

PRODUCTIVE WAQF FOR THE MODERNIZATION PESANTREN

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Abstract

The article aims to investigate the role of waqf in the modernization of education in Pesantren, by using a case study of the utilization of productive waqf at Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang. The Method used is qualitative with phenomenological approach and comparative study. The result of the study shows that the pesantren built with Islamic philanthropy in the form of waqf institution is a good model for development of pesantren education in Indonesia's contemporary era. The development process of waqf pesantren of Gontor Modern Pesantren and Tebuireng Pesantren is carried out with several supporting pillars, including: the pesantren administrators' dedication of their wealth as waqf, the professional institutionalization of waqf pesantren in the form of the foundation's legal entity, the productive management of waqf assets, and the productive utilization of waqf for the development of education. Both pesantrens have proven that the foundations' nazir (administrator of waqf) have succeeded in productively managing the waqf in the pesantren community. This further enhances the existence of Islamic boarding schools as an inseparable part of society.

Keywords: *Productive Waqf, Islamic Philanthropy, Modernization, Pesantren.*

Abstrak

Artikel ini bertujuan mengkaji peran wakaf dalam modernisasi pendidikan di Pesantren, dengan mengambil studi kasus pemberdayaan wakaf produktif pesantren modern Gontor dan pesantren Tebuireng Jombang. Metode yang digunakan adalah kualitatif dengan pendekatan fenomenologi dan studi komparatif. Hasil penelitian menunjukkan bahwa pesantren yang dibangun dengan filantropi Islam berupa institusi wakaf sangat tepat sebagai model pengembangan pendidikan pesantren di era Indonesia kontemporer. Proses pengembangan pesantren wakaf Pesantren Modern Gontor dan Pesantren Tebuireng dilakukan dengan beberapa pilar kekuatan pendorong, yaitu: pengorbanan yang dilakukan oleh pengasuh pesantren dengan mewakafkan hartanya, kelembagaan pesantren wakaf profesional dalam bentuk badan hukum yayasan, pengelolaan aset wakaf secara produktif, dan pemberdayaan wakaf produktif untuk pengembangan pendidikan. Kedua pesantren tersebut telah membuktikan bahwa nadzir yayasan dalam mengelola wakaf produktif lebih tepat dan akseptabel di lingkungan masyarakat pesantren. Hal ini semakin meningkatkan eksistensi pesantren sebagai bagian yang tidak bisa dipisahkan dari masyarakat.

Kata kunci: Wakaf Produktif, Badan Wakaf, Pendidikan, Pesantren.

A. Introduction

Along with the mainstream development of the world and the globalization era, pesantren is faced with numerous inevitable socio-cultural changes. As a logical consequence of these changes, pesantren must provide a significant response. In addition to maintaining its unique traits through intellectual discourse with *kitab kuning* standardization or other intellectual resources, pesantren also has the agenda of shaping the *santris'* behavior so that they can take part in the global discourse. On the one hand, pesantren positions itself as the moral-spiritual workshop while institutionalizing Islamic thoughts, and on the other hand, it must offer strategic contributions in the development of the nation.

In today's contemporary era, pesantren is constantly involved in the discourses of modernity. Pesantren must be able to act as a moral fortress in facing modernity which aims to relativize any authentic moral values. In accomplishing this mission, being independent

and strengthening of civil society for the members of the Pesantren is necessary, which is being done by constructing a waqf pesantren development model in Indonesia's contemporary era, which is a pesantren supported with charitable institution of waqf while at the same time developing the pillars of waqf institution itself. Pesantren needs a philanthropic source of funding to support the social justice initiatives and erase social inequalities in the society.

In strengthening its autonomy and the effort of achieving its visions, pesantren needs the appropriate instruments that helps in performing its programs and accomplishing independence. There are two pesantrens that are consistent in managing and utilizing waqf, the Modern Pesantren of Gontor and the Pesantren of Tebuireng Jombang. Both pesantrens have their own unique characteristics in performing waqf practice through its fundraising and utilization. Both pesantrens induce the use of benefit and *qiyas* method in the practice of productive waqf, money waqf, and other forms of waqf, which conclude that any item that can be owned, possessed, provides benefit, or possesses economic value, can be given as waqf.

Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang develop and achieve rapid progress because it lies in their large *waqf*. The greatness of Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang and their success in managing the productive *waqf* for this education, has inspired the birth of the Educational *waqf* Pesantren in Indonesia. So that the empowerment of productive *waqf* of Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang, especially if it associated with the modernization of education, is significant to be studied.

Waqf is part of Islamic philanthropy. While philanthropy is a dialectical process between someone and others, love, mercy and justice, volunteerism and obligation, and assistance and development (Payton, 1998: 39). Therefore, philanthropy is a conceptualization of the practice of voluntary services, voluntary giving and voluntary associations to help other parties in need as expressions of love and affection. The term Islamic philanthropy shows the practice of philanthropy in the Islamic tradition through *zakat*, *infaq*, *almsgiving*, and *waqf* (Zahrah, 2005: 25).

Linguists use three different words to describe waqf, including: *al-waqf* (waqf), *al-habs* (to withhold), and *at-tasbil* (to give alms in Allah's way). The word *al-waqf* is the *masdar* (gerund) form of the expression *waqfu asy-syai'*, which means to withhold something. Ibn Manzur in the book *Lisan al-Arab* stated that the ward *habasa* means *amsakahu* (to withhold it). He added: *al-hubusu ma wuqifa* (to withhold something donated as waqf), such as in the sentence *habbasa al-faras fi sabilillah* (he donated a horse as waqf in the way of Allah) or *ahbasahu*, and its plural from *habais*, which means that the horse is donated as waqf to the army to be ridden while performing jihad in the way of Allah. He also added the word *waqafa* such as in the sentence *waqafa al-arda 'ala al-masakin* (he donated an estate as waqf to the poor) (Mandzur, 1999: 276).

Meanwhile, terminologically, al-Murgainani quoted Abu Hanifah's statement who argued that waqf is holding the substance of the property to the ownership of the waqif (the waqf donator) and donating the profits (Al-Murginani, 1356: 40). Ibn Abidin also narrated from Abu Hanifah who defined waqf as holding the substance of the property by giving legal legitimacy to the ownership of waqif and donating the profits or benefits of the property, even though in a global manner (Al-Hafsaki, 1326: 493).

Al-Hatab mentioned Ibn 'Arafah al-Malaki's argument that waqf is giving the benefit of something, within the time of its existence, at the same time of the establishment of waqf under the ownership of the donator, even if it's just an estimation (Al-Hathab, 1329: 18). The use of the phrase 'giving the benefit' means that giving something such as hibah is excluded. This is because the person who grants hibah gives the good to the recipient of hibah. The word 'something' refers to anything other than money, because it has a more general scope, but specifide with the definition of the establishment of ownership.

Al-Qalyubi, representing Shafi'iyyah scholars, argued about waqf in a more comprehensive way. Waqf is withholding wealth that is profitable by maintaining its original form so that it can be used in the right way (Al-Qalyubi, n.d: 97). In the book *Tahrir al-Faz at-Tanbih*, Imam Nawawi, who follows the Shafi'i madhhab, defines waqf as the withholding of property that can be utilized by maintaining the

integrity of the good, without the involvement of waqf or any other parties, and the benefit is used only for good deeds and for *taqarrub* (drawing closer) to Allah (Al-Nawawi, n.d: 464).

According to Ibn Qudamah, a Hanbaliyyah scholar, waqf is to withhold the source and donating the outcome (Ibnu Qudamah, 1348: 185). Meanwhile, Syamsuddin al-Maqdisi al-Hanbali defines as withholding the source and donating the profit (Ad-Dardiri, 1934: 185). These definitions of waqf are based on the hadith from the Prophet PBUH for Umar bin Khatab RA., “*Withhold the source and release its proceeds.*” The meaning of the word “source” is the donated good and the meaning of the sentence “*releasing its proceeds*” is giving the benefit of the donated good, in the form of profit and its produces, for the benefit of society.

A contemporary scholar, Mundzir Qahf, proposes a definition of Islamic waqf that is in line with the legal essence and economic value and its social role. In his view, waqf is withholding property perpetually or temporarily, to be used directly or indirectly, and to be utilized continuously in the righteous way, generally or specifically (Qahaf, 2006: 52).

