

Cash Waqf and Crowdfunding: A Study of Online-Based Cash Waqf in the Passive Charity of the Indonesian Waqf Education Foundation

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Keywords

Cash Waqf,
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Abstract

This research examines the effectiveness of crowdfunding for online-based cash waqf by analysing the cash waqf collection and management practices of the Indonesian Waqf Education Foundation's Pasif Amal (Passive Charity) website. Two main topics are explored in this research. First, how the Indonesian Waqf Education Foundation practices cash waqf crowdfunding strategies for passive charity. Second, the effectiveness of the cash waqf crowdfunding strategy and the implications for the legalization and broader acceptance of cash waqf. This research uses a qualitative method with the approach of Soerjono Soekanto's legal effectiveness theory as the analytical framework. The findings reveal that, through its passive crowdfunding strategy, the Indonesian Waqf Education Foundation has changed the previously dominant view that waqf must be limited to immovable assets such as land. Instead, the Foundation's experience illustrates that waqf can also represent goods in the form of money, broadening the scope of waqf practices. The findings confirm that passive charitable institutions are effective in collecting and managing cash waqf, and they present a promising new model for waqf development, particularly in regions where cash waqf is already recognized within legal frameworks. The study highlights the potential of digital waqf platforms to strengthen public participation and support social welfare objectives.

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1. Introduction

The development of waqf in Indonesia has not shown significant progress even though the country has existing laws and regulations regarding waqf. Binding regulations related to waqf include Law no. 41/2004 on Waqf and Government Regulation no. 42/2006, which legitimizes the implementation of Law no. 41/2004 (Efendi, 2018). The Indonesian government also established the Indonesian Waqf Agency (Badan Wakaf Indonesia, BWI) as the body that oversees waqf in Indonesia. The National Waqf Movement was officially launched by then-President Susilo Bambang Yudhoyono in 2010 (BWI, 2010). Despite this, the development of waqf in Indonesia shown only limited progress even though waqf can build prosperity, welfare, and social justice.

Although the government has regulated waqf in Indonesia, it has not yet fostered the spirit of waqf nationally. Waqf in Indonesia remains stalled and limited in its legality, especially the recent trend known as ‘cash waqf’ (Ain, 2022). This is influenced by the community’s belief that only immovable objects, such as land or religious buildings, can be donated as waqf (Islamiyati *et al.*, 2021). Limited education for the community has been conducted on cash waqf (Diniyah, 2021).

The development of waqf in Indonesia has also stagnated because some waqf assets in the form of land have not been managed properly. More than 572,636,900 m² of waqf assets have not been optimally managed, with an estimated value of ± IDR 5,726,390,000,000 (if the price is IDR 100,000 m²); all waqf land is free from land and building tax in Indonesia (YEWI, 2016). According to information retrieved from the Indonesian Ministry of Religion’s Waqf Information System (SIWAK) on 6 November 2022, there are a total of 440,512 waqf land plots in Indonesia with a waqf potential of 57,263.69 hectares. According to Article 42, Chapter 5, of Law no. 41 of 2004, *nazhir* (the individual or entity responsible for managing and administering the waqf property) are obliged to manage and develop waqf assets in accordance with their objectives, functions and designations. Therefore, in accordance with the mandate of the law, waqf assets should be optimally managed and developed through the *nazhir* (Arofah & Fauziyah, 2022). During periods of rapid technological development, it is imperative that any institution carry out improvements by utilizing this technology. In the financial sector, financial services have become increasingly fast-paced, shifting from face-to-face to transactions that can be carried out remotely and in just seconds. A wide range of financial management institutions have taken advantage of these technological developments, developing approaches such as online alms services, online zakat,

and online buying and selling (Rusydiana, 2018). However, few waqf institutions appear to have made similar transitions.

