

Elaborating Cash Waqf Development In Indonesia Using Analytic Network Process

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Abstract

This research is aim to identify the priority factors that being barrier to develop the practice of cash waqf in Indonesia using Analytic Network Process (ANP) method. Here is also offered some solutions for the problems identified. ANP is a mathematic theory that allows one to deal systematically with dependence and feedback and that can capture and combine tangible and intangible factors by using ration scale. Result show that the problems appeared in managing cash waqf in Indonesia divided into 4 important aspects, there are: Human Resource aspect, trust aspect, system aspect, and sharia aspect. The rank for most priority problems to less priority based on the priority result are: 1) trust problems (whereas the most priority for this sub-criteria is donators' lack of trust), 2) sharia problems (is unfulfilled waqf covenants), 3) human resource problems (is misappropriation of waqf funds, 4) system problems (is weak of management systems). Strategies that can be built to develop the practice of cash waqf in Indonesia based on the priorities are: 1) more computerized cash waqf management, 2) the development of waqf education institutions, 3) more comprehensive fund manager quality improvement, 4) transparency and accountability in every step.

Keywords:

cash waqf; management; ANP;
indonesia waqf

JEL: H30, H55



1. Introduction

In the context of legislations in Indonesia, waqf is defined specifically by determining the meeting point of various opinions of classical *fiqh* scholars. This is seen in the definition of waqf in Law number 41 of year 2004 on waqf. Waqf is defined as a *waqif* legal act to separate and/or hand part of one's belongings to be used forever or for a certain period of time in accordance with his/her interests for worship or general welfare according to syariah.

Waqf is one of Islamic laws related to people's lives as *ijtima'iyyah* worship for public interest as a devotion to Allah SWT (Fathurrohman, 2012). Moreover, Islam has institutional preparation to acquire fund so the poor can be independent. For this purpose, waqf can be done in addition to alms mandatory payment and other voluntary payment contributions. So if waqf is developed and managed productively, it can be an alternative for poverty reduction.

According to Muhammad (1997), the first person who introduced cash waqf in the history of Islam was Imam Az-Zufarin the 8th century AD, one of the scholars among the Madhhab Hanafiyyah. He states that cash waqf should be invested through *mudharabah* and the profits should be allocated for *al-a'maalalkhairiyyah* (social aid). This is supported by Imam Bukhari and Ibnu Syihaab Azzuhri. Imam Bukhari states that Ibnu Syihaab Az-Zuhri allows dinar and dirham waqf by making those dinar and dirham as business capital, and the distributing the profit for waqf.

This cash waqf is an issue discussed by Fikih Scholars. Imam Nawawi from the Syafi'iyyah states: "And our friends are in dispute over waqf with money (dinar or dirham). People who can lend dinar and dirham, allow using waqf with them, and those who may not lend them, disallow waqf" (*Al-Majmu'*, 1980).

Fanani (2011) explains that Az-Zuhri makes a fatwa that people are encouraged to use dinar and dirham waqf for the construction of preaching, social and education facilities of Muslims at that time. Permission for cash waqf is stated by most madhhab Hanafi and some scholars of madhhab Syafi'i.

According to Muhammad (1997) among classical scholars, cash waqf was an issue of *khilafiyah* (disagreement). This started due to common tradition for people to only use their fixed assets for waqf. Due to this tradition, some Scholar were baffled when they heard the fatwa published by a friend of Abu Hanifah named Muhammad Abdullah Al-Anshaari who states that waqf in cash, such as dinar or dirham, or in measured commodities is allowed. What baffled them was the change of the main function of the money from being a medium of exchange into a medium of wakaf rental. Al-Anshari answers: "We invest the fund using *mudharabah* method, and the profit is given for charity. We sell the food, we distribute the price using *mudharabah* businesses then give the profit for charity".

Hanfiyyah scholars suggest that cash waqf depends of local tradition. For example, if a place has a tradition or custom to pay waqf using money, then cash waqf in that location is legitimate, but illegitimate in other locations. However, the fatwa of Hanfiyyah Scholars on the permission of cash waqf is revealed in the fatwa of Al-Anshari, one of the students of the friend of Abu Hanifah, in which he states that it's allowed to pay waqf using commodities which are weighed or dosed (Muhammad, 1997).

Fanani (2011) states that the reasons for scholars to disallow cash waqf include, *first*, money of medium of exchange runs out after one use. Money can only be used spending it until it disappears. Meanwhile the point of waqf is sustainability of the products of fixed capital, not running out after one use. Therefore, the requirement of waqf properties is permanent and durable, not disposable. *Second*, dinar and dirham are mediums of exchange used to facilitate trade, not to be taken advantage of and rented.

However the scholars who forbade cash waqf were refuted by scholars who allowed it, including, Imam Malik, Imam Ahmad bin Hambal, and Ibnu Syihab Az-Zuhri (of the Syafi'iyah). Wahbah Az-Zuhaili states that Hanafiyyah allows cash waqf because money substance which can be used as business capital is durable and has many benefits for people, which is by being businesses capital using *mudharabah* system.

