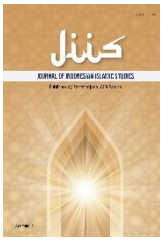
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e-ISSN 2808-8395

Journal of Indonesian Islamic Studies
Vol 6, No. 1, October 2026, pp. 598 - 612



JOURNAL OF INDONESIAN ISLAMIC STUDIES

https://ejournal.iainpalopo.ac.id/index.php/jiis

Understanding Waqf Hadith in Institutional Procedures: A Case Study of the Indonesian Waqf Board in North Sumatra

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Articles Information

History:
Received: Sept 30, 2026
Approved: October 9, 2026
Publish: October 28, 2026

Keywords:
Hadith Interpretation; Waqf Governance; Waqf Administration; Indonesian Waqf Board; Waqf Law

Abstract

Waqf concerns not only fulfilling legal requirements but also applying normative principles derived from hadith to inform and underpin institutional procedures. However, the relationship between hadith interpretations on waqf and the procedural explanations provided by representatives of the Indonesian Waqf Board (*Badan Wakaf Indonesia—BWI*) in North Sumatra Province remains unclear—specifically, how hadith-based norms align with formal regulations and administrative practices. This study aims to analyze the normative principles of hadith regarding waqf, identify how these principles are understood and applied in the BWI's procedural explanations and practices in North Sumatra, and examine the alignment and boundaries among these three aspects. The study employs a qualitative approach using a case study design. Data were gathered through interviews with institutional informants, alongside an examination of hadith texts, *tafsīr* literature, regulations, and relevant legal documents. The data were analyzed comparatively by linking hadith-based normative principles, formal legal provisions, and empirical observations. The findings indicate that the preservation of the principal asset, the fiduciary duty of management, and the sustainability of benefits are the core principles found in hadith concerning waqf. These principles demonstrate a substantive alignment with regulations governing waqf declarations (*ikrār*), registration, certification, asset protection, and the responsibilities of the *nazir*. In their procedural explanations, the informants' understanding is reflected in their emphasis on document verification, drafting the Waqf Declaration Deed, land registration, and developing productive waqf assets. Gaps were identified regarding older waqf assets that lack formal documentation, as well as challenges related to coordination and the capacity of those managing the waqf. This study illustrates how hadith principles intersect with procedural explanations and waqf regulations at an institutional level, while also underscoring that normative alignment alone is insufficient to conclude that implementation is fully effective.

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Introduction

Waqf holds an important place in the Islamic philanthropic tradition because it links religious commitments with property maintenance and the provision of sustainable benefits to society (Alkhawlani et al., 2026; Azmi & Marpaung, 2025). The normative basis of waqf can be traced to the hadith regarding the waqf of ʿUmar bin al-Khaṭṭāb, especially the narration explaining the retention of the principal property and the distribution of the proceeds for justified interests (Ishaq & Ridwan, 2023; Syahputra et al., 2026). This principle provides an ethical orientation for managing waqf assets, while implementing contemporary waqf requires legal certainty, documentation, clear authority, and accountability mechanisms. In Indonesia, Law No. 41 of 2004 concerning waqf and its implementing regulations provide a legal framework for implementing waqf, while the Indonesian Waqf Agency (BWI) carries out institutional functions in accordance with the authority stipulated by laws and regulations (Rimanto et al., 2021). In this context, understanding hadith is not enough to treat it as textual knowledge about the postulates of waqf; it must be studied as an interpretive process that may shape how institutional actors explain the objectives, requirements, and responsibilities of waqf implementation.

Problems arise when the religious principles underlying waqf are faced with procedural needs that demand administrative accuracy and legal compliance. Understanding the hadith regarding the mandate, the detention of the principal property, and the use of waqf proceeds cannot be assumed to be directly connected to knowledge of the waqf pledge, the nazir's position, the recording of assets, or other administrative requirements (Atabaki et al., 2026; Maryani et al., 2023). Some procedures derive a direct basis from regulations and the division of institutional authority, while hadith provides a normative orientation that requires interpretation to be applied in modern contexts. This difference in sources and functions raises questions about how administrators, officers, nazirs, and service users understand the relationship between hadith teachings and formal procedures. BWI North Sumatra Province provides a relevant context to examine the issue through document examinations, interviews, and observations of accessible practices. The research does not assume a discrepancy between hadith and waqf procedures, nor does it assume that the understanding of the hadith has been well integrated into institutional services. The main problem is how the relationship is explained and carried out: which part derives religious legitimacy, which part follows formal law, and what evidence supports the assessment of its conformity or divergence.