The Indonesian Waqf Education Foundation (Yayasan Edukasi Wakaf Indonesia, YEWI) focuses on increasing community literacy on and participation in waqf (Pasif Amal, 2016). YEWI itself is not a waqf or nazhir asset management institution but synergizes with nazhir in socializing *nazhir waqf* programs to the community through the Waqf Ambassador Network. YEWI launched the 'Pasif Amal' (Passive Charity) website as a means to strengthen networks and raise cash waqf as well as bringing about a breakthrough in the process, education, promotion and inclusion of waqf (BWI Kalbar, 2022). YEWI offers online waqf services and collects waqf fund from a wide range of people. Overall, Indonesia has an estimated annual IDR 180 trillion potential for cash waqf (SIWAK, 2022), but so far this enormous potential has not been fully realized.

With the background above, the researchers examine how the implementation and effectiveness of waqf crowdfunding services to assess the advancement and innovation of online waqf practices, particularly in the case of Pasif Amal by YEWI

2. Literature Review

2.1. Cash Waqf

The word waqf comes from the Arabic term *waqafa-yaqifu*, which means stopping, the opposite of *istamarra* (Munawwir, 1984). This word is comparable to *al-tahbis* or *al-tasbil* which means *al-habs 'an tasarruf*, signify regulating and preventing (Al-Zuhayli, 1985). Abu Hanifah defined waqf as the holding of property under the ownership's supervision and the giving of benefits in the form of alms (*habs al-'aini 'ala milk al-waqif wa tasadduq bi al-manfa'ah*) (Al-Hafsaki, 1326 H). Meanwhile, according to the *Jumhur Ulama*, waqf is holding assets that make it possible to provide benefits, with these assets remaining and relinquishing all control by the waqif and others over the asset, as a form of devotion to Allah (*habs mal yumkinu al-intifa' bihi, ma'a baqa' 'ainihi, bi qat'l at tasarruf min al-waqif wa gairihi, taqarruban ila Allah*). However, Al-Kabisi defines waqf more concisely (*jami' mani'*) with the meaning of Ibn Qudamah (Al-Zuhayli, 1985) taken from a fragment of the Prophet's hadith, which reads if you want, withhold the asset and give away its yield (as charity) (in *syi'ta habasta aslaha fa tasaddaq biha*) (Al-Kabisi & Abid, 2004). This hadith is contained in *Sunan At-Turmudzi*¹ and *Sunan Ibn*

¹ At-Turmuzi, Muhammad bin Isa, Sunan At-Tirmidzi, Jilid 5 (Kairo: Mauqi' Al-Wizarah Al-Auquf Al-Misriyyah), p. 338.

Majah (Majah & Yazid, 2015). This opinion is also referred in the definition of waqf in the view of the Tabung Wakaf Indonesia, a national waqf collection institution Indonesian Waqf Tube (Saidi, 2007).

Understanding the issues with the waqf pillars is crucial before implementing waqf. There are four pillars of waqf according to traditional texts like *Raudatut Talibin: waqif* (waqf subject), *mauquf* (waqf object), *mauquf alaih* (waqf recipient), and *sigat* (contract). One form of waqf is cash waqf, which in Nawawi's opinion is defined as any particular property that is possessed and permitted to be transferred and used for benefit (Al-Nawawiyy & Al-Nawawiyy, 1991). In the book *Al-Iqna*, Al-Khatib defines *mauquf* as a group of things which belong to the waqif and can profit from preservation.² Thus, waqf objects, including cash waqf, must meet several conditions to be eligible to become donated goods.

In deciding the law of monetary waqf, scholars from the *Syafi'iyah* and *Hanafiyyah* schools of thought hold contrasting views. The *Syafi'iyah* school forbids cash waqf because currency 'disappears' after being used and ceases to exist, while waqf property must last for a long period of time and not 'run out' when it is used. Meanwhile, *Hanafiyyah* scholars allow cash waqf by making it business capital by way of *mudharabah* (partnership agreement), with the subsequent profits donated to *mauquf alaih* (waqf beneficiaries). This opinion is based on *istihsan bilurf* (customs) (Chamim, & Rahayu, 2020). *Imam Az-Zuhri* has the same opinion as *Hanafiyyah* scholars, namely that cash waqf is permissible by designating the money as business capital and distributing the profits to *mauquf alaih*.

