

Legal Arrangements on Waqf Money in the Context of Sharia Economics in Indonesia

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Abstract

Money waqf, a form of charitable giving in cash, is an emerging financial instrument in Indonesia's Islamic economy, complementing traditional in-kind wakaf such as land and buildings. While legal frameworks for its implementation exist through Law No. 41/2004 on Wakaf and Government Regulation No. 25/2018, challenges in its realization persist. These include limited public understanding of wakaf uang, influenced by the dominance of the Syafi'i school of thought, which traditionally focuses on immovable assets. Furthermore, insufficient socialization, institutional capacity, and government support hinder the effective mobilization of wakaf funds. Despite these challenges, the potential for wakaf uang to contribute to economic empowerment remains significant, especially with the rise of digital platforms facilitating easier participation. However, obstacles like low technological literacy and inadequate human resources within managing institutions need addressing. This research aims to evaluate the regulatory framework, challenges in implementation, and the role of wakaf uang in promoting socio-economic development in Indonesia. Findings emphasize the need for enhanced public education, stronger institutional management, and collaborative efforts between government, institutions, and the community to optimize the utilization of wakaf uang for greater economic impact.

1. Introduction

Waqf is one of the key instruments in Islamic economics, serving as a means of wealth distribution for the welfare of the community. Traditionally, waqf in

Indonesia has mostly taken the form of immovable assets such as land and buildings. However, with the development of time and societal needs, the concept of cash waqf began to be introduced and implemented as a more flexible and productive alternative. Cash waqf is a form of waqf where individuals, groups, institutions, or legal entities donate cash, which is then managed for social welfare and economic empowerment purposes.

In Indonesia, the legal framework for cash waqf is governed by Law Number 41 of 2004 concerning Waqf and is reinforced by Government Regulation Number 25 of 2018, which amends Government Regulation Number 42 of 2006. This regulation provides the legal foundation for the implementation of cash waqf, including mechanisms for its management and supervision. However, the implementation of cash waqf still faces several challenges, both in terms of public understanding, socialization efforts, and institutional aspects.

One study that highlights the management of cash waqf was conducted by Dwi Retno Sari (2022). In this research, several factors were identified that prevent cash waqf from playing an optimal role in the economic empowerment of the community. One of the primary factors is the public's lack of understanding regarding the law and the objects being waqf. Many people still do not realize that money can be used as an object of waqf, meaning that the potential of cash waqf is not fully utilized. Furthermore, the lack of socialization regarding cash waqf remains a significant barrier, especially due to the dominance of the Shafi'i School in Indonesia, which offers less comprehensive discussions on the concept of cash waqf. Another issue lies in the institutional aspect, where institutions managing cash waqf have not maximized their efforts in collecting and managing waqf funds effectively and efficiently. Moreover, the lack of government support exacerbates the situation. The government has yet to fully utilize the potential of cash waqf, so access for people to channel their waqf remains limited. Additionally, the lack of transparency in managing waqf funds can undermine public trust in this instrument.

Furthermore, the development of digital technology presents both opportunities and challenges in implementing cash waqf. Research by Vera Rahmayanti et al. (2025) emphasizes that digital cash waqf has great potential to improve the economy in Indonesia. Digitalization makes it easier for people to perform waqf anytime and anywhere with any amount, thus significantly increasing participation. However, the implementation of digital cash waqf is not without its challenges. One of the main challenges is the low level of technological literacy among the public, which makes it difficult for many people to understand how to use digital platforms for waqf. In addition, the competency of human resources in institutions managing waqf is still insufficient, especially in terms of mastery of digital technology and knowledge of relevant Sharia principles. Another issue is

the lack of socialization regarding digital cash waqf, resulting in many people being unaware of this model of waqf. There are also challenges regarding its compliance with Sharia law, where the implementation of digital cash waqf must remain in line with applicable Sharia principles.

In the context of Islamic economic law, cash waqf is seen as an instrument that can enhance the economic welfare of society. Hisam Ahyani and Muharir (2024), in their article "Islamic Economic Law Perspective on Cash Waqf in the Era of the 4.0 Industrial Revolution," state that cash waqf aligns with Law No. 41 of 2004 on Waqf, where movable objects, including money, can be waqf. They emphasize that in the era of the 4.0 industrial revolution, cash waqf has significant potential to improve the economy of both society and the state.

However, despite the existence of regulations on cash waqf, its implementation still requires special attention. Research by Olaf In Amullah Ghozdawani Wijaya et al. (2023) titled "Implementation of Cash Waqf Based on Government Regulation No. 25 of 2018: A Study on Bank Syariah Indonesia" shows that the implementation of cash waqf still faces challenges, particularly in terms of socialization to the public and the readiness of Islamic financial institutions to manage waqf funds.

