

## THE URGENCY OF EDUCATION AND LITERACY OF WAQF IN MUSTHAFAWIYAH ISLAMIC BOARDING SCHOOLS

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**Abstract :** This study aims to determine the urgency of education and literacy of waqf in the Musthofawiyah Islamic boarding school. Islamic boarding schools are one of the official institutions of Islamic education in Indonesia, as a place to study religious knowledge in understanding Islamic law in kaffah. Waqf as Islamic law is also studied at the pesantren but the problems encountered are education and literacy of waqf is very minimal, even almost It is not understood by the Santri except only understanding the general definition and the law alone, there is no contemporary waqfliteracy as material in exploring the history, benefits and developments of success in managing waqf in accordance with the mandate of the law. The method used in this research is qualitative with a case study approach. And as for the results of this study is that education and literacy of waqf in the Mustofawiyah Islamic boarding school is very minimal, because the material of waqf is only obtained during additional recitation outside the classroom. Teachers do not understand the development of contemporary waqf, Santri do not get waqf literacy in the library as reading materialin understanding contemporary waqf. The impact of the lack of knowledge of waqf is that there is no awareness of waqf and the willingness to do waqf, so that in Musthofawiyah there is no waqf movement. In this case, with the birth of the Indonesian Waqf Movement (GERAKIN), it is hoped that there will be cooperation with boarding school in the development of waqf education and literacy and become one of the curricula in the pesantren so that what the government hopes for the community to understand waqf departs from these students as social beings who will be in direct contact with the community through their preaching, in this case education and literacy of waqf is very important in Islamic boarding school to support the program of the Indonesian waqf body and the implementation of the boarding school as an official institution to carry out the mandate of the law on waqf.

**Keywords:** *Education Urgency, Waqf literacy in Islamic boarding schools*

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### Intorduction

Waqf is Islamic law which was very popular in the development of Islamic economics in classical times, starting from the time of the Prophet, Khulafa Al- Rasyidin, Bani Umayyah, Bani Abbasiyah to the Ottoman Turks, and Islam experienced rapid progress and is often called the golden age of Islam, through waqf management method, so that when it becomes a life style (lifestyle) without expecting anything in return. and it has been comprehensively proven that waqf has succeeded in becoming one of the instruments in the welfare of the general public, such as the Cuban mosque, the Nabawi Mosque bought 800 dirhams, Umar ra's date palm garden in Khaibar, the well of the raumah Usman bin affan ra to this day still exist as traces of civilization, The date palm garden of Abu Tolha dibairuha is also a waqf. And during the Umayyad dynasty, the waqf has become the capital to build educational institutions and build libraries and pay staff salaries, teachers' salaries, as well as scholarships for students and university students. And as it is known, during the Umayyad dynasty, he pioneered the management of waqf under the supervision of a judge, namely Taubah bin ghar al-hadhramy as a Egyptian judge during the time of Caliph Hisham

bin Abdul Malik (724-743 AD) from the Umayyah dynasty. and a waqf office has been established which functions as a place for registration and control of assets donated by the waqf institution during the Umayyad dynasty. It was recorded as the first in managing the administration of waqf in Egypt and the first in all Islamic countries. And in the Abbasid dynasty, the existence of the waqf institution was continued and formed an institution called *shadr al-wukuuf*, this institution took care of administrative matters and selected staff to manage the waqf institution. then waqf during the Turkish Ottoman era as it is known that 70% of the assets of the Usmaniyah Sultanate were waqf, namely living with waqf such as being born in a hospital, eating and drinking, schools, libraries, campuses, companies, non-profit institutions, marriage, buildings, factories, city infrastructure, markets, shopping stores, mosques, security systems, hospital hospitals, cemeteries are all managed with the system and the results of waqf and have made waqf an instrument for the welfare of the people of its time. And as is known until now, we can still see the phenomenon of world waqf, namely the Al-Azhar Cairo Campus of Egypt, which is managed using the waqf system.

The legal basis for waqf as Islamic law is found in verses and hadiths which explain the recommendation of waqf as sharia and worship, the benefits of which are the development of a vertical relationship to Allah and also a horizontal relationship with humans. As a form of worship, waqf is a means to God and also a means of friendship in building relationships among humans as servants of Allah in the world. On the basis of building friendship, it will increase the sense of empathy for fellow religious communities so that a culture of mutual benefit is built on the basis of concern for the people. Waqf as sharia must be known in a comprehensive manner, so that there is no mistake or violation of the rules that have been established by Islamic law.

