

Strengthening the Legal Protection of Waqf Assets through Participatory Assistance: A Community-Based Waqf Deed Facilitation Program in Kemirian Village, Indonesia

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Abstract: Waqf assets play an important role in sustaining religious, educational, and social activities in rural communities. However, many waqf assets remain vulnerable because their legal status has not been formally documented through a Waqf Pledge Deed (Akta Ikrar Wakaf or AIW). This community service program aimed to strengthen the legal protection of waqf assets in Kemirian Village, Indonesia, by improving community legal literacy and facilitating the administrative formalization of waqf assets. The program employed a participatory assistance approach that integrated legal education, waqf asset identification, document inventory, administrative verification, social mediation, and facilitation with the Waqf Pledge Deed Official (PPAIW) at the local Office of Religious Affairs (KUA). The implementation revealed several barriers to waqf legalization, including incomplete historical ownership documents, limited administrative capacity among nazhir, operational constraints, and concerns regarding potential social tensions with heirs. Through intensive assistance, community administrators were supported in organizing required documents, understanding legal procedures, communicating with relevant institutions, and advancing the waqf pledge process. One identified prayer-room asset successfully progressed through a critical stage of waqf legalization, providing a practical reference for other community-managed religious assets. The program demonstrates that participatory assistance can bridge the gap between religious recognition and formal legal certainty. It also highlights the strategic role of higher education institutions in strengthening nazhir capacity, facilitating institutional coordination, and supporting sustainable community-based waqf governance.

Pendahuluan

Waqf is a longstanding institution of Islamic philanthropy that plays an important role in sustaining religious, educational, and social welfare activities. Unlike charitable giving that is generally consumed immediately, waqf is designed to preserve an asset while continuously distributing its benefits to intended beneficiaries. In Indonesia, waqf assets are widely used to

support mosques, prayer rooms, Islamic schools, Qur'anic learning institutions, cemeteries, and other community facilities. Consequently, the sustainability of waqf cannot be separated from the ability of communities to protect, administer, and manage waqf assets in a legally and institutionally accountable manner. The strategic position of waqf in Indonesia has also encouraged efforts to improve its governance, including the development of instruments for measuring regulatory, institutional, procedural, systemic, outcome, and impact dimensions of waqf management (Kasdi et al., 2023).

The legal protection of waqf assets is particularly important because waqf involves a permanent transfer of the benefit and use of an asset for a religious or public purpose. In Indonesia, the legal framework for waqf is primarily established through Law No. 41 of 2004 concerning Waqf and Government Regulation No. 42 of 2006 concerning its implementation. Law No. 41 of 2004 provides a comprehensive framework concerning waqif, nazhir, waqf assets, waqf pledges, management, development, registration, and dispute resolution. The legislation represents an important institutional transformation because waqf is positioned not only as a religious practice but also as a legal institution requiring administrative certainty. The Indonesian Waqf Board has consequently emphasized the importance of formal procedures for land waqf, including the preparation of the required documents, the execution of the waqf pledge before the authorized official, and subsequent registration of the waqf land. (Republic of Indonesia, 2004, 2006).

One of the central instruments in this legal process is the Waqf Pledge Deed (Akta Ikrar Wakaf or AIW). The AIW provides formal documentary evidence that a waqif has declared a particular asset as waqf before the Waqf Pledge Deed Official (Pejabat Pembuat Akta Ikrar Wakaf or PPAIW). In the Indonesian administrative system, the PPAIW is generally associated with the Office of Religious Affairs (Kantor Urusan Agama or KUA) at the sub-district level. The AIW therefore represents an important institutional bridge between the religious act of waqf and the state's legal-administrative system. Formal registration is significant because the absence of documentary evidence may weaken the position of waqf assets when ownership claims, inheritance issues, administrative changes, or disputes emerge. Rifatunnisa (2020) argues that registration constitutes an important mechanism for protecting waqf land from unlawful transfer, while Hayati (2020) demonstrates that the absence of an AIW can become a significant factor in disputes involving waqifs, heirs, and nazhir.

