

Islamic Law Analysis of Nazir Roles in Managing Waqf Assets in Indonesia

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Abstract

Waqf governance in Indonesia has a strong legal basis, yet many waqf assets remain underutilized because nazir performance often stays administrative rather than welfare-oriented. This study examines the normative–empirical gap between Islamic legal expectations for nazir and actual waqf management practices in Lampung Province. The study applies a qualitative juridical-empirical approach, integrating Islamic law and Indonesia’s waqf legal framework with field evidence. Data were gathered through in-depth interviews with key stakeholders (BWI Lampung, the Regional Office of the Ministry of Religious Affairs, and a nazir from PW Muhammadiyah Lampung) and supported by institutional documents. Nazir practice generally fulfills basic custodial functions and conventional utilization (religious and educational purposes) but remains conservative, with limited productive development. Persistent weaknesses appear in incomplete certification, fragmented documentation, weak reporting routines, and the largely formal use of SIWAK, which constrain transparency, accountability, and legal certainty. These patterns indicate that compliance is often minimal-formal and does not yet reflect Islamic governance values emphasizing *amānah*, *mas’ūliyyah*, and benefit maximization (*maqāṣid al-waqf*). Strengthening nazir capacity, reporting standards, and governance supervision is essential to unlock waqf’s socio-economic potential.

Keywords: waqf governance; nazir; Islamic law; SIWAK; Lampung Province

Abstrak

Tata kelola wakaf di Indonesia memiliki landasan hukum yang relatif kuat, tetapi pemanfaatan aset wakaf di banyak daerah belum optimal karena kinerja nazir masih cenderung administratif dan belum berorientasi pada dampak kesejahteraan. Artikel ini menelaah kesenjangan normatif–empiris antara tuntutan hukum Islam terhadap peran nazir dan praktik pengelolaan wakaf di Provinsi Lampung. Penelitian menggunakan pendekatan kualitatif dengan metode yuridis-empiris, mengintegrasikan kerangka hukum Islam dan regulasi wakaf nasional dengan data lapangan. Data diperoleh melalui wawancara mendalam dengan pemangku kepentingan kunci (BWI Lampung, Kanwil Kemenag, dan nazir PW Muhammadiyah Lampung) serta didukung dokumen kelembagaan. Praktik nazir umumnya memenuhi fungsi penjagaan aset dan pemanfaatan konvensional (ibadah dan pendidikan), namun pengembangan wakaf produktif masih terbatas. Ditemukan kelemahan pada sertifikasi yang belum tuntas, dokumentasi yang terfragmentasi, pelaporan yang lemah, serta pemanfaatan SIWAK yang masih formal, sehingga transparansi, akuntabilitas, dan kepastian hukum belum kuat. Temuan ini menunjukkan kepatuhan yang sering bersifat minimal-formal dan belum sepenuhnya mencerminkan nilai *amānah*, *mas’ūliyyah*, dan optimalisasi manfaat (*maqāṣid al-waqf*). Penguatan kapasitas nazir, standar pelaporan, dan pengawasan tata kelola diperlukan untuk memaksimalkan potensi sosial-ekonomi wakaf.

Kata kunci: tata kelola wakaf; nazir; hukum Islam; SIWAK; Provinsi Lampung

Introduction

In Indonesia's waqf discourse, a recurring concern is that waqf asset management has not yet reached its optimal potential, particularly in relation to the capacity and performance of nazir as the main managers of waqf assets (Fauzia et al., 2016; Putri, 2024). This is notable because, at the normative level, the authority and responsibilities of nazirs have been regulated relatively clearly under Law No. 41 of 2004 on Waqf. The ongoing issue therefore lies less in the absence of legal norms and more in how consistently those norms are translated into effective governance and management practices in everyday implementation.

Many waqf assets in various regions are still managed traditionally *and* have not been developed productively for the socio-economic welfare of the community, so that the potential of waqf as an instrument of social development has not been optimally implemented by local waqf institutions (Hamzah et al., 2016; Syakur et al., 2018). This condition indicates that waqf problems are not only technical, but also structural and institutional. This is related to the limited competence, professionalism, and legal understanding of waqf asset management practices owned by the *nazirs*, which impacts the effectiveness of productive waqf management and empowerment in the community (Rispan et al., 2025).

