

Cash Waqf a Tool to Support Children Education in Covid-19 Pandemic

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ABSTRACT

The outbreak of Covid-19 restricts public activities. The real impact of Covid-19 is the decrease in the income of some people. Employees stay at home. Traders stop selling temporarily because the market is closed. Transport drivers have reduced passengers. Everyone has a lot of needs. Such food, shelter, education, and health. The main problem is the cost of children's education who go to school. Parents should pay additional costs besides basic costs, like school fee, and book money. The additional cost is for online learning. Online learning uses information technology like smartphones and the internet. The problem is that not all families have a smartphone for their children. However, children get materials, tasks, work, and report tasks using smartphones. This certainly adds to the cost of parents expenses. To help people who have reduced income in the pandemic, it is necessary to optimize the empowerment cash of *waqf* in order to bring benefits to the people, based on the provisions of *waqf* implementation.

The research aims, to analyze cash *waqf* and its benefits to support children's education in Covid-19 pandemics. The research is normative juridical research. The data sources in this research are secondary data. The technique use for collecting data is a documentation study.

The research found that the cash *waqf* has great potential if managed well. The management of cash *waqf* should be done professionally. Cash *waqf* is invested in productive fields, so that the cash *waqf* development fund can be used to help people affected the Covid-19 pandemics. One of them is to help with the cost of supporting the child's education.

The empowerment of cash *waqf* is a solution for people who experience a lack of income due to Covid-19. As a form of concern to people, cash *waqf* empowerment activities to support children's education contain an element of investment for the child's future as the next generation of the nation. Empowerment of cash *waqf* to support children's education in the pandemic can help children of the community who are financially impacted by of the Covid-19 outbreak. The cash *waqf* is given as an aid to pay the children's school fees or buy a smartphone.

With smartphones, children can easily access the subject matter and tasks given by their teacher. Children can do their job well and send their task reports to the teacher, during the pandemic, children task must be reported through the tool of information technology, such as by uploading videos through youtube. Cash *waqf* can also be used to provide facilities that make it easier for children to access the internet for the sake of learning.

Keywords: Cash Waqf, Children, Education, Covid-19 Pandemic.

1. INTRODUCTION

The spread of covid-19 in Indonesia is very disturbing to the community. Covid-19 causes many people to have difficulties in their life, especially in the economic sector. Among them are the difficulty of meeting the cost of daily life, not being able to pay debts, and even difficult to meet the additional costs for the education of her children. Especially the

To help people who have reduced income in the pandemic, it is necessary to optimize the

additional cost when studying online. When learning online, children need a communication tool that uses the internet, a smartphone. But the main problem is, not all children have personal smartphones. This causes children to be unable to receive materials and assignments from their teachers. The children also cannot do their job reports.

empowerment cash of *waqf* in order to bring benefits to the people, based on the provisions of *waqf* implementation.

This research aims to analyze cash *waqf* and its benefits to support children's education in the Covid-19 pandemics.

2. RESEARCH METHOD

The research is normative juridical research. It is an approach conducted based on legal materials by studying legal principles, concepts, and related legislation.

The data sources in this study are secondary data, consisting of primary legal materials, secondary legal materials, and tertier legal materials. The data collection tool used is a documentation study.

3. FINDINGS AND DISCUSSION

3.1. Cash *Waqf*

Based on the provisions of Article 1 item (1) of Law Number 41 of 2004 on *Waqf*, it is stated that *waqf* is an act of wakif law to separate and/or give up some of ones' property for eternal use or a certain period of time in accordance with their interests for the purposes of worship and/or general welfare according to *sharia* [1].

According to the Compilation of Islamic Law (KHI) as stated in Article 215 paragraph (1), *waqf* is the legal act of a person or group of people or legal entities separating part of their property and institutionalizing it for the eternally benefit of worship or other public purposes in accordance with Islamic teachings.