Nevertheless, the existence of a legal framework does not automatically guarantee the formal legalization of waqf assets at the grassroots level. A persistent gap exists between regulatory requirements and the administrative capacity of local communities to comply with

those requirements. In many rural areas, waqf has historically been practiced through verbal declarations, community recognition, religious trust, and informal documentation. Such practices may have been socially accepted for many years, particularly when the waqif, heirs, nazhir, religious leaders, and beneficiaries share a common understanding concerning the status of the asset. However, social recognition alone may become insufficient when the original waqif dies, heirs change, nazhir are replaced, original documents disappear, or questions regarding land ownership arise. Hayati (2020) notes that waqf land may be considered valid from an Islamic legal perspective when its essential requirements are fulfilled, while Indonesian positive law requires administrative documentation to provide stronger legal protection. This distinction demonstrates the importance of connecting religious legitimacy with formal legal certainty.

The problem is not merely technical. Waqf legalization involves historical, social, institutional, and psychological dimensions. Historical documents may be difficult to locate because land was endowed by previous generations and ownership records were not systematically preserved. Local nazhir may possess strong religious legitimacy and community trust but have limited experience in dealing with administrative procedures. In addition, some communities may perceive formal land documentation as unnecessary because the asset has already been recognized as waqf for decades. In other circumstances, discussions concerning formalization may generate concerns among heirs or community members who fear that administrative procedures could reopen questions about ownership. Therefore, legal formalization requires more than the dissemination of regulations; it requires an approach that recognizes community relationships and assists local actors throughout the administrative process.

This challenge is particularly relevant to the sustainability of waqf institutions. Legal certainty provides an institutional foundation through which waqf assets can be protected and managed over the long term. Previous research on waqf institutions has indicated that legal certainty and institutional legitimacy are important for maintaining the continuity or going concern of waqf organizations (Pirzada et al., 2015). Similarly, contemporary research on waqf governance emphasizes that effective waqf development depends not only on the existence of regulations but also on institutional capacity, governance processes, and measurable outcomes (Kasdi et al., 2023). Thus, the legalization of waqf assets should be understood as an initial governance mechanism that enables communities to protect and subsequently develop the social value of their waqf assets.

Within this context, community-based assistance provides a potentially important strategy for overcoming the gap between legal norms and local administrative realities. Rather

than limiting intervention to conventional legal counseling, participatory assistance involves community members directly in identifying assets, mapping administrative problems, collecting supporting documents, verifying requirements, communicating with relevant authorities, and completing the formal waqf process. Such an approach recognizes local actors as active participants rather than passive recipients of information. For community service programs conducted by higher education institutions, students and academics can function as facilitators who connect communities with government institutions while simultaneously strengthening local administrative capacity.

The relevance of this approach is evident in Kemirian Village, where religious assets have become an important part of community life but some waqf assets have faced weaknesses in formal documentation. Field observations conducted during the community service program identified religious land used for mosques, prayer rooms, Qur'anic learning activities, cemeteries, and other religious purposes. Some of these assets had historically been recognized as waqf but had not been supported by complete formal documentation, particularly the AIW. The situation created potential legal vulnerability because the continuity of the waqf depended substantially on collective community recognition rather than documentary certainty.

The field assessment further identified several barriers to legalization, including the cost of document preparation and transportation, difficulties in tracing historical ownership documents, limited administrative capacity among some nazhir, and social concerns surrounding communication with heirs. These barriers demonstrate that the legalization of waqf in rural communities is a multidimensional problem involving administrative, economic, institutional, and socio-cultural factors. Accordingly, a community intervention must address not only what the law requires but also how communities can realistically navigate the requirements.

Although previous studies have extensively discussed the legal position of unregistered waqf land, the consequences of inadequate documentation, and the importance of waqf governance (Hayati, 2020; Rifatunnisa, 2020; Kasdi et al., 2023), relatively limited attention has been given to the practical mechanisms through which rural communities can be assisted in translating legal requirements into completed administrative action. This constitutes an important practical gap in community engagement literature. A legal framework may be normatively adequate, but its protective function remains limited when communities lack the knowledge, documentation, institutional access, or administrative assistance necessary to implement it.

This community service program therefore addresses that gap through a participatory assistance model for waqf deed facilitation in Kemirian Village, Indonesia. The program combined

legal education, identification of waqf assets, document inventory, administrative verification, assistance in preparing required documentation, and facilitation of the waqf pledge before the PPAIW at the local KUA. The program positioned students not merely as implementers of a service activity but as community facilitators who helped bridge the administrative distance between waqf administrators and formal state institutions.

Accordingly, this article aims to examine how participatory assistance can strengthen the legal protection of waqf assets at the village level by improving legal literacy, supporting the administrative capacity of nazhir and mosque administrators, and facilitating the formalization of waqf through the Waqf Pledge Deed. The article argues that strengthening waqf protection requires an integrated approach in which legal regulation, community participation, administrative assistance, and institutional collaboration operate simultaneously. By documenting the experience of Kemirian Village, this community service program offers a practical model for connecting formal waqf regulation with the everyday realities of rural communities and, ultimately, for safeguarding the continuity of waqf assets for future generations.

