

1026- WAKAF CONTRIBUTION TO THE MILLENNIUM DEVELOPMENT GOALS (MDGs) AGENDA IN EDUCATION AND HEALTH FIELD IN INDONESIA

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ABSTRACT

This article wants to prove that waqf is not only for worship purposes, like mosques. Based on Indonesia's experience, waqf has contributed to broader fields, including education and health. The existence of waqf in Indonesia has a major contribution to the Sustainable Development Goals (SDGs). In 2000 the United Nations launched the Millennium Development Goals (MDGs) program. Among the programs launched are Education and Health. This program was considered successful and ended in 2015. Subsequently, the program was adopted by 193 countries including Indonesia to become Sustainable Development Goals (SDGs). Waqf which has an eternal nature has made a major contribution to the sustainable development of the fields of Education and Health, even long before. After the program was rolled out, waqf of course made a significant contribution. Religious institutions, such as Muhammadiyah, NU, Al-Irsyad, and many foundations have contributed by establishing educational institutions and hospitals. For example, Muhammadiyah reaches more than 10 thousand, to be precise, 10,381 educational institutions ranging from kindergarten to university level and 97 hospitals and 214 clinics. Likewise, Nahdhotul Ulama has around 24 thousand Islamic boarding schools. As waqf assets, these educational and health institutions will continue to exist. However, many and generally do not have a lasting source of funding. Therefore, to maintain the sustainability of these institutions, it is necessary to think about the existence of accompanying waqf. One opportunity to become a companion waqf is cash waqf which has been recognized by the state through Law Number 41 of 2004 concerning Waqf. The results of cash waqf management can become an endowment fund.

Key words: *Waqf, Contribution, Millenium Development Goals, Supporting Waqf*

INTRODUCTION

On 6-8 September 2000, the United Nations held a summit in New York, USA. It was attended by heads of state and heads of government of the UN members. The participants agreed to create a more prosperous, just and peaceful world. The agreement was the forerunner of the Millennium Development Goals (MDGs) (Lisbet, 2013: 130).

This declaration is an agreement of UN members on a package of global development directions formulated in several goals, namely: 1. Eradicate Poverty and Hunger, 2. Achieve Primary Education for All, 3. Promote Gender Equality and the Empowerment of Women, 4. Reduce Child Mortality, 5. Improve Maternal Health, 6. Combat HIV/AIDs, Malaria and Other Communicable Diseases, 7. Ensure Environmental Sustainability, and 8. Build a Global Partnership for Development. The MDGs declaration is the result of struggle and mutual agreement between developing and developed countries. Developing countries are obliged to implement them, while developed countries are obliged to support and provide assistance towards the success of each goal and target of the MDGs (<https://berkas.dpr.go.id/puskajianggaran/kamus/file /kamus-46.pdf>, downloaded on 30 June 2021).

In the 2012 MDG report, the MDG agenda has been considered successful by the heads of state and government of UN member states in providing support and attention to the world to achieve the millennium development targets in accordance with the goals contained therein (Lisbet, 2013: 130). Success does not mean that there is nothing else to be concerned about in this world, for example, no more poor people, no more illiterate people, no more sick people. The success is seen from the policies of countries in supporting the MDGs.

In 2015 this world agenda ended, but that does not mean that global development has ended. Development must continue. So as a continuation, 193 countries, including Indonesia, agreed to adopt a new global development agenda known as the Sustainable Development Goals (SDGs). The MDGs formulated by the Organisation for Economic Co-operation and Development (OECD) countries and experts from several international institutions are different from the SDGs, which involve a wider range of stakeholders. From the very beginning, the SDGs were created through a very inclusive participatory process by directly consulting with all groups (government, civil society, academia, the private sector and philanthropy) from both developed and developing countries (SMERU Bulletin No. 2/2017, p.3).

According to Maqashid ash-Shari'ah theory, all islamic teachings are intended to safeguard the interests of the people, whether dharuriyat, hajjiyah or tahsiniyyah. Traditionally, there are 5 (five) benefits to be maintained, namely religion, soul, mind, property and offspring. Along with the progress of the times there are other benefits that are added, such as the environment, honour and so on.

The problem is whether Islam has contributed in realising the Millennium Development Goals? In this paper, the author will present one of the teachings of Islam, namely waqf in relation to the MDGs, especially in relation to education and health. Waqf is one of the teachings that displays the humanist side of Islam.