Previous research shows a fairly broad waqf study, especially on governance, nazir capacity, the regulatory framework, and institutional accountability. Safitri et al. (2021) identify human resource issues, information technology, sharia aspects, and regulations, then formulate priorities for strengthening waqf institutions. This study helps explain the organizational dimension of waqf management. Still, its focus on institutional priorities does not specifically explain how the understanding of hadith is used to inform administrative procedures. Fauzi et al. (2022) identified the nazir aspect as a priority in waqf land empowerment, including low public trust, manager professionalism, unused waqf land, and certification issues. These findings reinforce the relevance of capacity and administrative issues, but the priority approach has not explained how institutional actors interpret hadith. Tohir et al. (2024), through a study of waqf regulations in Indonesia from the legal, taxation, and supervision aspects, place formal settings as the focus of the

analysis; their contribution lies in the legal-administrative dimension, while the relationship between the understanding of hadith and procedural practice has not yet been the main focus.

Tanjung (2025) tests the suitability of waqf governance practices against waqf supervision principles using a qualitative approach. This study is relevant because it uses the context of regional BWI, although it emphasizes governance and compliance with institutional principles rather than understanding the hadith that underlies the procedure. Rosyid et al. (2024) highlight the potential of waqf and the problem of the nazir's limited understanding of waqf principles, law, and management. This study shows the importance of managers' knowledge dimension, but it does not, by itself, explain how hadith knowledge is formed. The comparison of the five studies shows a more specific analytical space at the intersection of hadith interpretation, formal legal provisions, and the procedural experience of institutional actors. Thus, the gap proposed is directed: the need for an empirical explanation of how the understanding of hadith is present or not present in the explanation and implementation of waqf procedures, and how the relationship can be distinguished from the issue of legal compliance and governance.

Departing from the problems and positions in the literature, this study asks three questions: how the normative principles of hadith about waqf are understood in relation to the legal provisions and procedures for the implementation of waqf; how the understanding of hadith appears in the explanation, service, and implementation of waqf procedures at BWI North Sumatra Province; and how the conformity and boundaries of the relationship between the understanding of hadith, positive law, and procedural practice can be explained based on research evidence. The research aims to identify relevant hadith principles and their limits of application, analyze how institutional actors understand and use hadith, and examine the relationship between religious norms, formal provisions, and field practices through document analysis, interviews, and observations where access allows. The expected contribution is to develop hadith studies that combine normative analysis with empirical research on waqf procedures, while offering an analytical distinction between religious understanding, legal legitimacy, and administrative implementation. Through a case study of BWI North Sumatra Province, the research is expected to provide a contextual explanation of how institutional actors interpret the relationship between hadith and waqf procedures, as well as the limits of the evidence that allow researchers to assess suitability, differences, or interpretive problems.

Method

This study uses a qualitative case study design to analyze the relationship between understanding of hadith on waqf and the procedures for waqf administration at the Indonesian Waqf Board in North Sumatra Province. Data were collected from March to July 2026 at the BWI office in North Sumatra Province. The study features one key informant: the Chairman of BWI North Sumatra Province, H. Sholahuddin Sagala, S.H., M.Si., selected purposively based on his position, involvement in institutional management, and expertise in waqf policies and procedures. The BWI of North Sumatra Province was chosen because it is the provincial representative body responsible for administering and developing waqf in the region. Primary data include hadith concerning waqf and their commentaries, relevant waqf-related legislation, official BWI documents on waqf procedures, and insights

from the informant. Secondary data include scholarly journal articles and academic literature concerning hadith on waqf, waqf law, and institutional administration. Data were gathered through document analysis and semi-structured interviews with the informant.

Analysis was performed using thematic coding, integrating deductive categories—derived from the normative principles found in hadith and legal provisions—with inductive categories that emerged from the informant's statements and institutional documents. The units of analysis encompass the normative principles of hadith regarding waqf, legal provisions and administrative procedures, and the institutional understanding as reflected in the interviews and documentation. The analytical process involved identifying hadith principles and their interpretations, mapping formal regulations and procedures, coding interview data and documents, and conducting a cross-source comparison using a matrix that incorporates hadith principles, regulatory provisions, the informant's statements, documentary evidence, and the resulting interpretations. The analysis code encompasses religious legitimacy, legal requirements, administrative procedures, institutional understanding, and the alignment or discrepancies between sources. An audit trail is maintained—documenting data sources, coding results, the rationale for theme development, and the basis for interpretations—to ensure the analytical process remains traceable.