Methode Pengabdian

This community service program employed a participatory assistance approach designed to strengthen the capacity of local communities to formalize and protect waqf assets through legally recognized documentation. The approach was selected because the problem identified in Kemirian Village was not limited to a lack of legal knowledge but also involved administrative barriers, incomplete historical documentation, limited familiarity with formal procedures, and social considerations surrounding the legalization of waqf assets. Participatory approaches emphasize collaboration between academic facilitators and community stakeholders, enabling local actors to contribute actively to problem identification, implementation, and evaluation rather than functioning merely as recipients of an externally designed intervention (Israel et al., 1998; Wallerstein et al., 2017). In this program, the community was therefore positioned as an active partner throughout the assistance process.

The implementation took place in Kemirian Village, Indonesia, involving waqf administrators (nazhir), mosque and prayer-room administrators (takmir), community members, religious leaders, village representatives, and relevant officials at the Office of Religious Affairs (Kantor Urusan Agama or KUA). The KUA was particularly important because the Waqf Pledge Deed Official (Pejabat Pembuat Akta Ikrar Wakaf or PPAIW) has a formal role in the preparation of the Waqf Pledge Deed (Akta Ikrar Wakaf or AIW). Indonesian waqf regulations

define the AIW as documentary evidence of the waqif's declaration of waqf and recognize the PPAIW as the authorized official responsible for preparing the deed (Republic of Indonesia, 2004, 2006). The involvement of these institutional actors was consequently necessary to ensure that the assistance process remained consistent with applicable legal and administrative requirements. The Indonesian Waqf Board likewise emphasizes the importance of documentary and registration procedures in providing legal certainty for waqf land (Badan Wakaf Indonesia, 2021).

The program began with coordination and preliminary assessment. The implementation team communicated with the KUA, village authorities, religious leaders, nazhir, and potential waqif or representatives of existing waqf assets to identify the administrative conditions and specific needs of the community (Mahbubi, 2025). This initial assessment included identifying religious land that had historically been recognized as waqf but had not yet been supported by complete formal documentation. The team subsequently conducted an inventory of available documents and identified missing or problematic records, including evidence of land ownership and other documents required for the waqf formalization process. This stage was important because community-based participatory approaches emphasize the recognition of existing community resources and the development of interventions from locally identified problems (Israel et al., 1998; Wallerstein et al., 2017).

Following the assessment, the team conducted legal education and community consultation concerning the religious and legal dimensions of waqf. The educational component addressed the concept and objectives of waqf, the legal significance of the AIW, the roles and responsibilities of waqif and nazhir, the function of the PPAIW, and the general administrative procedures required for formalizing waqf assets. The sessions were delivered through interactive explanations, discussion, and question-and-answer activities. This approach was intended not merely to transfer information but to facilitate mutual learning and enable participants to clarify administrative difficulties based on their actual circumstances. Such collaborative learning is a central feature of participatory approaches because it allows professional and community knowledge to be integrated into the intervention process (Israel et al., 1998).

The next stage involved direct administrative assistance. The team assisted nazhir and community representatives in organizing supporting documents, checking the completeness of administrative requirements, preparing necessary forms, and communicating with the relevant authorities. Where documentation was incomplete, the team helped identify the appropriate steps for obtaining or clarifying the required evidence. The assistance continued through the facilitation of the waqf pledge process before the PPAIW at the local KUA. This stage was

particularly important because Indonesian regulations require formal documentation of waqf and provide procedures for subsequent registration of waqf land (Republic of Indonesia, 2004, 2006). The Indonesian Waqf Board also identifies the AIW or its legally recognized replacement document as an important component of waqf administration and registration (Badan Wakaf Indonesia, 2021).

The final stage consisted of evaluation and follow-up monitoring. Evaluation focused on observing changes in participants' understanding of waqf legalization and assessing the progress of administrative documentation. Monitoring was conducted through continued communication with nazhir and relevant KUA personnel to determine whether the required administrative process had progressed and whether further assistance was necessary (Mahbubi, 2025). Rather than treating the completion of the activity as the sole indicator of success, the program considered the strengthening of community capacity, improved understanding of legal requirements, and progress toward formal documentation as important outcomes. This approach is consistent with participatory models that view intervention as an iterative process requiring continued collaboration, reflection, and sustainability beyond the immediate implementation period (Wallerstein et al., 2017).

