



The Contribution of Waqf in Overcoming Agrarian Problems: A Study of Hadith

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Abstract

Waqf is one of the elements in Islamic teachings, as well as an instrument in Islamic economics. Hadiths that talk about waqf in particular are rarely found in the main book of hadith, but uniquely there are many hadith editors who have a meaning with waqf narrated by hadith narrators. The method in writing this article uses Takhrijul Hadith, while the approach uses descriptive qualitative. The results obtained are that there is a hadith narrator named Nafi'. This Nafi' narrated the hadith about waqf in two different sanad. After examining these two different sanad, they concluded that the quality of the sanad is Sahih. Besides that, that the use of waqf now is not only for mosques, prayer rooms, madrasas, Islamic boarding schools, cemeteries, but waqf can also contribute to agrarian matters.

Key Word: Agrarian Narrator; Waqf; Nafi', Hadith

1. Introduction

Waqf is one of the elements in Islamic teachings, and also one of the instruments in Islamic economic activities, in addition to zakat, alms, and infaq. Talking about waqf at this time the development has been very rapid. In the early days of Islam, waqf only focused on ground or land. Its utilization is only around

for mosques, prayer rooms, madrasas, Islamic boarding schools, burial grounds. Now comes the term cash waqf (money), waqf tube, al-qur'an waqf and many more related to waqf. The contribution of waqf in the economic field is very large. Among them, waqf contributes to agrarian problems, this is because agrarian is part of the source of economic activity.

According to Nafis¹ Waqf is a kind of gift whose implementation is carried out by holding (ownership) of origin (tahbis al asli), then making the benefits generally accepted. What is meant by tahbist al-asli is to hold the goods that are waqfed so that they are not inherited, sold, donated, pawned, rented and the like. According to Law no. 41 of 2004, waqf is a legal act of wakif to separate and/or surrender part of his property to be used forever or for a certain period of time in accordance with his interests for the purposes of worship and/or general welfare according to sharia.

Waqf has become one of the Islamic fiscal instruments that has existed since the beginning of the arrival of Islam. Historical facts show that waqf has shown various important roles in developing various social, economic, educational and cultural activities. Waqf must be able to play an effective role in building the people, in order to be able to reduce dependence on funding from the government. Waqf is proven to be able to become a social security instrument in community empowerment². So that waqf can be said to be very important and has many contributions in national development.

Waqf plays a very important economic and social role in Islamic history, waqf serves as a source of financing for mosques, schools, studies and research, hospitals, social services and defense³. Boedi Harsono stated that the right of control over land contains a series of powers, obligations, and or prohibitions for the holder of the right to do something about the land being entitled. Something that is allowed, obligated or prohibited to be done, which is the content of the right of control is what becomes the criteria or benchmark for distinguishing between land tenure rights regulated in Land Law⁴.

¹ Nafis, Ch. *Wakaf Uang Untuk Jaminan Sosial. Jurnal Al-Awqaf*, 2(2). 2009

² Arif, M. N. R. Al. *Wakaf Uang dan Pengaruhnya terhadap Program Pengentasan Kemiskinan di Indonesia*. 2(1), 17–29. 2012

³ Mukhtar, M. *Penelitian Rijal Al-Hadis Sebagai Kegiatan Ijtihad*. 9(2), 187–194. 2011

⁴ Harsono, B. *Hukum Agraria Indonesia Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi, dan Pelaksanaannya*. Djambatan. 2003

When viewed from the source of the law, the proof about waqf is in QS Al Imran verse 92. In this case Allah says as follows: “You will never arrive at (perfect) goodness, before you spend some of the wealth you love. And whatever you spend, Allah knows it”. In addition to the evidence from the Qur’an, there are also arguments that come from the hadith of the Prophet Muhammad. However, it seems that the hadith’s that specifically discuss waqf are very limited, but the uniqueness of the hadiths that have a lot of meaning is very much. This can be proven that almost in the main books of hadith (kutubusittah/6 books) or even kutubutis’ah (9 books) there is a discussion about waqf.