Results

Normative Principles of Hadith and Characteristics of Waqf Procedures

Identifying the hadith most relevant to the principle of waqf rests on the narration of Abdullah bin Umar about the land ʿUmar ibn al-Khaṭṭāb acquired in Khaybar. This narration is listed in *Ṣaḥīḥ al-Bukhārī*, *Kitāb al-Waṣāyā*, chapter *al-Waqf Kayfa Yuktabu*, no. 2737, and *Ṣaḥīḥ Muslim*, *Kitāb al-Waṣiyyah*, chapter *al-Waqf*, no. 1632. Both books narrate the words of the Prophet Muhammad when Umar asked for guidance on his most valuable treasure: «**إِنْ شِئْتَ حَبَسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا**», which means, "If you wish, keep the principal and give alms for the proceeds." The narration continues by describing ʿUmar's decision not to sell, grant, or bequeath the principal property, while the benefits were intended for the poor, relatives, slave liberation, interests in the way of Allah, travelers, and guests. The manager was allowed to take appropriate benefits or feed his companions without using the waqf property to accumulate personal wealth (Al-Bukhari, 1993; Al-Nayshapuri, 1995). This narration is considered authentic and agreed upon by al-Bukhārī and Muslim (*Muttafaq ʿalayh*). Hadith scholars agree that if the hadith is narrated by the two Imams, then the status of the hadith is definitely valid (Kamali, 2005).

In *al-Minhāj Sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj*, al-Nawawī interprets the hadith on the waqf of ʿUmar ibn al-Khaṭṭāb as foundational to the principle of preserving the principal asset while distributing its benefits. The principle of *ḥabs al-aṣl* (retaining the principal) is reinforced by the stipulation that waqf assets may not be sold, inherited, or gifted; thus, a waqf's continued functionality depends on preserving the principal asset from any action that might transfer ownership. Al-Nawawī also clarifies the textual variants *ghayr mutamawwil fīhi* and *ghayr mutaʾaththil mālan*, explaining that *mutaʾaththil* denotes a *jāmiʿ*—that is, an individual who amasses wealth (Al-Nawawī, 1996, Volume 11, p. 254). This explanation indicates that the permission granted to a waqf manager to derive benefit from the endowment's returns—*bi al-maʿrūf* (in a reasonable and customary manner)—

cannot be equated with an authorization to use waqf assets as a means for personal wealth accumulation. Together, these provisions set complementary boundaries for managing an endowment: the principal asset must be maintained in accordance with the waqf's terms, while the use of its returns must remain within permissible limits, consistent with the endowment's intended purpose.

In *Fatḥ al-Bārī*, Ibn Ḥajar al-ʿAsqalānī places the ḥadīth on ʿUmar ibn al-Khaṭṭāb's waqf in the chapter titled *Bāb al-Waqf Kayfa Yuktab*. This account establishes the principle of preserving the principal asset—ensuring it is neither sold, gifted, nor bequeathed—while simultaneously mandating the distribution of its benefits to the designated recipients. It also permits the administrator (*mutawallī*) to derive reasonable benefit from the endowment, provided the waqf property is not exploited to accumulate personal wealth (Al-ʿAsqalānī, 1990, Volume 5, p. 468). In *ʿUmdat al-Qārī*, Badr al-Dīn al-ʿAynī further clarifies the relationship between the hadith's wording, the formal documentation of waqf provisions, and the legal consequences of its administration (Al-ʿAynī, 1993, Volume 14, p. 70). The divergence of opinion among *fuqahāʾ* (jurists) regarding the binding nature of a waqf highlights a more fundamental legal question: does establishing a waqf automatically divest the *wāqif* of the authority to treat the asset as their own, or does this outcome depend on specific legal terms and conditions? Both Ibn Ḥajar and al-ʿAynī examine these differing perspectives—including the position of Abū Ḥanīfah and the view held by the *jumhūr* (the majority of scholars)—concerning the validity and binding character of a waqf (Al-ʿAsqalānī, 1990, Volume 5, p. 469; Al-ʿAynī, 1993, Volume 14, p. 72). Thus, the hadith of ʿUmar serves not only as a normative foundation for separating the principal asset from its usufruct but also as a pivotal point in fiqh debates regarding the precise moment at which a waqf commitment imposes a legally binding restriction upon the original owner's authority.