In Indonesia, the Indonesian Ulema Council (Majelis Ulama Indonesia, MUI) has issued a fatwa on cash waqf. By citing the opinions of *Imam Az-Zuhri and Hanafiyyah ulama*, the fatwa declares that cash waqf is *jawaz* (permissible), with the caveat that the principal value of money must be guaranteed, may not be sold, donated, or inherited, and that cash waqf may only be distributed and used for things that are permitted by sharia (Hidayat & Daipon, 2018). According to *Al-Kabisi*, in terms of waqf, there are five conditions that must be met by the waqf object: the object must have worth (there is a price), be in plain form, be the waqif's property, can be transferred, and can be divided (*Al-Kabisi & Abid*, 2004). Cash waqf, which typically takes the form of money, logically satisfies all five requirements.

The term 'cash waqf' first emerged in Bangladesh, where the concept was developed by A. Mannan. Some literary works understand cash waqf to mean

² Muhammad Al-Syarbini Al-Khatib, *Al-Iqna' fi Hilli Al-Fadz Abi Syuja'*, p. 73.

money waqf. Simply put, unless it is specified in affirmative law and the name of the item, such as a 'cash waqf certificate', cash waqf is generally understood as money waqf. This is because the definition of cash is frequently interpreted as the antithesis of credit (Pusparini, 2016). Furthermore, according to the Indonesian Ministry of Religion, cash waqf is waqf made in the form of money by an individual, group of individuals, organisation, or legal entity (Djunaidi, 2007). As a result, a waqif can give cash waqf to a nazhir in the form of physical money. This concept of waqf is consistent with the fatwa on cash waqf given on 11 May 2002, by MUI's Fatwa Committee (MUI *et al.*, 2003).

حُبْسُ مَالٍ يُمَكِّنُ الْإِنْتِفَاعَ بِهِ مَعَ بَقَاءِ عَيْنِهِ بِقَطْعٍ فِي رَقَبَتِهِ عَلَى مَصْرَفٍ مُبَاحٍ مُوْجُودٍ

"Restrain assets that can be utilized without the loss of the object or its principal, by taking legal action against the object (selling, giving, or bequeathing it), to distribute (the proceeds) to something that is permissible (not haram) that exists."

Therefore, based on the concept explained above, waqf is no longer restricted to things that physically inexhaustible; it can also take the shape of things with fixed values. Thus, the MUI formulation above justifies the validity of cash waqf.

2.2. Legality of Waqf in Indonesia

Law no. 41 of 2004 concerning Waqf states that waqf assets consist of immovable objects and movable objects. Immovable objects include:

1. Land rights, both registered and unregistered, are in compliance with the terms of applicable laws and regulations.
2. Buildings or parts of buildings that stand on land as referred to in letter a.
3. Plants and other objects related to land.
4. According to the terms of the relevant laws and regulations, the residential unit is owned.

In conformity with sharia and relevant laws and regulations, other immovable objects. According to sharia and relevant rules and regulations, moveable objects are defined as property that cannot be consumed, including money, securities, cars, intellectual property rights, metals, rental rights, and other movable properties (Sumarlan, 2018).

Cash waqf is also regulated in the same law. The provisions and criteria for cash

waqf are regulated therein. These provisions are as follows:

1. Waqfs can donate movable objects in the form of money through Islamic Financial Institutions appointed by the Minister of Religion.
2. Waqf of movable objects in the form of money is carried out by the waqif with a written statement of the waqif's will.
3. Waqf of movable objects in the form of money is issued in the form of cash waqf certificates.
4. As evidence of the delivery of waqf assets, Islamic Financial Institutions issue and submit cash waqf certificates to waqif and nazhir.
5. No later than 7 (seven) working days following the issue of the cash waqf certificate, Islamic financial institutions acting on behalf of *Nazhir* must register waqf assets to the Minister of Religion in the form of money (Permana & Rukmanda, 2021).