This definition of waqf contains eight elements: *first*, withholding the property so that it's not consumed or used for personal interest. *Second*, this definition includes properties that are stationary or mobile. *Third*, implies that it's compulsory to maintain the intactness of the property which allows it to be utilized perpetually. *Fourth*, this definition implies the perpetuity of the benefit. *Fifth*, this definition of waqf includes direct waqf, which generate profit directly from the property being donated as waqf. *Sixth*, it includes the righteous way in general, for religious, social, or any other purposes. *Seventh*, it includes the definition of waqf according to fiqh and the legislation. *Eighth*, it includes the importance of surveillance and the possibility of its misuse (Qahaf, 2006: 52–54).

Waqf is a model of philanthropy offered by Islam. Waqf is known to function to empower the economy of the people. Waqf's contribution in the betterment of Muslim society had been and will always be significant. Waqf is defined as holding properties that can be capitalized without being spent for a permitted (mubah) use, and

with the purpose of pleasing Allah. In other word, waqf is holding the source and channeling the produce (Shalabi, 1957: 19).

The most common use of waqf is for education. This is one of the use of waqf that is most considered by Muslims. Many schools, universities, and Islamic Centers in various cities in the Islamic world originated from waqf, such as those in Damascus, Baghdad, Cairo, Asfahan, and so forth. One example of waqf for academic purpose is libraries which can be found at schools, campuses, mosques, or other places independent from any other institutions.

The utilization of waqf for the development of education in the history of Islam was first initiated by the establishment of al-Azhar in Egypt. This institution grew thanks to its massive waqf which is utilized for education (Kasdi, 2018: 1840–1841). The role of waqf is also very important when a madrasah is becoming an autonomous institution independent from a mosque. A minister from Bani Saljuk named Nidzam al-Mulk in 458 H (1065 AD) built a madrasah in the city of Baghdad called madrasah Nizamiyah by using waqf fund. The utilization of waqf further improves when Nuruddin az-Zanki was developing education in Syria and Salahuddin Al-Ayyubi was developing education in Egypt (Kasdi, 2017: 164-165).

Throughout the history of Islam, waqf had contributed greatly in the development of social, economic, and cultural activities in the Islamic society and had supported scholars and students with the sufficient infrastructures that allow them to perform their studies. Many programs are funded by the proceeds of waqf, such as researches, translations, scientific activities in various fields, and so forth. Waqf does not only support the development of science, but also provides the facilities needed by students and the people in general.

A number of scholars have donated as waqf a portion of their wealth in the form of farmlands, orchards, fields, and so forth, to be given to teachers, students, and other workers who administer their institution. They also managed *kuttab* and madrasah, while funding them with the waqf property. Some who were not able to provide funding would choose to donate their books as waqf to the madrasah, teachers, or the students. There were even those who gave away clothes or arranged scientific *halaqah* funded with waqf properties.

Such utilization of waqf is gaining popularity in other Muslim countries. Its benefit for the development of education is very significant. In Indonesia, the success of waqf institution in developing education has inspired the establishment of educational waqf institutions in Indonesia (Kasdi, 2018: 1844). Nowadays there are several successful high education waqf in Indonesia. This includes Modern Pesantren of Gontor Waqf Institution, Pesantren of Tebuireng Jombang Waqf Institution, and other educational waqf institution. Modern Pesantren of Gontor was established on September 20th 1926, while Pesantren of Tebuireng Jombang was established in 1899.

The method used in the research is a field research with qualitative method. As the implementation of qualitative research, there are four main features of this research, which are: *first*, it is performed intensively, where researchers participate in the field, *second*, a reflective analysis is performed towards various documents found in the field, *three*, a comprehensive note is taken based on what happened, and *fourth*, a detailed report is made (Sugiono, 2008: 10).

Phenomenological approach is used, where the phenomenon being studied is described by accurately depicting certain traits, conditions, or institutions to determine the correlation between various phenomena within an institution, in this case, the waqf management program carried out by Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang. As a result, the study positions the object of the research in a dual construction and views it in a natural context (Muhajir, 1994: 13).

The research model being used is comparative, where two waqf management programs, the ones in Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang, are compared, whether in the context of collection, management, or utilization of waqf properties, so that their roles in the modernization of education in pesantren can be discovered. The research utilizes triangulation technique, by cross-checking different data obtained from various sources such as observation, interview, or documentation. This is done in order to increase the researchers' understanding of what has been discovered (Moleong, 1995: 198).