Based on the interpretations provided by hadith scholars, the normative principles derived from the hadith can be categorized into three layers. First, the preservation of the principal asset finds an explicit basis in the account of Umar, which prohibits the sale, gifting, or bequeathing of waqf assets. This prohibition serves as a restriction against any action that might alter or extinguish the status of the principal asset. Second, the sustainability of benefits is derived from the distinction between the principal asset and the returns generated from it, which are then distributed to the designated beneficiaries. This distinction ensures that the asset is maintained so that its benefits may continue to be provided—a sustainability that functions as a normative implication of the waqf framework, rather than a principle explicitly articulated within the *matn* (text) of the hadith itself. Third, the principle of fiduciary stewardship is rooted in provisions that allow the manager to derive reasonable benefits from the endowment, while strictly prohibiting the use of their position for personal enrichment. This principle is established through the explanations of hadith scholars and fiqh reasoning regarding the scope of a manager's authority and responsibilities. These three principles constitute interconnected analytical categories, each with a distinct focus: asset preservation protects the principal property, the sustainability of benefits ensures the continuity of the returns, and fiduciary stewardship governs the exercise of the manager's authority.

Understanding Hadith in Relation to Waqf Regulation

Law Number 41 of 2004 concerning waqf remains in effect, according to the Audit Board of the Republic of Indonesia (BPK) regulatory database. Government Regulation Number 42 of 2006 governs its implementation framework, as amended by Government Regulation Number 25 of 2018. These two government regulations should be read as a single normative unit, taking into account the 2018 amendments. The Law addresses the elements of waqf, the status of the waqif and nazhir, the types of waqf assets, the ikrar, the designated purpose, management, registration, and the institutional framework for waqf development. Article 6 of Law Number 41 of 2004 defines the waqif, nazhir, waqf assets, the waqf pledge, the designated purpose of the assets, and the waqf's duration as the essential elements of a waqf. Article 7 outlines the categories of waqif, while Article 9 specifies the categories of nazhir, which include individuals, organizations, and legal entities. Article 15 sets out the legal requirements for assets to be endowed, and Article 16 classifies waqf assets as immovable and movable property, including cash. Article 17 governs the execution of the waqf pledge before a waqf pledge official (PPAIW) in the presence of two witnesses. At the same time, Article 21 sets out the minimum content required for a Waqf Pledge Deed, including the identities of the waqif and nazhir, details of the waqf assets, the designated purpose, and the waqf's duration. The connection to the principle of amanah lies in the clarity about the parties and objects that form the basis for management. In contrast, its link to asset preservation lies in formally establishing those assets' identity and status.

Articles 22, 40, and 41 of Law of the Republic of Indonesia Number 41 of 2004 concerning Waqf govern the protection of waqf assets. Article 22 defines the permitted purposes for waqf, specifically for acts of worship and the general public welfare. Article 40 prohibits using waqf assets as collateral, seizing them, gifting them, selling them, bequeathing them, exchanging them, or otherwise transferring them. Article 41 provides a limited exception to the prohibition on exchange—as stipulated in Article 40, letter f—but does not apply to all forms of asset transfer. Under Article 41, paragraphs (1) through (3), an exchange may be permitted if the waqf asset is to be used for the public interest in accordance with spatial planning regulations and prevailing laws, provided that such use does not conflict with Sharia. Executing such an exchange requires written authorization from the Minister of Religious Affairs, based on approval from the Indonesian Waqf Board. Furthermore, the replacement asset must possess a utility and value at least equivalent to the original waqf asset.

Technical provisions are further detailed in Government Regulation Number 42 of 2006 concerning the Implementation of Law Number 41 of 2004 on waqf, as amended by Government Regulation Number 25 of 2018. Article 49 of this Government Regulation stipulates that authorization for an exchange may only be granted under specific circumstances: when the asset is required for the public interest (in alignment with spatial planning and Sharia principles), when the waqf asset can no longer be utilized in accordance with the original waqf pledge, or to address immediate and urgent religious needs. Other requirements include proof of valid ownership of the replacement property, as well as equivalence in value and utility, determined through an appraisal mechanism as stipulated in Article 50. Article 51 governs application procedures and permit issuance,

while Article 51A addresses the registration of replacement land and the requirements for carrying out development for the public interest.

Furthermore, Article 42 of the Waqf Law mandates that a nazhir manage and develop waqf assets in accordance with their intended purpose, function, and designation; Article 43 requires that such management comply with Sharia principles and, where feasible, be productive. These provisions share a substantive connection with the account of Umar regarding waqf, which emphasizes preserving the principal asset and sustaining its benefits. Nevertheless, this relationship should be understood as an alignment of principles rather than an identity of legal form. While the account of ʿUmar serves as a normative foundation within the Islamic waqf tradition, the law establishes a framework for protection, management obligations, and the conditions under which assets may be exchanged—all through binding national legal mechanisms.