From several hadith’s related to waqf, in this article the author tries to present two hadith editors with different narrators (two lines of narration). The editorial of the first hadith is from the narration of Bukhari, while the editorial of the second hadith is from the narration of Muslim. From these two hadiths, the writer wants to know what qualities and reasons why the two narrators of this hadith place different chapters in their chapters. In this article, the focus of the study is the hadith related to waqf

The previous research related to this research, among others, are as follows:

- a. Mohamad Shohibuddin. Articulation of Islam Nusantara in the Agrarian Struggle in the Journal of ISLAM NUSANTARA in Volume I, Number I, July 2020. The author offers the perspective of “Dialectics of Access and Exclusion” as a theoretical framework for understanding the core of social struggle in the agrarian field. This research has something to do with the author’s research, which is both discussing agrarian issues. While the difference is that the author’s research focuses on the issue of waqf in terms of the Hadith.⁵
- b. Nurodin Usman. Study of Waqf Hadiths in Sahih Al-Bukhari and Fath Al-Bari in the journal Cakrawala, Vol. X, No. 2, December 2015. The author conveys several hadiths about waqf in general which are in the book of Sahih Bukhari and his sarah, namely the book of Fath al-Baari. Where the author conveys that there are 26 hadiths that explain waqf, but in the form of repetition. After careful research, there are 8 hadiths, and even then they are in the form of meaningful hadiths. As for this writing, the author focuses on agrarian waqf.⁶

⁵ Shohibuddin, M. *Islam Nusantara dalam Perjuangan Agraria*. ISLAM NUSANTARA, v.1, n.1. 2020

⁶ Usman, N. *Studi Hadis-Hadis Wakaf dalam Kitab Fath Al-bari, Sarah Sahib Al-Bukhari*. X (2), 175–193. 2015

- c. Muhammad Nurudin. Understanding the Hadith of Waqf in the Global Society Constellation in the journal ZISWAF, Vol. 2, No. 1, June 2015. The author conveys that the role of waqf is very strategic in dealing with today's global life, besides being able to increase Ukhuwah Islamiyyah, the economic development of the people, the assets of Muslims, assisting the development of the country, overcoming the global and national monetary crisis, no risk for managers, wakif, and recipients. While the difference is that the author's research focuses on the issue of waqf in terms of the Hadith.⁷
- d. Akhmad Sirojudin Munir. Optimizing Productive Waqf Empowerment. Journal of Ummul Qura Vol VI, No 2, September 2015. The author conveys that in order to optimize the productive empowerment of waqf objects, there is still a need for a lot of evaluation and maximizing socialization to the community by the authorities related to the management and development of productive waqf objects. While the difference is that the author's research focuses on the issue of waqf in terms of the Hadith.⁸

In writing this article, using the takhrijul hadith method, takhrij etymologically means "to issue". Mahmud al-Tahhan⁹ defines takhrij as a search for the location of the hadith in its original sources which mentions the hadith and its chain, to then examine the quality of the hadith. The definition offered by al-Tahhân applies after the codification of the hadith (Al-Thahhân, 1979). So takhrijul hadith aims to determine the quality of the hadith whether authentic, hasan, dhoif. The approach in writing this article uses a literature study approach.

2. Result and Discussion

As stated in the introduction, the hadiths related to waqf, which get more attention in the discussion in this article, are the first hadith narrated by Bukhari and the second hadith narrated by Muslim. The first Hadith (Bukhari/2565) reads:

حَدَّثَنَا مُسَدَّدٌ حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ حَدَّثَنَا ابْنُ عَوْنٍ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ

⁷ Nurudin, M. *Memahami Hadis Wakaf dalam Konstalasi Masyarakat Global*. ZISWAF, 2 (1). 2015

⁸ Munir, A. S. *Optimalisasi Pemberdayaan Wakaf Secara Produktif*. Ummul Quro, v. VI (2), 94–109. 2015