Wadjdy and Mursyid (2007) state that in making a fatwa which allows cash waqf Indonesian Ulama Council (MUI) considered the opinions of great scholars such as: Imam Az-Zuhri who allows cash waqf by making money business capital the distributing the revenue to *mauquf alaih*. *Mutaqaddimiin* Ulama Madzhab hanafi (classical scholar of the Hanafiyyah) allows waqf as an exception based on *Istihsan bil 'urf*. Abu Tsaurof of the Syafi'iyah narrates Imam Syafi'i that cash waqf is allowed (*jaiz*).

According to Cizakca (1998), history has proven that cash waqf has been popular since the time of bani Mamluk and Ottoman Empire. Even at the beginning of Islam, cash waqf has been allowed by scholars. However, cash waqf started to have significant influence in 16th century AD in the Ottoman Empire. Al-Arnaut states that the development of Istanbul can't be separated from cash waqf which was wildly spread so that it became trade center. This is proven by historic documents found in 1464 AD, which a hundred years later became the habit of people of Istanbul.

According to Cizakca (1998), M.A. Manan revives the concept of cash waqf in *Social Investment Bank Limited* (SIBL) in Bangladesh which is conducted using *Cash Wakaf Certificate* instrument mechanism. He gives an alternative solution in solving the welfare crisis of Muslims. Compared with immobile property waqf, cash waqf has greater chance for modernization.

Cash waqf is waqf in the form of money which is then managed productively by nazhir, and the result is used for waqf. It means someone who wants to do cash waqf should invest, then the profits is used for waqf for *mauquf alaih*. In Indonesia, BMM, Indonesian Waqf Saving, and PKPU have tried to be the nazhirof cash waqf, but there are still many concepts and applications (Fanani, 2011).

Studies on issues and solutions of waqf have been conducted by previous researchers. Fathurrohman (2012) in his research titled "*Wakaf dan Penanggulangan Kemiskinan (Studi Kasus Pengelolaan Wakaf di Kabupaten Bandung Jawa Barat)*" states that there are many problems faced in managing waqf lands productively in Bandung Regency, such as some waqf lands are used as worship facilities and some has non-strategic locations. Moreover, nazhir's knowledge and understanding on waqf rules are lacking. In this condition, waqf lands are difficult to be managed productively in accordance with Islamic laws and legislations in effect because the nazhir aren't professional and has difficulty in funding the management expenses. Waqf properties should be managed and developed productively as an alternative to help reduce poverty.

Meanwhile, Shalih (2007) states that the role of waqf is important to maintain five pillars of *maqashid syari'ah*, which is maintaining religion (*hifzhuddiin*) so waqf plays a role in cleansing the heart of a *waqif* to worship Allah only, and not to worship wealth. So, he'll avoid stinginess and greed and grows a sense of togetherness and love which will bring him to *hifzhunnafs* (caring for the soul), *hifzhunnasab* (caring for the off springs), *hifzhulmaal* (caring for wealth), and *hifzhul 'aql* (caring for reasons) by establishing foundations and educational institutions to spread and develop knowledge to produce a generation of Muslims who are competent in all fields, whether *syar'ior* science and other knowledge.

The other research on waqf and cash waqf done by Alias et.al (2015), Aziz, et.al (2013, Bahroni (2012), Harun et.al (2016), Aziz et.al (2014) and also Pitchay et.al (2014). For the example, Harun et.al (2016) thought that the high education in Malaysia has to more explore the waqf benefit in the education so it can improve the high education to be better. Waqf in the education sector is

also relevant with the result obtained from Ahmad & Hassan (2015). By using research object in the education sector of Sub-Desert Africa, Ahmad & Hassan (2015) thought how important the waqf role to pay education sector in Africa. This research is the experience benchmark of Al-Azhar University in Cairo Egypt and some university in Malaysia as the best example. It is also the same in Gontor Islamic boarding school in Indonesia (Bahroni, 2012).

In practice, waqf in Indonesia today faces complicated issues because it's generally non-productive waqf and the operational expense burdens the society. This illustrates a waqf condition which, using a term by MundzirQahf, is direct waqf instead of productive waqf. It means waqf gives direct services to the society, instead of waqf provided for production.

In terms of cash waqf, waqf institutions don't only act as religious rituality. They can touch humanitarian aspects by empowering their potential for public welfare to the best of their ability. Therefore, the author was interested in studying cash waqf.

Although basically all waqf issues should be solved, it's important to determine priority issues due to limited resources, whether funding resources, or time of waqf institutions or agencies. Determining priority issues will also help waqf managers or *nazhir* in making strategic plans and making some priority agendas.

Based on the background above, the formulations of the problems are as follows: (1) What are priority issues of cash waqf fund management in Indonesia based on ANP method framework? (2) What are the solutions and strategies which can be offered for the issues based on priority scale?

2. Methods

This research is using primary data which is obtained by doing in-depth interview with experts and practitioners to understand the problem comprehensively. In order to synthesize the problems and make it in priority, second meeting (interview) with experts and practitioners is needed to complete pair-wise questionnaires.

In order to choose respondents in this research is by considering their understanding about cash waqf development problems in Indonesia. The amount of respondent consists of five experts and practitioners related to the topic discussed. There is no maximum or minimum quotes to choose respondent, the most important things to be considered is they must have good ability and good understanding about waqf and cash waqf problem.