Hasil

Mapping the Legal Vulnerability of Waqf Assets and Community-Level Barriers

The field assessment conducted in Kemirian Village revealed that waqf assets constitute an important component of the community's religious and social infrastructure. Waqf land has been utilized for various purposes, including mosques, prayer rooms, Qur'anic learning facilities, cemeteries, and other religious activities. These assets are not merely physical properties but communal resources that support the continuity of worship, religious education, and social interaction. Their long-term utilization demonstrates that waqf has become embedded in the everyday life of the village community. Nevertheless, the assessment identified a significant discrepancy between the social recognition of waqf assets and their formal legal status. Several assets that had been used by the community for a considerable period had not yet been supported by complete legal documentation, particularly the Waqf Pledge Deed (*Akta Ikrar Wakaf* or AIW).

This condition is important from the perspective of legal protection because the continued use of an asset for religious purposes does not necessarily provide the same degree of certainty as formal documentation. In the community context, an asset may be widely recognized as waqf because the original waqif, religious leaders, mosque administrators, and residents have historically understood its status in the same way. However, such collective recognition can become vulnerable

when the original actors are no longer available, when heirs become involved, or when administrative leadership changes. Islamy et al. (2023) demonstrate that the absence of registration and certification can create legal uncertainty and expose waqf land to potential misuse or competing claims. Their study further emphasizes the importance of the Waqf Pledge Deed as an authentic legal document that can serve as evidence in the event of future disputes.

The findings from Kemirian indicate that the problem was not necessarily caused by a rejection of formal law. Rather, many community members had limited knowledge of the administrative procedures required to transform an established religious practice into formally documented waqf. Some residents understood waqf primarily as a religious commitment that could be established through an oral declaration witnessed by religious figures or members of the community. Although this practice may possess strong social legitimacy, it does not automatically provide the documentary evidence required within Indonesia's formal legal-administrative system. The Indonesian Waqf Board explains that the formal process of land waqf involves the preparation of ownership documents, verification by the PPAIW, the declaration of the waqf pledge before the authorized official and witnesses, and the subsequent preparation of the Waqf Pledge Deed.

The assessment consequently identified an administrative literacy gap among several local waqf administrators. The *nazhir* generally possessed substantial social and religious legitimacy because they were selected based on community trust, seniority, and religious standing. However, their familiarity with bureaucratic procedures was not always equivalent to their religious authority. Administrative tasks such as collecting supporting documents, checking land ownership records, completing forms, coordinating with the KUA, and following up the registration process required a different set of competencies. This finding is consistent with previous research showing that the problem of unregistered waqf involves not only the status of the land itself but also the capacity of *nazhir* to operate within the formal legal system. Navisa and Fatmawati (2021), for example, emphasize that unregistered waqf land can create legal vulnerability for *nazhir* because the absence of formal documentation may expose them to disputes concerning the management and status of waqf assets.

Another significant barrier was the difficulty of reconstructing the historical documentation of waqf assets. Several properties originated from waqf practices undertaken by previous generations, making the original ownership documents difficult to locate. In some cases, historical evidence such as land certificates or other ownership records had been lost, while ownership could still be associated with heirs whose current status or location was not immediately known. The field report specifically identified the loss of historical documentary traces as one of the main obstacles to the preparation of

AIW. This finding illustrates that legal formalization in rural areas may involve a process of reconstructing the administrative history of an asset before the formal waqf documentation can be completed.



Figure 1 The Process of Collecting the Required Documents for the Waqf Pledge

Economic and operational considerations also influenced the legalization process. Although formal government programs may provide mechanisms for facilitating waqf land registration, communities can still encounter indirect costs related to photocopying, document preparation, transportation, and communication with government institutions. For small prayer rooms and community-managed religious facilities, these costs may be difficult to absorb because operational funds commonly depend on voluntary donations. Consequently, the practical accessibility of legal administration becomes an important factor in determining whether communities are able to complete the formalization process. The field findings in Kemirian demonstrate that the existence of a legal procedure does not necessarily mean that the procedure is equally accessible to all community administrators.