⁹ Al-Thahhân, M. *Ushûl al-Takhrij wa Dirâsah al-Asânid*. Dâr al-Qurân al-Karîm. 1979

عَنْهُمَا قَالَ أَصَابَ عُمَرُ بِخَيْبَرَ أَرْضًا فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ أَصَبْتُ أَرْضًا لَمْ أَصِبْ مَالًا قَطُّ أَنْفَسَ مِنْهُ فَكَيْفَ تَأْمُرُنِي بِهِ قَالَ إِنَّ شِدَّتَ حَبَسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا فَتَصَدَّقْ عُمَرُ أَنَّهُ لَا يُبَاعُ أَصْلُهَا وَلَا يُوهَبُ وَلَا يُورَثُ فِي الْفُقَرَاءِ وَالْقُرْبَى وَالرِّقَابِ وَفِي سَبِيلِ اللَّهِ وَالضَّيْفِ وَابْنِ السَّبِيلِ لَا جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ أَوْ يُطْعِمَ صَدِيقًا غَيْرَ مُتَمَوِّلٍ فِيهِ

[Has told us Musaddad(1) has told us Yazid bin Zurai'(2) has told us Ibn 'Aun(3) from Nafi'(4) from Ibn 'Umar radiallahu 'anhuma(5) said; 'Umar got property in the form of land in Khaibar then he went to the Prophet sallallaahu 'alaihi wasallam and said: "I got treasure and I have never got a more valuable treasure than him. How do you order me about it?" He said: "If you want, you take care of the trees and then you give charity (results)". So 'Umar gave it away, where he did not sell the trees nor did he donate it nor did he inherit it, (but he gave his wealth) to the poor, relatives, to free slaves, fii sabilillah (in the way of Allah), to entertain guests and ibn sabil. And it is not a sin for the person who takes care of it to eat from it in a right way and to feed his friends as long as it is not for the purpose of hoarding it].¹⁰

As for the second hadith, namely the hadith narrated by Muslim hadith number 3085, which reads:

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ أَخْبَرَنَا سُلَيْمُ بْنُ أَحْضَرَ عَنْ ابْنِ عَوْنٍ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ قَالَ أَصَابَ عُمَرُ أَرْضًا بِخَيْبَرَ فَأَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَسْتَأْمِرُهُ فِيهَا فَقَالَ يَا رَسُولَ اللَّهِ إِنِّي أَصَبْتُ أَرْضًا بِخَيْبَرَ لَمْ أَصِبْ مَالًا قَطُّ هُوَ أَنْفَسُ عِنْدِي مِنْهُ فَمَا تَأْمُرُنِي بِهِ قَالَ إِنَّ شِدَّتَ حَبَسْتَ أَصْلَهَا وَتَصَدَّقْتَ بِهَا قَالَ فَتَصَدَّقْ بِهَا عُمَرُ أَنَّهُ لَا يُبَاعُ أَصْلُهَا وَلَا يُبْتَاغُ وَلَا يُورَثُ وَلَا يُوهَبُ قَالَ فَتَصَدَّقْ عُمَرُ فِي الْفُقَرَاءِ وَفِي الْقُرْبَى وَفِي الرِّقَابِ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ وَالضَّيْفِ لَا جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ أَوْ يُطْعِمَ صَدِيقًا غَيْرَ مُتَمَوِّلٍ فِيهِ