Based on the background above, this research aims to analyze the legal framework of cash waqf in the context of Islamic economics in Indonesia. This study will examine the effectiveness of the existing regulations, the challenges in their implementation, and the potential of cash waqf as an instrument for economic empowerment. It is hoped that this research can contribute to the development of cash waqf in Indonesia, enabling it to play a more optimal role in improving the welfare of society.

2. ResearchMethod

This research uses a qualitative descriptive approach as explained by Hardani et al. (2020), which aims to provide an in-depth description, explanation, and understanding of a specific phenomenon without involving formal statistical analysis. This approach is carried out by collecting and analyzing data from various sources of literature, including journal articles, books, and relevant official documents. The focus of the research is on the legal framework regarding cash waqf in the context of Islamic economics in Indonesia, which includes an analysis of regulations, implementation challenges, and the potential development of cash waqf.

3. Results and Discussion

The research results show that the regulation of cash waqf in Indonesia already has a solid legal foundation, namely through Law Number 41 of 2004 on Waqf and Government Regulation Number 25 of 2018. However, as stated by Dwi Retno Sari (2022), the implementation of cash waqf still faces various obstacles, particularly related to public understanding. The majority of the public is not yet aware that money can be made an object of waqf, so the potential of cash waqf has not been fully utilized. Additionally, the dominance of the Shafi'i school of thought, which does not delve deeply into the concept of cash waqf, has influenced the public's perception of the legality of cash waqf.

Most people in Indonesia still do not realize that money can be used as an object of waqf, which results in the potential of cash waqf not being fully utilized. The public's understanding of waqf is generally limited to immovable assets such as land and buildings, as is traditionally understood in waqf practices in Indonesia. This is reinforced by the findings of Sari's (2022) research, which shows that the lack of public understanding of the law and the concept of cash waqf is one of the main factors hindering the optimization of this instrument. Many people are not aware that cash, as a movable asset, can also be donated as waqf in accordance with the provisions of Law Number 41 of 2004 on Waqf.

Furthermore, historical factors and the influence of the dominant fiqh school in Indonesia have also contributed to this understanding. As explained by Muhtadi et al. (2022), the Shafi'i school, which is widely followed in Indonesia, primarily discusses waqf in the context of immovable assets, so the concept of cash waqf has not been widely recognized by the general public. The lack of socialization and education about cash waqf by the government and waqf management institutions also becomes a significant obstacle. Rahmayanti et al. (2022) stated that adequate education is essential to change the public's perception of cash waqf, as it can broaden their understanding of the flexibility and the great potential of cash waqf in economic empowerment.

In addition, low financial literacy among the public exacerbates the situation. According to research conducted by Susilowati (2022), most people, particularly those in rural areas, still lack an understanding of how cash waqf is managed. The lack of access to information and the limited initiatives of Islamic financial institutions in introducing cash waqf products make people hesitant to participate. This indicates the need for a more directed approach, through public campaigns and educational programs, to increase the public's understanding of the concept of cash waqf and its potential benefits in supporting economic empowerment.

As a strategic step, waqf management institutions need to collaborate with the government, scholars, and academics to expand public knowledge about cash waqf. As stated by Wijaya et al. (2022), this effort can include providing training,

utilizing digital media for educational campaigns, and integrating Islamic education curricula to discuss cash waqf. Through these steps, it is hoped that public understanding of cash waqf can improve, thus allowing the potential of this instrument to be optimized in supporting sharia-based economic development.

In terms of institutions, research by Olaf In Amullah Ghodzawani Wijaya et al. (2023) reveals that cash waqf management institutions are still limited in effectively collecting and managing waqf funds. This is due to a lack of infrastructure, human resource (HR) competence, and transparent management mechanisms. As a result, public trust in the management of cash waqf diminishes, ultimately hindering the growth of cash waqf in Indonesia.

Additionally, the development of digital technology presents a significant opportunity for cash waqf management. According to Vera Rahmayanti et al. (2025), digitalization enables the public to participate in waqf more easily and flexibly, both in terms of time and amount. However, there are challenges that must be addressed, such as the low level of technological literacy among the public and the lack of HR competence in waqf management institutions, especially in managing digital platforms in accordance with sharia principles. Another challenge is the lack of socialization regarding digital cash waqf, which means this model is not yet widely known by the general public.