Islamic boarding school as Islamic educational institutions should study the knowledge of waqf, because pesantren is a place to study Islamic law in a kaffah. In Indonesia, the development of Islamic boarding schools from time immemorial has progressed very rapidly, supported by the issuance of the Islamic boarding school law no. 18 of 2019, giving more opportunities for pesantren to continue to improve quality and quality so that it is expected to contribute to the State in producing nationally superior generations. and also International.

Islamic boarding school as a place for Islamic education, the Santri are also expected to understand waqf in its entirety, but from several surveys and interviews conducted representing various well-known pesantren in Indonesia, it is found that knowing waqf is just a touch of material about the law of waqf only, and also a brief history This also happened at the Musthafawiyah Islamic boarding school.

Musthafawiyah is one of the oldest Islamic boarding schools in North Sumatra, which is located in Mandailing Natal district, North Sumatra Province, which was founded in 1912 in the 20th century Mandailing trading center "Tano Bato", a causeway to the west coast of Sumatra "Natal" which was founded by Sheikh Mustafa Husein. in 1915 this education center was moved to Purba Baru village, because of a natural disaster (Abbas pulungan: 2020). As an Islamic educational institution, the values that underlie the establishment of pesantren are Islamic values.

The lessons and science taught at the Musthafawiyah Islamic Boarding School are the learning experience of Sheikh Mustafa Hussein while studying Islam in Makkah, and this is used as a fatwa and testament to the santri as the founder of the pesantren. The Islamic education system built by Sheikh Mustafa Husein since its establishment is classical, namely with a tiered model, namely grade one to grade seven. And there is also a habit that Sheikh Mustafa Husein has in teaching yellow book literature (traditional books) is by reading the contents of the book, translating and then explaining the content or meaning of its content (Abbas Pulungan: 2020). From the very beginning of the Islamic boarding school Musthafawiyah, students studying yellow books from various fields of science are the hallmarks of the Islamic boarding school, including the field of Jurisprudence, namely using the book: *Al-Durus al-fiqhiyah*, *Matn al-Goyah al-Taqrīb*, *Hasyiyah al-Bajuri*, *al- Tuhfah al- Tsaniah*, *Syarh matn al-Ruhbiyah*, *I'alah al-Thaliibn*, *Syarqawiyah*

'ala al-Tahrir. As is well known, Fiqh literally means "understanding" or "understanding", and etymologically, Fiqh means understanding and knowing revelation (al-Qur'an and Sunnah) by using reasoning and certain methods so that the legal provisions are known, the actions of legal subjects (mukallaf). with detailed arguments (Palmawati Tahir, Dini Handayani: 2018).

From the results of interviews with the Fikih teacher, namely Guru Mahmudin Pasaribu, that in the musthafawiyah Islamic boarding school there is learning Fikih from grade one to grade seven, and there is an exchange of Jurisprudence books during class promotion, and information is also found that in the yellow book of Fikih there is a chapter of waqf, but the problem is is the provision of waqf material only during additional study in the morning outside of class such as in the mosque and in the library, there is also the book used is I'alah al-Thalibin, and applies only to grades Five, six and seven, meaning that the students are present. only those who want this happen because in the classroom it is not complete until the chapter of the waqf has changed books during class increase due to time constraints and also the exchange of books during class increases the impact of the incompleteness of several chapters including the waqf chapter. and also because of limited space and teachers who teach it. In this case there is no obligation to study it. And in terms of material, it only discusses the law and its history, meaning that the whole waqf education is not obtained by the students.

Information is also found that in the musthafawiyah Islamic boarding school teachers and students also do not know contemporary waqf because there is no socialization or counseling related to waqf, even though there is law no 41 of 2004 on waqf. And teachers who have knowledge of waqf are very minimal, only a few teachers are not comparable to the number of students who number tens of thousands of students. Currently there are approximately 13,500 students, and from the survey results in the library of the musthafawiyah Islamic boarding school there are only waqf chapters in the classic yellow book in a few books, contemporary waqf books are not found, and due to incompleteness the waqf chapter is studied in the classroom so that students do not perceive important education of the waqf. And the impact of the above problems so that students and teachers do not develop the will and awareness for waqf. So that it is considered urgent education and literacy of waqf in Musthafawiyah Islamic boarding schools.