¹⁰ Bukhari. *Shahih al-Bukhâri. Dâr Ibn Katsîr*. 1987

[Has told us Yahya bin Yahya At Tamimi(1) has told us Sulaim bin Ahdlar(2) from Ibn 'Aun(3) from Nafi'(4) from Ibn Umar(5) he said, "Umar got a share of the plantation land in Khaibar, then he came to the Prophet sallallaahu 'alaihi wasallam and asked for advice regarding this part, he said, "O Messenger of Allah, I got a share of plantation land in Khaibar, and I have never got a treasure that I am very proud of like that garden, so what What did you command about the garden?" He replied: "If you want, take care of the tree and give alms from it." Ibn Umar said, "Then Umar gave it to charity, the tree was not sold and the result was not inherited and it was not given away." Ibn Umar continued, "Umar gave the proceeds to the poor, close relatives, freed slaves, funds for the struggle in the way of Allah, for warriors and to entertain guests. And he also allowed other people to cultivate the garden and eat from the crops properly, or feed his friends without saving it." Ibn Umar said again, "And I have told this hadith to Muhammad, when I came to the saying; 'And do not keep it', then Muhammad said, "And do not accumulate his wealth." Ibn 'Aun(3) said, "And it has been reported to me who has read this book, that it is written in it, 'And do not accumulate wealth.' And has told us Abu Bakr bin Abu Syaibah (7) has told us Ibn Abu Zaidah (8.) (in another path mentioned) Has told us Ishaq (9) has told us Azhar As Saman (10). (in another path mentioned) Has told us Muhammad bin Al Mutsanna (11) has told us Ibn Abu 'Adi (12) everything from Ibn 'Aun (3) with these sanad, only the hadiths of Ibn Abu Zaidah and Azhar are complete in lafadz, 'or feeding his friend without saving it', and nothing is mentioned after it, while the hadith of Ibn Abu 'Adi, in it is as stated by Sulaim, namely his (Ibn Umar) saying, 'Then I conveyed this hadith to Muhammad' etc." And has told us Ishaq bin Ibrahim (14) has told us Abu Daud Al Hafari Umar bin Sa'd (15) from Sufyan (16) from Ibn 'Aun (3) from Nafi' (4) from Ibn Umar (5) from Umar (20) he said, "I got a share of plantation land in Khaibar, then I went to the Messenger of Allah sallallaahu 'alaihi wasallam and said, "I have got plantation land, and there is nothing I like more than that land....then he continued the hadith as they all had, but he did not mention 'Then I conveyed this hadith to Muhammad', and also afterthat"]].

From these two hadiths, it can be seen that there are two transmission lines with different sanad, so we know that sometimes there is a hadith narrated by Imam Bukhari with his own chain of transmissions, at the same time it is also narrated by Muslim imams with his own chain of chains. It could even be

narrated by other priests. As in the case of this hadith about waqf. This shows how important a matter is, so that the hadith is narrated by more than two sanad and one narrator.

The Sanad of the editor of the first hadith is as follows: Musaddad(1) has told us Yazid bin Zurai'(2) has told us Ibn 'Aun(3) from Nafi'(4) from Ibn 'Umar radiallahu ' anhum(5). From the editorial, based on the knowledge of Rijalul Hadith and Jarh Wa Ta'dil, it is known that the sanad in the first editorial of the hadith is said to be quality authentic, because in the chain there are no problematic narrators.

As for the matan of the editorial, the hadith does not conflict with the Qur'an, nor does it conflict with other mutawatir hadiths, does not conflict with the consensus of the ulama', does not conflict with common sense, does not conflict with historical evidence, does not conflict with sunatulloh. So that from the editors of the hadith it can be judged the quality as a SHAHIH hadith with Maqbul content.