The legalization process also contained a social dimension that could not be addressed through administrative instructions alone. Some *nazhir* and community members expressed concerns that formal discussions about land documentation could potentially create tension with heirs or other parties who had historically been involved with the property. This concern is understandable in rural communities where religious assets are embedded in long-standing social relationships. Formal documentation may be perceived not simply as an administrative requirement but as an intervention into an established social arrangement. Consequently, the process required careful communication

and mediation to ensure that legalization was understood as an effort to preserve the waqif's religious intention rather than as a challenge to existing community relationships.

These findings indicate that the legal vulnerability of waqf assets in Kemirian resulted from the interaction of several factors: limited administrative literacy, incomplete historical documentation, operational constraints, and socio-psychological considerations. The problem therefore cannot be adequately addressed through legal regulation alone. Mufti et al. (2025) similarly argue that waqf land without formal registration at the land office possesses weaker legal certainty, even when the waqf has religious validity. The distinction between religious recognition and formal legal certainty is therefore central to understanding the situation in Kemirian.

The results further demonstrate why a participatory approach was necessary. The community did not primarily require another explanation of the religious virtue of waqf; rather, it required practical assistance in translating existing religious commitments into legally protected assets. The intervention consequently focused on identifying assets, collecting documents, clarifying administrative requirements, and connecting local *nazhir* with the KUA and PPAIW. The original program documentation confirms that the assistance began with coordination among the KUA, village authorities, religious leaders, *nazhir*, and prospective waqifs, followed by identification of waqf assets and preparation of the required administrative documents.

The first part of the findings therefore establishes that the principal challenge in Kemirian was not the absence of waqf practices but the incomplete transition from socially recognized religious assets to formally protected legal assets. This finding provides the basis for understanding the subsequent role of participatory assistance. By addressing administrative, documentary, institutional, and social barriers simultaneously, the program created an opportunity for the community to move from informal recognition toward stronger legal certainty. In this respect, the experience of Kemirian demonstrates that waqf legalization should be approached as a community empowerment process in which legal institutions, religious actors, local administrators, and higher education institutions work collaboratively to protect assets whose benefits are intended to endure across generations.

Participatory Assistance and the Strengthening of Waqf Legal Protection

The second part of the findings demonstrates how participatory assistance translated the identified legal and administrative problems into concrete processes of waqf legalization. The intervention did not treat the community merely as the recipient of legal information but positioned local *nazhir*, mosque administrators, religious leaders, heirs, and other community actors as active participants in the legalization process. This orientation was important because the main challenge identified in Kemirian was not the absence of religious commitment to waqf, but the difficulty of

converting socially recognized waqf practices into formally documented legal status. The assistance therefore focused on bridging the gap between community practice and the administrative procedures required by the formal waqf system. The program documentation shows that the process involved coordination with the KUA, village government, religious figures, *nazhir*, and prospective waqifs, followed by the identification of waqf assets and preparation of the required documentation.

A central finding was the emergence of students as practical facilitators between the community and formal institutions. Rather than assuming the role of legal authorities, the students functioned as administrative and communicative intermediaries. They helped explain procedural requirements, organized documents, assisted *nazhir* in completing administrative forms, and facilitated communication with government institutions. This role was particularly relevant because *nazhir* often possessed strong religious and social legitimacy but did not necessarily have equivalent administrative competence. Navisa and Fatmawati (2021) similarly demonstrate that unregistered waqf land can expose *nazhir* to legal vulnerability, particularly when disputes arise concerning the status or management of the property. The Kemirian experience suggests that strengthening the position of *nazhir* therefore requires not only legal regulation but also practical assistance that enables them to navigate the regulatory system.

The assistance process began with the organization and verification of supporting documents. The team helped community administrators identify available evidence, separate documents related to the waqf property, and prepare materials required for the formal pledge process. This stage was particularly important because incomplete documentation was one of the principal obstacles identified during the initial assessment. The field documentation records the collection of required files and the preparation of documents associated with the separation and identification of the waqf property. The process demonstrated that seemingly simple administrative tasks can become substantial barriers for rural religious institutions when they lack personnel who are familiar with bureaucratic procedures.

The intervention also relied on social mediation to overcome psychological and relational barriers. The team communicated to *nazhir*, mosque administrators, and relevant family members that formalizing waqf should not be interpreted as an expression of distrust toward previous generations. Instead, documentation was framed as an effort to preserve the original religious intention of the waqif and protect the asset from possible future disputes. This approach was important because the formalization of long-established religious property can potentially intersect with family relationships and inheritance considerations. Recent scholarship on Indonesian waqf law similarly highlights the relationship between waqf governance and the prevention of inheritance-

related disputes, emphasizing the need for clearer legal arrangements concerning the position of heirs and waqf assets. (Al-Anshori et al., 2025).