This study applies ANP methodology in three steps. *First*, questionnaires and in-depth interviews with scholars, experts, practitioners, and regulators of waqf and cash waqf are conducted to fully comprehend the real problems and identify factors on the object. *Second*, the results of the preliminary stage are used to develop an appropriate ANP network and relevant questionnaires to glean the necessary data from experts and practitioners of cash waqf. *Third*, ANP analysis is applied to set priority alternative solutions and policy strategies in order to formulate optimal policy recommendations.

Analytic Network Process (ANP) is a mathematic theory that allows one to deal systematically with dependence and feedback and that can capture and combine tangible and intangible factors by using ration scale. ANP as a general theory of relative measurement is also used to derive composite priority ratio from individual ratio scale reflecting relative measurement of interconnected elements within control criteria. ANP is a new approach in decision making process that provides general framework in treating decision without making any assumption about independency of elements in higher level from elements in lower level and about independency of elements within the same level. Moreover, ANP uses network without having to determine level as in hierarchy used in Analytic Hierarchy Process (AHP), which is a starting point of ANP. The main concept of ANP

is influence while the main concept of AHP is preference. AHP with its dependency assumptions on clusters and elements are a special cases of ANP (Saaty, and Vargas, 2006). For Islamic economics research, the application of ANP can refer to Rusydiana and Devi (2013).

ANP has relatively simple axioms which carefully restrict the scope of a problem:

- Reciprocal. This axiom requires that if $P_c(E_A, E_B)$ is a paired comparison of elements A and B with respect to their parent, element C, representing how many times more the element A possesses a property than does element B, then $P_c(E_B, E_A) = 1/P_c(E_A, E_B)$. For instance, if A is 4 times larger than B, then B is one fourth as large as A.
- Homogeneity. This axiom states that the elements being compared should not differ by too much, else there will tend to be larger errors in judgment. The verbal scale of ANP ranges from one to nine, or about an order of magnitude.
- This axiom states that individuals who have reasons for their beliefs should make sure that their ideas are adequately represented for the outcome to match these expectations.

To construct ANP model in phase 1, based on theoretical and empirical literature reviews of the problem, open questionnaires are asked to practitioners from various waqf and cash waqf experts from various institutions, universities, and consulting firms. Follow-up is conducted through in-depth interviews to garner more detailed information to be able to comprehend the real problems.

To quantify and measure the ANP model or network in phase 2, pair-wise questionnaires are drawn based on final ANP network designed in phase 1, which has been automatically formed in SUPERDECISIONS software. To make sure that the questionnaires are worked effectively within allowable inconsistency, questionnaire testing is conducted to respondents. In this step, modification to questionnaires might be needed to improve effectiveness to gather appropriate data (Ascarya, 2011).

a. Geometric Mean

In phase 3, results or synthesis of ANP network in SUPERDECISIONS software for each respondent can be generated. The data are then exported to excel worksheet to be manipulated to produce the desired outputs. To produce scientific 'consensus' results, geometric means of all respondents' responses are calculated, re-inputted to ANP network in SUPERDECISION software and re-synthesized. This is the formula of Geometric Mean (Ascarya, 2011):

$$G = (a_1 a_2 \dots a_n)^{1/n} = \sqrt[n]{a_1 a_2 \dots a_n} \quad (3.1)$$

b. Rater Agreement

Kendall's coefficient of concordance can be calculated to assess the agreement among respondents. Finally, interpretation of detailed (individual) and overall (geometric mean) results is completed to be able to draw conclusions and to propose policy recommendations. *Kendall's Coefficient of Concordance* is identifying ($W; 0 < W \leq 1$). $W=1$ show perfect agreement among respondent (Ascarya, 2011).

To calculate Kendall's (W), the first step is to give a rank for every answer and sum it. Here are the formulas:

$$R_j = \sum_i r_{i,j} \quad R_i = \sum_j r_{i,j} \quad (3.2)$$

Mean result from total ranking is:

$$\bar{R} = \frac{1}{m} \sum_j R_j = \frac{1}{m} \sum_i R_i \quad (3.3)$$

The sum of deviation quadratic (S) is calculated by the formula:

$$\sum_i^n = 1(R_i - \bar{R})^2 \quad : \quad \sum_i^n = 1(R_i - \bar{R})^2 \quad (3.4)$$

And then, Kendall's W deduced:

$$= \frac{12S}{m^2(n^2-n)} = \frac{12S}{m^2(n^2-n)} \quad (3.5)$$

If W results is (W=1), we can conclude that all of respondents have perfect agreement, otherwise when the results is (W=0), it shows that there is no agreement among the respondent neither it has various answers (Ascarya, 2011).