The persistent gap between normative expectations and operational realities underscores the need for studies that go beyond measuring formal compliance with Islamic law and also examine the structural and institutional constraints that shape how the nazir function is carried out in local settings (Hidayat et al., 2024). Relying solely on normative analysis is often insufficient to capture the complexity of waqf management at the grassroots level. Accordingly, a juridical-empirical lens is required to integrate legal standards with field realities and to generate academic as well as practical input for strengthening waqf governance in line with sharia principles (Firdaus et al., 2024).

The Ministry of Religious Affairs' SIWAK indicates that waqf land assets in Indonesia are distributed across 440,512 locations, covering a total area of approximately 57,263 hectares (SIWAK Kemenag, 2022; Imron et al., 2024). This coverage reflects progress in the administrative mapping and recording of waqf assets at the national level, including a continuing upward trend in the number of waqf properties. However, cash waqf performance still shows a sharp gap between potential and realization: cash waqf potential is estimated at around IDR 130 trillion, while as of October 2023 the accumulated cash waqf assets recorded through CWLS and non-CWLS schemes reached only about IDR 2.23 trillion, or roughly 1.71% of that potential, although this figure increased from IDR 1.4 trillion in 2022. This condition indicates that strengthening the collection system and governance of cash waqf

remains a central agenda, including improvements in the implementing ecosystem—there are 375 registered cash waqf nazirs and 43 registered Islamic banks (LKS PWU)—so that waqf fundraising can better approach its real potential and provide stronger support for more productive waqf asset development (Imron et al., 2024).

Against this backdrop, the availability of SIWAK is also relevant because it provides an administrative foundation for translating Indonesia's large waqf potential into better governance. Beyond presenting aggregated national figures, SIWAK is increasingly promoted within the Ministry of Religious Affairs' waqf administration as a means to improve the accuracy and orderliness of waqf asset records, which is essential for planning, supervision, and accountable management. Efforts to strengthen waqf governance are currently aligned with the continued use and expansion of SIWAK as a core instrument for waqf data management (Erwinto, 2025).

Waqf is an Islamic legal institution with both normative and socio-economic dimensions. These two dimensions make waqf not only an instrument of individual worship but also an instrument of social development with broad implications for the welfare of the community (Abdullah, 2018; Kamaruzaman & Ishak, 2023). Normatively, waqf is governed by Islamic jurisprudence principles that emphasize the permanence of assets, the protection of the *waqif's* intentions, and the ongoing benefit for the *ma'quf 'alaih* (the beneficiaries) (Abdullah, 2020; Hafizd, 2021). Empirically, waqf is required to be able to meet the ever-growing social and economic needs of society. However, the realization of this potential depends heavily on the quality of waqf management, particularly the role of the nazir (the trustee) as the party entrusted with the sustainable management and development of waqf assets (Muizz et al., 2025).

In the context of Islamic law, a nazir is not only the custodian of waqf assets, but also a sharia trustee who is responsible for ensuring that waqf management is carried out in accordance with the aims of the waqf (*maqāṣid al-waqf*). This mandate places Nazir in a strategic position while demanding moral integrity and adequate professional capacity. The principles of trust, professionalism and public interest are the main foundations that must underlie every action taken by a Nazir. Therefore, the moral quality and technical competence of the nazir are determining factors in the success of waqf management. The success or failure of waqf management can not only be measured from administrative and economic aspects, but also the extent to which nazir practices reflect compliance with the principles of Islamic law (BWI, 2020; Hafzi & Elfia, 2024).

Previous studies have widely examined the role of nazir in waqf management from managerial, institutional, and public policy perspectives, and they generally converge on three

recurring issues: low nazir professionalism, limited training and mentoring, and weak accountability and reporting mechanisms (Fitriani et al., 2024; Judijanto et al., 2025; R. A. Nur & Irfany, 2024; Sylvianie, 2023)—factors that repeatedly hinder the development of productive waqf and reduce its contribution to community welfare. Nevertheless, much of this literature tends to treat Islamic law primarily as a normative reference rather than an evaluative framework for assessing whether nazir practices truly embody Islamic legal principles in governance, performance, and benefit realization; as a result, many analyses remain descriptive and provide limited explanation of the normative–empirical alignment in waqf management. In addition, locally grounded research is still relatively limited, even though waqf governance is strongly shaped by contextual variables such as local legal culture, institutional capacity, and patterns of interaction between nazirs and local religious authorities.