2.3. Legal Effectiveness Theory

In analyzing the effectiveness of a law, we must discuss the value and results of the application of legal work in regulating people to obey the law. If the elements that affect the law are in good working order, the legislation can be said to be effective. Patterns of people's behavior can be used to determine whether or not a law or regulation is applicable. If the community behaves in accordance with what is expected or wanted by the aforementioned statutory regulation, then the regulation will be effective. If the anticipated outcome has been accomplished in theory, then the law has actually been effective (Handoyo & Fakhriza, 2017). According to Soerjono Soekanto (1989), five variables affect a law's effectiveness, including:

1. The legal factor itself (law).

Law has elements of justice, certainty and expediency. In practice, it is not uncommon for conflicts to occur between legal certainty and justice. Legal certainty is concrete, while justice is abstract. Sometimes, in deciding a case, the judge is not able to achieve the value of justice. So, when looking at a legal problem, the aspect of justice must be a top priority, especially because law is not only seen from written sources of law, but there are still many social values and rules that regulate life.

2. Law enforcement factors (parties which form or apply the law).

Law enforcement officers must be able to give certainty, justice, and legal

advantages proportionately when enforcing the law. While law enforcement officials in a narrow sense include *nazhir waqf*, BWI staff, officials making Waqf Pledge Deeds, administrators of the Indonesian Ulema Council (MUI), and cash waqf Islamic banking bankers, law enforcement officials in a broad sense cover institutions such as BWI as law enforcers as well as (individual) law enforcement officers. Receiving reports on the administration of cash waqf is one of their responsibilities (Soekanto, 1989).

3. Facilities that support law enforcement.

Facilities can be thought of as a tool. The primary focus is on the physical infrastructure that serves as a supporting factor, which also includes qualified people resources, effective management, enough resources, and sound financial standing. Law enforcement cannot fulfill its objectives if the necessary supporting infrastructure is not in place. The status of cash waqf-supporting facilities can be used to gauge the success of waqf administration (Soekanto, 1989).

4. Community factors (the environment where the law applies and is applied).

Community factors are important as law enforcers come from the community and aim to achieve peace in society. However, citizens and groups have different levels of legal awareness. Awareness regarding the procedures for collecting and distributing cash waqf legally depends on community will and awareness. Low legal awareness and literacy of the community will affect the development of cash waqf at the macro level, so the formulation of laws regarding cash waqf must also pay attention to the social and legal conditions to ensure they can be applied effectively and be a means of regulating society (Soekanto, 1989).

5. Cultural factors (as a result of work, creativity and taste).

Legislation can impact social development both directly and indirectly. Social engineering and social planning are terms used to describe methods of influencing society that follow a systematic process and are preplanned. Examination of the core values that underpin the dominant spiritual culture in society. Laws that can affect people's conduct must be applied in a way that makes them institutionalized in society (Soekanto, 1989).

Soekanto defines efficacy as the degree to which a group is able to accomplish its objectives. When the law succeeds in guiding and altering human conduct such that it becomes legal behavior, it is considered to be effective if there is a positive legal impact. Legal identification involves components of external coercion as well as court procedures in implementing legal effectiveness. Coercion and threats

are necessary conditions for a rule to qualify as law. Thus, coercion influences how effective a law or rule of law is (Soekanto, 1988).