3. Result and Discussion

Based on the identification of Indonesian cash waqf development problems, solutions, and strategies above, an ANP network structure was developed:

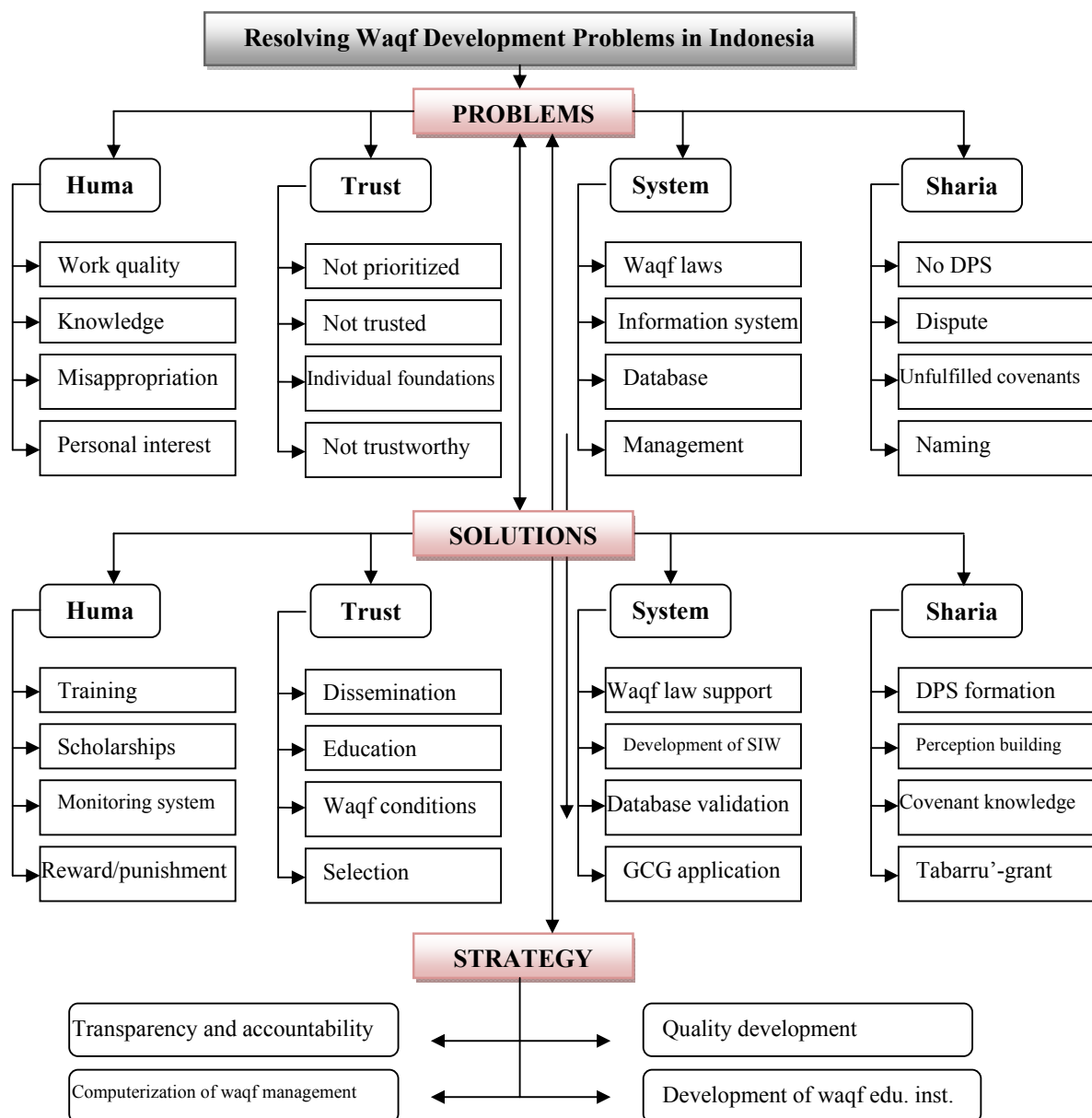


Figure 4.1. ANP Network Model

The results obtained showed a statistical consensus of the experts and practitioners in relation to problems, solutions, and strategies in the development of cash waqf in Indonesia. In Figure 4.2 below, the problem priority results showed that trust is the highest priority problem which has caused an arrested development of cash waqf in Indonesia at 29.54%. This is followed by sharia problems (27.92%), human resource problems (24.37%), and system problems (18.14%) as the last priority. The results of the rater agreement for problem clusters show that $W=0.053$, which means that 5% of the respondents agree that the priority problem of the development of cash waqf in Indonesia is trust.

In contrast with the problem cluster, the solution which is the priority in the development of cash waqf in Indonesia is the sharia aspect at 30.07%, followed by system (25.11%), human resources (23.56%), and finally trust (21.24%). The results for rater agreement for the solution cluster showed $W=0.102$, which means that 10.2% of the respondents agree that the priority solution for the development of cash waqf in Indonesia is within the sharia aspect. The results of the problem and solution clusters can be seen in the figure below.