From an Islamic economic law perspective, Hisam Ahyani and Muharir (2024) emphasize that cash waqf is a strategic instrument in improving community welfare. They assert that cash waqf can play an important role in empowering the economy of the ummah if supported by effective regulations and implementation in accordance with sharia principles. This underscores the importance of collaboration between the government, waqf management institutions, and the public in optimizing the potential of cash waqf.

Cash waqf holds great potential to strengthen economic empowerment, especially if supported by clear regulations and implementation that aligns with sharia principles. As a financial instrument in Islamic economics, cash waqf can have a significant impact on community welfare when well managed. This includes various social benefits such as funding for education, healthcare, and community-based economic empowerment programs (Muhtadi et al., 2022). In this context, appropriate regulation is crucial in creating a conducive environment for cash waqf management, as stated in Law Number 41 of 2004 on Waqf and Government Regulation Number 25 of 2018. According to Rahmayanti et al. (2022), the consistent application of regulations can ensure that waqf funds are used productively and not misused.

However, the potential of cash waqf has not been fully realized due to several

challenges in its implementation. One of the main challenges is the lack of synergy between the government, waqf management institutions, and the public. As explained by Wijaya et al. (2022), collaboration between these three parties is essential to ensure that waqf funds are managed transparently and efficiently. For example, the government needs to provide supporting infrastructure, such as digital platforms, to facilitate the public's participation in cash waqf, while waqf management institutions should enhance their capacity to manage waqf funds in strict accordance with sharia principles. Additionally, the public needs to be provided with more understanding of the importance of cash waqf and its long-term benefits. Adequate education about the concept and practice of cash waqf is key to increasing public participation, especially through social media and digital educational campaigns (Susilowati, 2022).

Furthermore, productive management of cash waqf requires proper oversight and the involvement of various parties, including experts in Islamic economics. As emphasized by Sari (2022), without strict supervision and professional management, cash waqf will not achieve its goal of empowering the ummah. Therefore, the role of waqf management institutions is crucial to ensure that the funds collected are used for activities that provide tangible social and economic benefits, such as establishing educational institutions or hospitals managed with sharia principles.

Thus, effective and efficient management of cash waqf requires solid collaboration between the government, waqf management institutions, and the public. These efforts can unlock the great potential to strengthen the economy of the ummah, provided that the management of waqf funds is done transparently and in accordance with sharia provisions. As part of the development of Islamic economics, cash waqf can be a solution to the economic challenges faced by Indonesian society, particularly in addressing economic disparities.

Overall, this research reveals that although the regulation of cash waqf in Indonesia exists, its implementation still requires significant efforts. It is important to improve public understanding, strengthen institutions, optimize digital technology, and encourage active government participation in supporting transparent and accountable management of cash waqf. With these steps, cash waqf can become a more effective instrument in supporting sharia-based economic empowerment in Indonesia.

Although regulations on cash waqf in Indonesia exist, their implementation still faces various challenges that require greater efforts. One of the main challenges is the lack of public understanding of the concept and practice of cash waqf. Many people are still stuck in traditional thinking about waqf, where it is only understood as the donation of land or buildings, not money (Ramadhan, 2022).

Therefore, it is crucial to improve public literacy on cash waqf through effective education, both through mass media campaigns and direct training at the community level (Hidayat, 2022).

Many individuals are still trapped in the traditional understanding of waqf, which is perceived only as the donation of land or buildings, rather than money. In fact, cash waqf holds great potential in empowering the economy of the community. According to a study conducted by Ilman (2019), the public's understanding of cash waqf is influenced by factors such as education level, religious knowledge, access to information media, and other factors. The higher the public's understanding of cash waqf, the greater the likelihood that they will participate in cash waqf.

Furthermore, research by Aliawati (2020) shows that the public's perception of cash waqf significantly influences their interest in participating in it. Factors such as income, education level, and access to information media affect the public's perception of cash waqf. By improving the public's understanding and perception, it is expected that their interest in participating in cash waqf will increase, thus optimizing their contribution to empowering the community's economy.

Moreover, a study by Karunia Putri (2021) shows that the level of understanding of cash waqf in the Darussalam District of Aceh Besar is categorized as high. Factors influencing this understanding include religious knowledge and access to information media. With a good understanding, the community is more willing to accept and participate in cash waqf programs, which in turn can improve the welfare of the community.

Additionally, the study by Karunia Putri (2021) indicates that the level of understanding of cash waqf among the community is high. Factors affecting this understanding include religious knowledge and access to information media. With good understanding, the community is more receptive to and willing to participate in cash waqf programs, which in turn can enhance the welfare of the community. Therefore, it is essential to continue improving the public's understanding and perception of cash waqf through effective education and socialization. This will encourage active participation in cash waqf programs, ultimately contributing significantly to the economic empowerment of the community and shared welfare.