Recording and registration constitute another procedural dimension that ensures the identifiability of waqf assets. Articles 17 and 21 of Law Number 41 of 2004 govern the waqf pledge and its documentation through the Waqf Pledge Deed, while Articles 32 through 39 regulate the registration of waqf assets by category and through the applicable mechanisms. Government Regulation (PP) Number 42 of 2006, as amended by PP Number 25 of 2018, provides more technical implementing provisions, covering the execution of the waqf pledge, the drafting of the deed, and the registration process. In the case of land waqf, administration involves recording by the land authority in accordance with prevailing regulations; for cash waqf, the formal mechanism entails the involvement of a Sharia Financial Institution as a Recipient of Cash Waqf (LKS-PWU) and the issuance of a Cash Waqf Certificate, pursuant to applicable regulations (Asni et al., 2024). These procedures reflect a legal evolution that aligns waqf protection with the specific characteristics of the assets and the state's administrative system. The connection to hadith is functional rather than purely textual: documentation ensures the certainty of an asset's status and mitigates the risk of disputes, while hadith provides the normative foundation for preserving the principal asset so its benefits may continue to be distributed.

The division of institutional authority must be carefully considered to ensure that the relationship between religious norms and procedural implementation does not lead to misattribution of duties. Article 47 of Law Number 41 of 2004 establishes the Indonesian Waqf Board as an independent body tasked with advancing and developing the national waqf sector, while Article 48 allows for the establishment of representative offices at the provincial and regency/municipal levels as needed. Article 49 grants the BWI the authority to provide guidance to nazhir, manage and develop waqf assets on a national and international scale, approve or authorize changes to the purpose or status of waqf assets, dismiss or replace nazhir, sanction the exchange of waqf assets, and advise the government on waqf-related policies. The Official for Making the Waqf Pledge Deed (PPAIW)—the official authorized to draft waqf pledge deeds—performs a distinct function, primarily concerning the execution of waqf pledges and the preparation of waqf pledge deeds. In contrast, the land authority registers land rights within its jurisdiction (Ginting et al., 2022). The Ministry of Religious Affairs oversees government affairs in the waqf sector in accordance with prevailing regulations (Ikram et al., 2024). This distribution of functions demonstrates that the protection of waqf assets is achieved through the interconnected efforts of various institutions. While the principle of amanah can be used to evaluate how

each institution exercises its authority, it does not justify consolidating the functions of the BWI, PPAIW, nazhir, and land authorities into a single, unified authority.

The substantive connection between the regulations and the hadith is clearest in the protection of the principal asset, the limitation of the manager's authority, and the preservation of benefits in accordance with their intended purpose. Umar's hadith provides a textual foundation for preserving the principal asset while distributing its yields; meanwhile, Articles 40 through 43 of Law Number 41 of 2004 translate the objectives of protecting and utilizing waqf assets into legal obligations and prohibitions enforceable within the national legal system. This relationship does not mean every provision in the law derives directly from the hadith. Requirements concerning witnesses, legal deeds, registration, the division of authority, and approval mechanisms reflect formal legal developments designed to ensure that waqf transactions can be evidenced, supervised, and executed through uniform procedures. The principle of amanah serves as a normative benchmark for assessing whether a manager's authority is exercised in alignment with the waqf's objectives; the preservation of the principal asset provides a basis for scrutinizing actions that might lead to the loss of the asset; and the sustainability of benefits helps evaluate whether the management remains consistent with the intended purpose. While these three principles can strengthen legal reasoning, they do not replace positive legal provisions, which remain the basis for establishing administrative obligations.

Differences in the level of normativity also define the limits of using hadith to evaluate procedural compliance. The content of hadith serves as a religious normative source, understood through the texts themselves and the interpretations of scholars; fiqh derives legal implications through reasoning and *istidlal* (deductive) methodologies; statutes and implementing regulations establish positive legal obligations; while technical guidelines translate formal provisions into operational procedures, in accordance with the authority of those who drafted them. These four layers can complement one another, but they cannot be substituted for one another. For instance, a failure to meet documentation requirements must be assessed against the governing legal provisions, rather than concluded—solely on that basis—as a violation of hadith. Conversely, complete documentation does not, by itself, prove that management has adhered to the principle of amanah if assets are used in a manner inconsistent with their intended purpose.