WAQF

Definition

In language, waqf means منع or prevent and حبس or hold (Munawir, :1682). Waqf is synonymous with the words at-tahbi>s and at-tasbi>l (Zuhailiy, tt: 8599). Another word that is also used for the purpose of waqf is sodaqoh (Syalabi, 1957: 19). Judging from the science of shorof the word al-Waqf (الوقف) is a masdar (gerund) form of the word waqafa (وقف). Ibn Mandzur states that the word ahbasahu means amsakahu (to hold). The sentence habbasa al-faros fi> sabi>lilla>h (حبس الفرس في سبيل الله) means donating horses to soldiers to ride when fighting fi> sabi>l Alla>h. While the phrase waqf al-ard { 'ala> al-masa>ki>n (وقف الارض على المساكين) means donating land to the poor (Ibn Mandzur, 1301 AH / volume 11: 276).

In terms of terms, there are several opinions. Each opinion reflects the view of the formulator. The following is the definition of waqf formulated by experts:

- a. According to the scholars of the four madhhabs (Schools):

The imams of the four madhhabs actually did not formulate the definition of waqf. They expressed their principles or opinions about waqf, which their followers used as a basis for formulating their understanding. The following are the opinions of the imams of the mazhab and the definitions formulated.

1) Hanafi School

According to Abu Hanifah, waqf is similar to 'ariyah (loan) which is goiru la>zim or not permanent (al-Sarakhsi>, 1993/XII: 27). Like a loan, waqf is only a temporary thing that remains the property of the waqif and will return to him when the time has expired. Based on this principle, Sarkhasi> defines waqf according to Imam Hanafi as follows:

Ibn Hamma>m, one of the leading scholars of the Hanafi school of thought, put forward another definition according to Imam Hanafi, namely that waqf is holding objects in the ownership of the waqif and giving away their benefits in the status of borrowing (Ibn Hamma>m, 1995: 190). This definition is very much in line with Abu Hanifah's principle that waqf has the same principle as borrowing.

2) Maliki School

According to Ibn Arafat, one of the important figures of this madhhab, waqf is giving the benefit of something at the limit of its existence at the same time as the waqf remains in the possession of the giver even if it is only an estimate (Al-Kabisi, 2004: 55). Another definition is to withhold an object from transactions that cause transfer, such as buying and selling, grants, wills and donating its benefits for good as a charity that releases ownership temporarily or permanently while remaining the property of the waqif (Basya, 2006: 80).

3) Syafi'i School

Muhamad al-Kabisi (2004: 40-41) suggests several definitions put forward by the scholars of the Shafi'i school as follows:

- a) Imam Nawawi defines waqf as the act of "holding property that can be taken advantage of not for himself, while the object remains and the benefits are used for good and closer to Allah".
- b) Ash-Sharhini al-Khatib and Ramli al-Kabir defined it as the act of "withholding property that can be benefited by maintaining the security of the object and severing its ownership from its owner for permissible things".
- c) Ibn Hajar al-Haitami and Shaykh Umairah defined waqf as the act of "holding back property that can be utilised by preserving the integrity of the property by severing ownership of the property from its owner for permissible purposes".

4) Hanbali School

Ibn Qudamah, a Hanbali school leader, in al-Mugni defines waqf in a formulation that is relatively short compared to the definitions of other scholars. According to him, waqf is تحبيس الأصل و تسبيل الثمرة that means: to hold the principal (property) and give away the proceeds/benefits (Ibn Qudamah, tt/VI: 165).

Although the above definition is very short, Muhammad al-Kabisi places it as the preferred definition among other definitions (al-Kabisi, 2004: 61-62). Al-Kabisi suggests three reasons.

Firstly, the definition is quoted from the Prophet's hadith to 'Umar in the matter of the Khaibar land waqf. Second, the definition is not challenged by anyone because it is the Prophet's words. Thirdly, the definition only limits the essence of waqf and does not contain anything other than waqf that could potentially lead to differences of opinion.