B. Discussion

1. Profile of Modern Pesantren of Gontor and Pesantren of Tebuireng Jombang

Modern Pesantren of Darussalam Gontor Ponorogo (PMDG) or better known as Modern Pesantren of Gontor was established in 1926. This pesantren is an educational institution that is unaffiliated with any political or community organizations (Kasdi, 2016: 4). The inception of the Modern Pesantren of Darussalam Gontor begins in the 18th century, when Kyai Ageng Hasan Besari found the Pesantren of Tegalsari in Jetis Village, Ponorogo, East Java (Muzarie, 2010: 213). Pesantren of Tegalsari was very reputable at the time, visited by thousands of *santris* from various regions of the archipelago. The leadership of Pondok Tegalsari lasted for six generations.

In mid 19th century, under Kyai Hasan Khalifah's leadership, the Pesantren experienced decline. At that time, Kyai Hasan Khalifah had a favorite santri named R.M. Sulaiman Djamaluddin, a descendant of Keraton Kasepuhan Cirebon. He then proceeded to marry her youngest daughter Oemijatin (also known as Nyai Sulaiman) to R.M. Sulaiman Djamaluddin. The couple was then given the task of founding a new pesantren as the successor of Pesantren Tegalsari. This new pesantren was later known as Pondok Gontor Lama.

With the 40 *santris* taken from Pesantren Tegalsari, Kyai R.M. Sulaiman Djamaluddin with his wife established Pondok Gontor Lama in a location approximately 3 kilometers east from Tegalsari and eleven kilometers southwest from Ponorogo city. At that time, Gontor was still a forest that was often used as a hideout by robbers, burglars, and other criminals. The leadership of Pondok Gontor Lama lasted three generations: The first one, Kyai R.M. Sulaiman Djamaluddin (founder of Pondok Gontor Lama), the second generation, Kyai Archam Anom Besari (son of Kyai R.M. Sulaiman), and the third, Kyai Santoso Anom Besari (son of Kyai Archam Anom Besari).

Kyai Santoso Anom Besari married Rr. Sudarmi, a descendant of R.M. Sosrodiningrat (Regent of Madiun). Kyai Santoso Anom passed away in 1918 at a young age, leaving seven young children and ending the leadership of Pondok Gontor Lama. Later on, three of the seven children of Kyai Santoso Anom Besari revived Pondok Gontor Lama by reforming and improving its system and curriculum.

After studying in various traditional pesantrens and modern institutions, three sons of Kyai Santoso Anom came back to Gontor. On September 20th 1926 or Rabiul Awwal 12th 1345, coinciding with the commemoration of Maulid Nabi SAW, they declared the establishment of Modern Pesantren of Darussalam Gontor (PMDG). The sons of Kyai Santoso Anom who established the Pesantren were K.H. Ahmad Sahal (1901-1977), K.H. Zainudin Fananie (1908-1967), K.H. Imam Zarkasyi (1910-1985). On October 12th 1958 or Rabi'ul Awwal 28th 1378, they donated PMDG as waqf to all Muslims, a sacrifice of personal ownership for the benefit of the people. The first party who receive the mandate was represented by 15 alumni of Gontor, later turned into the Waqf Board of PMDG.

In its development, the pesantren was proclaimed as Modern Pesantren by KH. Imam Zarkasyi, the younger brother of KH. Ahmad Sahal, who had received education from salaf and modern Pesantrens (Team of Biographers KH. Imam Zarkasyi, 1996: 77–78). KH. Imam Zarkasyi founded an advanced level educational institution *Kulliyatul Mu'allimin al-Islamiah* (KMI). The length of the study in the institution is six years, using an integrated curriculum, combining salaf with modern systems. KMI is the modernization engine of the Modern Pesantren of Darussalam Gontor being used up until now (Pradja & Muzarie, 2009: 176–177).

Pesantren of Tebuireng Jombang was founded by KH. Hasyim Asy'ari in 1899 AD. He established the pesantren after his journey studying in various prominent pesantrens and in the holy city of Mecca, to practice his knowledge.

Tebuireng was the name of a small hamlet which was a part of Cukir village, Diwek, Jombang, East Java. It is located eight kilometers south of Jombang city, on the side of the Jombang Kediri road. The name Tebuireng came from “kebo ireng” (black buffalo). Another version states that the name was taken from the name of a Majapahit retainer who converted to Islam and settled near the hamlet.

