

Views Islamic Law on the Role of Wakaf in Social Solidarity

A.Rajamuddin, Faculty of Islamic Studies, Sekolah Tinggi Agama Islam Al-Amanah,
Binamu, Jeneponto, South Sulawesi, Indonesia, Tel: +62 419-2425858 Email:
rajamuddinraja7@gmail.com

M. Ishaq Shamad Faculty of Islamic Studies, Universitas Muslim Indonesia,
Panaikang, Makassar, South Sulawesi, Indonesia Tel: +62 411-447380 E-mail:
ishaq5samad@yahoo.com

Abstract

Wakaf has been proven to make an important contribution in the economic aspects and it's role in the community life, relating to the human associated with each other. Wakaf advocated by Islam is a way to strengthen the link between the most poor and the rich. The objective of this paper is to describe the view of Islamic law on the role of wakaf in social solidarity and familiarization efforts of wakaf. It shows that the view of the role of Islamic law in wakaf of social solidarity intended to foster the nature of mutual assistance, social solidarity between human beings and bridging between the rich and the poor and eliminate social jealousy amongst fellow beings. Wakaf according to Islamic law is to provide assistance in the form of social welfare and happiness of mankind in general and particularly in moslems society.

Key words: Islamic Law, Wakaf, Social Solidarity

Introduction

As it is well known that Allah gives sustenance collateral in the form of abundant wealth bestowed on man, Allah has shows some laws that must be accomplished in accordance with the instructions the man obliged grateful for the favors of Allah. By fulfilling certain obligations that have been prescribed them within wakaf. Wakaf advocated by Islam is a way to strengthen the link between the most poor and the rich. Islam not only burden the individual against

society, but also put society against individuals with the obligations of the holders of the power that nourish, educate, protect life, property and honor. Islam does not allow accumulation of wealth in the hands of a few people, a condition where excessive wealth in the hands of the other party.

Islam gives full authority to the state to take important steps to collect the excess wealth among the rich and utilized for among the poor. It directs the primacy of human great goal, namely the interests of society by utilizing all forms of liabilities contributed by each individual. Deeds prescribed by Islam as *fardh ain* and *kifayah* aims to redirect existing capabilities to everyone in their respective fields. Social welfare is a coveted by humans as only security and public order, both of these is an absolute necessity for mankind in the security and utilization of assets. Therefore, the individual property rights are relative and trust that must be accounted for either of obtaining the source and its utilization in the world.

Islam has required protection for the benefit of people who own property, because it is essentially a treasure is the property of Allah, while the man is only being given the mandate to maintain and manage it well. Therefore, the individualistic nature should be discarded and which must be grown is social solidarity to help their fellow human beings in terms of both spiritual and material terms. One of the efforts to create good conditions for the people socially is through

wakaf. Wakaf have an important role in the development of society and even in the development of human civilization. In this case the continuity of benefits on wakaf muslims, throughout the history of Islam found that the caricature of a special form of donation is the best way to describe their relationship with Islam (Heri Sudarsono, 2004).

Wakaf essentially a religious problems that are social and useful to the public interest and is rated as a perpetual charity and be a mediator and stabilizer to eliminate envy and foster a sense of affection between the poor and the rich , so that the economy can be achieved due to be guided by faith . Wakaf are directly related to social issues as well as closely related to the morality of the man himself , the nature of mutual help in terms of social solidarity aims to ease the burden suffered by a person , so that poor people are helped by the rich can contribute to maintain the security of his property (Rachmat Djatnika, 1983). So will there grew a sense of compassion and mutual aid between them

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The term social and solidarity economy (SSE) is increasingly being used to refer to a broad range of organizations that are distinguished from conventional for-profit

enterprise, entrepreneurship and informal economy by two core features. (Peter Utting,2013).

The problems that need to be addressed are: How is the view of Islamic law on the role of wakaf in social solidarity and how familiarization efforts endowment according to Islamic law.

Wakaf Judging from the aspect of Social Support

It is known that waqaf as a perpetual charity is very useful and positive effect on the welfare of the people and can motivate religious life towards a more advanced and developed. In Islamic teachings, possessions within social functions, assets owned only of the outer man, but basically belong to Allah SWT. That must be accomplished according to the instructions of Islam and is also able to function socially. Implementation can be done either through donation, shadaqah, zakah and was also included in wakaf. However, the maintenance of wakaf still necessary. Handling more conscientious and protected in order to have a solid legal basis. Prior to further elaborate on this issue needs to be put forward author 's own social given that the actual condition of society is always changing with the situation in the past.