## **Method**

The method used in this study is a qualitative method, which is a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior. The approach used in this paper is a case study approach, which is a series of scientific activities carried out intensively, in detail, and in depth about a program, event, either at the level of an individual, a group of people, an institution, or an organization, to obtain in-depth knowledge about the event.

## **Result and Discussion**

### **A. Waqf education**

#### a. Education

Education means (regarding) education (KBBI. 2015: 351), Education is all efforts planned to influence other people, whether individuals, groups or communities so that they do what is expected by education actors (Notoadmojo, 2003). Education is a learning process from those who don't know to know something. Waqf education is an effort to influence other people to learn about waqf in depth.

### **B. Waqf education**

#### a. Education

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b. Waqf

The word "wakaf" besal from the verb "wakafa" (fi'il madhi), yaqifu (fi'il mudhari '), waqfan (isim masdar) which means to stop or to stand (Alabiji, 1989; 23). According to "fiqh science" the word "waqafa" means to hold, stop, or restrain (Director General of Development, 1986: 207). "Waqf is Islamic law, namely the legal act of wakif (the party who donates his property) to be used forever or for a certain period of time in accordance with his interests for the purposes of worship and / or general welfare according to sharia. refers to (Law 41 of 2004 concerning waqf) "

c. Waqf according to scholars and scholars The opinions of scholars about waqf are:

1. Abu Hanifah (Imam Hanafi)

"Waqf is the holding of an asset in the hands of the owner of the waqf and the income of an item which can be called aria or comodate loan for the purpose of sholeh charity"

2. Abu Yusuf and Imam Muhammad

"Waqf is the holding of an object under the law of the object of God who is almighty so that the right of ownership of the waqf ends and moves to an almighty god for a purpose whose results are used for the benefit of his creature"

3. Imam Shafi

"Waqf is a required form of worship. Wakap is valid, if the person with waqf (wakif) has stated with the words, "I have donated (wakaftu)" even without being decided by the judge "

4. The Maliki School

"Waqf is making the benefits of the objects owned, either in the form of rent or the proceeds to be handed over to the rightful person, in the form of delivery with a timeframe as desired by the person donating it"

5. The Shafii School

"Waqf is to hold assets that can be taken advantage of while the goods remain intact, and the goods are free from wakif control and are used in something that is permitted by religion"

6. The formulation in the compilation of Islamic law (KHI)

"Waqf is a legal act of a person or group of people or a legal entity to separate a part of their property and institutionalize it forever for the purpose of worship or other public needs in accordance with Islamic teachings".

7. Formulation of government regulation No. 28 of 1977

"Waqf is a legal act of a person or a legal entity that separates part of the assets in the form of land owned and institutionalizes it forever for the purpose of worship or other public purposes in accordance with Islam"

8. Formulation of Law No. 41 of 2004 Article 1

"Waqf is a legal act of wakif to separate and / or hand over part of his property to be used forever or for a certain period of time in accordance with his interests for the purposes of worship and or general welfare according to sharia".

d. Understand the conception of waqf

1. The dimension of faith

1) According to the Koran

In general, there are no verses of the Koran that clearly explain the concept of waqf.

Because waqf is included in the infaq fi sabilillah, the basis used by the scholars in explaining the concept of waqf is based on the generality of the verses of the Koran that explain infaq fi sabilillah. Among these verses include:

Meaning: "O you who believe! Devour (in the way of Allah) a part of the results of your efforts are good, and a part of what We put out of the earth for you. " (Surah al-Baqarah (2): 267)

Meaning: "The parable (income issued by) those who spend their wealth in the way of Allah is similar to a seed that grows seven ears. In each ear a hundred seeds. Allah multiplies (rewards) for whomever He wills, and Allah is All-Vast (His gift), All-Knowing. " (Surah al-Baqarah (2): 261)

The verses mentioned above explain the suggestion to use up the wealth obtained to get merit and goodness. In addition, verse 261 of Surat al-Baqarah has mentioned the multiple rewards that will be received by those who invest their wealth in the way of Allah.

## 2) According to the Hadith

Among the hadiths that are the basis and the argument for waqf is the hadith which tells the story of Umar bin al-Khaththab when he acquired land in Khaibar. After he asked the Prophet for instructions about the land, the Prophet advised to hold back the origin of the land and donate the results (BWI RI).