A number of previous studies on waqf in Lampung portray a complementary spectrum of issues, ranging from community-based productive waqf practices to institutional governance problems. Hotman’s study on productive waqf in Tanjung Inten Village (East Lampung) shows that productive waqf can function as an instrument of socio-economic empowerment through business units (shops), education (schools), and agricultural land (rice fields), while also embodying Islamic empowerment principles such as *ukhuwwah*, *ta’āwun*, and equality (Hotman, 2021). At the institutional level, Fauzi highlights the strategic role of the Indonesian Waqf Board (BWI) of Lampung Province in promoting more productive waqf management, yet notes persistent constraints because management remains dominated by immovable assets, whereas public literacy regarding movable waqf objects—especially cash waqf—has not been optimized (Fauzi, 2022). From the perspective of legal certainty, Habib Ismail’s research in South Lampung demonstrates serious risks when waqf assets are not formally recorded through PPAIW/administrative procedures, creating vulnerability to disputes, including attempts by waqifs to reclaim waqf property (Ismail, 2019). Meanwhile, Nur Azizah’s field study in Sinar Banten Village (Central Lampung) indicates that waqf management for educational services produces tangible benefits, although its economic impact is still limited (Azizah, 2018). Ali Mustofa et al.’s study on waqf management at PWM Lampung (Bandar Lampung) further supports the view that the management cycle (collection–maintenance–utilization) can increase beneficiaries’ income, but the improvement has not been significant enough to meet welfare standards (Mustofa et al., 2020). Taken together, this literature suggests that Lampung has real potential for productive waqf, yet the sustainability of impact and the quality of governance

remain shaped by nazir capacity, administrative orderliness, waqf literacy (including cash waqf), and the effectiveness of institutional guidance and supervision.

The development of waqf regulations in Indonesia, particularly Law No. 41 of 2004 and its implementing regulations, reflects the state's efforts to strengthen waqf governance institutionally and sustainably. These regulations serve as the legal foundation for modern waqf management, emphasizing accountability and transparency. These regulations affirm the role of the nazir (manager) in the administration, management, development, and reporting of waqf assets. However, various studies indicate that this formal legal framework has not been fully implemented in practice. Gaps between law as norm and law as practice are still frequently found, both in aspects of asset management, accountability, and compliance with sharia principles (Judijanto et al., 2025; Pradini, 2023)

Empirically, the majority of waqf assets in Indonesia are still not managed productively and professionally. This condition indicates that waqf in many regions is still positioned as a passive asset used only for consumptive purposes. Common problems encountered include limited competence of the nazir (manager of waqf), weak waqf legal documentation, low innovation in asset management, and suboptimal oversight and guidance mechanisms. These problems are structural and recurrent in various regions, widening the gap between the ideal role of the nazir as stipulated in Islamic law and national regulations and the actual waqf management practices on the ground (Faujiah, 2024).

The gap between Islamic legal norms and the empirical practice of waqf management is a crucial issue with direct implications for the sustainability of waqf benefits for society. This discrepancy not only impacts the technical aspects of asset management but also impacts the moral legitimacy and public trust in waqf institutions. From an Islamic legal perspective, waqf is a trust that must be managed professionally, transparently, and oriented toward the public good. Therefore, when waqf management practices are not in line with these principles, the primary purpose of waqf as an instrument of worship and social empowerment has the potential to be less than optimally achieved. This situation demonstrates that waqf issues cannot be understood in isolation but must be analyzed comprehensively, taking into account both the normative and empirical dimensions simultaneously (Ilyas Marwal, 2024).

Furthermore, this normative and empirical gap has the potential to give rise to various legal and social consequences. From an Islamic legal perspective, waqf management practices that do not conform to the principles of trust and justice can diminish the religious value of waqf itself. Meanwhile, from a social perspective, weak waqf management can hinder its role as an instrument for redistributing welfare and alleviating poverty. Therefore, a study is needed

that specifically evaluates the role of the nazir (manager) as the primary actor in waqf management, utilizing Islamic law not only as an ideal norm but also as a measuring tool for assessing actual waqf management practices in the field.

