon City.

b. Resources

The management of resources done is to improve the quality of human resources in waqf field. The waqf officers in the City or Subdistrict level cannot be separated from the effort of increasing this concept. It is done through classical coaching or inviting them to join training organized by Ministry of Religious Affairs.

The same is done with Nazhir as the operator of society that has responsibility to implement the operational of waqf property. In this case, Ministry of Religious Affairs acts as a catalyst government.

According to Osborne and Gaebler's theory (2008), catalyst government is one of ten important principles of government management. The catalyst government separates the function of the government as a director (policy maker) with the function as an executor (service delivery and enforcement). The role of the government is as a facilitator than operator.

Through this step, Nazhir is expected to implement what he gets in training and coaching in mosques or school so that the waqf assets can be productive. The management of supportive resources is paid attention especially in building waqf information systems/networks named Waqf Information Systems (SIWAK).

This system is made by Ministry of Religious Affairs to inform waqf property from Sabang to Merauke. In this case, each of the Office of Ministry of Religious Affairs in City or Regency is required to point out operators in City or Regency to operate SIWAK apps. Those operators are provided with an understanding of productive waqf policies and SIWAK, where their performance is assisted by one operator from each KUA subdistrict.

The program has shown useful results with the accumulation of waqf data from various areas of Indonesia, even though the level of accuracy must be increased considering that the data inputted comes from the administration system from the past that has not been supported by knowledge and understanding on administering the waqf file properly and correctly.

Another important step is the productive waqf pilot program. Ministry of Religious Affairs provides 2 billion aid funds for a number of waqf assets. This pilot project was implemented with several provisions. The state provides a budget to build the houseshop, while the society provides certified vacant land. By using the budget, society can build valuable productive buildings that can be used as rental buildings. The result of rental is used for the benefit of other waqf and society welfare.

Unfortunately, this pilot project is only allocated to one or two locations in each city/regency. In the process, this will cause its own problems because not all waqf assets have funds to build from zero. In fact, there are also waqf assets that are no longer possible to get productive value development because various causes such as the narrow land, fragile building, and others.

For this reason, the government through Ministry of Religious Affairs needs to transfer information about *fundraising* techniques for society to find fresh funds to build productive waqf assets.

c. Bureaucratic Structure

When the cash waqf phenomenon emerged successfully in Bangladesh, Ministry of Religious Affairs realized that productive waqf could be applied to promote the economy in Indonesia. Looking at the organizational structure of Ministry of Religious Affairs which refers to the Regulation of the Minister of Religious Affairs of the Republic of Indonesia No 13 of 2012 on Organization and Work Procedures of Vertical Institutions of Ministry of Religious Affairs at the city/regency level, the main duty and function of Ministry of Religious Affairs is too much.

Moslem Guidance Section as part of the Office of Ministry of Religious Affairs in Cirebon City that handle waqf handles eight religious fields known as Eight Moslem Guidances. One of them is waqf. Therefore, Moslem Guidance Section cannot focus on managing waqf. But the duty of the responsibility from eight functions of Moslem Guidance is assisted by the organizer of sharia which is also part of nomenclature in the Office of Ministry of Religious Affairs in Cirebon City.

Likewise, the role of Indonesian Waqf Board in Cirebon City can reduce the burden and responsibility in empowering waqf, especially for empowering Nazhir.

The synergy among the parties is highly needed considering that there are a lot of fragmentation in waqf where waqf lands are disputed by heirs. They usually do not know that the lands have been donated by wakif so the family doesn't have a right to own the lands. The same case can also happen in the family of nazhir. Waqf land can be given to the family.

This issue often triggers disputes so that waqf assets cannot be empowered properly, and cannot be managed productively. To overcome this problem, the peaceful efforts to resolve disputes can be carried out by the parties, by appointing a mediator. In this case Indonesian Waqf Board of Cirebon City and the Office of Ministry of Religious Affairs in Cirebon City through Moslem Guidance Section can make reconciliation among parties. If the agreement cannot be reached, the dispute can be taken into arbitration and court.

d. Disposition

Edward III in Winarno stated that tendencies or dispositions are one of the factors that have important consequences to implement effective policies. If the organizer have a tendency or positive attitude, the implementation of policy can run well. And the opposite, this is challenge to succeed productive waqf policy.

The first challenge comes from Ministry of Religious Affairs itself. When the socialization on productive waqf policy is carried out intensively, the lines within Ministry of Religious Affairs do not have equal understanding.