5) According to Positive Law

In Indonesian positive law, there are several definitions of waqf, including:

- a) According to PP No. 28 of 1977 (an implementing regulation of Law No. 5 of 1960 concerning Basic Regulations on Agrarian Principles), waqf is a legal act of an individual or legal entity that separates part of its assets in the form of property and institutionalized it forever for the benefit of worship or other public purposes in accordance with the teachings of Islam.
- b) According to Book III KHI concerning the Law of Perwakafan Chapter 1 Article 215 Paragraph (1) waqf is a legal action of a person or group of people who separate part of their property and institutionalise it for the benefit of worship or other public interests in accordance with Islamic teachings.
- c) According to Law No. 41 of 2004 concerning Waqf, Article I No. 1, waqf is a legal action of a waqif to separate and / or hand over part of his property to be utilised forever or for a certain period of time in accordance with his interests for the purposes of worship and / or public welfare according to sharia "

From the formulations of the definition of waqf above, it can be concluded that the understanding of waqf in Indonesia has developed in various aspects. There are at least two aspects, namely the waqf object (mauqu>f bih) and the time period. In Government Regulation No. 28 of 1977, it is stated that waqf objects are only land with a perpetual period. In KHI, there are developments regarding waqf objects that are not only in the form of property land, while the time period has not changed, namely for all time. Further development occurs in Law No. 41 of 2004 which does not determine mauqu>f bih on certain objects only and does not limit the period to be forever.

Designation of Waqf Assets

The designation of waqf is not specifically limited like zakat which has been determined for eight groups. Among others, it is mentioned in a hadith as follows (Al-Bukhari, 2012: 392) :

عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ عُمَرَ بْنَ الْخَطَّابِ أَصَابَ أَرْضًا بِخَيْبَرَ فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْمِرُهُ فِيهَا فَقَالَ يَا رَسُولَ اللَّهِ إِنِّي أَصَبْتُ أَرْضًا بِخَيْبَرَ لَمْ أَصِبْ مَالًا قَطُّ أَنفَسَ عِنْدِي مِنْهُ فَمَا تَأْمُرُ بِهِ قَالَ إِنَّ شَيْئًا حَسَنًا. أَصْلَهَا وَتَصَدَّقْتَ بِهَا قَالَ فَتَصَدَّقْ بِهَا عُمْرُ أَنَّهُ لَا يَبَاغُ وَلَا يُوهَبُ وَلَا يُورَثُ وَتَصَدَّقْ بِهَا فِي الْفُقَاءِ وَفِي الْقُرْبَى وَفِي الرِّقَابِ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ وَالضَّيْفِ لَا جُنَاحَ عَلَيَّ مَنْ وَفِيهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ وَيُطْعِمَ غَيْرَ مُتَمَوِّلٍ

Meaning: Ibn 'Umar (may Allah be pleased with him) reported that 'Umar ibn al-Khatthab (may Allah be pleased with him) received a share of land in Khaibar, and he went to the Prophet (peace and blessings of Allah be upon him) to ask his opinion about it, saying: "O Messenger of Allah, I received land in Khaibar which I have never received anything more valuable than that. So what do you command about the land?" So he said: "If you wish, you may keep the trees, and then you may give in charity from the fruit." Ibn 'Umar (may Allah be pleased with him) said: "So 'Umar gave it in charity, and he did not sell it, give it away or bequeath it, but he gave it in charity to the poor, his relatives, to free slaves, fii sabilillah, ibnu sabil and to entertain guests.

And there is no sin on the one who is in charge of it to eat from it in a proper way and to feed others, not to hoard it.

In another hadith it is mentioned as follows (Al-Bukhari, 2012: 209):

عَبْدُ اللَّهِ بْنُ أَبِي طَلْحَةَ أَنَّهُ سَمِعَ أَنَسَ بْنَ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ يَقُولُ كَانَ أَبُو طَلْحَةَ أَكْثَرَ الْأَنْصَارِ بِالْمَدِينَةِ مَالًا مِنْ نَخْلٍ وَكَانَ أَحَبَّ أَمْوَالِهِ إِلَيْهِ بَيْرُحَاءُ وَكَانَتْ مُسْتَقْبَلَةَ الْمَسْجِدِ وَكَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدْخُلُهَا وَيَشْرَبُ مِنْ مَاءٍ فِيهَا طَيِّبٍ قَالَ أَنَسُ فَلَمَّا أَنْزَلَتْ هَذِهِ آيَةُ { لَنْ تَنَالُوا الْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ } قَامَ أَبُو طَلْحَةَ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَهَا عِنْدَ اللَّهِ فَضَعَّهَا يَا رَسُولَ اللَّهِ حَيْثُ أَرَاكَ اللَّهُ قَالَ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِخِ ذَلِكِ مَالٍ رَابِحٌ ذَلِكَ مَالٌ رَابِحٌ وَقَدْ سَمِعْتُ مَا قُلْتَ وَإِنِّي أَرَى أَنْ تَجْعَلَهَا فِي الْأَقْرَبِينَ فَقَالَ أَوْ طَلْحَةَ أَفْعَلِ يَا رَسُولَ اللَّهِ فَفَسَمَهَا أَبُو طَلْحَةَ فِي أَقْرَابِهِ وَنَبِيَّ عَمَهُ تَابِعَهُ رَوْحٌ وَقَالَ يَحْيَى بْنُ يَحْيَى وَإِسْمَاعِيلُ عَنْ مَالِكِ رَابِحٌ