2.4. Cash Waqf Collection through YEWI Charity Passive

1. Indonesian Waqf Education Foundation (YEWI)

(YEWI focuses on increasing community literacy on and participation in waqf. YEWI itself is not a waqf or *nazhir* asset management institution but instead synergizes with nazhir in socializing programs to the community through the Waqf Ambassador Network. One important element in increasing literacy and community participation in waqf is having individuals who act as ambassadors, consultants, or extension officers to professionally carry out education, promotion and inclusion in the community. However, there are few waqf ambassadors in Indonesia, so to answer this challenge, since 2014 YEWI has recruited and trained waqf ambassadors as spearheads in carrying out the process of education, promotion and inclusion of waqf in the community. To produce professional waqf ambassadors, YEWI established the Waqf Institute as an official course and training institute, which was granted a National School Identification Number from the Ministry of Education and Culture. Waqf ambassadors who have been certified can then have a career independently or work at institutions related to waqf programs.

In order for YEWI's activities to be more focused in accordance with the applicable waqf laws and regulations, on 24 March 2016, YEWI signed a cooperation agreement with BWI (as the waqf authority in Indonesia) on waqf training and outreach. This collaboration allows BWI to supervise YEWI activities down to the district level. YEWI's vision is that "Waqf becomes a lifestyle of society in Indonesia where everyone can give waqf and have charity *jariah* without exception in a simple and affordable way so that civil society is realized through a socially equitable sharia economic system without *riba*' based on *qaqf*."

YEWI also has five missions as follows:

Increase the number of waqf ambassadors who are professionally certified as the spearhead of increasing literacy and community participation in waqf according to the proportion of every city throughout Indonesia.

1. Carrying out educational and promotional activities about waqf creatively through all media channels on an ongoing basis to build literacy and public awareness about the importance of waqf.
2. Creating innovative waqf programs and products for the community

through waqf stakeholders so as to increase community participation in waqf without exception.

3. Increasing nazhir competence in productively optimizing waqf assets, especially in the field of empowering the people's economy by conducting training and mentoring for nazirs.
4. Helping the growth of the implementation of waqf-based social, economic and religious programs for the distribution of waqf benefits that are right on target to mauquf alaih in reducing social inequality through equal distribution of welfare in society.

YEWI was established on 15 December 2015, with the ratification of Decree Number AHU-0024372.AP.01.04. 2015 of the Minister of Law and Human Rights. YEWI has registered the following trademarks with the Directorate of Intellectual Property, Ministry of Law, and Human Rights:

Table 1. Brand Name Establishment of YEWI

BRAND NAME
1. Duta Waqf™
2. Waqf Planner™
3. Pasif Amal™
4. Tawaf – Tabarru Waqf™
5. Deposit Waqf™
6. Arisan Waqf™
7. RWP™ (Registred Waqf Planner)
8. CWP™ (Certified Waqf Planner)

Source: YEWI, 2016

These registered brands fall in brand classification class 36, which is the category of charity fundraising activities and users must obtain written permission from YEWI if used by a party other than YEWI (YEWI, 2016).

2. Pasif Amal

The Pasif Amal Platform is a YEWI products which aims to collect and distribute cash waqf from the public to nazhir waqf. Following collection, the nazhir provide information to the public in a transparent manner about programs be funded through cash waqf and also help partners from nazhir cash waqf incubators/institutions to be able to collect cash waqf together and through cooperation with several nazhir waqf institutions. Of Indonesia's 306 nazhir cash waqf institutions, nine are collaborating with the Pasif Amal platform: Indonesian Mosque Council

(DMI), Baitul Maal Wat Tamwil Mandiri Ukhuwah Persada (BMT Muda), Mothers' Economic Movement (GEMI), KSPP Syariah BMT Bina Ihsanul Fikri, KSPPS BMT Dana Insani, Nation's Intellectual Empowerment Foundation (Yayasan Bangun Kecerdasan Bangsa), KSPPS BMT Artha Amanah, PWNU Care-LAZISNU D.I. Yogyakarta, and Askar Kauny.