The followings are some regulation about *waqf* in Indonesia:

- a. The Law Number 41 of 2004 on *Waqf*.
- b. Government Regulation Number 42 of 2006 on The Implementation of Law Number 41 of 2004 on *Waqf*.
- c. Government Regulation Number 25 of 2018 on Changes to Government Regulation Number 42 of 2006 on The Implementation of Law Number 41 of 2004 on *Waqf*.
- d. Regulation of the Minister of Religion Number 73 of 2013 on Procedures for The Conversion of Unmobile Objects and Moving Objects Other than Money.
- e. Regulation of the Minister of Religion Number 4 of 2009 on The Administration of *Waqf* Money Registration.

- f. Indonesian *Waqf* Board Regulation Number 1 of 2009 on *Waqf* Property Management and Development Guidelines in the form of money.
- g. Indonesian *Waqf* Board Regulation Number 2 of 2010 on *Nazhir Cash Waqf*.

According to [2], there are at least two reasons for the establishment of the *Waqf* Law:

- a. Advancing general well-being. To achieve this goal, the potential of religious pranata that has economic benefits needs to be explored and developed. Among the measures seen as strategic to improve public welfare is to increase the role of *waqf* as a religious institution that currently only serves as a means of worship and social, to a pranata with economic power to advance the general welfare. Therefore, the excavation of the potential of *waqf* and the development of its utilization in accordance with *sharia* principles is inevitable.
- b. The *waqf* practice that currently exists in the community has not been fully ordered and efficient. *Waqf* possessions are not properly preserved, displaced, and even turned to the hands of third parties in a way that is against the law. The diversion and transfer of *waqf* objects into the hands of third parties occur because:
 - 1) Negligence or inability of *nazhir* in managing and developing *waqf* property;
 - 2) The attitude of people who are less concerned or do not understand the status of *waqf* property that should be protected as a medium to achieve general welfare in accordance with the objectives, functions, and provisions of *waqf*.

Waqf aims to utilize *waqf* property in accordance with its function (Article 4 of the *Waqf* Law). Some of the virtues of *waqf* are as follows [3];

- a. *Waqf* instills the nature of *zuhud* to help the interests of others.
- b. It turns on social and religious institutions for the sake of Islamic broadcasting and the superiority of Muslims.
- c. It instills awareness that in every property, even though it has become a legitimate property, it has a social function.
- d. *Waqf* realizes that life in the hereafter requires sufficient preparation. *Waqf* is a legal action that promises a sustainable reward.

The cash *waqf* is regulated in *Waqf* Law Number 41 of 2004 Article 16. If in the past, the *waqf* issue had more to do with immobile objects such as soil. Currently, the issue of *waqf* expands its scope on moving objects. Moving objects are properties that cannot be consumed (Article 16 paragraph 3). These include;

- a. Money;

- b. Precious metals;
- c. Marketable securities;
- d. Vehicles;
- e. Intellectual property rights;
- f. Rental rights; and
- g. Other moving objects in accordance with *sharia* regulations and applicable laws and regulations.

Cash *waqf* or money *waqf* can be interpreted as the handover of property in the form of cash to a person, group of people, or *nazhir* institution to be managed productively by not reducing or eliminating '*ain*' assets so that it can benefit by *mauquf alaih* in accordance with the demand of wakif in line with Islamic *sharia*[4].

Article 1 point 2 regulation of the Indonesian *Waqf* Agency Number 01 of 2020 on *Waqf* Property Management and Development Guidelines states that *waqf* money is a *waqf* in the form of money that is managed productively, the *mauquf alaih* [5].

Waqf money is a *waqf* conducted by a person/legal entity in the form of cash [6]. *Waqf* money is a *waqf* in the form of cash invested into profitable economic sectors with certain percentage provisions used for social services [7].

Mid May 2002 MUI has issued a fatwa on cash *waqf* as follows:

- 1) *Waqf* money (cash *waqf* or *waqf al-nuqud*), is a *waqf* performed by a group or a person or legal entity in the form of a cash *waqf*.
- 2) Included in the sense of money are securities.
- 3) *Waqf* whose law is *jawaz* (may be).
- 4) *Waqf* which can only be channeled and used for things that are permissible in *sharia*.
- 5) The principal value of *waqf* that must be guaranteed sustainable, should not be sold, served or inherited.