Meaning: Has told the Meaning: Has told us [Abdullah bin Yusuf] has told us [Malik] from [Ishaq bin 'Abdullah bin Abu Talhah] that he heard [Anas bin Malik radiallahu 'anhu] say; Abu Talhah was the person with the most wealth among the Ansar in the city of Medina in the form of a palm tree garden and the property he loved most was Bairuha' (the well in the garden) which faced the mosque and the Prophet sallallahu'alaihiwasallam often entered the garden and drank from it. the water is good. Said, Anas; When the word of Allah Ta'ala came down (QS Alu 'Imran: 92 which means): "You will never reach (perfect) virtue, until you spend part of the wealth that you love", Abu Talhah went to Rasulallah Sallallahu'alaihiwasallam then said; "O Messenger of Allah, indeed Allah Ta'ala has said: "You will never reach (perfect) virtue, until you spend part of the wealth that you love", and indeed the treasure that I love most is Bairuha' and I pray for it in the way of Allah, hoping for goodness and a store of reward with Him, then take it, O Messenger of Allah, as Allah has instructed you." He (Anas) said: "So the Messenger of Allah (peace and blessings of Allaah be upon him) said: Wow, this is a profitable treasure, this is a profitable treasure. Indeed, I have heard what you said and I think it would be better for you to give charity to your relatives." So Abu Talhah said, "I will do it, O Rasululloloh. So Abu Talhah divided it among his relatives and his uncle's children." This hadith is also corroborated by [Rauh] and says, [Yaha bin Yahya] and [Isma'il] from [Malik]: "The reward continues to flow" ..

In positive law, as mentioned in Law No. 41 Year 2004 Article 22, as follows:

a. Facilities and activities of worship

There is no explanation of what is meant by worship facilities and activities. The Explanation only states "quite clearly". It seems that what is referred to as worship in this case is specific worship, especially prayer. This is because in its broadest sense, worship also includes charity, grants, education, health and other good deeds. But because each is mentioned individually, the worship in question is not in its broadest sense.

Based on the above thoughts, it is certain that what is meant by facilities and activities of worship are mosques, mushalla and the like. Although actually the mosque is not only for prayer. At the time of the Prophet the mosque had multiple functions, both for worship, education and even for war training (Dahlan, 1996: 1134). In the Nabawi mosque complex, the Prophet's residence was also built and rooms were provided for people who did not have a house called ahl suffah (Supardi and Amirudin, 2001: 7).

b. Education and Health Facilities and Activities

1) Educational Facilities and Activities

Education is one of the basic human needs. According to Law Number 20 of 2003 concerning the National Education System article 1 number 1 education is :

conscious and planned efforts to create a learning atmosphere and learning process so that students actively develop their potential to have spiritual strength, self-control of personality, intelligence, noble character, and skills needed by themselves, society, nation and state.

2) Health Facilities and Activities

Health is one of the basic human needs. So health facilities are also a necessity. According to Law No. 23 of 1992 concerning Health, article 1 number 4, health facilities are places used to organise health efforts. The scope according to article 56 includes medical centres, general hospitals, special hospitals, doctor's practices, dentist's practices, specialist doctor's practices, specialist dentist's practices, midwife's practices, drug stores, pharmacies, pharmaceutical wholesalers, drug and drug manufacturers, laboratories, schools and health academies, health training centres and other health facilities.

c. Assistance to the Poor, Neglected Children, Orphans, Student Fees

This provision emphasises more on the issue of recipients of waqf benefit distribution, and does not discuss its concrete manifestations. Therefore, its manifestation can vary. Broadly speaking, it can be consumptive or productive. For those that are consumptive, of course, it is not the waqf goods that are assisted, but the productive waqf products or benefits. As for the productive ones, it can be waqf goods, or the results or benefits.

d. Advancement and Improvement of the People's Economy

The allocation of waqf assets is not solely for the benefit of worship and social facilities but is also directed to promote public welfare by realising the potential and economic benefits of waqf assets. This allows the management of waqf assets to enter the area of economic activities in a broad sense as long as the management is in accordance with the principles of Shari'ah management and economics.

e. Advancement of Other Public Welfare Not Contrary to Shari'ah and Laws and Regulations

The realisation of public welfare is in line with the function of waqf as stated in article 5 of the Waqf Law. There is no explanation of how waqf is intended to realise public welfare. The scope can be very broad, covering everything that is needed to support welfare. These needs can be primary, secondary or tertiary.