Social change is caused by human beings themselves, especially in social life, which is often a way of interacting socially and amended from time to time, consequently bring about change in society (Sidi Gazalba, 1983). This means that society is dynamic and the Muslim community or one society may change, the consequences of society without a change (in the positive sense) will be bound by tradition, while the current of change continue to run as the progress of emerging technology and other means. In this context wakaf have an important role in social change to give hope that is the reality in the sense of helping the community is

weak . In this regard in the teaching of Islam has been known that the property has a social function, therefore, for people who have excess wealth must consider the public interest (public) property owned remember that rightly belongs to Allah SWT. Although men were given the task to take care of and explore it well for use on things that are social in the context of the welfare society. Social welfare highly coveted by all men everywhere and anytime, as well as public order and safety as both an absolute necessity for mankind. In public life there are private property rights based on the ability of labor and employment in acquiring wealth. However, Islam requires their protection for the benefit of society, especially in possessions.

Human beings can not live alone certainly need help from others to interact and communicate. History shows that human life tend to group in meeting their needs. In this context, Islam teaches how to create a good condition between fellow human beings. Meanwhile science and technology conscious unconscious social solidarity reflective faded away, the result of human life flanked by two separators between the individualistic and materialistic. Therefore, this is where the urgency of property can be used as a means of social in building their fellow human beings through wakaf. Already a human purpose in their daily tasks merealis to worship Allah. With the best of them mutual help where people who prefer or person who considers that property as a means to merealis tasks that have been assigned by Allah. For if the people left stranded for granted and do not continue in a systematic and humane approach it will cause non-limp social inequality, which in turn cause social jealousy and it is having an impact that is not good at creating public order. E.g. extreme poverty need to be addressed with approaches that are humane, because of poverty or enemy for the implementation of nation and state. To bring the public welfare

then poverty must be sunk and removed on a regular basis as proposed by Ir. Endang Sastraatmadja citing opinion of Rudolf Sinaga and Benjamin on one paper works as follows: That poverty is the principal enemy of development that is not good to be preserved. We're not worthy of pride with poverty, because poverty itself is not a legacy that must be hereditary. In fact, it would be wise, if only we are willing to look for why people are poor and how efforts to eliminate poverty (Endang Sastratmaja, 1987). Although poverty has always been the fabric of society with different levels with each other it is necessary to attempt to help their lives. Where the need for a helping hand for people who have excess wealth in order to alleviate the suffering of other people through social means humanely. In society there will always be differences in the level of ability in the economic field there are included the economically weak and strong economic group, so as not to cause social conflict, the weak must be helped to make a decent living. As already mentioned in the Qur'an Surah Al-Mulk verse 15: "It was he who made the earth it easy for you, so they went up at every turn, and eat some of his sustenance. And in Him Whom you (come back after) raised".

Therefore, Islam has required protection for the benefit of society in owning property because such property is the mandate and deposit Allah. To be used as well as possible according to Islamic law. In the Islamic concept of property is a social function can give rise to social solidarity, eroding the gap and differences in society, and eliminate the attitude of individualism. Therefore, in Islam it is recommended to give alms, berwakaf and other forms. In this case the waqf is one means of providing assistance to the poor and for public use, without distinguishing between the poor and the rich it relates to the interests of religion. Afdhal would be if people have self sufficiency treasure most is spent in the way of Allah. Because wealth is

spent in the way of Allah that which belongs to us and considered useful for the public interest and serves as a perpetual charity. Islam calls for alms voluntarily to educate solidarity among Muslims for example tithe so that it can be seen that Islam tried to ensure that everyone can enjoy the property to instill the confidence to keep trying as well as strength in building the country. Establishing means of social aims to help people meet their needs and to syiarnya Islam. Thus it can be seen that the urgency of its realization (actualization) waqaf in the living conditions of the people especially Muslims can be bridged on the gap between rich and poor by means of waqaf.

Wakaf Judging from Continuity between Material and Spiritual

Wakaf like the previous explanation has been proven to make an important contribution in the economic aspects and role in the community life balance, relating to the human associated with each other can not be separated where the man was. Islam does not only speak on spiritual things alone, as some people who say that Islam is limited to the question of the relationship between man and God without questioning about the community and its rules. Islam means universal not just talking about man and God, more than that Islam has laid down the basic rules regarding the general human interest that aims to create a welfare society. In the fact that in the teachings of Islam ordered to spend owned property to the interests of the religion of Allah and in the social, in surah Al-Baqarah verse 267 says: "O ye who believe, spend in (in the way of Allah) of the fruit of your efforts are good and some of what we remove from the earth for you. And do not choose a bad-bad and then you spend thereof, whereas you are not willing to take it, but with narrowed eyes to it. And know that Allah is Rich, the Praised".

In a history it can be argued that cause of versus reveal with respect to the Ansar events that have palm groves. There is a corresponding result issued their zakat but they handed korma quality is not good and rotten. Then the verse came down as a warning for their actions (narrated by Al-Hakim), Tirmidhi, Ibn Majah and others bersumber of Al-Barrar). In another report stated that there are people who choose dates that ugly for dizakatkan then the verse came down as a warning for their actions (narrated by Abu Daud Nasa'i al-Hakim sourced from Sahl Bin Hanif) (Jalaluddin Assuyuti, 1975). From that history can be understood that if a person would expend their wealth zakat or charity then it should be issued was the best among its items, because God loves the good.