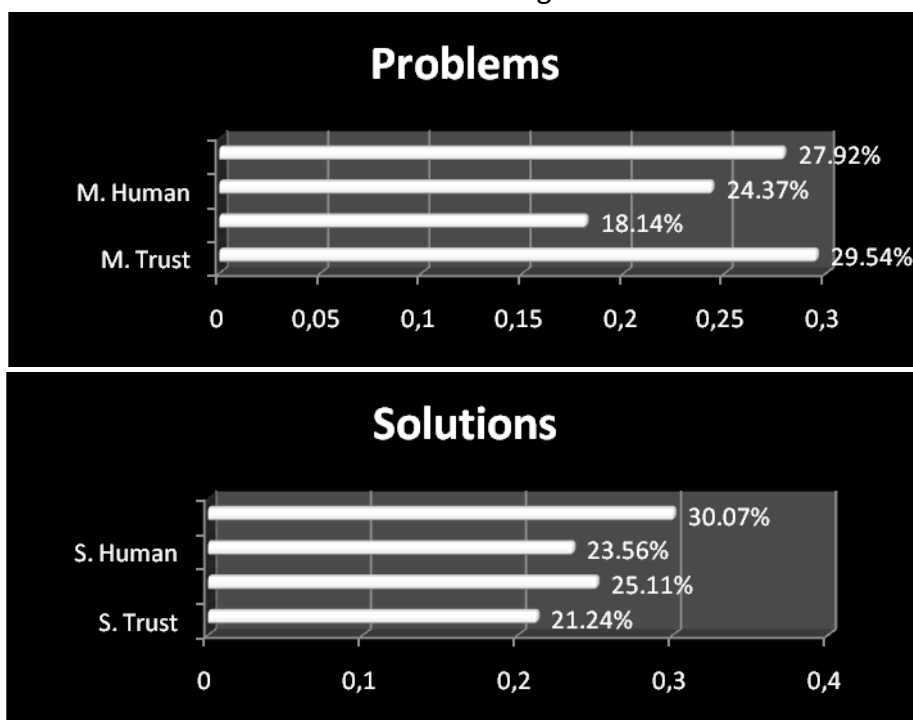


Figure 4.2. The Results of the Problem Synthesis of Problems and Solutions in the Development of Cash Waqf in Indonesia

Based on the synthesis results of the experts' opinion above, the most important problem in the development of cash waqf in Indonesia is trust. This suggests that the waqf donators do not completely trust the waqf managers to manage their donations in the form of cash. Some of the causes of the low trust in waqf managers could be the low quality of the waqf managers' work performance, the occurrence of corruption and misappropriation of waqf funds, the lack of cash waqf education for donators and the divided sharia opinion of whether the cash waqf covenant is halal or not, etc. The results of this study also show that in order to overcome these problems, the main solution is to resolve the sharia aspect. This means that the cash waqf is no longer a dispute among ulema' and the regulators have decided on the legality of the cash waqf covenant and formulated it in good regulations (laws), the donators' trust would grow and they would donate their wealth in the form of cash waqf.

Therefore, the discrepancy between the results of the priorities between problems and solutions are actually in harmony as the donators' trust issue needs to be resolved by formulating a regulation or law pertaining to waqf, especially its sharia aspect. As a result, the donators would feel more assured that the waqf funds are allocated in a way that is clearly halal and trustworthy. For a more detailed explanation, the following figure will describe the results of the synthesis in each sub-criterion cluster.