It causes different attitude toward public waqf policy. The most noticeable attitude is the attitude related to waqf activities that are not dynamic so that the waqf issues are considered

not urgent. So the process of the inventory of waqf data cannot well managed and the process of socialization is stagnant.

This was influenced by the absence of incentives in waqf sector. Therefore at the internal meeting of Indonesian Waqf Board of Cirebon City, the idea to give incentive to administration staff in KUA subdistrict and village emerges to support updating comprehensive data of waqf among institutions in Cirebon City.

The same attitude shown by nazhir that doesn't want to get out of his old thought in managing waqf assets that cannot develop.

In addition, the transfer of information regarding to the issues of waqf is often neglected by the parties when there is a change of subdistrict or village official, for example, when there is a succession of government officials to manage waqf. As the consequence, new officials or officers do not know waqf dispute in their area, and they do not know the location of waqf property. So waqf data collection is inaccurate.

Meanwhile, the disposition in Indonesian Waqf Board officials of Cirebon City is positive. To avoid negative disposition, or fragmentation, the officials recruited from various elements that have a relation with waqf productive policy. they are from academicians of Islamic religious education and law, the elements of Ministry of Religious Affairs, the elements of PPAIW, the elements of society welfare from the government of Cirebon City, the elements of BPN/ATR, and the elements of nazhir.

The diversity of the elements in management structure will create a compact synergy. Thus, the presence of the Indonesian Waqf Board in Cirebon City is the representation of the parties who have a vital role in empowerment efforts of waqf in Cirebon City.

4. Improving Society Welfare through Productive Waqf Policy in Cirebon City

In Article 5 of Law No 41 of 2004 on Waqf, there are two functions as follows:

The function of waqf is to realize the economic potential and benefit from the property of waqf for the purpose of worship and improving general welfare

From those functions, it can be concluded that there are two different purpose of waqf, first, to achieve the worship welfare, and second, to achieve the society welfare.

- a. Worship welfare can be in the form of condition where waqf asset can support itself without burdening society from routine operational costs.
- b. Society welfare can be in the form of condition where waqf asset cannot support itself but it can contribute society welfare.

The form of contribution can be in many ways based on its level. The first level can be providing job opportunities, and/or education with low cost. For the next level, it can be providing free education, free facilities, scholarship, and others. Now, the empowerment of waqf assets in Cirebon City focuses on increasing productive value from immovable waqf assets, and increasing the quality of human resources. At the end, the purpose of the empowerment of waqf assets such as worship welfare and society welfare can be achieved.

The form of the utilization can be in constructing and maintaining the mosque or school. While the form of the utilization in society welfare can be opening a new job and improving the economy of society. Unfortunately, there are few waqf assets that have productive value in Cirebon City. But, at least, there are two foundation having implemented this policy. Those foundations are Darul Hikan Foundation and PDM Muhammadiyah.

Based on the result of reseacrh on productive waqf management in both foundations, it is known that the effort to improve the welfare in Cirebon City still focuses on worship welfare as the first level. Both foundations focus on worship so that the waqf assets such as mosque or school can be well maintained and operated.

It can be seen from Darul Hikmah Foundation. It focuses on the utilization of the rental from waqf building which is alocated for maintenance and savings. It also can be seen from Muhammadiyah. It alocates the result of productive waqf to assist the bankruptcy trade and operational cost problem.

Whereas the purpose of welfare in the second level cannot reach the significance achievment. The utilization of the result of productive waqf for society welfare can be seen in small field and it is based on local policy for example the policy of RS Muhammadiyah. It gives the donation for the poor based on the policy coming from the leader in the hospital level.

The utilization of the result of productive waqf cannot be found to open free health services, scholarship or giving the trade modal for the poor.

CONCLUSSION

The implementation of productive waqf as the effort to improve society welfare in Cirebon City still focuses on socialization and inventory waqf assets based on information technology. In the grass root, the implementation hasn't shown the significance result as the effort to increase society welfare.

Hopefully for following years, the implementation of productive waqf policy in Cirebon City can be implemented by more wakif and nazhir in empowering waqf assets with the purpose of not only achieving worship welfare but also society welfare. Therefore, the effort to increase society welfare can achive maximum result as it has been achieved by several cities outside Cirebon. Those cities support to increase society welfare such as giving free health services, free ambulance, aid for disaster, and others.

It is possible if productive waqf policy can be fully implemented by 70% of the organizer of waqf assets (nazhir) in Cirebon City, so the purpose of Law No 41 of 20014 on waqf is to achieve economic potential and benefit for worship and general welfare.

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