Possessions do not have to be the ultimate goal, but is intended as a medium of exchange by the interests and meet the needs of the people then such property is definitely good for everyone. Because humans in the concept of Islam is composed of two elements, namely elements of physical and spiritual elements. The human body has come from matter and material needs while spirits are immaterial and have spiritual needs (Harun Nasution, 1979). Therefore, human physical education must be enhanced by spiritual education. The development of one's physical power should be complemented by the development of spiritual power so it does not make one-sided human life and loss of balance. So to achieve wealth (material aspect) is not prohibited by religion, but it must be balanced against the spiritual aspect because without balance between the two aspects of the human life will be crippled and not peaceful. Similarly, relations with perwakafan, someone who has a property let spend out of their wealth, in addition to functioning in the public interest may also receive the reward (bounty) This means that the people who have faith can nurture a mentally through perwakafan, because he realized that he easily better than

the poor. So property owned should not be used on a mere consumptive purposes, but such property as a means to draw closer to Allah SWT. Possessions do not always guarantee happiness of living in the world therefore needs to be balanced between the worldly life and the hereafter in maintaining stability and legality of the life of mankind.

In Surah Al-Qasas verse 77 is mentioned about the balance between this world and the ukrawi in the move are: "And look at what God has bestowed to you (happiness) in the Hereafter, and do not forget bahagianmu of (enjoyment) world and do good (o others) as Allah has done good to you, and do not mischief on the (face) earth. Allah loves not Reviews those who do mischief".

No doubt that the foundations that can create peace of life such as the realization of the perfection of life, the happiness of the nobleness of life associated with the advancement of science, oversized self-esteem without the support material can not be realized, but it does not guarantee only to create these conditions no less important is the motivation and spiritual grounding in the activity that is based on the provisions of Islamic law. Especially for Muslims who sometimes err in reviewing the conception of Islam interpret religion as a ritual and moral aspects of human life as the complex is completely not the case, Islam is a religion in the sense of the totality of life so that whenever and wherever it can provide instructions explicitly. Understanding such as this in the context of state endowment needs to be realized in the community, not just the ritual aspect of preferred but not less important social dimension to help fellow beings.

Efforts civilizing Wakaf According to Islamic Law

Social change in society is an interaction between one another to influence each other

in various dimensions of life. In the face of that process, the law Islamiyah that made reference to judge good and bad change. Humans as social beings change from nothing into being. However, the change in question is a change related to social values, every society must have experienced the change both communities concerned as well as for outsiders to examine. These changes there is limited influence some are going fast. When examined more in depth that the onset of change in a society has many underlying reasons, including that expressed by Drs. Sidi Gazalba as follows: Increase the advance of science and technology for communication transpormasi and urbanization and increased expectations and human guidance. The progress of science is the mental progress and technical advances led to material progress.

In such circumstances the public has direct contact with the process of change in which the change occurred, the consequences can affect thinking and acts. The fact also shows that in daalm structure of society there are affluent people (the rich) and deprivation (poor) between the two groups is that not bridged by either there will be a social inequalities that result is not good in the life of society itself. If this is left alone without any serious treatment, which should help the poor while people who have a well-established economy would not help and help others that are in the real brother vulnerable groups. Such efforts can be done by way of providing information either through study groups and in writing of a religious nature on the need to help fellow Muslims so as to cause awareness of the importance of helping fellow creatures of Allah SWT. To carry out the handling of endowment, has no instani relevant in this case religious ministries and departments in the country that can provide counseling administrative and legal wakaf system so that people truly understand professionally. And no less important is the awareness of the private individual to do

good to humans by providing assistance through social means included in perwakafan path. In connection with that Islam has encouraged mutual help in goodness as mentioned in Surah Al-Maidah paragraph 2 which reads. "... And please menolonglah you in the (working) virtue and piety, and do mutual assistance in sin and transgression. And put thy trust in Allah, verily Allah is severe in punishment".

Sheikh Ahmad Mustafa Al-Maraghy interpret the verses that he commanded for helping to goodness and piety is a pillar of the community at the instructions contained in the Qur'an, when people are charged untukmenentukan between them on what is beneficial to the individual or group manusiabaik in in their religious affairs and the affairs of the world and every job (action) based preaching and avoid damage to the soul. The teachings of Islam have been set in the dimension of human relations of solidarity among community members sebagailandasan to transform the nation into a strong and prosperous nation.

Conclution

The view of the role of Islamic law in the endowment of social solidarity intended to foster the nature of mutual assistance , social solidarity between human beings and bridge between the rich and the poor and eliminate social jealousy amongst fellow beings.

Efforts familiarization endowment according to Islamic law is to provide assistance in the form of social welfare and happiness of mankind in general and Muslims in particular, hence the need for endowment in the context of Islamic law actually serves a double, as well as a means of social and source of funds for Muslims, also serves as a charity (charity is endless) received during these objects utilized, legality wakaf supported by reference to the Qur'an and hadith .

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