The money *waqf* registration mechanism in PP Number 42 of 2006 is *waqf* money that can be converted into rupiah currency. If the money to be converted is still in a foreign currency, it must be converted first into rupiah. *Wakif* can represent moving objects in the form of money through LKS appointed by the Minister as LKS Recipient of *Waqf* Money (LKS-PWU)[8].

3.2. Education

The National Education System Law (SPN Law) Number 20 of 2003 outlines that education is a conscious and planned effort to realize the learning atmosphere and learning process so that students actively develop their potential to have spiritual, religious, selfcontrol, personality, intelligence, noble

morals, and skills necessary for themselves, society, nation, and country [9].

Meaning of education is an effort by men to cultivate and develop the potentials of carrying, both physical and spiritual according to the values that exist in society and culture. Efforts are being made to instill these values and norms and bequeath them to the next generation to be developed in the life and life that occur in an educational process. Therefore, society's civilization takes place and there is an educational process as a human effort to preserve their life [10].

According to Ki Hajar Dewantara, education means efforts to advance the growth of ethics (inner strength, character), and mind (intellect and child body), so that we advance the perfection of life, life, and help children to be in harmony with the world [11].

Education can be interpreted as the result of a nation civilization developed based on the nation's view of life (the values and norms of society), which serves as the philosophy of its education or as an ideal and statement of its educational purpose. It indicates, how its citizens think behave and inherit the values, to the next generation. Its development, it will reach an advanced level of civilization or increased life values and the coaching toward a perfect life [10].

Education is a universal activity in human life, because exists throughout the world. Education is essentially an attempt by man to humanize themselves glorify humanity. To carry out proper and appropriate education, it is necessary to examine how the education should be carried out. The knowledge on which it is based must be tested. It is an educational science. Education without educational science will cause an educational accident Educational deeds are directed at humans to develop humans' basic potentials to become real humans [11].

Judging by the educational process, two facets that must be developed, individual processes and social processes. Some education experts emphasize on developing essential abilities (potential) that a child has since birth. As a social process, education should strive to preserve and bequeath cultural values to the next generation [11].

Some basic assumptions relating to the nature of education, according to Raka Joni are as follows [11]:

- a. Education is a process of human interaction characterized by a balance between the sovereignty of the subject of education and the dignity of education.
- b. Education is an effort to set up a subject in the face of a rapidly changing environment.

- c. Education improves the quality of personal and community life.
- d. Education lasts a lifetime.
- e. Education is a tip in applying science and technology principles to the formation of a whole human being.

3.3. Benefits of cash waqf to support children's education during Covid-19 pandemic.

Besides the function of worship to Allah SWT, *waqf* also has a social function. *Waqf* is a form of embodiment or statement of one's faith. Therefore, *waqf* is a means that can be used for a Muslims to realize and maintain the human relationship with Allah SWT and with other human beings in society.

Waqf is a form of obedience of as a servant to Allah, but more than that *waqf* is a form of social care of Muslims to the surrounding community, especially to improve the quality of society in various aspects of life [12].

Waqf is a valuable asset in the development of the people. *Waqf* has a social function that acts as a means and capital that has significantly contributed to the people's welfare.

One of the strategic measures to improve general welfare, to increase the role of *waqf* as a religious institution, not only aimed at providing various means of worship and social, but also has economic potential can advance the general welfare, so that its utilization needs to be developed following *sharia* principles [13].

Waqf plays a very important economic and social role in the history of Islam [14]. The history of *waqf* development in the heyday of Islam, has an important role in the advancement of Islamic civilization. The institutional *waqf* at that time was the determinant of the rise and fall of Islamic civilization. Therefore, it is time for *waqf* to again play a role in the development of the *sharia* economic system in the future as one of the monetary instruments.

Waqf in the current context has three, main features [15].

- 1) *Waqf* management pattern must be integrated. *Waqf* funds can be allocated to empower, programs with all kinds of costs contained therein.
- 2) The principle of welfare *nazhir*. *Nazhir's* job is no longer positioned as a social worker, but as a professional one.
- 3) The principle of transparency and responsibility.