Another significant outcome was improved institutional communication between community administrators and the KUA as the authorized institutional setting for the waqf pledge process. The program facilitated interaction with the PPAIW so that community members could better understand the formal requirements and procedures associated with the AIW. This institutional connection was essential because community actors could not independently establish formal legal recognition of the waqf asset. The legalization process necessarily involved cooperation between the community and state institutions. In this respect, participatory assistance served as an intermediary mechanism that reduced the administrative distance between rural communities and formal legal institutions.

The field findings further demonstrate the importance of incremental progress. The program did not immediately resolve all legal documentation problems affecting waqf assets in Kemirian. Instead, it succeeded in moving one identified prayer-room asset through a critical stage of the legalization process. The process included organizing scattered documents, facilitating communication with heirs concerning required documentation, and registering the waqf process at the KUA. Although the achievement involved only one documented unit, its significance lies in demonstrating the feasibility of overcoming administrative and social barriers through intensive assistance. It provided a concrete example that could subsequently be used as a reference for other religious facilities that remained in the documentation process.

This achievement also produced a potential demonstration effect within the community. A successful legalization process allowed other *nazhir* and mosque administrators to observe the actual administrative sequence rather than relying solely on abstract explanations. In community empowerment programs, such experiential learning can be particularly valuable because community members gain knowledge from an example that is geographically, socially, and institutionally familiar to them. The legalization of one asset therefore had significance beyond the immediate property involved. It generated an experiential reference that could encourage other administrators to begin organizing their own documentation.

The findings also indicate that legal protection should be understood as part of broader waqf governance. Formal documentation provides a foundation for protecting the physical asset, but effective governance requires continued institutional capacity, accountability, and coordination. Recent research emphasizes that waqf governance in Indonesia is constrained by uneven *nazhir* professionalism, fragmented institutional arrangements, and limited integration of administrative systems (Al Hanif et al., 2026). Similarly, Hendra et al. (2025) identify legal compliance as an important

dimension of accountability in waqf institutions, indicating that the quality of human resources and supervision is connected to the ability of waqf institutions to comply with legal requirements. The Kemirian intervention reinforces this perspective at the grassroots level: legal protection becomes more meaningful when community administrators possess the practical capacity to implement legal requirements.

The program also introduced an element of data integration by assisting administrators in organizing information concerning religious assets. The original report notes that students assisted in entering waqf asset information into the Sistem Informasi Wakaf (SIWAK), particularly in response to the limited technological familiarity of some older *nazhir*. Although this activity should not be interpreted as a complete digital transformation of waqf governance, it demonstrates the potential of community assistance to connect traditional religious asset management with contemporary administrative information systems. Digital documentation can contribute to institutional memory by reducing dependence on individual administrators and creating more systematic records of community assets.

Taken together, these findings demonstrate that participatory assistance generated value through several interconnected mechanisms: administrative facilitation, legal education, social mediation, institutional coordination, and documentation support. The intervention was therefore broader than a conventional legal counseling activity. It operated as a community-based governance intervention designed to strengthen the capacity of local actors to interact with formal legal institutions. This finding is consistent with broader research arguing that effective waqf implementation requires the integration of legal, institutional, managerial, and community dimensions rather than relying exclusively on statutory regulation (Hadi et al., 2025).

The experience of Kemirian ultimately suggests that the legal protection of waqf assets is a gradual process of institutional strengthening. Formal legal documentation is an essential outcome, but the process through which communities acquire the knowledge, confidence, administrative skills, and institutional connections necessary to obtain that documentation is equally important. Participatory assistance creates a mechanism through which these capacities can be developed simultaneously. The students' role as facilitators, the involvement of *nazhir* and community leaders, and coordination with the KUA demonstrate that higher education institutions can contribute to strengthening local waqf governance without replacing the authority of formal legal institutions.

Thus, the contribution of the Kemirian program lies not simply in facilitating an AIW but in demonstrating a replicable community-engagement logic: legal vulnerability is first identified through community-level assessment; administrative and social barriers are then mapped; local actors receive

practical assistance; formal institutions are engaged; and the resulting experience becomes a reference for subsequent legalization efforts. This approach places community participation at the center of legal protection and shows that safeguarding waqf assets requires an ongoing partnership among communities, *nazhir*, religious authorities, government institutions, and higher education institutions.