Lampung Province is one of the regions with significant waqf potential, as recorded in the Waqf Information System (SIWAK) data managed by the Ministry of Religious Affairs. This potential includes land waqf, cash waqf, and various forms of productive waqf distributed across the district and city levels. The existence of these waqf assets could theoretically serve as strategic social and economic capital for developing community welfare in the region. However, this substantial potential has not been fully matched by the optimization of productive and sustainable waqf asset management.

The limited attention to local dynamics in earlier studies underscores the need for provincial-level analysis, particularly in Lampung Province, to provide a contextual and practically relevant picture of how Islamic legal norms are translated into waqf governance. In Lampung, a central concern is the continuing distance between the normative expectations of Islamic law and the day-to-day realities of nazir practice, especially in managing and developing waqf assets. The issue is not merely administrative; it also reflects variations in normative understanding and the degree to which sharia-based governance values are internalized in carrying out nazir mandates.

The discussion is framed around three closely related sections: Implementation of Waqf Management in Lampung Province, which describes how waqf is administered and managed in practice; Islamic Law Perspective on Nazir Roles in Waqf Management in Lampung Province, which evaluates these practices against core Islamic governance values such as *amānah*, sharia compliance, accountability, and benefit realization; and Strengthening Nazir Roles and Waqf Governance in Asset Management, which outlines practical directions for improving capacity, accountability mechanisms, and institutional support so that waqf management can progress toward more productive and welfare-oriented outcomes. This structure is important because it connects the empirical reality of local waqf management with Islamic legal standards and translates the identified gaps into concrete governance improvements.

Methods

This study employs a qualitative approach using a juridical-empirical method, namely legal research that integrates the study of legal norms (*law in books*) with the reality of their implementation in social practice (*law in action*) (Sukanto, 2014). This design is selected

because waqf governance cannot be adequately explained through normative analysis alone; it also requires tracing how Islamic legal principles and waqf regulations operate in practice, particularly in how nazir interpret, apply, and comply with governance standards in managing waqf assets (Suteki & Gaufani, 2020).

The research was conducted in Lampung Province, focusing on the roles, functions, and duties of nazir in waqf asset management, analyzed through the lens of Islamic law and Indonesia's national waqf framework, especially Law Number 41 of 2004 and relevant Indonesian Waqf Board regulations (Law, 2004). Data were obtained from both primary and secondary sources: primary data were collected through in-depth interviews with three purposively selected key informants—representatives of the Indonesian Waqf Board of Lampung Province, the Regional Office of the Ministry of Religious Affairs of Lampung Province, and nazir from waqf institutions—due to their direct involvement in waqf management and supervision (Sugiyono, 2020); secondary data were gathered through documentation of laws and regulations, waqf management reports, Waqf Information System (SIWAK) data, and relevant scholarly literature. Data were analyzed descriptively and analytically through reduction, display, and conclusion drawing to enable systematic interpretation within the framework of Islamic law and waqf fiqh, and to identify gaps between normative standards and empirical practices at the regional level (Moleong, 2018). To enhance validity, the study applied source and method triangulation by cross-checking interview accounts across informants and corroborating them with observations and official documents, thereby reducing researcher subjectivity and strengthening the credibility of qualitative findings (Creswell, 2018).

Implementation of Waqf Management in Lampung Province

In Indonesian law, waqf is defined as a legal act of a waqif to separate and/or transfer part of their property to be utilized permanently or for a certain period for the purposes of worship and/or public welfare in accordance with sharia (Law, 2004). This definition implies that waqf is not merely a charitable intention, but a regulated legal institution with clear elements—waqif, nazir, waqf assets, waqf pledge (*ikrar*), designated purpose, and duration—which must be ensured for legal certainty and proper governance.

Waqf management practices in Lampung Province show significant variation in the quality of nazir (Islamic administrator) performance. Some waqf assets are still managed traditionally and limited to consumptive purposes, while efforts to develop productive waqf are relatively minimal. This variation is influenced by several factors, including the capacity of the

nazir's human resources, their level of understanding of waqf regulations, and the intensity of guidance and supervision from relevant institutions. These conditions make Lampung Province a relevant context for examining how Islamic legal norms are implemented in waqf management practices at the regional level.