C. Waqf's Contribution to the MDGs Agenda in the Fields of Education and Health

1. Education Sector

The education intended by the MDCs is primarily primary education (Achieve Universal Primary Education). The 1945 Constitution states as follows. (1). Article 31, paragraph 3 states, "The government shall endeavour and organise a national education system, which shall enhance faith and devotion and noble character in order to educate the nation, as regulated by law", (2). Article 31, paragraph 5 states, "The government promotes science and technology by supporting religious values and national unity for the advancement of civilisation and the welfare of mankind".

Education in Indonesia is taken within 9 years, from elementary to junior high school. This is also reinforced by Law of the Republic of Indonesia Number 20 of 2003 concerning the National Education System (Sisdiknas), Article 6 paragraph (1):

"Every citizen aged seven to fifteen years must attend basic education."

In Indonesia, the number of children dropping out of school at the primary education level has decreased significantly from year to year. From 60,066 in 2015/2016 to 32,127 in 2017/2018. The Average Years of Schooling (AOLS) increased from 7.73 years (2014) to 8.10 years (2017). The Expected Years of Schooling also increased from 12.39 years (2014) to 12.85 years (2017) (<https://www.kemdikbud.go.id/main/blog/2018/10/perbaikan-kualitas-manusia-melalui-pendidikan-dasar-dan-menengah>, downloaded on 2 July 2023).

This success cannot be separated from the role of Islam through the institution of waqf. In Islam, education is very important to transform its teachings. Da'wah carried out by the Prophet was basically an educational process. The role of waqf for education has existed since the establishment of the mosque, because in addition to worship, since the time of the Prophet the mosque has also functioned as a place of education. This tradition was continued by the caliphs. Even since the time of Caliph Umar Ibn Khattab, the teachers who taught in the mosque were officially appointed and given salaries by the Caliph (Zarkasyi, 2005: 39).

The development of education raises the need for greater facilities and infrastructure. It is not enough for education to be based on the mosque. Therefore, the need for waqf in this field is also growing. Based on this need, waqf institutions were established to serve this field. Islam developed quite rapidly through this educational channel.

Among boarding schools, for example, there is the Waqf Board of the Gontor Modern Islamic Boarding School in Ponorogo, which manages the waqf in the form of a cottage and its assets from the Trimurti founders of the boarding school, namely K.H. Ahmad Sahal, K.H. Zaenudin Fanani and K.H. Imam Zarkasyi. The handover of the waqf took place on 12 October 1959 (Zarkasyi, 2005: 93). With good management, the waqf has grown rapidly until now.

In Tebuireng Jombang in the early 1980s, the Hasyim Asy'ari Foundation was established to manage the pesantren and its assets. This foundation oversees all activities in Tebuireng boarding school, including the nazir of the waqf body which is a new development there. Previously, the waqf, which was originally a 13-hectare rice field from the founder of the pesantren, K.H. Hasyim Asy'ari, was managed by the kyai individually (Chaidar S. Bamualim and Irfan Abu Bakar, 2005: 284).

At the higher education level there is the UII Waqf Board which manages UII Yogyakarta, the Sultan Agung Semarang Waqf Board which manages, among others, Sultan Agung Islamic University, the Paramadina Waqf Foundation which manages Paramadina University Jakarta and so on. In addition, social religious institutions such as NU, Muhammadiyah, al-Khairat, al-Irsyad and so on are also waqf managers in the field of education spread throughout the archipelago.

Educational institutions during the Islamic heyday were a form of consumptive waqf, but they did not charge fees. All operational costs were met by the proceeds of productive waqf. In these institutions, all levels of society, both rich and poor, were given equal opportunities to obtain services (Jamal, 2006: 145).