Discussion

The findings of the community service program in Kemirian Village demonstrate that the legalization of waqf assets should be understood as a multidimensional process involving legal certainty, administrative capacity, community participation, and institutional coordination. The central issue identified in the field was not the absence of waqf practices, but the gap between the community's long-standing recognition of waqf and the formal legal documentation required to protect the assets. This finding confirms previous research showing that unregistered waqf land remains vulnerable despite having been socially recognized and utilized for religious purposes. Islamy et al. (2023) argue that the absence of registration and certification can create legal uncertainty and increase the vulnerability of waqf assets to misuse and future disputes. Similarly, Mufti et al. (2025) emphasize that waqf land that has not been formally registered has a weaker position in the Indonesian positive-law system, even when the waqf itself is recognized from a religious perspective.

The Kemirian case therefore illustrates the importance of distinguishing between religious legitimacy and formal legal certainty. Community recognition can preserve the social identity of a waqf asset, but it cannot entirely substitute for documentary evidence when ownership disputes, inheritance transitions, or administrative changes occur. The Waqf Pledge Deed (*Akta Ikrar Wakaf* or AIW) becomes particularly important in this context because it provides formal evidence of the waqif's declaration. Islamy et al. (2023) identify the waqf pledge deed as an authentic instrument that can strengthen the evidentiary position of waqf land in potential disputes. Thus, the assistance provided in Kemirian should not be interpreted merely as bureaucratic support but as an intervention aimed at transforming religiously recognized assets into legally protected community assets.

An important theoretical implication of the findings concerns the role of administrative capacity in waqf governance. The fieldwork revealed that local *nazhir* generally possessed social legitimacy and community trust, but their administrative capacity did not always correspond to the complexity of formal legalization procedures. This finding supports the broader understanding that effective waqf governance requires more than the appointment of a *nazhir*. It

requires organizational capacity, accountability, documentation, risk management, and stakeholder engagement. The Badan Wakaf Indonesia's recent governance guidance similarly places transparency, accountability, responsibility, risk management, compliance, and stakeholder engagement at the center of professional *nazhir* governance.

From this perspective, participatory assistance can be understood as a capacity-building mechanism. The intervention enabled *nazhir* and mosque administrators to acquire practical knowledge while simultaneously completing an actual administrative process. This is more sustainable than one-directional legal counseling because knowledge is acquired through practice. A comparable community service study by Luthfi and Hapsari (2025) found that legal assistance concerning *nazhir* administration could improve partners' understanding and knowledge of regulatory requirements. The Kemirian program extends this insight by demonstrating that legal assistance can be integrated with document preparation, social mediation, and institutional facilitation rather than being limited to classroom-based education.

The role of students as facilitators also deserves particular attention. The findings indicate that students operated as an institutional bridge between local religious communities and formal authorities. Their contribution was not to replace the authority of the PPAIW or KUA but to reduce the administrative distance between community actors and those institutions. This intermediary function is especially valuable in rural settings where bureaucratic procedures may be perceived as complicated or inaccessible. In this respect, community service conducted by higher education institutions can contribute to legal empowerment by making existing regulations more understandable and operational for local communities.

The findings further demonstrate that legal formalization has a strong social dimension. Concerns regarding heirs, historical ownership, and possible conflict indicate that waqf legalization cannot be separated from the social relationships surrounding the asset. The process therefore required communication and mediation to explain that documentation was intended to protect the waqif's religious intention rather than challenge the legitimacy of previous community arrangements. This finding suggests that legal interventions in religious communities are more effective when legal norms are communicated through culturally and religiously meaningful narratives. The legal objective of preventing future disputes can be connected with the religious objective of preserving the continuity of charitable deeds.

Another important dimension is the relationship between documentation and long-term waqf sustainability. Legalization is not the final objective of waqf governance but an institutional foundation for protecting assets so that their intended benefits can continue. If an asset is formally documented, the community possesses stronger institutional grounds for maintaining

its status, managing it, and developing its use. Conversely, undocumented assets remain dependent on individual memory and informal community recognition. The field findings concerning lost historical documents demonstrate the vulnerability of such arrangements. Once the individuals who possess knowledge of the original waqf are no longer available, reconstructing the history of the asset becomes increasingly difficult. Formal documentation therefore serves as a mechanism for preserving institutional memory across generations.

