

AN ANALYSIS OF THE CONCEPT OF JUSTICE ('ADL) IN THE ISLAMIC ECONOMIC SYSTEM: A CASE STUDY OF PRODUCTIVE WAQF IN INDONESIA

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Abstract :

Justice ('adl) is a fundamental principle in the Islamic economic system that underlies all economic activities, including waqf management. Productive waqf, as an Islamic economic instrument, has great potential in realizing social justice and equitable welfare distribution. However, in practice, the management of productive waqf in Indonesia still faces various challenges, both institutional and managerial, as well as in the distribution of benefits. This study aims to analyze the concept of justice ('adl) in the Islamic economic system and examine its implementation in productive waqf management in Indonesia. This research employs a qualitative method using literature review and case study approaches. The results indicate that the concept of justice in Islamic economics requires a balance between individual ownership and social interests, transparency in management, and equitable and sustainable distribution of waqf benefits. Although productive waqf practices in Indonesia have generally reflected the principle of justice, improvements in governance, professionalism of nazhir, and stakeholder synergy are still needed to achieve optimal social justice.

Keywords: *justice ('adl), Islamic economics, productive waqf, social welfare.*

الملخص:

العدل ('adl) هو أحد المبادئ الأساسية في النظام الاقتصادي الإسلامي الذي يوجه جميع الأنشطة الاقتصادية، بما في ذلك إدارة الوقف. ويتمتع الوقف المنتج، بصفته أداة اقتصادية إسلامية، بإمكانات كبيرة في تحقيق العدالة الاجتماعية وتوزيع الرفاهية على المجتمع بشكل عادل. ومع ذلك، في الممارسة العملية، لا تزال إدارة الوقف المنتج في إندونيسيا تواجه تحديات متنوعة، سواء من الناحية المؤسسية أو الإدارية أو من حيث توزيع المنافع. تهدف هذه الدراسة إلى تحليل مفهوم العدالة (العدل) في النظام الاقتصادي الإسلامي ودراسة تطبيقه في إدارة الوقف المنتج في إندونيسيا. وقد استخدمت في هذا البحث المنهجية النوعية من خلال نهج دراسة المراجع ودراسة الحالات العملية لبعض ممارسات الوقف المنتج في إندونيسيا. وأظهرت نتائج البحث أن مفهوم العدل في الاقتصاد الإسلامي يتطلب تحقيق التوازن بين الملكية الفردية والمصالح الاجتماعية، والشفافية في الإدارة، وتوزيع فوائد الوقف بشكل عادل ومستدام. وقد اتجهت الأوقاف المنتجة في إندونيسيا بشكل أساسي نحو مبدأ العدالة، ولكن لا يزال من الضروري تعزيز الحوكمة، ومهنية النازير، والتآزر بين أصحاب المصلحة حتى يتسنى تحقيق هدف العدالة الاجتماعية على النحو الأمثل.

Abstrak :

Keadilan ('adl) merupakan salah satu prinsip fundamental dalam sistem ekonomi Islam yang menjiwai seluruh aktivitas ekonomi, termasuk pengelolaan wakaf. Wakaf produktif sebagai instrumen ekonomi Islam memiliki potensi besar dalam mewujudkan keadilan sosial dan pemerataan kesejahteraan masyarakat. Namun, dalam praktiknya, pengelolaan wakaf produktif di Indonesia masih menghadapi berbagai tantangan, baik dari aspek kelembagaan, manajerial, maupun distribusi manfaat. Penelitian ini bertujuan untuk menganalisis konsep keadilan ('adl) dalam sistem ekonomi Islam serta mengkaji implementasinya pada pengelolaan wakaf produktif di Indonesia. Metode penelitian yang digunakan adalah kualitatif dengan pendekatan studi pustaka dan studi kasus terhadap beberapa praktik wakaf produktif di Indonesia. Hasil penelitian menunjukkan bahwa konsep keadilan dalam ekonomi Islam menuntut adanya keseimbangan antara kepemilikan individu dan kepentingan sosial, transparansi pengelolaan, serta distribusi manfaat wakaf yang merata dan berkelanjutan. Wakaf produktif di Indonesia pada dasarnya telah mengarah pada prinsip keadilan, namun masih diperlukan penguatan tata kelola, profesionalisme nazhir, dan sinergi antar pemangku kepentingan agar tujuan keadilan sosial dapat tercapai secara optimal.

Kata kunci: keadilan ('adl), ekonomi Islam, wakaf produktif, kesejahteraan sosial.

INTRODUCTION

The Islamic economic system is built upon a set of normative values derived from the Qur'an and the Hadith, one of which is the principle of justice ('adl). Justice, from an Islamic perspective, is not merely understood as formal equality but also encompasses balance, proportionality, and placing things in their proper place. This principle is the key distinction between the Islamic economy and conventional economic systems, which tend to emphasize efficiency and profit alone.

Waqf represents a highly promising form of capital for the Muslim community, provided it is managed and developed effectively. Waqf functions as a factor of production for economic development aimed at the welfare of the Muslim community. As of 1991, the number of waqf properties in Indonesia reached 319,214 locations. Therefore, it is only natural that the government from the Dutch colonial era to the present has paid close attention to this matter and established various regulations and laws to oversee the management of waqf.