Pasif Amal's cash waqf covers three types: collective perpetual cash waqf with a minimum endowment of IDR 50,000, personal endowment money with a minimum endowment of IDR 1,000,000, and term cash waqf with a minimum period of one year. All three types of cash waqf receive cash waqf certificates and cash waqf pledge deeds from BWI. In collecting waqf funds, Pasif Amal provides a path for waqif by enabling them to select the features of the type of waqf program from the nine waqf nazhir, then choosing the type of cash waqf; waqif also have the right to determine waqf for the deceased's family, then choose transfers from 57 available banks.

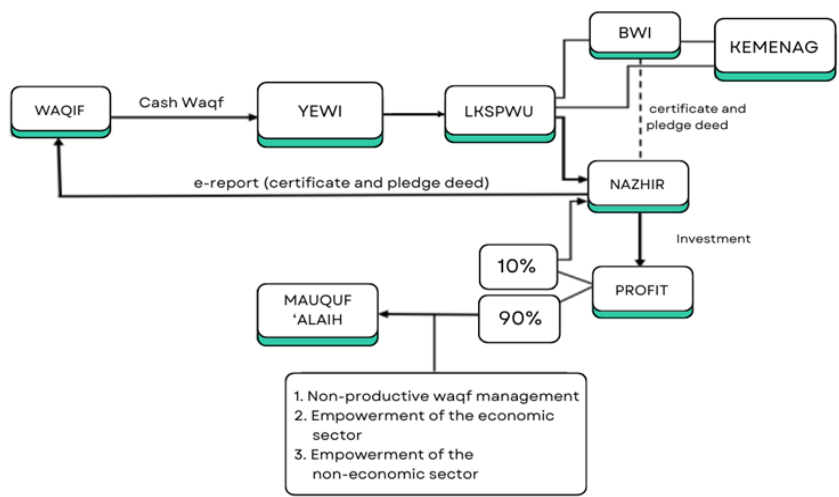


Figure 1. Cash Waqf flowchart in YEWI's Platform
Source: Author's design

After completing the entire filling process, BWI will send a cash waqf certificate and cash waqf pledge deed. Waqif are also subject to administration fees paid to the platform, set at IDR 10,000 for collective cash waqf and IDR 50,000 for personal cash waqf. The fees charged are later be used for platform service fees and amil waqf services. With this cash waqf, Muslims are able to establish endowment funds for religion, education, health, social assistance, and business capital.

Cash waqf in Indonesia is still hampered for several reasons. One of the reasons

is the low level of public literacy about waqf, reflected by the Waqf Literacy Index in Indonesia, which is only 0.472. Waqf participation in Indonesia is also low, with the country's Waqf Participation Index sitting at just only 0.282 (KEMENKEU, 2019). Since YEWI was founded, at least 600 'waqfraisers' have collected cash endowments. A waqfraiser is someone who works as a fundraiser to promote waqf to the public both through online and offline media so that people's understanding of waqf increases, and, ultimately, community participation also increases (Waqfraiser, 2018). Waqfraisers are under the guidance and supervision of YEWI in collaboration with BWI. This profession is open to all levels of society regardless of profession and religion as long as the individual has an National Identity Card.

In November 2022, YEWI's total portfolio of cash waqf collected from people was IDR 15,935,201,300, with 10,138 cash waqf deposits. With 225 programs carried out, Pasif Amal has encouraged a total of 9,725 people to donate money in cash. The proceeds from the collection, management and benefits that have reached mauquf alaih are IDR 10,253,635.00. In 2021, at the peak of the Islamic Women's Milad event in collaboration with YEWI, it has been able to raise funds for its members reaching 4,789 waqif with a total money in cash waqf of IDR 259,100,000.00 so that they received the Muri Record award with the for the 'First Simultaneous Online Cash Waqf'. One programs carried out by YEWI in 2022 was the distribution of cash waqf funds for agriculture to nazhir cash waqf from the Hasanah Jariyah Indonesia Foundation (and nazhir land waqf through the Digital Cash Waqf Corner Program, which is supported by Bank Indonesia Yogyakarta Regional Office , BWI Yogyakarta, Yogyakarta Ministry of Religion Office and BTN (State Savings Bank) Sharia Yogyakarta Branch Office (YEWI, 2016).