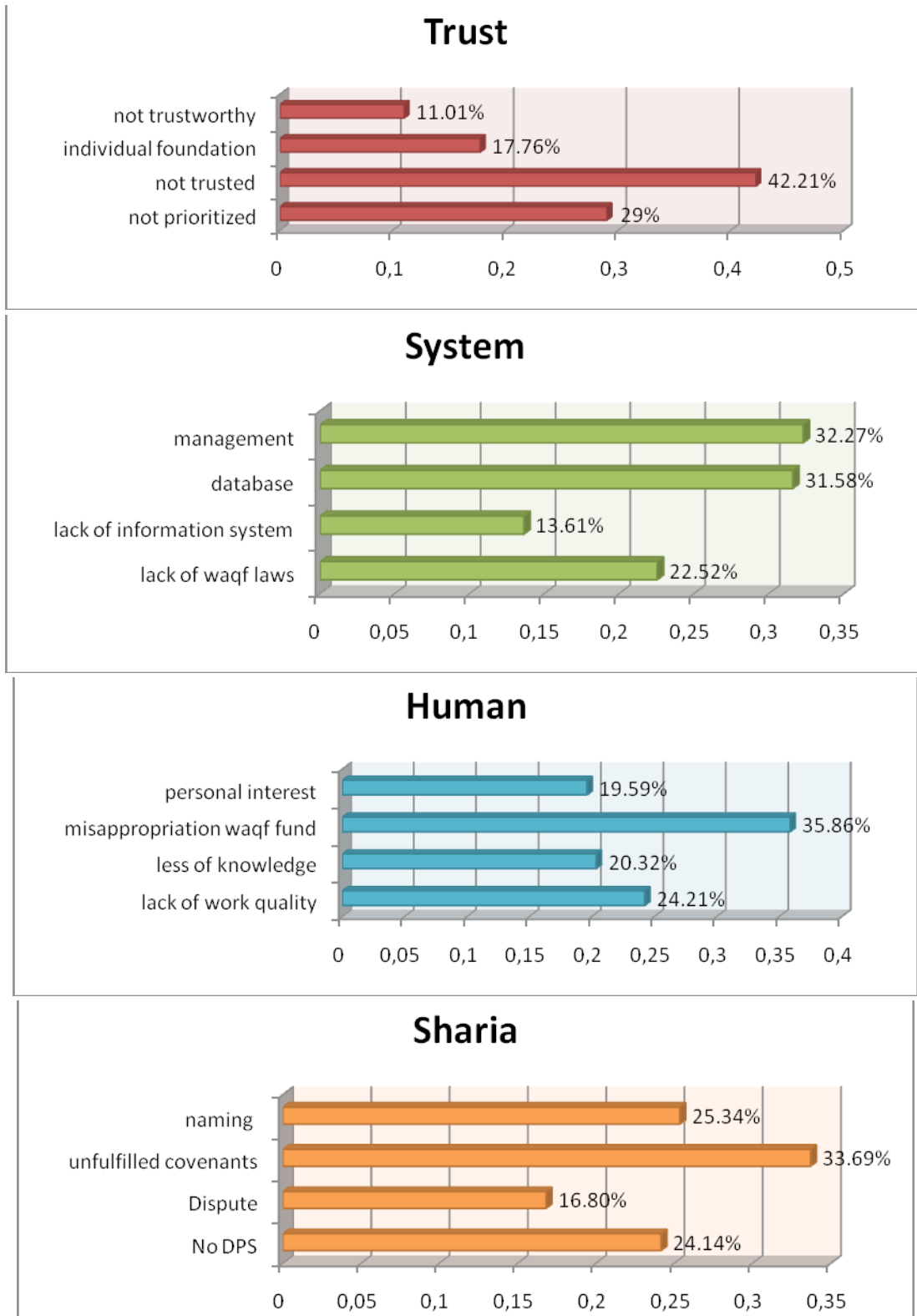


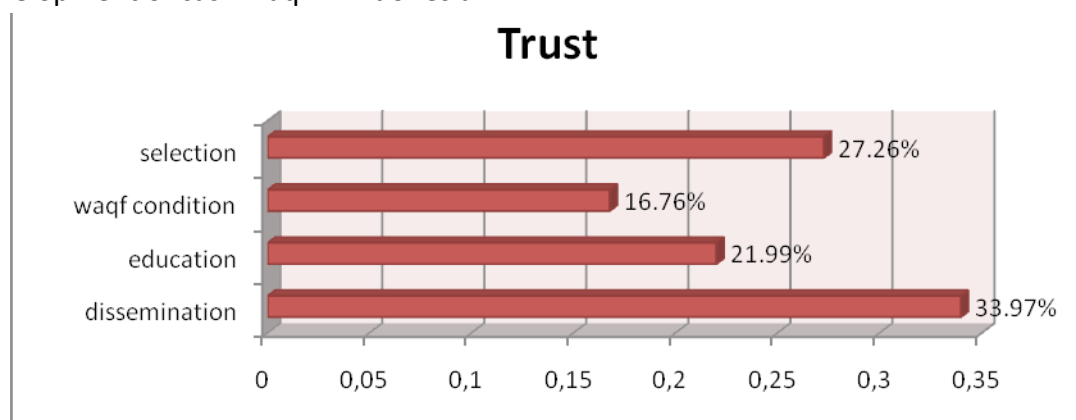
Figure 4.3. The Synthesis Results of Sub Criteria in the Development of Cash Waqf in Indonesia

The figure above shows that the priority problem in the trust aspect is the lack of donators' trust at 42.21%, followed by the fact that cash waqf is not considered a priority at 29%, the domination of individual foundations at 17.76%, and the last is the untrustworthiness of the waqf fund managers at 11.01%. The rater agreement for the trust issue sub cluster is $W=0.510$, which means that 51% of the respondents agree that within the trust aspect sub-criterion of the development of cash waqf in Indonesia, the main priority is the donators' lack of trust, followed by the fact that cash waqf is not considered a priority, the domination by individual foundations, and the untrustworthiness of the fund managers.

The main priority problem in the system aspect is the weak managerial system at 32.27%, followed by the non-valid waqf database at 31.58%, the weak waqf law at 22.52%, and finally the weak information system at 13.61%. The rater agreement for the system problem sub cluster is $W=0.1183$, which means that 11.83% of the respondents agree that, based on the priority, in the system aspect sub criterion of the development of cash waqf in Indonesia, the ranking is: first, the weakness of the managerial system, second, the non-valid waqf database, third, the weakness of waqf laws, and finally the weakness of the information system.

The main priority problem in the human resource aspect is waqf fund misappropriation at 35.86%, followed by the fund managers' low work quality at 24.21%, the lack of knowledge about waqf at 20.32%, and the last is personal interest at 19.59%. The rater agreement for the human resource problem sub cluster is $W=0.0846$, which means that 8.46% of the respondents agree that based on the priority, in the human resource aspect sub criterion of cash waqf development in Indonesia, the ranking is: first, waqf fund misappropriation, second, the weak work performance of fund managers, third, the lack of knowledge about waqf, and last, personal interest.

The main priority problem in the sharia aspect is unfulfilled covenants at 33.69%, followed by tabarru' fund investments at 25.34 %, the lack of sharia supervisors at 24.14%, and finally covenant dispute at 16.80%. The rater agreement for the sharia problem sub cluster is $W=0.1428$, which means that 14.28% of the respondents agree that based on the priority, in the sharia aspect sub criterion of the development of cash waqf in Indonesia, the ranking is: first, unfulfilled covenants, second, the investment of tabarru' funds, third, the lack of sharia supervisors, and finally the covenant dispute. The following figure elaborates the results of the synthesis of the solutions for the development of cash waqf in Indonesia.