Accordingly, waqf management in Lampung Province can be understood as a chain of activities that begins from mobilizing/collecting waqf assets (identifying potential donors and assets, preparing waqf documentation, and conducting the pledge), followed by administration and registration (recording, certification where relevant, and ensuring compliance with statutory procedures), and continues into development and utilization of the waqf property—whether in traditional forms (mosques, cemeteries, schools) or through productive waqf models aimed at generating sustainable benefits (Hafizd, 2021). In this management cycle, the core objective is not only safeguarding the waqf asset (*hifz al-māl*) but also ensuring the ongoing distribution of benefits to the intended beneficiaries (*mauqūf ‘alayh*) according to the waqf purpose.

Multiple actors shape this implementation. The waqif provides the asset and intention; the nazir acts as the manager responsible for maintenance, development, and reporting; and the PPAIW (authorized official for waqf pledge) plays a key role in formalizing the waqf pledge so it meets legal requirements. In practice, oversight and guidance also involve relevant institutions such as the Indonesian Waqf Board (BWI) and the Ministry of Religious Affairs at regional levels, particularly to strengthen accountability, ensure sharia and legal compliance, and encourage productive management so that waqf in Lampung can move from merely “assets stored” into “assets that continuously deliver social benefit” (Law, 2004).

Based on in-depth interviews conducted over a one-week period and supported by field observations in Bandar Lampung, waqf management by nazirs in Lampung Province generally remains administrative in orientation and conservative in practice. Empirically, the management pattern observed among waqf institutions—particularly those connected to PW Muhammadiyah Lampung—shows that the main priority is safeguarding the physical existence of waqf assets (e.g., preventing loss, disputes, or misuse), accompanied by relatively basic administrative routines such as simple record-keeping and limited reporting. In terms of utilization, waqf assets are predominantly directed toward traditional purposes such as worship facilities and educational activities, while structured efforts to develop productive waqf—including planning, feasibility assessment, partnership building, and revenue management—are still limited. In this context, waqf has not yet been widely positioned as an instrument for

sustainable community economic empowerment, but is more often treated as a “static asset” that is considered sufficient once preserved and used conventionally (M. Hidayat, 2025).

In addition, the digitalization of waqf data management continues to be strengthened through the implementation of SIWAK Mobile within the Ministry of Religious Affairs (Kemenag) and the Office of Religious Affairs (KUA). As explained by Erwinto (Head of the Islamic Religious Guidance, Zakat, and Waqf Division at the Regional Office of Kemenag Lampung), this initiative forms part of the national waqf governance reform agenda aimed at improving the accuracy, transparency, and orderly recording of waqf assets so that waqf land administration can be managed more professionally and in an integrated manner. In Lampung Province, SIWAK is positioned as a key instrument for updating waqf data, including verification activities conducted by the Batanghari KUA in East Lampung together with nazirs and waqifs, as an effort to strengthen the waqf land database and support more accurate management and sustainable utilization (Erwinto, 2025).

Field data also indicate persistent administrative weaknesses, particularly regarding certification and integrated data recording. Interviews with stakeholders from BWI Province Lampung and the Regional Office of the Ministry of Religious Affairs (Penais, Zakat, and Waqf Division) suggest that a portion of waqf assets has not been fully certified and is not consistently recorded or updated in the Waqf Information System (SIWAK). This condition affects not only the completeness of institutional archives and reports, but also the overall transparency and accountability of waqf governance. From a legal perspective, incomplete certification and weak reporting may create legal uncertainty, complicate supervision, and increase the risk of disputes or ownership conflicts, especially when administrative evidence is insufficient or fragmented. Overall, these findings reinforce the broader scholarly view that governance capacity—covering administration, reporting, and supervision—remains a recurring structural challenge in waqf management at the regional level (S. M. Nur, 2025).

In practical terms, the implementation of waqf management in Lampung Province follows a governance cycle that begins with the formalization of waqf (ikrar and initial administration), continues through documentation and legal strengthening (registration and land certification), and proceeds to utilization, development planning, and periodic reporting of waqf assets. Field data collected in Bandar Lampung—based on interviews with the Vice Chair of BWI Province Lampung, the Head of the Penais, Zakat, and Waqf Division at the Regional Office of the Ministry of Religious Affairs, and a nazir from PW Muhammadiyah Lampung, as well as institutional archives and official documents—suggest that this cycle is generally recognized at the policy level but is not implemented consistently across its stages.