Strengthening the institutions that manage waqf is also key to optimizing cash waqf. Professional waqf management institutions with the capacity to manage waqf funds will ensure that the funds are channeled productively for economic empowerment, such as financing education, healthcare, and micro-enterprises (Indriani, 2022). Good management will also encourage the public to trust and

actively participate in cash waqf programs.

The use of digital technology also plays an important role in facilitating public participation in cash waqf. Technology can simplify waqf transactions with any nominal amount and reach more people. For example, with mobile apps or other digital platforms that allow the public to contribute to waqf quickly and transparently (Wijaya & Anwar, 2022). However, in order for this technology to be maximally utilized, human resource (HR) competencies must be developed, both by waqf management institutions and the general public.

The use of digital technology has become a key factor in facilitating public participation in cash waqf. With technological advancements, the process of making waqf has become easier, more transparent, and accessible to a wide range of people. Digitalization allows individuals to contribute to cash waqf programs according to their financial capacity, without any specific nominal limits. This opens up opportunities for more people to get involved in this charitable activity, which might have previously been seen as difficult or out of reach.

One innovation that simplifies public participation is the use of digital crowdfunding platforms. These platforms allow individuals to collectively contribute small amounts of money, thereby achieving larger fundraising targets. According to research by Amaliyah et al. (2022), the use of digital technology, such as crowdfunding, can expand the reach of waqf collection, increase transparency, and streamline administrative processes.

Additionally, blockchain technology offers a solution to enhance transparency and accountability in managing cash waqf. With a decentralized and immutable system, blockchain ensures that each waqf transaction is clearly recorded and accessible to the public. This increases public trust in the management of waqf funds. A study by Fitriani and Taufiq (2023) shows that the application of digital technology in waqf management can significantly improve community welfare.

Digitalization also allows for the issuance of waqf sukuk online, which can be purchased by the public through digital platforms. This innovation makes it easier for the public to participate in cash waqf in a more convenient and affordable way. According to research by Sari et al. (2022), the digital issuance of waqf sukuk enhances accessibility and public participation in social investment.

Moreover, digitalization in the process of collecting cash waqf simplifies the process through digital platforms. This enables the public to participate in cash waqf in a more straightforward and efficient manner. According to research by Amaliyah et al. (2022), the use of digital technology in managing waqf can improve the efficiency and effectiveness of waqf fundraising.

Thus, the implementation of digital technology in managing cash waqf not only

facilitates public participation but also enhances transparency, accountability, and efficiency in managing waqf funds. This opens up opportunities for more individuals to engage in this charitable activity, which, in turn, can improve overall community welfare.

However, to maximize the benefits of waqf digitalization, collaboration between the government, financial institutions, and the public is necessary. The government needs to provide regulations that support and protect digital transactions, while financial institutions should offer secure and accessible platforms. The public also needs to be educated about the benefits and how to participate in digital waqf. With good cooperation among all parties, waqf digitalization can become a major driver in creating a fairer and more sustainable economy.

Overall, digital technology has ushered in a new era in the management of cash waqf, which might have previously been considered difficult for many people to access. With the ease of access, transparency, and efficiency offered by digital technology, it is hoped that public participation in cash waqf will increase, allowing its benefits to be felt by a larger number of people.

The active role of the government is also crucial in supporting the management of cash waqf. The government must provide a clear regulatory framework and ensure that the regulations are well implemented. Additionally, the government needs to provide incentives or other support to waqf management institutions so that they can manage waqf funds with transparency and accountability. As emphasized by Haryanto (2022), transparency in the management of waqf funds is crucial to build public trust, which in turn will increase their participation in cash waqf programs.

Active government involvement is crucial in supporting the management of cash waqf. The government must design clear regulations and ensure their effective implementation. In this regard, the government plays a central role in creating a legal framework that can facilitate the transparent and efficient management of cash waqf. According to research by Hasanah et al. (2022), clear and appropriate regulations in the management of cash waqf will provide legal certainty and create a conducive climate for nazhir (waqf managers) to carry out their tasks.

The importance of government involvement is also evident in efforts to educate the public about cash waqf. According to research by Firdaus and Surya (2022), the government has the obligation to introduce and socialize the mechanisms of cash waqf management so that the public understands and becomes more interested in participating. One suggested approach is through intensive training and socialization programs, which can help the public better understand the

benefits of cash waqf and the correct way to participate. With this approach, the government can increase public participation in cash waqf programs, which, in turn, will enhance the social and economic impact generated.