Understanding Hadith in the Practice of Waqf Procedures at BWI North Sumatra

The informant's understanding of waqf is rooted in the relationship between the Quran's principles of generosity and the Prophet's hadith on asset management. The informant cites Surah al-Baqarah [2]: 261 to explain the orientation of infaq and the multiplication of rewards, while the hadith of 'Umar concerning the land of Khaybar is used to illustrate the characteristics of waqf. According to the informant, 'Umar's decision to endow his land—made after seeking guidance from the Messenger of Allah—demonstrates that waqf is a religious act grounded in considerations regarding the sustainability of an asset's benefits. The informant describes the principle of retaining the principal asset while distributing its yields as an "economic design that was highly advanced for its time" (IF-SS, 2026). This statement shows how the informant connects the hadith's provisions to sustainable asset management.

The informant's explanation centers on the principle of ḥabs al-aṣl wa al-taṣadduq bi al-thamarah—retaining the principal asset while distributing its fruits (yields). To make this concept more accessible to the public, the informant employs an analogy of a tree and its fruit: the tree represents the asset that is preserved, while the fruit represents the benefits that are distributed. The informant also emphasizes three prohibitions mentioned in the account of 'Umar: *lā yubāʿu* (it cannot be sold), *lā yūhabu* (it cannot be gifted), and *lā yūrathu* (it cannot be inherited). These three provisions serve to distinguish waqf from other forms of asset transfer. In addition to referencing the Quran and hadith, the informant also mentions the perspectives of the madhhabs (schools of jurisprudence) and the importance of *ḍawābiṭ fiqhiyyah* (legal/jurisprudential guidelines) in waqf management (IF-SS, 2026).

The informant distinguishes between the general public's understanding of waqf as amal jāriyah (an ongoing, perpetual charity) and more specialized knowledge of managing productive waqf. According to the informant's assessment, awareness of the spiritual rewards of waqf is relatively widespread, whereas understanding of how waqf assets can support economic empowerment still needs strengthening. The informant referred to a study on waqf awareness in the city of Medan (dated 2026), though the specific publication details and findings are not yet available for verification. The informant also qualified their assessment by noting that these insights reflect their own individual experience and knowledge, rather than serving as a comprehensive measure of the capabilities of all nazhir in North Sumatra (IF-SS, 2026). Consequently, this information is recorded as the informant's personal assessment of the need for waqf literacy, rather than as a formal measurement of the public's level of understanding or the regional competence of nazhir.

Regarding land waqf procedures, the informant explained that the preparatory phase involves verifying proof of ownership, the identity of the waqif, details of the prospective nazhir, and the identities of two witnesses. This verification also covers the land's legal status—specifically checking for potential disputes, liens, seizures, or third-party claims. If the land is considered marital property, the spouse's consent must be obtained, in accordance with the ownership status and applicable legal provisions. The informant emphasized the importance of clearly establishing the land's origin, as objections from heirs could complicate validation of the waqf status. Once the requirements are met, the waqif appears before the official authorized to draft the Waqf Pledge Deed—typically the Head of the local Office of Religious Affairs (KUA)—to formalize the pledge in the presence of the nazhir and two witnesses. According to the informant, this pledge is then recorded in the Waqf Pledge Deed, which serves as the official legal document for the waqf transaction (IF-SS, 2026).

The informant distinguishes between the creation of an AIW (Waqf Pledge Deed), administrative recording, and the certification of waqf land. According to the informant, the AIW documents the waqif's declaration; administrative recording—through the relevant system—captures waqf-related information; and certification involves formally registering the land with the land authority. The informant mentions using the Ministry of Religious Affairs' SIWAK (Waqf Information System) to support data management and clarifies that a waqf land certificate does not constitute proof of personal ownership by the nazhir (IF-SS, 2026). This account outlines the procedural workflow as described by the informant. However, this study has not yet presented findings from an examination of AIW files,

SIWAK records, certification documents, or direct observations of the services provided by the PPAIW, the official authorized to draft waqf pledge deeds.

The informant notes that issues frequently requiring further intervention involve land that was endowed long ago without an AIW, as well as assets with incomplete proof of ownership. The informant explains that some members of the public believe that simply handing over land to a mosque or religious institution completes the entire waqf process. Proving the waqf can become difficult if the waqif has passed away, land documents have been lost, or heirs raise objections. According to the informant, disputes can be resolved through deliberation, mediation, or—if those methods fail—by turning to the Religious Court, in accordance with applicable legal provisions (IF-SS, 2026). While this information highlights the types of issues identified by the informant based on their experience, it does not include data on the number of cases, dispute resolution documents, or service records needed to assess the frequency or outcomes of such interventions.