Waqf is a precious asset in people's lives. *Waqf* assets can be used as a means to prosper the people.

Waqf holds great potential to be a productive asset, which is ultimately not only able to support religious and social services, but also support various social justice initiatives and objectives.

The purpose of *waqf* contains positive aspects for the life and welfare of the community. It can show concern for the needs of the community and, the development of affection relationship between wakif and members of the community. *Wakif* gets the reward as long as the *waqf* can be utilized by *waqf* or community recipient, as a source of productive funds because it can be used for extended period.

Waqf aims to provide benefits or benefits of the property converted to the rightful person and used following Islamic *sharia* teachings.

According to Islamic teachings, the purpose of *waqf* should have worship benefits such as mosques or other public interests such as educational institutions, foundations or social institutions, markets, and roads.

The purpose of the *waqf* project is to optimize the function of *waqf* treasure as a pre-means of improving the quality of resources[15].

Waqf has a social function in people's lives. It can develop people's economy [16].

In principle the *waqf* treasure belongs to the people. Therefore, its benefits should not be controlled by one party only. The people must feel the benefits of *waqf*. Its existence should be maintained collectively.

Mohsin [12] states that Islam encourages its people to not only build mosques or provide burial grounds through *waqf*, but to provide all socioeconomic needs of the community. *Waqf* law gives leeway for Muslims to develop as long as it does not violate the Islamic rules.

In order for *waqf* to develop and benefit the people, we increase the role of *waqf* as a religious institution that is not only aimed at providing means of worships, but also to advances the welfare of the public, such as developing productive *waqf* that can be used for the benefit of the wider community. When people are in acute poverty *waqf* should be considered as the primary solution. [17]

Waqf have potential development. Therefore, it is necessary to manage the existing *waqf* assets, bring wider benefits for productivity. The cash *waqf* is an example of productive *waqf*.

Waqf money is usually invested in profitable yet halal activities. The benefits are used to everything that is useful and can be enjoyed by many people, because

waqf funds can be managed for a variety of valuable things.

Waqf money is a trust fund that must be immediately handed over to *mauquf alaih*. One thing to note in the management of *waqf* is to ensure the perpetuation of *waqf* assets in order to continue to provide excellent benefits according to the objectives [15].

Waqf money (cash) is very potential to be developed in Indonesia, because with this model the reach of mobilization will be more evenly distributed to the target of the community in need compared to the concept of conventional traditional *waqf*, the physical property usually carried out by able and located families [17].

Cash *waqf* is can increase the role of *waqf* in the field of economics. It has a general power where everyone can donate property without certain limits. It is also, flexible can reach all sorts of potential development [18].

There are 4 (four) main benefits of money *waqf*, [19];

- a. *Waqf* money amount can vary so that someone who has limited funds can already start giving his *waqf* funds without having to wait to become a landlord first.
- b. Through cash *waqf*, *waqf* assets in the form of vacant land can be used for building construction or agricultural land.
- c. The cash *waqf* fund can also help as an Islamic educational institution whose cash flow is sometimes deflated and fund academic community.
- d. In turn, Muslims can be more independent in developing the world of education without having to always depend on the country's limited education budget.

Cash *waqf* has great potential if well handled. The management of cash *waqf* should be done professionally. If *waqf* assets are managed professionally and productively, the funds will be used to empower people.

Waqf assets can be utilized for various activities that do not conflict with *sharia* principles, whether in education, health, agriculture, investment, investment, and industrial activities.

Cash *waqfs* are invested in productive fields, so that the cash *waqf* development funds can be used to help communities affected by the Covid-19 pandemics. One of them is to help support children's education.

Indonesia is currently in a state of Covid-19 pandemics. The pandemic resulted in many restrictions

in various areas of life. Many members of the public are deprived in terms of income. They had problems in their lives due to Covid-19 has impacted many sides of people's lives, especially with regard to the field of education among the lower middle class. Reduced parental income, of course, will have a bad effect on their children's education. In other words, children should not stop studying due to Covid-19.