Tebuireng used to be infamous for its rampant gambling, prostitution, and other criminal activities. After the arrival of KH. Hasyim Asy'ari and his *santris*, the people's behaviour gradually improved and the criminal activities in Tebuireng vanished completely. In the beginning, KH. Hasyim Asy'ari's dakwah activities

were centered on a 6x8 meters former shop with two small rooms separated by woven bamboo which he bought from a puppeteer. One of the rooms were used for his teaching activities, while the other was used as his quarter with his wife, Nyai Khodijah.

As time goes by, the *santris* coming to the *pesantren* to study keep increasing both in their number and in their diversity. This situation forced *Pesantren* of Tebuireng to reform its educational policies a few times. The first teaching system used was *sorogan* method (*santris* read the materials from *kitab kuning* himself in front of the teacher), alongside *weton* or *bandongan* or *halaqah* (*kyai* reads the *kitab* and *santris* give the interpretation). These teaching methods were not differentiated according to the class levels (Bamualim & Abu Bakar, 2005: 283). The level increase is indicated by the number of *kitab* that the *santri* has *khatam* (finished) studying and following. The materials ranged on Islamic knowledge, *shari'a*, and Arabic.

The first educational system reform was done by KH. Hasyim Asy'ari in 1919, with the implementation of *madrasah* (classical) system by establishing *Madrasah Salafiyah Shafi'iyah*. The education was performed in two levels, *Shifir Awal* and *Shifir Tsani*. In 1929, another reform was done by the inclusion of general lessons into the curriculum structure. At the time, it was unheard of for a *pesantren* to do this because general lessons were viewed as a product of the colonial government's culture and therefore were seen as taboo. There were some criticisms from the *santris'* guardians and even *ulama* from other *pesantrens*. Some parents even moved their children to other *pesantrens* because of this.

2. Management of Productive Waqf

In the context of Modern *Pesantren* of Gontor and *Pesantren* of Tebuireng Jombang's development, it is important to relate the activity of productive waqf management with the institution of *pesantren*. The role of *nadhir* of both *pesantrens* is crucial. This is because *pesantren* is a social institution for the education of Muslims who has a unique management characteristics that emphasizes independence. *Pesantren* as a social institution also has the noble goal of enlightening the religious life of the people and returning the moderate personality to give affection to its surroundings.

a. Productive Waqf of Pesantren Gontor

The highest body in the educational organization of Modern Pesantren of Darussalam Gontor (PMDG) is the Waqf Board. Waqf Board is a legislative board with 15 members, that is responsible for the implementation and development of education in PMDG. The members of Waqf Board consist of alumni of KMI PMDG who are elected every 5 years (Misbach, 1996).

The management of waqf in Modern Pesantren of Darussalam Gontor is done by the Modern Pondok Waqf Expansion and Development Foundation (YPPWPM). The council was established after the waqf pledge in March 18th 1959. Its goal is to preserve, enhance, and increase the properties of the Waqf Board of Modern Pondok of Gontor Ponorogo, both those that are stationery and those that are mobile. The definition of waqf according to PMDG is all property that is owned by the pesantren (Muhtar, 2016).

Meanwhile, the daily task of maintaining the Pesantren is done by the Pesantren Management. Pondok Modern Darussalam Gontor Management is an executive board elected by Waqf Board every 5 years. Pesantren Management is given the mandate of carrying out Waqf Board's policies and answers to Waqf Board of PMDG. PMDG Management, apart from supervising the institutions and subdivisions of PMDG Office of Education, is also responsible for educating the *santris* in accordance to Office of Education's guide.

Currently, Modern Pondok of Darussalam Gontor is lead by Dr. K.H. Abdullah Syukri Zarkasyi (since 1985), K.H. Hasan Abdullah Sahal (since 1985), and K.H. Syamsul Hadi Abdan (since 2006). This leadership is given the mandate from the Waqf Board and is fully responsible for all the activities carried out by the Office of Education.