Furthermore, the sanad from the editor of the second hadith is: It has been told to us Yahya bin Yahya At Tamimi(1) has informed us Sulaim bin Ahdlar(2) from Ibn 'Aun(3) from Nafi'(4) from Ibn Umar(5), Ibn 'Aun(3) said, "And it has been reported to me who has read this book, that it is written in it, 'And do not accumulate wealth.' And has told us Abu Bakr bin Abu Syaibah (7) has told us Ibn Abu Zaidah (8.) (in another path mentioned) Has told us Ishaq (9) has told us Azhar As Saman (10). (in another path mentioned) Has told us Muhammad bin Al Mutsanna (11) has told us Ibn Abu 'Adi (12) everything from Ibn 'Aun (3) with these sanad, only the hadiths of Ibn Abu Zaidah and Azhar are complete in lafadz, 'or feeding his friend without saving it', and nothing is mentioned after it, while the hadith of Ibn Abu 'Adi, in it is as stated by Sulaim, namely his (Ibn Umar) saying, "Then I conveyed this hadith to Muhammad' etc." And has told us Ishaq bin Ibrahim (14) has told us Abu Daud Al Hafari Umar bin Sa'd (15) from Sufyan (16) from Ibn 'Aun (3) from Nafi' (4) from Ibn Umar (5) from Umar(20). From the editorial, based on the knowledge of Rijalul Hadith and Jarh Wa Ta'dil, it is known that the sanad in the first editorial of the hadith is said to be quality authentic, because in the chain there are no problematic narrators.

As for the content of the editorial, the hadith does not conflict with the Qur'an, nor does it conflict with other mutawatir hadiths, does not conflict with the consensus of the ulama', does not conflict with common sense, does not conflict with historical evidence, does not conflict with sunatulloh. So from the

editorial of the hadith, the quality can be judged as a SHAHIH hadith with Maqbul content.

Syarah Turats From kitab Fath al-Bari:

This chapter mentions the hadith of Ibn Umar about the story of Umar's waqf. At the end of the discussion on conditions, Imam Bukhari mentions this hadith under the heading of the chapter on waqf. Then after this chapter, he mentions this hadith again under the chapter title "Waqf for the affluent and the needy". Then after two chapters, he mentions it again under the chapter title 'Maintenance of Waqf Management'. Whereas in the previous chapters this hadith was mentioned under the chapter "What Should a Will Holder Do with the Assets of Orphans". These are the places where Imam Bukhari mentioned the above hadith with a mausul sanad. In some of them he mentions it at length, and in some it mentions only the fragments with a mu'allaq chain, including the discussion on agriculture, the chapter "Does the Waqf Giver Take Benefits from His Waqf", and in the chapter "If Someone Makes Waqf of Something Before Handing It Over to Him". Others".

That's what most of the narrators from Nafi', through the path of Ibn Aun, said, namely they put it as a hadith quoted by Ibn Umar.

In the narration of At-Tirmidhi from the path of Ibn Aliyah, from Ibn 'Aun it is stated, "Has told me a man who read the waqf letter on a red piece of skin." Ibn Aliyah said, "I have read it, in the history of Ibn Ubaidillah bin Umar is also like that." Then Abu Daud narrated the nature of Umar's waqf letter from Yahya bin Sa'id Al Ansari, he said, "Abdullah bin Humaid bin Abdullah bin Umar has copied it for me." Then he mentioned as above and said, ghoiru muta'otsilin. Muta'alsil means to make or take. The word ta'atstul means taking the principal property, so that the property is like his for a long time.

The terms of the disclaimer make it a basic asset, strengthening the view of those who say that the meaning of the phrase "eating in a proper way" is eating in its true sense, not taking only waqf according to the level of work. This is according to Al Qurtubi. Imam Ahmad added in his narration from Hammad bin Zaid, from Ayyub, he mentioned the complete hadith. Hammad said, "Amr bin Dinar said that Abdullah bin Umar gave Abdullah bin Sufuan some of Umar's alms." Similarly, it was narrated by Umar bin Shabah from the path of Hammad

bin Zaid from Umar. Then he added (Umar bin Shabah) from Yazid bin Harun, from Ibn 'Aun, at the end of this hadith.