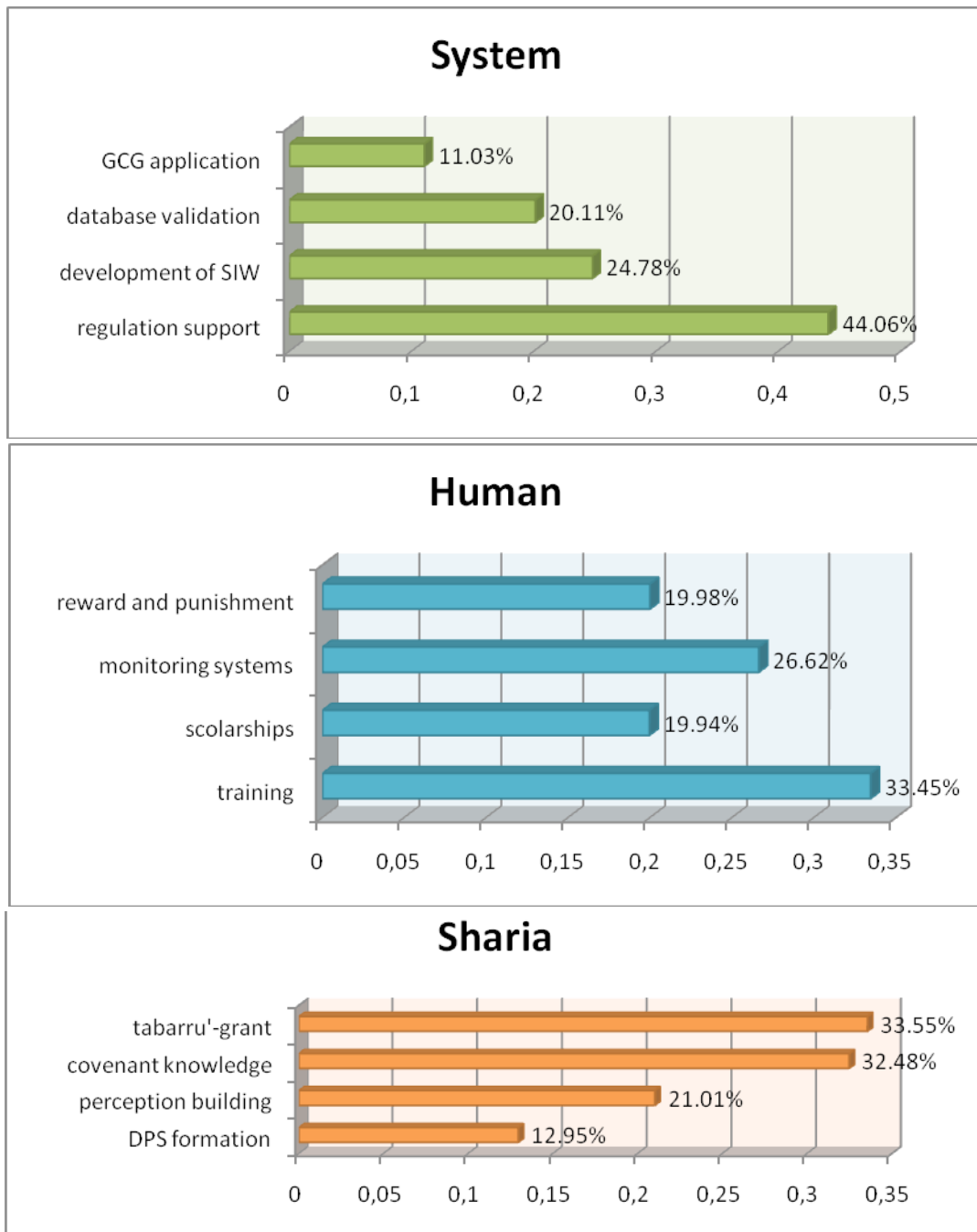


Figure 4.4. The Synthesis Results of the Solution Sub Criterion of the Development of Cash Waqf in Indonesia

The figure above shows that the priority solution in the trust aspect is dissemination at 33.97%, followed by the selection of prospective waqf fund beneficiaries at 27.26%, education at 21.99%, and last, the total waqf conditions for donations at 16.76%. The rater agreement for the trust solution sub cluster is $W=0.2069$, which means that 20.69% of the respondents agree that the solutions for the trust sub-criteria of the development of cash waqf in Indonesia based on the ranking is dissemination, selection of the prospective waqf fund beneficiaries, education, and total waqf conditions for donations.

The priority solution for the system aspect is the support from waqf regulations/laws at 44.06%, followed by the development of a waqf information system at 24.78%, the validation of the database system at 20.11%, and the last priority is the application of good corporate governance

at 11.03%. The rater agreement for the system solution sub cluster is $W=0.804$, which means that 80.4% of the respondents agree that the solutions for the system sub-criteria of the development of cash waqf in Indonesia based on the ranking is: the support of waqf regulations/law, followed by the development of a waqf information system, the validation of the database system, and the application of good corporate governance.