There are five main points in the mandate given to the Waqf Board by the founders of the Pesantren as the waqf donator. Firstly, the pesantren must maintain its role as the center of religious social activities that obey the laws of Islam. Secondly, the pesantren must maintain its function as the source of religious studies, general sciences, Arabic language, while keeping the pesantren spirit. Third, the pesantren is an institution of community service, in the sense that it is obliged to shape the character of the people for their material

and spiritual welfare. Fourth, the pesantren must be maintained and developed so that in the future, it grow into an Islamic university. Fifth, to guarantee that the mandate possesses a legal power, the Waqf Board must have a notarial deed (Team Pondok Modern Gontor, n.d: 236–237).

Initially, the waqf asset of Modern Pesantren of Gontor only consist of five hectare of land. In the sixty fourth anniversary of the Pesantren (1991), it was announced that the waqf estate possessed and maintained by the Waqf Board is 253 thousand hectare. Now, the number has reachd 828 thousand hectare (Iman, 2017: 3). The estate is being used by many pesantrens spread accross Indonesia. Apart from those in Gontor, the waqf estates can be found in Ngawi, Madiun, Ponorogo, Nganjuk, Kediri, Jombang, Lumajang, Jember, Banyuwangi, Trenggalek and more than 20 other locations across Indonesia.

Tabel 1. Waqf Estates of Modern Pesantren of Gontor

| No | Year | Width | |
|----|-----------|-----------|--------|
| | | M2 | Ha |
| 1 | 1926-1985 | 2,332,647 | 233 |
| 2 | 1986-1990 | 2,427,230 | 243 |
| 3 | 1991-1995 | 2,518,762 | 252 |
| 4 | 1996-2000 | 2,789,747 | 279 |
| 5 | 2001-2005 | 6,612,980 | 661 |
| 6 | 2005-2010 | 8,280,502 | 828.05 |

Source: Waqf Documents of Pesantren Gontor

The secretary of Modern Pesantren of Darussalam Gontor Waqf Board, KH Dr Amal Fathullah Zarkasyi stated that the productive waqf assets are fully utilized by the venture units of the pesantren. Other than for the pesantren buildings, the estates are also used for economic venture units. They have cooperative units, rice mill, paddy field, printing shops, and so forth. Among those business ventures, the printing shops are the most profitable, with the annual income of no less than Rp 1 billion.

In line with the goals of its founders, the produces of those waqf assets are mainly used for the purpose of education. All farms are supervised and tended by nadzirs, many of whom are alumni of Modern Pesantren of Gontor.

The waqf practice has a strategic position in Modern Pesantren of Darussalam Gontor's view. One of the most prominent reason is that with this system, the regeneration process of leadership does not depend on a certain figure, and the traditional values and pesantren education system can be maintained. For that reason, the managerial regulation of pesantren and waqf must be held firmly. This concept was created by the founding fathers after considering that pesantren is a fertile ground for charity, social service, and not for business.

b. Productive Waqf of Pesantren of Tebuireng

The waqf management in Pesantren of Tebuireng is done by nadzir that institutionally focus on managing waqf properties, including the maintenance and expansion of existing waqf, the organization of its usage, and the administration of its certificate and other legalities. From the perspective of organization management, it seems that even though Pesantren of Tebuireng Jombang nadzir realize the importance of the professional management of waqf, in practice, they are still in the process of building a modern management function, such as waqf development planning, and evaluation system of nadzir. The reason for this is the lack of human resource who have the adequate managerial skill and able to adapt to the pesantren environment.

In Pesantren of Tebuireng Jombang, estate waqf had been done long before the implementation of systematic waqf management. It was initiated by KH. Hasyim Asy'ari, who donated 13 hectare of his estate in 1965 (Huda, 2014: 217). After his passing, the role of nadzir is carried out by kiyais of the pesantren. The management of waqf was initially done by nadzir individually by appointing a few of his trustees in close by villages to take care of the pesantrens' field. However, the lack of a proper management system, the produce is inadequate in fulfilling the pesantrens' needs.

The need for a professional management of waqf properties was realized during the leadership of KH Sholahuddin Wahid. In 1982, an important decision was made to recall all of the management of waqf assets back to the pesantren. Since then, the waqf estates, which are usually used for growing sugarcane, can be managed well and produce a bigger profit. The same is also true for the rice field, which now can be harvested four times a year.