Children are the next generation of the nation. Education followed by children will determine the future of a nation. Education is the key to children development. Without a good and quality education, a child would be difficult to live. If the education is low, the child will easily be left from the age full of science.

Currently, due to Covid-19, children are not allowed to participate in the face-to-face learning process at school. Children can follow the learning process through an online system. Online systems are performed using information technology. Children in the online learning process most widely use information technology through smartphones and the internet. This will hamper, family that does not have a dedicated smartphone for all their children. This is where cash *waqf* plays a role in helping the community.

The empowerment of cash *waqf* is a solution for people who are lack of income due to Covid-19. Empowering cash *waqf* is one strategic way to support children's education. As a result of Covid-19, children should learn to use smartphones supported by internet. They get lesson materials, tasks or exercises given by teachers through smartphones. They also report tasks and take exams using smartphones.

Cash *waqf* empowerment activities to support children's education contain an element of investment for the future of the child as the next generation of the nation.

The empowerment of cash *waqf* to support children's education in the pandemic era can be done by helping the children of community members who are financially unfortunate due to the covid-19 outbreak. The proceeds from the cash *waqf* are given to help pay the child's school fees.

In addition to paying the school fees, it can also be used to buy a smartphone. Smartphones are handed over to the child through their parents, to support their educational process during the Covid-19 pandemics. With smartphones children can easily access the school materials and tasks given by their teachers. Children can do their job and send their work reports to teachers more easily. Thus, children still get an education even through the online system.

In the current pandemic era, children often upload their homework to youtube. This requires internet quota. Cash *waqf* can also be used provide internet access to school children. If the child has exhausted the quota, or does not have enough quota, they may use the internet provided through *waqf*. Thus, the child does not have any problems in following the learning process.

The management of cash *waqf* channeled for children's education will improve the quality of children's education. With a good education the child can be directed in their life well anyway. It is hoped that the child will become an independent, accomplished, and capable generation of achieving his goals and having a bright future.

The management of cash *waqf* to support children's education during the Covid-19 pandemic should be done with good management. The goal is for the *waqf* program to be implemented effectively and efficiently, can and developed in the future.

The *waqf* management system is one of the important aspects in developing a new *waqf* paradigm in Indonesia. In the old paradigm *waqf* emphasizes the importance of preservation and immortality of *waqf* objects. In the new paradigm the *waqf* focuses more on the more tangible aspects of utilization without losing the existence of the *waqf* object [20].

In order to maximize the management of cash *waqf*, supervision is necessary, so that the *waqf* can be empowered and utilized for the welfare of the people.

Therefore, there needs to be *sharia* supervision on *waqf* property in order to ensure compliance with *waqf* laws [21].

Sharia supervision is all methods and procedures carried out by the management with the help of *sharia* councils in *waqf* institutions. This supervision includes internal *sharia* supervision and external *sharia* supervision to ensure the application of *sharia* laws in all aspects relating to the development of proper *waqf*, maintenance of *waqf* property, investment in appropriate areas, distribution of profits to *mauquf 'alaih* under the requirements of *wakif*, and continuous supervision at the time of *waqf* activities, to ensure *nazhir* and the workers comply with these laws [22].

Internal *sharia* supervision is carried out by employees who are experts in *sharia* from within the *waqf* institution. Their job is to thoroughly and continuously investigated from start to finish [21].

External *sharia* supervision can be done through *sharia* supervision offices, or a central *sharia* council that oversees *waqf*. Its job is to focus on monitoring all

activities and results by examining document, and balance sheet reports [21].

4. CONCLUSION

The management of cash *waqf* channeled to financially unfortunate families due to Covid-19, will certainly have a positive impact. With the cash *waqf*, the community is more independent and able to develop children's education. Children could later follow the learning process and the lessons, through the online system. This will certainly improve the quality of children's education as the next generation of the nation, and will reduce the unemployment rate. If the unemployment rate decreases, it will undoubtedly to achieve the welfare of the people.

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