3. Data and Methodology

This research is is based on literature research, primarily qualitative by using the normative juridical research approach, which refers to applicable laws and regulations (Benuf & Azhar, 2020). The theory used by the author in this study is Soekanto's theory of legal effectiveness. In addition to literature, this study uses primary legal materials, namely Law no. 41 of 2004 concerning Waqf, Government Regulation no. 42 of 2006, and Soekanto's theory of legal effectiveness .

4. Result and Discussion

In analyzing the effectiveness of law and the role of cash waqf in Pasif Amal, the author uses Soekanto's theory of legal effectiveness by looking at five factors: law,

law enforcement, facilities and infrastructure that support law enforcement, society and culture. By looking at Article 1 of Law no. 41 of 2004, through the Pasif Amal platform, YEWI positions itself not as an institution managing waqf or nazhir assets. However, it is included as a waqf institution because it collects cash waqf funds from the public to the nazhir. Registered waqf assets are registered in the name of the nazhir alongside the purpose of endowment in accordance with its designation, noting that although the waqf assets are registered in the name of the nazhir, this does not mean that the nazhir has ownership of the property. Cash waqf certificates are signed by officials of the BTN Sharia Yogyakarta Branch Office, while cash waqf pledge deeds are signed by YEWI, two witnesses, and bank officials. This is in accordance with Article 3 of Government Regulation no. 42 of 2006.

Pasif Amal has a strategic role and platform in raising large amounts of waqf funds for Muslims. As stated, nine nazhir waqf institutions are collaborating with YEWI by developing community participation in waqf. All nazhir who use the Pasif Amal platform are included in the list of 309 nazhir for official cash waqf from BWI, in accordance with Government Regulation (no. 42 of 2006). The profit generated from the management of cash waqf assets by the nazhir is in line with legal provisions, which allow up to 10% of such profit to be used for operational and administrative costs, while the principal must remain intact. All registered institutions are only entitled to provide documents to waqif with permission from BWI.

Thus far, eight of the registered nazhir institutions have fulfilled the requirements of waqf documents, with the exception of LAZISNU (as one of the registered cash waqf nazhir), which has provided written documents themselves. This is contrary to Article 68 of Law no. 41 of 2004 and can be subject to administrative sanctions. However, after being investigated, LAZISNU issued the document for waqif who did not channel funds from Pasif Amal in implementing its various programs through Pasif Amal, YEWI consistently adheres to relevant legal frameworks and acknowledges the Indonesian Waqf Board (BWI) as the national authority on waqf affairs. Not only that, YEWI through Pasif Amal and the role of waqf raiser always prioritizes legal aspects in building literacy and community participation in cash waqf.

Low public literacy and participation in cash waqf in Indonesia means cash waqf collection remains limited. Community understanding of waqf is limited to traditional waqf such as land and buildings for the benefit of places of worship and education only. This directly causes low community participation in waqf, as the

community considers that waqf is something exclusive, only for people who can afford it, who have more wealth and have a high religious commitment.

YEWI's existence provides a new hope in developing waqf collection in Indonesia, especially cash waqf. As of April 2, 2022, YEWI collected cash waqf from the public valued at IDR 15,935,201,300, with 10,138 cash waqf deposits and 225 programs implemented by Pasif Amal, which itself documented a total of 9,725 waqif for cash waqf (data retrieved from pasifamal.id homepage, April 2, 2022). The proceeds from the collection, management and benefits which have reached *mauquf alaih* are IDR 10,253,635 (data retrieved from pasifamal.id homepage, April 2, 2022). This shows the positive trend of waqf, especially through digitalization of cash waqf. YEWI and Pasif Amal have streamlined the circulation of waqf evidenced by the large number of waqf funds collected and channeled properly.