Empirically, uneven implementation is most visible in incomplete certification, fragmented documentation, and weak reporting routines, including inconsistent updating of SIWAK records. These administrative and compliance gaps reduce transparency and accountability and may create legal uncertainty in the management of waqf assets. At the operational level, the findings indicate that limited nazir capacity—both in managerial competence and in understanding waqf legal obligations—becomes a major constraint. Some nazirs have not yet comprehensively understood the concept of productive waqf or the duties attached to the nazir position, particularly regarding asset development and reporting, causing management to stagnate and limiting waqf's contribution to community welfare.

Although SIWAK-based digitization has begun, its use at the nazir level remains largely formal-administrative. Rather than functioning as a strategic instrument for planning, monitoring, and developing productive waqf, SIWAK tends to be treated as an administrative requirement, indicating a continuing gap between national waqf governance policy and local implementation realities.

From the perspective of Islamic law, nazir is not merely an administrative caretaker but a trustee (*amīn*) entrusted to safeguard the waqf property and ensure that its benefits continue to grow in line with the purpose of waqf (*maqāṣid al-waqf*) (Az-Zuhaili, 1989). In this framework, the essence of nazir's duty lies in combining *amānah* (trustworthiness) with an orientation toward ongoing public benefit, so that waqf is not treated as an inactive property but as a sustained instrument of worship and welfare. Therefore, management that stops at asset preservation—without planning, development, or measurable benefit expansion—does not fully reflect the normative ideal of waqf governance emphasized in Islamic jurisprudence.

In relation to the field findings in Lampung Province, the observed management pattern does not necessarily violate basic waqf fiqh provisions, yet it does not fully embody the ethical and developmental orientation expected from nazir. The prevalence of passive management suggests that the spirit of waqf as continuous charity (*ṣadaqah jāriyah*) and a vehicle for broader public welfare has not been optimally internalized in operational practice, particularly in translating waqf assets into sustainable and measurable social outcomes (Kahf, 2003).

Islamic Law Perspective on Nazir Roles in Waqf Management in Lampung Province

This study's normative–empirical reading indicates a clear gap between the ideal standards of waqf governance and the actual pattern of management at the regional level. Normatively, nazir is expected to act not only as an asset custodian but as a responsible manager who ensures that waqf delivers continuous and measurable benefits for its designated purposes.

In Indonesia, this normative expectation is reinforced by the national waqf framework, which places nazir under obligations of orderly administration, accountable reporting, and the development of waqf assets so that they generate sustainable public benefit. Empirically, however, the Lampung context shows that implementation tends to remain administrative and compliance-oriented—focused on record-keeping, physical safeguarding, and conventional use—while strategic efforts toward productive development and welfare-oriented impact are still limited. The implication is substantive: when waqf management is confined to preservation without development, the social objective of waqf as an instrument of worship and public welfare is achieved only partially, and the institution risks losing its transformative potential.

From an Islamic legal perspective, waqf is fundamentally a form of social worship oriented toward continuity of benefit (*ṣadaqah jāriyah*). Its core legal-ethical logic is that the principal asset is preserved while its yields and benefits flow to the community in a sustainable manner. In this framework, nazir occupies a pivotal position because nazir is the holder of trust (*amānah*): morally bound to protect the waqf property, legally bound to manage it properly, and socially bound to ensure that the waqf's benefits are not interrupted or narrowed to purely symbolic functions. Therefore, waqf governance that lacks planning, development, and transparent accountability may not violate the basic form of waqf, but it falls short of waqf's higher normative orientation—namely, maximizing public benefit and preventing the freezing of charitable assets into inactive property.

The empirical findings from Lampung can be understood as a governance issue rather than a purely legal-formal issue. First, nazir capacity remains a decisive factor. Limited managerial competence and incomplete understanding of waqf governance obligations tend to produce conservative choices: maintaining existing uses, avoiding development risk, and treating reporting as a formality. Second, the digitization of waqf administration—such as SIWAK—has not yet functioned as a strategic governance tool at the nazir level. Instead of supporting planning, monitoring, and performance-based development, digitization is often perceived as an administrative requirement. This explains why improvements in data recording do not automatically translate into improvements in the quality of management and productive development.