In the context of Islamic economics, waqf is a philanthropic instrument that possesses both religious and socio economic dimensions. Productive waqf that is, waqf managed productively to generate sustainable economic benefits is viewed as a strategic means of achieving social justice. Through productive waqf, waqf assets are not merely consumptive but are capable of empowering communities and reducing economic inequality.

Indonesia, as the country with the world's largest Muslim population, has enormous potential for waqf. Data from the Indonesian Waqf Agency indicates that the total area of waqf land and the potential for monetary waqf in Indonesia are substantial. However, this vast potential has not yet been fully realized through optimal management guided by the principle of justice.

Therefore, it is important to conduct a study on the concept of justice ('adl) and its implementation in productive waqf.

This study aims to: 1. Analyze the concept of justice ('adl) from the perspective of the Islamic economic system. 2. Examine the application of the principle of justice in the practice of productive waqf in Indonesia. 3. Formulate recommendations for strengthening productive waqf to make it more just and sustainable.

RESEARCH METHOD

This study employs a qualitative method with a descriptive-analytical approach. Data were obtained through a literature review of books, scientific journals, and laws and regulations related to waqf and Islamic economics. In addition, this study also uses a case study approach by examining the practice of productive waqf in Indonesia managed by waqf institutions.

Data analysis was conducted by linking the concept of justice ('adl) in Islamic economic theory to the practice of managing productive waqf, and then drawing conclusions inductively.

RESULTS AND DISCUSSION

Overview of Productive Waqf in Indonesia

Productive waqf in Indonesia has seen significant growth alongside the strengthening of regulations and the role of professional waqf institutions. Waqf is no longer limited to consumptive assets such as mosques and cemeteries but has expanded into productive sectors such as commercial real estate, education, healthcare, and the empowerment of MSMEs. This transformation aligns with the principle of justice ('adl) in Islamic economics, which aims to create sustainable and equitable public welfare.

The term "waqf" originates from the Arabic mashdar (Waqafa), synonymous with "habs," meaning to halt or withhold something pertaining to property. In fiqh terminology, waqf means transferring ownership of a durable asset to an individual, a nazir (trustee or administrator of the waqf), or a managing body, on the condition that the proceeds or benefits are used in accordance with Islamic teachings. The asset donated as a waqf is no longer the property of the waqif (donor) nor of the nazir, but becomes the property of Allah SWT.

According to Islamic law, waqf refers to setting aside an object or asset from which benefits can be derived for use in a manner pleasing to Allah SWT. In another definition, waqf means retaining the principal of the asset while donating its proceeds and utilizing them in the way of Allah.⁷ Meanwhile, Abû Hanifah understood waqf as the act of retaining an asset in the ownership of the waqf donor and donating (giving in charity) its benefits for charitable purposes in the present and the future. In line with the aforementioned Imam, Imam

Shafi'i and Ahmad ibn Hanbal stated that waqf involves withholding assets from disposal, donating their proceeds, and transferring ownership from the waqf donor to the waqf recipient, who may not act arbitrarily as the "mawquf alaihi."

Case Study on Productive Waqf

a. Indonesian Waqf Board (BWI)

BWI serves as an independent institution that coordinates the management of waqf nationwide. BWI's productive waqf program encompasses the development of monetary waqf, agricultural waqf, and property waqf. The principle of justice is reflected in transparent governance, oversight of the nazhir, and the distribution of waqf benefits for education, health, and poverty alleviation.

b. Dompot Dhuafa

Dompot Dhuafa develops productive waqf through the health sector (waqf hospitals), education, and the productive economy. This model reflects distributive justice because the benefits of waqf are accessible to the poor on a sustainable basis, rather than being merely a one-time charitable act.

c. Rumah Wakaf

Rumah Wakaf focuses on the economic empowerment of the community through productive waqf based on MSMEs and social enterprises. The principle of justice is realized by providing access to capital and business mentoring for marginalized communities.

Analysis of Justice ('Adl) in Productive Waqf Practices

Based on the case studies, the implementation of justice encompasses: (1) distributive justice of benefits, (2) procedural justice through transparency and accountability, and (3) sustainable justice through the development of productive assets.

Conceptual Framework of the Research

This study views productive waqf as an Islamic economic instrument that links the value of justice ('adl) with social welfare. This concept can be illustrated as a flowchart: Principle of Justice ('Adl) → Waqf Governance → Productivity of Waqf Assets → Community Welfare.

Table Analyzing the Implementation of Productive Waqf Equity

Waqf Institution	Form of Productive Waqf	Principle of Justice	Social Impact
BWI	Cash waqf & property	Transparency & equitable distribution	Education & social welfare
Dompot Dhuafa	Healthcare & education	Distributive justice	Access to public services
Rumah	MSMEs & social	Economic empowerment	Increased income

CONCLUSION

Based on the research findings, it can be concluded that the concept of justice ('adl) in the Islamic economic system requires a balance between individual and social interests, as well as an equitable and sustainable distribution of benefits. Productive waqf is a strategic instrument for achieving social justice in Indonesia. Although its implementation has been guided by the principle of justice, various efforts are still needed to ensure that the potential of productive waqf is fully realized.

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