Furthermore, the government must ensure that the regulations implemented not only address legal aspects but also provide protection for donors and recipients of waqf. Research by Azizah and Nugroho (2022) indicates that one important step the government must take is to design regulations that regulate the transparency of the use of cash waqf funds, ensuring that the funds are well-managed and used for legitimate purposes. Regulations that support transparency will increase public trust and encourage participation in cash waqf.

For example, regulations requiring regular reports on the use of cash waqf funds to the public will help create an effective oversight system. According to research by Gita et al. (2022), transparency in the use of waqf funds is a major factor that increases public participation in cash waqf programs. The government needs to ensure that the management of cash waqf is carried out to high standards, including oversight and accountability. This will strengthen public trust in the management of waqf funds, which, in turn, will support the collection of more waqf funds.

Active government involvement must also be viewed from the aspect of facilitating the application of digital technology in the management of cash waqf. Along with technological advancements, the use of digital platforms to manage cash waqf funds has become increasingly important. The government has a strategic role in supporting the implementation of this technology, both by providing adequate regulations and by supplying the necessary infrastructure. Research by Mustofa and Suryani (2022) shows that by utilizing digital technology, the management of cash waqf funds can become more efficient, transparent, and accessible to a wider audience. Moreover, this technology can simplify the public's participation in cash waqf in a more practical and affordable way.

Of course, the government must also ensure that the regulations formulated provide space for the private sector and financial institutions to participate in the management of cash waqf. For example, Islamic banks and other financial institutions can be involved in the collection and management of cash waqf funds through clear mechanisms that comply with Islamic principles. Research by Yulianto and Harmono (2022) reveals that cooperation between the government, financial institutions, and the public is a key factor in advancing the management of cash waqf in Indonesia. Through good collaboration, the potential of cash waqf can be maximized, ultimately supporting the economic empowerment of the community.

To achieve this goal, the government must also regularly monitor the implementation of the regulations in place. Regular evaluations will ensure that the regulations remain relevant and effective, and that they can accommodate changes occurring in society. Research by Tohir and Widodo (2022) suggests that the government should create a monitoring system that can identify obstacles in the management of cash waqf, so that necessary corrective measures can be taken promptly.

It is also important for the government to create incentives for institutions managing cash waqf to encourage them to improve the quality of management and transparency. Research by Ramadhan et al. (2022) indicates that incentives such as tax reductions or financial support from the government can be significant motivators in improving the performance of cash waqf managers.

Active government involvement is crucial for the successful management of cash waqf, ensuring a transparent, efficient, and accountable system. Cash waqf, an important Islamic philanthropic tool, allows individuals to donate funds for charitable purposes, but its full potential cannot be realized without proper regulation and oversight. The government plays a central role by creating and enforcing clear regulations on how funds are collected, distributed, and monitored, ensuring transparency and preventing misuse. Public education is also essential to increase participation, as many people may not fully understand how it works. The government should promote awareness through campaigns, educational materials, and community leader collaborations. Furthermore, the integration of digital technology can improve efficiency, making it easier for people to contribute online and enhancing transparency by providing real-time updates on fund usage. Collaboration with the private sector is equally important, as the government should work with banks and financial institutions to ensure proper management of funds while adhering to Islamic principles. Effective oversight through monitoring mechanisms and regular financial reports helps maintain public trust, and providing incentives like tax breaks can motivate organizations to improve their management practices. Regular evaluation of cash waqf regulations is essential to ensure they remain effective and adaptable to societal changes, with feedback from stakeholders to drive improvements. In conclusion, by establishing clear regulations, promoting public education, supporting digital innovation, and fostering collaboration with the private sector, the government can create a transparent, efficient, and accountable system that encourages greater participation and contributes to the economic and social welfare of the community.

4. Conclusion

Although the regulation of cash waqf in Indonesia exists, its implementation still faces challenges, particularly related to the lack of public understanding of the concept of cash waqf and the dominance of the Shafi'i school, which focuses more on immovable assets. Strengthening the institutions that manage waqf, utilizing digital technology, and ensuring the active role of the government are crucial in optimizing the potential of cash waqf. Waqf management institutions need to improve their competence and transparency, while digital technology can facilitate public participation. The government also needs to ensure that existing regulations are effectively implemented and support the management of cash waqf through incentives and oversight. Collaboration between the government, management institutions, and the public is essential to optimizing cash waqf as an instrument for economic empowerment in Indonesia.

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