The priority solution for the human resource aspect is conducting training programs about waqf and the management of waqf funds at 33.46%, followed by the development of a financial monitoring system at 26.62%, the application of a reward and punishment system at 19.98% and the last priority is scholarships at 19.94%. The rater agreement for the human resource solution sub cluster is $W=0.1102$, which means that 11.2% of the respondents agree that the solutions for the human resource sub-criteria of the development of cash waqf in Indonesia based on the ranking is: conducting training programs about waqf and waqf fund management, followed by the development of a financial monitoring system, the application of a reward and punishment system, and scholarships.

The priority solution for the sharia aspect is changing the term "tabarru" to "grant funds" at 33.55%, followed by the explanation of the covenants at 32.48%, undivided perceptions at 21.01% and the last priority is the need for a DPS (Dewan Pengawas Syariah-Sharia Supervisory Board) for waqf institutions at 12.95%. The rater agreement for the sharia solution sub cluster is $W=0.37.95$, which means that 37.95% of the respondents agree that the solutions for the sharia sub-criteria of the development of cash waqf in Indonesia based on the ranking is: changing the term from "tabarru" to "grant funds", followed by explanation of the covenants, an undivided perception, and the need for a DPS (Dewan Pengawas Syariah-Sharia Supervisory Board) for waqf institutions. The following figure will summarize the results of the strategy synthesis of the development of cash waqf in Indonesia.

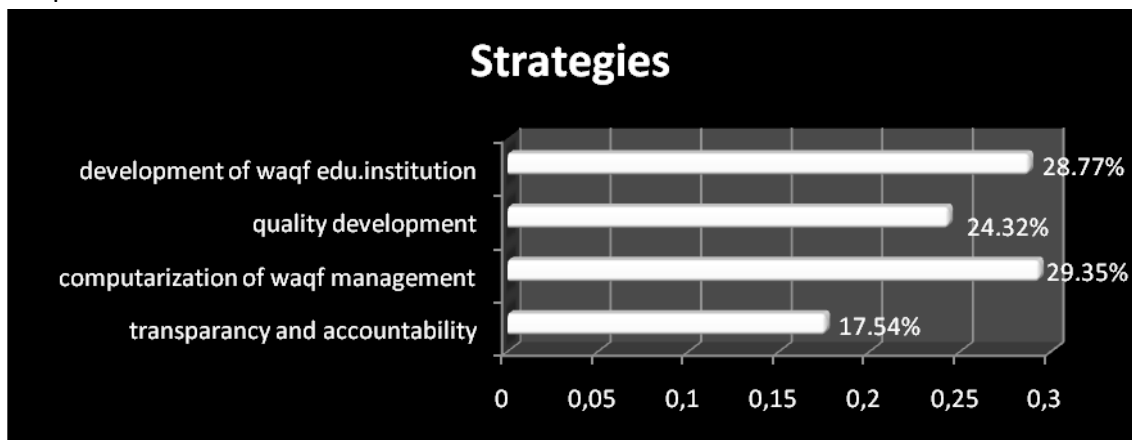


Figure 4.5. The Results of the Strategy Synthesis for the Development of Cash Waqf in Indonesia

Based on the figure above, it can be seen that the strategy which is the highest priority in cash waqf development in Indonesia is computerization of waqf fund management at 29.35%, followed by the development of waqf education institutions at 28.77%, the improvement of waqf fund managers at 24.32%, and last is transparency and accountability at 17.54%. The result of the rater agreement for the trust solution sub cluster is $W=0.1346$, which means that 13.46% of the respondents agree that based on the priority levels, cash waqf development strategies in Indonesia are: first, computerization of waqf fund management, second, development of waqf education institutions, third, improvement of waqf fund managers, and last, transparency and accountability.

4. Conclusion

The results of this study show that the problems occurring in the development of cash waqf in Indonesia consist of 4 important aspects, i.e.: trust, human resources, system, and sharia. The analysis of the problems as a whole resulted in a priority list as follows: 1) trust problems (the first priority for the trust sub-criterion is the donators' lack of trust), 2) sharia problems (unfulfilled waqf covenants), 3) human resource problems (misappropriation of waqf funds), and 4) system problems (the weaknesses in the managerial system).

As for the solution priorities which are believed to be able to solve the problems in developing cash waqf are: 1) sharia solutions (changing the term "tabarru" to "grant funds", 2) system solutions (waqf regulation/law support), 3) human resource solutions (conducting training programs about waqf), and 4) trust solution (dissemination).

The strategies that could be employed in developing cash waqf based on their ranks are: 1) computerization of waqf fund management, 2) development of waqf education institutions, 3) improvement in waqf fund management quality, and 4) transparency and accountability.

Some suggestions and recommendations that the author would like to make are:

- a. There should be a mutual agreement among decision-makers in supporting and promoting the effort to develop waqf institutions, especially those involved in cash waqf.
- b. This study should help broaden academic studies related to waqf. Prioritizations of problems and solutions for the development of cash waqf should give accurate input for all the related parties of what problems should be dealt with first and which solution is best.
- c. Further studies using a similar approach (ANP) are suggested in order to increase the number of respondents from related parties which are considered as knowledgeable of waqf issues in Indonesia.

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