Contemporary waqf governance discourse consistently places emphasis on professionalism, transparency, and accountability as the operational translation of Islamic legal values in modern institutional settings. Within this view, productive waqf is not an “optional add-on,” but a practical pathway to realizing waqf objectives—so long as it remains consistent with the waqf's designated purposes and sharia principles. In Lampung, the persistence of

administrative patterns and limited strategic use of data systems indicates that the main challenge is not the absence of regulation or instruments, but the capacity and governance culture that shape how those instruments are used. This also clarifies the normative–empirical gap: the law provides the direction and standards, but implementation depends on how nazir institutions internalize Islamic legal values into managerial routines, planning, and measurable welfare outcomes.

Accordingly, optimizing waqf management cannot rely on regulatory frameworks and digitization alone. It requires strengthening nazir capacity through governance training, standard operating procedures for reporting and asset development, and the institutionalization of Islamic legal values—*amānah* (trust), benefit maximization, sustainability, and accountability—into daily management practice. In this way, Islamic law functions not merely as an ideal norm, but as an evaluative lens to assess performance, diagnose implementation barriers, and guide reforms so that waqf becomes a living institution that continuously serves public welfare rather than a static asset that is merely preserved.

The indicators used in this analysis include: 1) trust (*amānah*); 2) sharia compliance; 3) accountability; and 4) benefit realization. In terms of trust (*amānah*), nazirs have generally fulfilled the custodial dimension by safeguarding and protecting waqf assets from loss and misuse; however, the developmental dimension—transforming assets into sustained and wider benefits—has not been consistently reflected in managerial planning and productive initiatives. From a sharia compliance perspective, the observed practices largely remain within the basic parameters of waqf fiqh, yet limited understanding of productive waqf has contributed to the underutilization of waqf potential in line with broader sharia objectives.

With regard to accountability, the study identifies weaknesses in public reporting and governance assurance (Syaifullah et al., 2022). Although management reports may be compiled, mechanisms such as routine audits, standardized performance documentation, and accessible information channels remain limited, thereby widening the gap between normative expectations and operational practice. Meanwhile, in terms of benefit realization, waqf has generated tangible social contributions—especially in religious and educational services—but these outcomes have not yet been matched by significant progress in structured programs aimed at community economic empowerment.

Table 1. Synthesis of Findings and Implications of Islamic Law

Indicator	Field Findings		Implications of Islamic Law
Nazir's mandate	Maintaining assets	without development	The mandate has not been fulfilled substantively

Indicator	Field Findings	Implications of Islamic Law
Sharia Compliance	Does not violate the fiqh of waqf	Compliance is minimal
Accountability	Weak administration and reporting	Contrary to the principle of <i>mas'ūliyyah</i>
Productive Waqf	Management is still static	The goal of <i>ṣadaqah jariyah</i> has not been achieved
Governance	Digitalization is not yet optimal	The benefits have not been maximized

Source: Processed data, 2025

Table 1 shows that waqf management in Lampung Province generally remains oriented toward basic preservation and administration rather than substantive development. The nazir's mandate is largely implemented as maintaining assets without a clear strategy for enhancing benefits, so the role is not yet fulfilled in a substantive sense. Although day-to-day practices tend not to violate the basic rules of waqf fiqh, sharia compliance appears minimal and formal because it has not been translated into productive development that advances the broader objectives of waqf. Weak administration and limited reporting also indicate a deficit in accountability, which is inconsistent with the Islamic principle of *mas'ūliyyah* (responsibility). The static character of management further implies that the ideal of *ṣadaqah jāriyah*—continuous and sustainable benefit—has not been achieved, and the fact that digitization and governance mechanisms are still not optimal reinforces why waqf benefits have not been maximized for wider public welfare.

Strengthening Nazir Roles and Waqf Governance in Asset Management

Waqf governance debates consistently identify nazir professionalism and institutional capacity as decisive factors in determining whether waqf management remains administrative or develops into a productive instrument that generates sustained public benefit (Fauzi, 2022; Mustofa et al., 2020). This emphasis is crucial because the nazir's mandate extends beyond safeguarding assets to ensuring that waqf produces measurable and sustainable outcomes. Where managerial competence is limited and the concept of productive waqf is only partially understood, management tends to stagnate at the level of preservation and routine administration, even though the national regulatory framework already provides direction toward productive and accountable waqf governance (Ismail, 2019). In such conditions, the core issue is less about the absence of norms and more about how far normative values are internalized into daily routines, strategic planning, and institutional decision-making.

