

ABSTRACT

Chandra Puspita, Ira. 2012. *The Implementation Of Cash Waqaf In Darush Sholikhin Mosque, Batu City*. Thesis. Islamic Bussiness Law Department, Syari'ah Faculty, State Islamic University Maulana Malik Ibrahim of Malang. Supervisor Dr. KH. Dahlan Tamrin, M.Ag.

Keywords : *implementation, cash waqaf, Darush Sholikhin mosque.*

“Mosque selling” phenomenon in Darush Sholikhin Mosque caused pro and contra to the public. But when researcher met the mosque’s committee, they stated that “Mosque selling” was used to reach waqif’s attention on cash waqf at that mosque. Therefore, this research is focused on cash waqf problems in Darush Sholikhin Mosque in Batu Regency from law perspectives. It was aimed to identify problems that emerged in cash waqaf in Darush Sholikhin Mosque and to understand about cash waqf mechanism and its adjustments according to the Indonesian law. The location of this research was Darush Sholikhin Mosque in Pattimura street, Temas Village, Batu Regency.

This research was qualitative research by using phenomenological approach. This research was descriptive research. Data source from this research was primary data collected from public and secondary data collected from literatures and documents. Data collecting in this research used documentation, observation and interview.

Research result indicated that committee of Darush Sholikhin Mosque stated that trade of Darush Sholikhin Mosque was based on Al Qur’an namely Ali Imron verse 92 and At Taubah verse 111, thereby the definition of trade in Darush Sholikhin was trade between Allah and mukminin where the committee acted as fascilitator. It was an approach to the waqif by using religious approach. Further, nadzir of Darush Sholikhin Mosque applied effectiveness approach in using cash waqf result, namely waqaf fund was directly used to build Darush Sholikhin Mosque in Batu Regency.

The implementation of cash waqaf in Darush Sholikhin includes as traditional waqf and not accommodate in Indonesian act of Waqf and Goverment Regulation Number 42 in 2006 that manages about cash waqaf implementation as investment that must be impelemented through Shari'ah Financial Institutions (LKS) pointed by minister. Although the base of its implementation is still based on literature about cash waqaf issued by Division of Waqaf, Religion Department of Indonesian Republic, which its implementation is not fulfilled requirements stated in law about cash waqaf implementation but it was right in Fiqh of waqf at Islamic law perspective.