The waqf estate assets of Pesantren of Tebuireng Jombang as of 2008 is 405,824 m² or 40.582 hectare, which can be divided into two periods; KH. Hasyim Asy'ari period, and the following period (see table 1). Furthermore, in the form of cash waqf, as of April 2010, the total balance of Hasyim Asyari Pesantren Tebuireng Foundation development fund is 10,842,646,568.00, inside of which the waqf fund is 6,480,294,000.00. A large proportion of these assets are utilized for the development of pesantren's education, while the other part is invested and used to develop the waqf assets.

Tabel 2. Waqf Estates of Pesantren of Tebuireng Jombang

| NO | WAKIF | THE WIDTH OF LAND | ITEMS |
|----|-------------------------------|----------------------|--|
| 1 | KHM Hasyim Asy'ari | 137.850 M2 | Pondok and Rice Field Complex |
| 2 | Wakif of society | 149.532 M2 | Fields Around Pondok and a Few Rice fields and Gardens Outside of Pondok |
| 3 | Purchasing for Tebuireng waqf | 118.436 M2 | Several Madrasah and School buildings, along with rice fields outside of Tebuireng |
| | Total | 405.824 M2 | |

Source: Waqf Documents of Pesantren Tebuireng

Apart from maximizing the existing waqf, the nadzir has also performed a few land swap for the waqf assets (Muchsin, 2012). This was done because the waqf estates are not large enough for a dormitory building and too far from the rest of the pesantren. Consequently, the foundations' estate was swapped with one owned by an alumnus which is more strategically situated. After being assessed by an assessment team to see its compliance with the legal procedures and ulama's judgement, the land swap was carried out and now the construction of a new boarding house has begun (Wahid, 2012).

3. The Contribution of Productive Waqf in the Modernization of Education

Pesantren that is built with an Islamic philanthropy in the form of waqf institution is a good model of pesantren education

development in Indonesia's contemporary era. The process of developing waqf pesantren can be carried out in accordance with the systems applied on both pesantrens mentioned above, by utilizing the following supporting pillars: the sacrifice done by the founders and managers of pesantren by donating their wealth as waqf to pesantren, the professional insitution of waqf pesantren in the form of legal entity/ foundation, the productive management of waqf assets, and the distribution of waqf produces both internally for the pesantren, and for the society (Huda, 2014: 226).

Hasyim Asy'ari foundation as the manager of Pesantren of Tebuireng Jombang waqf and Waqf Board of Modern Pesantren of Gontor with the Modern Pondok Waqf Expansion and Development Foundation (YPPWPM) Gontor have proven that the foundation's nadzirs have effectively managed waqf in the pesantren (Najib & al-Makassary (ed.), 2006: 140–141). This further cement pesantrens' role as an integral part of the society (Wirosardjono, 1987: 218).

a. The Contribution of Modern Pesantren of Gontor's Productive Waqf

The development of Waqf in Modern Pesantren of Gontor is done through 'effort charity' and education. 'Effort Charity' is done by people who dedicate their life for the pesantren. They work hard and sincerely for the pondok. Thanks to this hard work, Modern Pesantren of Gontor waqf developed into what we see now.

The creativity of the Modern Pesantren of Gontor Waqf Board can be seen from its cooperation with a corporation. In 2008, Modern Pesantren of Gontor Waqf Board purchased a plot of land in Jambi previously owned by a businessman. The 300 hectare land was purchased in cash and is currently being used to cultivate oil palm. The land is managed with a piece work system, where a company or a businessmen who owns a business license professionally manage the estate. The contract also states that if the harvest is failed, the contractor agrees to cover the work cost (Team Modern Pesantren of Gontor, 1429: 48).

Other than that, there have been many ventures carried out by the Waqf Board of Modern Pesantren of Gontor, such as cultivating rice field with profit sharing system, investment through productive venture units, and fundrasing. The most recent venture done by

Gontor waqf is the cultivation of dragon fruit plantation. Dragon fruit cultivated at a dry land that was previously not utilized to its full potential. The cultivation of dragon fruit, in the current beginning state utilizes about 750 m² of land, while using a few infrastructures commonly used in dragon fruit cultivation. The productive venture units of Gontor waqf as of 2009 have utilized 30 different ventures, including, rice mill, Darussalam printing, KUK convenience store, material shop, book store, *bakso* shop, KUK photocopy, La Tansa pharmacy, and so forth.