Meanwhile, educational institutions built with waqf assets in Indonesia, especially formal education, generally charge fees that are sometimes not cheap, and can even be more expensive than similar institutions that are not waqf. This is done because the cost of providing education is not cheap, while educational institutions built with waqf, which are certainly private, do not have a clear source of funds. So charging fees is a way out so that the waqf in the form of educational institutions is useful. This means that this step is indeed difficult to avoid. In other words, it is an emergency measure for greater benefits.

The practice of waqf management in the field of education may have led to criticism by, among others, Zaim Saidi that so far waqf in Indonesia has not only been managed amateurishly, but also misguidedly. As a result, waqf is not only unproductive, but also a burden to the ummah. The most common are mosques, schools and hospitals. Such waqf models end up being enjoyed only by the nazir, while the general public who are more entitled have to pay for their maintenance and even use (Fuad, 2008: 3). This criticism must be accepted as input so that waqf management in Indonesia is more ideal in accordance with the nature of waqf, not always in an emergency situation. If not criticised, it will continue and eventually be regarded as the truth.

From the data obtained by Republika, the number of educational institutions owned by Muhammadiyah reaches more than 10 thousand, to be precise 10,381. Consisting of kindergartens, elementary schools, junior high schools, high schools, boarding schools, and universities. For kindergarten or PTQ, there are 4623; SD / MI 2,604; SMP / MTs 1772; SMA / SMK / MA 1143; Ponpes 67; and 172 universities. The entire charity owned by Muhammadiyah in the field of education is spread throughout Indonesia from Aceh to Papua. (<https://nasional.republika.co.id/berita/nasional/umum/15/08/02/nsgkgj361-jumlah-lembaga-pendidikan-muhammadiyah-lebih-dari-10-ribu>, downloaded on 1 July 2021).

2. The Health Sector

The health sector has been a concern of Islam since the beginning. Health facilities vary. Muhammad Abu Zaed mentions six kinds, namely large hospitals, mini health centres, mobile hospitals, prison hospitals, pharmacies and drug warehouses and medical schools. As an illustration of Islam's attention to health, for example, during the time of Caliph Harun ar-Rashid, the first major hospital in the history of Islamic civilisation was established, namely the al-Bimaristan hospital in Bagdad and the as-Sayyidah hospital and al-Muqtadiri hospital which was also in Bagdad during the time of Caliph al-Muqtadir Billah in 203 H. At the beginning of the fourth century H in Bagdad there were five major hospitals (Abu Zaed, 2000: 45).

In Indonesia, there are also many hospitals established with waqf assets. Religious organisations such as Muhammadiyah manage PKU hospitals or by other names scattered in various places in Indonesia. The same goes for NU. There are also many waqf institutions that develop hospitals, such as the Sultan Agung Semarang Waqf Board that manages the Sultan Agung Islamic Hospital, the Islamic Health Foundation (YAKIS) Kudus that manages the Sunan Kudus Islamic Hospital (Syaukani, 2006: 211). The Islamic University of Malang (UNISMA) Foundation also manages the Islamic Hospital of Malang (Compilation Team of Depag RI, 2008: 48-51).

In Indonesia, the services and facilities of waqf hospitals can also be enjoyed by all members of the community, but not for free. The reality on the ground shows that waqf hospitals also charge fees like nonwaqf hospitals. The fees are charged to both the rich and the poor. Even if there is a concession for the poor, it is social in nature, which is also commonly practiced by non-waqf hospitals and is a provision of the law, not because of its position as a waqf hospital.

The fact that there are costs that are not cheap is understandable, because the operational costs of hospitals are also high, while there are no sources to support them as in the glory days of Islam above. This kind of practice is also not free from the criticism raised by Zaim Saidi above. So instead of leaving the hospital neglected, of course charging fees is better and more useful.

Indeed, there are also managers of health institutions who try to be ideal by freeing up costs that should be borne by patients. For example, what is done by Tabung Wakaf Indonesia (TWI) through the Free Health Services (LKC) hospital in Jakarta. With funding from public funds in the form of zakat, infaq, shadaqah and waqf, this programme has treated tens of thousands of patients from poor families for free (Rohilah and Rulli Nasrullah, tt: 6). The same is done by Yayasan Solo Peduli Surakarta with its Free Clinic (<https://www.solopeduli.com/campaign-22-wakaf-klinik-gratis-solopeduli.html> downloaded on 14 August 2023). However, hospitals like this are still rare.