Hadith about this in full are; "Umar obtained land in Khaibar, then he asked the Prophet by saying; O Messenger of Allah, I have obtained land in Khaibar which has a high value and I have never obtained a higher value than it. What do you tell me to do? Said Rasulullah: "If you want, hold back the source and give alms of benefits or benefits." Then Umar donated it, he could not be sold, given, or made an inheritance. Umar donated to the poor, for his family, to free slaves, for people who fought in the path of Allah, travelers and guests. However, it can be used in an appropriate manner by those who take care of it, such as eating or feeding friends without using it as a source of income. "(BWI RI) Another hadith that describes waqf is a hadith narrated by the Muslim imam of Abu Hurairah. The hadith texts are; "When a human being dies, his deeds will be cut off except from three sources, namely almsgiving (waqf), knowledge that can be benefited, and pious children who pray for him." (HR MUSLIM 3084).

Apart from the basis of the al-Quran and Hadith above, the scholars agree (ijma ') to accept waqf as a charity that is prescribed in Islam. No one can deny and reject the practice of waqf in Islam because waqf has been a practice that has always been carried out and practiced by the companions of the Prophet and the Muslim since the early days of Islam until now (BWI RI).

In the context of the Indonesian state, the practice of waqf has been carried out by the Indonesian Muslim community since before independence. Therefore, the government has enacted a special law regulating waqf in Indonesia, namely Law number 41 of 2004 concerning Waqf. To complement this Law, the government has also stipulated Government Regulation number 42 of 2006 concerning Implementation of Law number 41 of 2004 (BWI RI).

## 2. The social dimension

- 1) Brotherhood and unity: that is, waqf can strengthen and unify the ummah and reduce social inequality
- 2) Social and humanitarian: strengthen social and humanitarian infrastructure and are a source of funding for social and humanitarian development.
- 3) Education and health: as the main pillars of education and health infrastructure, such

as the construction of waqf-based schools, pesantren and hospitals.

### 3. Economic dimension

That the owner of the waqf extends his hand to help the welfare of others.

#### e. Waqf Terms

As for the terms of waqf (Siah Khosyiah, 2010):

- 1) A durable object
- 2) The object was handed over directly
- 3) There are provisions
- 4) Not accompanied by false conditions
- 5) Statement of waqf

#### f. The pillars of waqf waqf in the legislation in Indonesia

- 1) Wakif (individual, organization, legal entity, with adult requirements, sensible mind, not obstructed by legal action, legal owner of property)
- 2) Nazir (individuals, organizations, legal entities with the condition that they are Indonesian citizens, Muslim, mature, trustworthy, physically and mentally capable, not prevented from doing legal actions)
- 3) Waqf assets (immovable objects: land, buildings, movable objects: money, precious metals, securities, intellectual property rights, lease rights, other movable objects in accordance with sharia provisions and applicable laws and regulations).
  1. Waqf pledge (pledge pronounced by wakif to nazir before PPAIW witnessed by 2 witnesses, stated orally and / or in writing and set forth in the waqf pledge deed by PPAIW).
  2. Allocation of waqf objects (religious facilities and activities, educational activities, assistance to poor people, neglected children, orphans, scholarships, economic progress and improvement of the ummah and other public welfare advances that do not conflict with sharia and statutory regulations)
  3. The term of waqf.

### **C. Urgency of education and literacy of waqf in the musthofawiyah Islamic boarding school**

The word Islamic boarding school comes from the word santri, with the prefix pe and the suffix which means the place where the student lives (Dhofier, 1984), while a santri is someone who studies Islam. hence the meaning of Islamic boarding school is a place where people gather to study Islam (Poerbakawatja, 1976: 233). From the above understanding, it can be understood that the Islamic boarding school is a place for students to study religion, namely Islamic sciences.

Santri are students who take education and deepen the science of Islamic Religion in Islamic boarding schools, who are educated by kiai, kiai is an educator who has the competence of Islamic religious science who acts as a figure, role model and / or caretaker of the Islamic boarding school. And Islamic boarding schools are developing all over the region in Indonesia, because Indonesia is a country that has a majority Muslim population, so it is undeniable that Islamic boarding schools are spread and growing in Indonesia, including the Musthofawiyah Islamic boarding school which is one of the oldest Islamic boarding schools in North Sumatra. At the Islamic boarding school,

Musthafawiyah studied Islamic sciences and used classical yellow books, one of which was the syafi'i mazhab fiqh.