From an Islamic legal standpoint, nazir functions as an *amīn* (trustee) with a multidimensional mandate: protecting waqf assets, maintaining sharia compliance, and

developing benefits in line with *maqāṣid al-waqf*. The principles of *amānah* (trust), *mas'ūliyyah* (accountability), and *maṣlahah* (public benefit) require management to move beyond custodial functions toward benefit maximization. Consequently, strengthening governance becomes necessary when reporting remains formal, transparency is limited, and asset development is absent—because accountability in waqf is not merely procedural, but also ethical, reflecting responsibility to the community and to Allah SWT.

At the institutional level, the state's role—especially through BWI and the Ministry of Religious Affairs—is strategic in bridging normative standards and operational realities through guidance, certification, and supervision. Such interventions are most effective when framed as capacity-building and governance assurance, rather than administrative control, so that compliance evolves into professionalism and performance orientation (Fauzi, 2022). Provincial evidence also indicates that governance problems at the local level often emerge from uneven competence and weak supervisory routines, reinforcing the importance of institutional synergy and consistent mentoring to improve accountability and productive orientation (Mustofa et al., 2020).

Modern governance instruments, including information systems such as SIWAK, should likewise be positioned beyond basic data recording. Digitalization can serve as a strategic tool for planning, monitoring, and evaluating waqf performance when it is supported by standardized reporting formats, audit routines, and sustained literacy development for nazirs—so that administrative improvements translate into better asset development and welfare outcomes (Imron et al., 2024). Therefore, strengthening nazir roles requires an integrated agenda: upgrading managerial competence and normative awareness, enforcing transparent accountability mechanisms, and institutionalizing governance support so that waqf management shifts from conservative administration toward productive and welfare-oriented outcomes (Azizah, 2018; Hotman, 2021).

Strengthening nazir roles in Lampung ultimately requires repositioning waqf management as a form of sharia-based governance rather than a set of administrative routines. In practice, the decisive shift lies in transforming *amānah* from a narrow custodial duty into a managerial commitment to safeguard, develop, and distribute benefits in a measurable and sustainable way, so that waqf assets function as living instruments of public welfare. This implies that Islamic legal analysis should not stop at verifying formal compliance, but must also assess whether governance choices—planning, transparency, reporting discipline, risk management, and the use of digital systems—actually advance *maqāṣid al-waqf* and protect the rights of beneficiaries. Within the Lampung context, where administration and data recording

have improved but productive development remains uneven, the normative–empirical gap becomes a clear indicator of governance quality: the closer nazir institutions move toward accountable performance and benefit maximization, the more Islamic law operates not only as legitimacy but as a practical standard for evaluating and improving waqf management in Indonesia.

Conclusion

Nazir performance in Lampung Province is formally consistent with Islamic waqf norms and Indonesia's waqf legal framework in the sense that nazirs generally fulfill basic custodial duties—maintaining waqf assets and channeling their use to religious and educational functions. However, implementation remains administrative and conservative, so key Islamic governance expectations—productive development of benefits, transparent accountability, and welfare-oriented impact—are not yet realized substantively. The most visible gaps appear in incomplete land certification, weak administration and reporting, limited managerial capacity and understanding of waqf law, and the largely formal use of SIWAK, which together reduce legal certainty, increase dispute risk, weaken public trust, and keep waqf's socio-economic potential underutilized.

This research is limited by its single-province focus (Bandar Lampung setting), a small number of purposively selected key informants (three), a one-week interview period, and a qualitative design that emphasizes governance patterns rather than measuring welfare outcomes quantitatively. Future research should expand to multi-site coverage across districts/cities in Lampung, involve more diverse nazir institutions and beneficiaries, and apply mixed-methods (qualitative governance diagnosis plus quantitative indicators of productivity and community impact). Further work is also recommended to evaluate SIWAK not only as an administrative database but as a governance tool—through audits of data completeness/updates, standardized reporting templates, and performance-based monitoring of productive waqf programs.

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