The strategy used by Modern Pesantren of Gontor Waqf Board today is how to maximize the role of waqf in improving the quality of education. By improving the education in Gontor Pesantren, more quality generation will be produced. The society's appraisal towards the quality of Gontor santri will influence their trust towards Modern Pesantren of Gontor. This is because Pesantren is an educational institution that is constantly working to improve the quality of its education. This explanation is based on the mandate given by the founding fathers of the pesantren, that has been written on the waqf charter of the Modern Pesantren of Darussalam Gontor.

The data about productive waqf management used to support the education in Modern Pesantren of Gontor shows that in 2009 productive waqf has contributed Rp. 19,294,847,446.- or 35% of the total income of the Pesantren of Rp. 54,597,611,550.-. Meanwhile, the total expense of the pesantren is Rp. 41,471,507,353.-, which means that there is more than 13 billion rupiah surplus (Iman, 2017: 237–238).

The proceeds of waqf utilization has been used to fund the educational programs in Modern Pondok of Darussalam Gontor, especially those directly utilized for Gontor's education. This function is further expanded by maximizing the use of waqf for teaching process, building construction, regeneration, *khizanatullah* or funding and welfare for the Pondok family. Some of it is also used to provide pesantren infrastructure. *Santri*, teachers, and all components of pondok can reap the benefit of the waqf. It is hoped that the Pondok is able to provide funding for underprivileged *santris*.

b. Productive Waqf Contribution of Pesantren of Tebuireng Jombang

Even though it has not fulfilled all the needs of the pesantren, KH. Hasyim donated his land because he realized the importance of waqf. Through the proceeds of the waqf he and his family, alongside the teachers who are underprivileged, can fulfill their daily need. Waqf is also able to partially fund the operational cost of education in Pesantren of Tebuireng Jombang.

The efforts done by Waqf Board of Pesantren of Tebuireng Jombang include sengon tree plantation in the waqf estate, and its productivization. Nadzir of the waqf cooperated with a Pasuruan corporation concerned with planting tree. The farmland intensification program in Pesantren of Tebuireng Jombang waqf also runs well.

The development of waqf management productivity in Pesantren of Tebuireng is also done by establishing productive economic venture units from the waqf properties. The effort is done by providing goods, professional services, rental services, development of endowments, and the investment of existing waqf properties.

The waqf nadzir of Tebuireng has carried out such programs as waqf assets utilization in the form of farm fields by maximizing the produce by using various models. They also established an incorporated company (PT) under the name of Pesantren of Tebuireng whose job is to develop the source of funds of pesantren waqf.

The contribution of venture units of Pesantren of Tebuireng Jombang is very beneficial for the organization of education, so that it doesn't burden the *santris*. The proceeds of the productive waqf management is also used to provide infrastructure for the pesantren, to construct pesantren buildings, mosques, school buildings, and other infrastructures. *Santri*, teachers, and all components of the pesantren can feel the benefits of the waqf.

The proceeds of the waqf management is used to cover the education cost. The teachers' salary, which is generally taken from tuition fee (SPP) can instead be covered by the proceeds of the waqf, albeit not permanently. Furthermore, the proceeds of waqf is also used to help the people who sent their children to study at Tebuireng.

In other word, the waqf proceeds can provide a subsidy for the students, especially in the procurement of school facilities.

C. Conclusion

The productive waqf developed by the Waqf boards of Modern Pesantren of Gontor and Pesantren of Tebuireng really cements the independence of pesantren in carrying out its responsibility to enlighten the people and to provide education. The management model of productive waqf can be used as an example for other pesantrens that are currently trying to raise funds and support from the people. Their experience can be used as a medium to convince other pesantrens to improve their ability to manage waqf assets. This will indirectly strengthen pesantren's presence as a subculture integral with the society.

The Waqf Board of the Modern Pesantren of Gontor and Pesantren of Tebuireng, which are the nadzir of the foundation, possess several advantages in managing waqf, including: first, more responsive and implementative when receiving modern management models in waqf in the form of financial transparency, waqf policy implementation, waqf administration, work plan, managerial regeneration, and the development of waqf assets and nadzir resource. Second, they possess a legal power because they have been legalized by notary or other authorized official. Third, they can act as a practical solution shuld there be internal conflict in the future. Fourth, foundation nadzir is an ideal model of waqf management institution.

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