Another aspect concerns the status of the nazhir as the party that receives and manages waqf assets. The informant explains that a nazhir may be an individual, an organization, or a legal entity, with administrative requirements varying by category. The informant also describes the roles of the KUA (Office of Religious Affairs), the Ministry of Religious Affairs, and the BWI (Indonesian Waqf Board) in validating, registering, and supervising nazhirs. The informant mentioned a division of authority regarding registration based on land area, distributed across regency/city, provincial, and central levels (IF-SS, 2026). However, the specific regulatory basis for this division has not been identified within the research data. Consequently, the information regarding the limits of authority based on land area is treated as an account provided by the informant—one that requires verification against BWI regulations and relevant administrative provisions—rather than as an established legal requirement.

The informant also distinguished between integrity and a nazhir's professional capabilities. According to the informant, while public trust in the manager is crucial, managing assets also demands proficiency in administration, business planning, financial reporting, risk assessment, and developing social benefits. The informant linked a nazhir's responsibilities to the obligation to maintain, protect, develop, and report on asset management in accordance with their intended purpose. The informant also noted the BWI's role in providing guidance and supervision, as mandated by prevailing laws and regulations (IF-SS, 2026). This distinction between trustworthiness and professionalism reflects the informant's view of the qualities a manager needs; it is not the result of a formal competency assessment of specific nazhirs based on testing or performance observation.

Regarding the development of productive waqf, the informant used the term "embryo/local model indicating a path toward success" to describe initiatives they are aware of in North Sumatra (IF-SS, 2026). This phrasing represents the informant's preliminary assessment rather than a definitive conclusion regarding measurable program outcomes. The interview data was not supplemented with asset reports, revenue figures, the number of beneficiaries, or program evaluations that could be used to assess the success level of productive waqf management. The informant also explained that cash waqf operates through a distinct mechanism involving Sharia Financial Institutions authorized to receive cash waqf, which includes the issuance of Cash Waqf Certificates (in

accordance with established regulations). The explanations of land waqf and cash waqf show the informants' understanding of the differing characteristics of the waqf objects and their respective administrative requirements; however, this does not yet confirm the effectiveness of implementing these two mechanisms at an institutional level.

Discussion

The Boundary of Conformity between Hadith Norms, Regulations, and Waqf Practices

A cross-source comparison reveals three patterns of relationships among hadith norms, waqf regulations, and the practices of the Indonesian Waqf Board in North Sumatra Province: substantive alignment, differences in regulatory function, and variations in translating norms into institutional action. The alignment is most evident in the relationship between protecting the waqf asset's principal and the procedures for securing its legal status. The hadith concerning Umar's waqf in Khaybar provides the normative foundation for preserving an asset's substance while distributing the yields derived from its use. Waqf regulations translate this orientation into requirements such as proof of ownership, formal recording of the waqf pledge, land registration, restrictions on transferring waqf assets, and the nazhir's obligation to manage and develop the assets in accordance with their intended purpose. Insights from BWI North Sumatra informants—on verifying land origin documents, assessing potential claims by heirs, drafting waqf pledge deeds (AIW), and processing land certificates—demonstrate the procedural relevance of the asset-protection principle. The available evidence supports the conclusion that these administrative procedures are consistent with the objective of safeguarding the existence of waqf assets. While the level of certainty is quite strong regarding the normative and functional connections, it is not yet sufficient to guarantee the effectiveness of this protection in every individual case.

Substantive alignment is also apparent in the focus on the sustainability of benefits and the manager's responsibilities. The hadith frames waqf stewardship as a critical implication of the endowment, while legal provisions require the nazhir to administer, manage, develop, and protect the assets, and to report on the execution of their duties. Accounts from informants—highlighting the distinction between a nazhir who merely fulfills a basic trust and one who possesses professional competence—illustrate the practical dimension of these responsibilities. The capacity to develop business plans, prepare financial statements, select investments that adhere to sharia principles, and measure social impact is essential for managing productive waqf. This relationship shows alignment among objectives, norms, regulations, and institutional understanding (Rosyid et al., 2024). However, interview findings do not yet confirm that all nazhir in North Sumatra possess these capabilities or apply them consistently. While there is a clear alignment regarding the orientation of responsibilities and the direction of capacity building, the actual level of professionalism requires further institutional data and performance evaluation.