To align with the sharia jurisprudence teachings of Imam Hanafi and the law and sociology thinking of Soerjono Soekanto,, YEWI considered the following business strategies and models:

1. YEWI has adopted a community-based approach to waqf management, where the community is involved in the collection, management, and distribution of waqf funds (Supardi, 2022). This strategy promotes transparency, accountability, and community ownership of the waqf programs.
2. YEWI has ensured that its business model complies with the principles and guidelines of Imam Hanafi's sharia jurisprudence and other relevant legal and regulatory frameworks. This includes developing a legal framework for waqf management, ensuring transparency in fund usage, and complying with tax and regulatory requirements.
3. YEWI has collaborated with various stakeholders, including Islamic financial institutions, government agencies, and other waqf organizations, to amplify its impact and reach a larger audience. This strategy helps to promote the growth and development of waqf in Indonesia and ensure waqf funds are used effectively.
4. YEWI has developed innovative waqf products and programs that align with the needs and preferences of the community. This strategy includes waqf-linked microfinance, waqf-based insurance, and waqf for social housing, as suggested by MUI (2003).

5. YEWI has embraced technological developments to improve waqf management and fundraising efforts. This includes leveraging online platforms, mobile applications, and other digital tools to facilitate waqf donations, manage funds, and provide transparent reporting to donors.

An assessment of the effectiveness of YEWI also be measured through its management of waqf activities. In 2021 through cooperation in the management of waqf land through cash waqf which was held on 16 July 2022, the first from a cash waqf for agriculture program in Gunungkidul was documented, with one of the three locations with an area of 10,000 square meters had produced its first harvest of elephant grass (KEMENAG DIY, 2022). The harvest's sale was invested in the next piece of waqf land and distributed to empower mustahik. The good implementation and management of this is a key measure in considering the level of effectiveness. The breakthroughs made by YEWI with its crowdfunding strategy have certainly encouraged the development of waqf in Indonesia and the impact will be able to support people's welfare, especially poverty alleviation through the successful collection and management of the waqf funds.

5. Conclusion

Cash waqf is an important breakthrough in waqf in Indonesia. With the existence of cash waqf, long-neglected waqf lands have the potential for the development into productive waqf projects with large capital. The development of strong cash waqf systems can be a means of forming good governance and development. The role of the Pasif Amal platform has a strategic role by becoming a third party through YEWI in collecting cash waqf funds from Muslims and channeling them to cash waqf nazhir who have been certified by BWI. In general, YEWI has fulfilled the legal aspects.

YEWI's passive charitable role has proven capable of carrying out programs, marked by the first harvest in Gunungkidul. YEWI has strengthened the participation of various elements of society to become involved and become waqf fundraisers, starting from ustadz, online entrepreneurs, banking and finance sector stakeholders, Islamic economics students, and professionals. This increases the effectiveness of cash waqf mobilization by utilizing structured, systematic and massive technology and digitalization. This is because access to technology provided through the Pasif AMal online platform is able to attract public interest in waqf as well as being a means and facility for collecting cash waqf funds.

In the collection and distribution carried out through the Pasif Amal platform,

YEWI has fulfilled the requirements of Law no. 41 of 2004 through synergy between the waqif and nazhir parties. Nine nazhir institutions have carried out the procedure. However, errors were still found in the certification of cash waqf carried out by LAZISNU. By using Law Number 41 of 2004, in this case YEWI plays a role in educating amidst a lack of understanding of cash waqf to the waqif parties, nazhir waqf and amil waqif themselves.

Furthermore, YEWI can conduct regular social impact assessments which can help measure the effectiveness of YEWI's waqf programs in achieving socioeconomic development goals. This can lead to the identification of areas for YEWI's improvement and ensure that the waqf funds are used effectively for their intended purpose, such as poverty alleviation, education, healthcare, and others.

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