Umar willed it to Hafshah (Ummul Mu'minin) then to the dignitaries of Umar's family who are similar to him in the history of Ubadillah bin Umar quoted by Ad-Daruquthni. Meanwhile, in the narration of Ayub from Nafi' quoted by Ahmad it is stated, "The next will be taken care of by wise people among IJmar's family." It was as if at first Umar required that those who took care of it were wise people among his family, then he left a will to be taken care of by Hafshah. This matter has been explained by Umar bin Shabah from Abu Ghassan Al Madani, he said, "This is a text about Umar's alms (waqf certificate) which is in Umar's family. I have copied it letter by letter as follows: "This is a decree written by the Servant of Allah, Umar, Amirul Mu'minin, regarding Tsamgh (land in Khaibar) that the land was handed over to Hafshah for the rest of her life. She (Hafshah) has the right to spend the results where Allah wills for her. If she dies, then it is handed over to wise people from among his family."

I (Ibnu Hajar) said, he mentioned all the conditions as mentioned in the hadith marfu', then it was said, "And 100 wasaq which was given to me by the Prophet SAW together with Tsamgh, according to the conditions he ordered. If he wants, he can buy (with the results of the land) slaves to cultivate it. (Al-Asqolani, n.d.) This letter was written by Mu'aiqib and witnessed by Abdullah bin Al Arqam."

Based on the two hadiths above, it can be seen that waqf is an element of Islamic teachings. Furthermore, waqf can be practiced in several fields, one of which is in the agrarian sector. This field is closely related to land and agriculture issues. The reality that is happening today is that many farmers have lost their land, because the land has changed ownership so that the land has been converted. This transfer of land ownership, is actually not solely the fault of one party (for example, investors), but sometimes farmers are in need of funds and because farming is deemed not prospective, so the land they own is sold to people (investors). Because the ownership has changed, it is legal when the owner (the new owner) uses the land not for the agricultural sector, but for the industrial sector or others.

Based on the above phenomenon, farmers experience a reduction in ownership of a land/land. This has created a gap to offer the concept of agrarian waqf. Or in another language waqf can contribute to agrarian problems. The concept of waqf contributing to agrarian problems is that the waqf land or land

that is handed over by the wakif to the nadzir can be used as agricultural land. Thus, it can help farmers who no longer have agricultural land to be able to grow crops again or work on the waqf land.

This conception is in line with Law no. 56 PRP of 1960 which was reaffirmed by Law no. 19 of 2013 concerning the protection and empowerment of farmers. For example in article 12 it is stated that the government is required to protect cultivators or smallholders of food crops whose arable land or farming business is as little as 2 hectares (Law No. 19 of 2013). With Law no. 56 PRP in 1960, it is hoped that the farmers will be helped and can work on the land again as before. Of course the farmer was working on the land

Waqf land designated as agricultural land can be used by farmers for farming or other activities (related to agriculture) that can generate halal profits. The waqf land managed by the farmer may not be sold or leased to third parties (other parties). So that the farmers are only allowed to manage waqf land as well as possible and a sense of responsibility.

3. Conclusion

From the two hadith editors mentioned above, it can be seen that there was a narrator who narrated the same hadith, but in two different ways. The narrator's name is Nafi'. This nafi' belongs to the ordinary tabi'in. His full name is Nafi' bin Sarjis Abu Abdullah ad-Dailami. better known as Nafi maula Ibn Umar, is a scholar of jurisprudence and hadith narrators from the tabi'in group, who lives in Medina. Nafi was originally a resident of Dailam (now including the Gilan region in Iran) who was captured and became a maula (slave) of Abdullah bin Umar, then he was freed. He studied religion from the Companions of the Prophet, and especially from Abdullah bin Umar and Abu Sa'id al-Khudri. He became a teacher for other scholars, including Az-Zuhri, Ayyub as-Sakhtiyani, and Malik bin Anas.

Waqf is part of Islamic teachings. In the early days of Islam, the practice of waqf only revolved around the establishment of mosques, prayer rooms, madrasas, Islamic boarding schools, and cemeteries. Currently, along with the times, waqf has developed rapidly, so that waqf practices can be used for such as: Productive Waqf, Waqf Savings, Al-Qur'an Waqf, Sukuk Waqf, and even Agrarian Waqf, where this waqf is a continuation of land waqf . In agrarian waqf, the land/land that is donated is used for agricultural land or the like.

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