The program's documentation and data-management activities also indicate the emerging relevance of digitalization. The assistance included support for organizing waqf information and introducing asset data into the Sistem Informasi Wakaf (SIWAK). This direction is consistent with recent research emphasizing digital transformation as a means of accelerating waqf land certification and improving legal certainty. Pratiwi and Fidiyani (2026) argue that digital transformation can support the acceleration of waqf land certification by improving public administrative services and facilitating access to information. Digitalization, however, should be understood as complementary to—not a replacement for—community assistance. Technology can organize information, but it cannot independently resolve missing documents, social tensions, or uncertainty concerning historical ownership.

The relationship between the principal findings and their broader implications can be summarized as follows.

Field Finding		Underlyin		Participator		Governance	
		g Challenge		y Response		Implication	
Waqf assets were recognized incompletely documented	socially but	Gap between religious and legal certainty		Legal education and identification documentation requirements		Strengthenin	
						g formal legal status	
Historical ownership documents were difficult to trace		Loss of institutional documentary memory		Document inventory and administrative assistance		Improved continuity of asset records	
Nazhir strong legitimacy but limited administrative capacity	had social	Uneven administrative competence		Practical guidance and direct assistance		Strengthened nazhir capacity	

Legalization could create concerns among heirs	Social and psychological barriers	Dialogue and mediation	Greater community acceptance of formalization
Administrative procedures were perceived as difficult	Limited access to formal institutions	Facilitation with KUA/PPAIW	Improved institutional connectivity
Waqf data required better organization	Fragmented asset information	Assistance with SIWAK-related data management	Greater potential for systematic waqf governance

The table demonstrates that the intervention's contribution was not limited to the issuance or facilitation of a waqf document. Its broader contribution was the creation of an integrated pathway connecting legal knowledge, administrative capacity, social mediation, institutional access, and asset documentation. This is consistent with the argument that effective waqf governance requires coordination among *nazhir*, regulators, beneficiaries, and communities rather than reliance on a single institutional actor. The Indonesian Waqf Board's governance framework similarly emphasizes stakeholder engagement, accountability, risk management, and professional management as important components of good *nazhir* governance.

Nevertheless, the findings should be interpreted within the limits of the program. The documented achievement of one prayer-room asset represents an important practical outcome, but it should not be generalized as evidence that all waqf assets in Kemirian have been fully legalized. Rather, the case demonstrates the feasibility of participatory assistance as an initial mechanism for overcoming administrative and social barriers. Future programs should therefore emphasize continued mentoring, systematic asset inventories, periodic legal-literacy activities, improved digital records, and sustained coordination between village authorities, KUA, BPN, *nazhir*, and higher education institutions.

Overall, the Kemirian experience supports the argument that legal protection of waqf assets is most effective when formal regulation is accompanied by community-based facilitation. The existence of legislation alone cannot guarantee legal certainty if communities lack the capacity and institutional access necessary to implement it. Participatory assistance provides a practical bridge between these two dimensions by transforming legal requirements into concrete community action. The program therefore contributes to a broader model of waqf governance in

which legal certainty, community empowerment, administrative capacity, and institutional collaboration are treated as interconnected elements of sustainable waqf protection.

Kesimpulan

The community service program in Kemirian Village demonstrates that strengthening the legal protection of waqf assets requires more than the existence of formal regulations. The main challenges identified in the field included incomplete legal documentation, difficulties in tracing historical ownership records, limited administrative capacity among nazhir, operational constraints, and social concerns surrounding the formalization of long-established waqf assets. These conditions indicate that legal uncertainty at the community level is closely connected to administrative and socio-cultural factors.

Participatory assistance provided a practical mechanism for addressing these challenges by combining legal education, document inventory, administrative assistance, social mediation, and coordination with the KUA and PPAIW. The documented progress of one prayer-room asset toward formal waqf legalization demonstrates that intensive community-based facilitation can help overcome barriers that may otherwise remain unresolved. More importantly, the program strengthened community understanding that formal waqf documentation is not merely a bureaucratic requirement but an instrument for preserving the waqif's intention and protecting the continuity of the asset for future generations.

The findings suggest that higher education institutions can play a strategic role as facilitators connecting rural communities with formal legal institutions while strengthening the administrative capacity of local nazhir. For future implementation, similar programs should be continued through systematic waqf asset inventories, periodic legal-literacy activities, improved documentation and digital data management, and sustained collaboration among nazhir, village governments, KUA/PPAIW, land authorities, religious leaders, and community organizations. Thus, participatory assistance can serve as a replicable community-based approach for strengthening legal certainty and sustainable governance of waqf assets in rural Indonesia.

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