An important issue arises if it turns out that the hospital can actually generate profits, so it deserves to be called productive waqf, not consumptive anymore. In accordance with the concept of waqf, the profits should be channeled as alms. However, there is no such provision in the waqf law. In fact, waqf for health facilities is aligned with waqf for worship facilities and assistance to the poor. This means that being a hospital is considered sufficient to fulfil the concept of waqf, even though it charges fees and gets economic benefits like other productive waqf, and does not distribute the profits.

Muhammadiyah as an Islamic da'wah movement in Indonesia that was established in 1912 with the power of waqf has managed and developed, continues to work and contribute to improving the quality of life of the nation. Muhammadiyah applies da'wah in the form of concrete works in the fields of education, social, economic, community empowerment and also health. In the health sector, Muhammadiyah's da'wah has manifested itself in the form of 97 hospitals and 214 clinics spread across Sumatra (6 hospitals and 37 clinics), Java (81 hospitals and 141 clinics), Kalimantan (4 hospitals and 19 clinics), Sulawesi (4 hospitals and 15 clinics), Maluku (1 hospital), West Nusa Tenggara (1 hospital and 1 clinic) and Papua (1 clinic) (<http://www.mpku.or.id/2018/03/13/muhammadiyah-membangun-kesehatan-bangsa/>, downloaded on 2 July 2021).

Some university waqf boards have also established hospitals. The Waqf Board of Unisula Semarang also manages Sultan Agung Hospital. The Waqf Board of UII Yogyakarta also manages the Jogjakarta International Hospital (JIH). Unisma Malang also manages a hospital. This trend will likely continue to grow. There are at least two reasons. First, more hospitals are still needed by the community. Second, universities with medical faculties need teaching hospitals.

Supporting Waqf

According to Yusuf Qardhawi, the hospitals that were established during the heyday of Islam were accessible free of charge to everyone, both rich and poor. Patients did not have to pay for rooms, doctors' examinations, medicines, blankets, food and all services and facilities. Even after recovery, patients were given enough provisions to take home, so that they did not immediately work before their health was fully restored (Qardhawi, 2008: 161).

The cost of all operations is obtained from the proceeds of productive waqf that is deliberately endowed to fulfill consumptive waqf needs. For example, Sultan Yusuf Bin Ya'qub established the Sayyidi Faraj Bafa's hospital in Morocco as well as a large area of land that became the source of funding for the hospital's operations (Jamal, 2006: 150). In other words, at that time, hospitals were positioned as consumptive waqf.

So the question : is it possible to run hospitals and educational institutions for free? Where will the money come from? Of course, it is very difficult to expect teachers who are willing to teach without payment or free doctors. Even if there are free teachers and doctors, what about the facilities and infrastructure and maintenance? There are many problems that will be faced. But that does not mean it is impossible to realize free or at least cheap hospitals or educational institutions.

One alternative to financing free educational institutions or hospitals is ZIS funds, as Dompot Dhuafa and Solo Peduli Foundation have done above. But it can also be done with waqf. This has actually been done by the Gontor Islamic boarding school in 1958. At that time there was a handover of waqf in the form of 12 buildings with equipment, 1,740 H of dry land and 16, 851 Ha of wetland (Yusuf Suyono et al, 2007: 84).

The land that accompanies the cottage building is cultivated so as to produce profits, in the form of rice, sugar cane and so on. The crops support the operation of the hut. So that it is not too burdensome for students. The assets are developed continuously so that more and more modern Gontor huts are now not only in Ponorogo, but also developed in several regions in Central Java and even Sumatra so that until 2022 there were 11 huts (<https://www.infopesantren.com/2021/05/cabang-pondok-pesantren-Gontor.html> downloaded on 15 August 2023).

The idea of supporting waqf is actually not a new idea. When there was a debate about the waqf of movable objects among the madhhab scholars, the idea of supporting waqf emerged. The argument for the permissibility of waqf of movable objects is that it accompanies immovable objects, such as livestock and agricultural tools that accompany rice fields and because it has become a custom, such as horses and weapons for war.

CONCLUSION

The Millennium Development Goals agenda is in line with maqashid ash-Shari'ah. Therefore, religion automatically supports it. The most relevant religious teaching in this context is waqf. From the description above, the role of waqf in supporting the realization of the Millennium Development Goals agenda is very clear, especially in the fields of education and health. However, actually the entire MDGs agenda can be supported by waqf. In fact, before the MDGs existed, waqf in various parts of the world had already done so.

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