It was found that educational information and waqf literacy at the Musthafawiyah Islamic boarding school were very minimal, because waqf material was only obtained during additional recitation outside the classroom. Teachers do not understand the development of contemporary waqf, Santri do not get waqf literacy in the library as reading material in understanding contemporary waqf. The impact of the lack of knowledge of waqf is that there is no awareness of waqf and the willingness to do waqf, so that in Musthafawiyah Islamic boarding school there is no waqf movement.

Indonesia as an Islamic majority country has an official institution in managing waqf, namely the Indonesian Waqf Board (BWI). So far the development of waqf in Indonesia continues to improve and move as evidenced by the birth of the Indonesian Waqf Movement (GERAKIN) at the National Coordination meeting of the Indonesian Waqf Board on Monday 14 September 2020. It is hoped that as the Awakening of Productive Waqf Towards a Gold Indonesia 2045 which was inaugurated by the Vice President of the Republic of Indonesia, Prof. Dr. KH Ma'aruf Amin. With the birth of the Indonesian Waqf Movement, it is hoped that there will be cooperation with Islamic boarding schools in developing waqf education and making it one of the curricula in the Islamic boarding school so that what the government hopes for the community to understand waqf departs from these students as social beings who will be in direct contact with the community through their preaching, in this case Waqf education is very important in Islamic boarding school to support the Indonesian waqf body program. and the implementation of pesantren as an official institution to carry out the mandate of the law on waqf.

So that it is considered very important that this waqf education is in Islamic boarding school in general and musthafawiyah Islamic boarding school in particular and has its own curriculum so that students who are scattered throughout Islamic boarding schools in Indonesia understand, explore and practice these waqf as a service to Allah, and also increase awareness of waqf for social interests. And it is hoped that understanding is not only conceptual, but later the elaboration of the meaning and practice of contemporary waqf in its management can be touched as well, and in the future, the yellow book will also provide a detailed explanation of waqf in accordance with contemporary fiqh so that waqf becomes one of the Islamic treasures that are deeply understood by the students in the Islamic boarding school, so that when they come into the community they can really socialize the waqf to provide waqf education through the media of da'wah.

It is in line with the spirit of the Indonesian waqf body (BWI) which has launched the Indonesian Waqf Movement (GERAKIN) towards a golden Indonesia in 2045. It is hoped that Islamic boarding schools as official institutions that study Islamic knowledge will synergize to socialize waqf to students through waqf education and make waqf education a curriculum in Islamic boarding school. And considering the existence of a law on waqf, namely number 41 of 2004 concerning waqf. This means that, as mandated by the law, Islamic boarding schools should take part in implementing these laws and regulations. In this case, it is hoped that there will be a regulation on the waqf curriculum in Islamic boarding school so that the Islamic boarding school is obliged to implement the curriculum so that the acceleration of the development of waqf in Indonesia can be realized immediately to provide welfare to the community.

So far, students only get knowledge about waqf in general in classical science, it is hoped that with the waqf curriculum in the pesantren, students will know and explore how to properly

and properly manage waqf according to sharia and the waqf law in Indonesia.

In terms of developing waqf there must be government cooperation with pesantren as educational institutions. Because in terms of this waqf developer apart from being sharia, the existing regulations must have human resources (Human Resources) who understand, deepen the waqf so that there is a high level of awareness for the practice of sharia and the implementation of these regulations increases on the basis of faith in Allah, and also as implementers Constitution.

### **Conclusion**

1. Musthafawiyah Islamic boarding school is one of the Islamic education institutions in Indonesia.
2. Waqf is Islamic law
3. Waqf is an instrument in the development of Islamic economics from the classical period
4. Waqf in Indonesia has a regulation, namely law number 41 of 2004 concerning waqf.
5. Islamic boarding school as a place to study Islamic sciences
6. Santri are those who study the knowledge of Islamic law on the basis that waqf education is very important in Islamic boarding schools, as the practice of Islamic law and also as implementers of laws to increase understanding and development of knowledge as an Islamic treasure. so that the Islamic boarding school began to open up about Islamic laws in accordance with the demands of the times.

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