The second pattern distinguishes between normative and administrative functions, which does not inherently imply conflict. Hadith provide a religious orientation on the nature of waqf, whereas regulations establish legally binding formal requirements—such as the legal status of assets, the identities of the parties involved, the intended purpose, and management responsibilities. The Indonesian Waqf Board in North Sumatra requires

ownership documentation, consent from relevant parties (where applicable), witnesses, a formal declaration, the waqf deed (AIW), official registration, and certification. Although these administrative elements are not detailed in the hadith—which serve as the normative reference—their absence does not create a conflict. The two sources operate at different levels: the hadith provide a foundation of values and a guide for action, while regulations establish the mechanisms for verification and the governance framework within the positive legal system. Analytically, the relationship between the two can be considered harmonious if administrative requirements support asset protection, legal certainty, and the sustainability of benefits, without altering the waqf's fundamental purpose. A claim of conflict would be substantiated only if concrete evidence showed that a specific regulation or administrative action hinders the achievement of the waqf's objectives or results in management practices that contravene established legal boundaries.

The third pattern concerns variations in the understanding of productive waqf and the professionalism of nazhir. According to an informant, the public tends to see waqf primarily as perpetual charity, while its role in economic empowerment still needs strengthening. The informant also described the development of productive waqf in North Sumatra as being in an embryonic stage—a local model that is not yet fully mature or standardized. This evidence points to a difference in emphasis: one perspective views waqf through the lens of devotional value, while another treats asset management as a means to generate sustainable socio-economic benefits. Such a difference does not inherently imply a conflict with the hadith. An orientation toward perpetual charity can remain consistent with productive utilization, provided that the principal asset is protected, its development does not deviate from its intended purpose, and the returns are distributed in accordance with established provisions. The certainty of this interpretation is limited, however, as the insights regarding public understanding and the maturity of productive waqf initiatives are derived from a single informant.

The clearest evidence of discrepancy arises in cases involving older waqf assets that lack an AIW or have incomplete ownership documentation. The informant noted instances where past land transfers for waqf were considered sufficient from a social or religious standpoint, yet the need for administrative proof only became an issue when the asset's status had to be registered, certified, or defended against third-party claims. This gap between social recognition of a waqf and the completeness of formal documentation is an empirically identifiable phenomenon. Nevertheless, this gap must be framed precisely: the available evidence points to administrative incompleteness in specific cases, rather than suggesting that hadith norms conflict with regulations, or that all historical waqf practices are invalid. The legal status of each case depends on the specific facts, documentation, transfer history, applicable regulations, and available resolution processes.

Another gap that requires careful assessment is the disparity between the existence of regulations and the capacity to implement them. Informants suggest that the primary challenge is not merely a lack of regulation, but rather limitations in documentation, human resource competence, and coordination among the various entities involved—namely the KUA—which carries out the functions of the PPAIW—the Ministry of Religious Affairs, the BWI, the Land Office, and Islamic Financial Institutions authorized to receive cash waqf (LKS-PWU). This indicates that formal alignment between waqf regulations and principles is not always matched by equivalent institutional capacity. However, these explanations

regarding coordination hurdles remain the subjective assessments of the informants rather than the result of a formal cross-institutional performance evaluation. Consequently, it would be premature to conclude that there is systematic non-compliance; instead, these points highlight implementation risks that require data-driven verification—such as service turnaround times, the volume of unregistered assets, the completeness of nazhir reports, dispute resolution, and progress in developing productive waqf assets. Such evidence would help distinguish incidental administrative obstacles from systemic weaknesses in executing waqf procedures.

Conclusion

The relationship between the understanding of hadith, regulations, and waqf procedures at the Indonesian Waqf Board (BWI) in North Sumatra Province shows substantive alignment in protecting assets, defining managers' responsibilities, and ensuring the sustainability of benefits. Hadith provides a normative foundation for waqf. At the same time, legislation establishes the legal requirements and administrative mechanisms necessary to ensure the certainty of asset status and accountability in management. Institutional practice translates these principles through document verification, the waqf pledge, the issuance of the Waqf Pledge Deed, formal registration, and the processing of asset certification. These findings address the interplay among these three domains by showing a convergence of objectives, without establishing a direct causal link between hadith interpretation and every specific procedural decision. Religious legitimacy, legal validity, and administrative order are distinct yet interconnected dimensions, each requiring its own substantiation. Theoretically, these results affirm the relevance of a contextual reading of hadith in explaining the connection between norms and institutional governance; practically, they highlight the importance of comprehensive documentation, the capacity of nazhir, and inter-institutional coordination. The study is limited by its case-study nature, a heavy reliance on a single key informant, and the fact that not all documents or field practices have been fully verified, which constrains the generalizability of the findings. Future research should compare the experiences of waqif, nazhir, beneficiaries, and relevant officials—incorporating both document analysis and observation of procedures—to more precisely evaluate implementation consistency and the overall effectiveness of waqf management.

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