

Professional Waqf 5.0: Penta Helix Strategy and Legal Pluralism in the Digital Era

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Abstract : *Professional waqf is one type of waqf that has the potential to become a means of improving the welfare of society in Indonesia. The development of digitalization essentially presents opportunities to optimize the implementation of professional waqf in Indonesia. This research aims to analyze the penta helix strategy and legal pluralism in optimizing digital-based professional waqf in Indonesia. This research is normative legal research with the aim of conducting reform-oriented research related to the legal policy of professional waqf in Indonesia. Legal materials were collected, including laws and regulations and other research findings, which were then prescriptively analyzed. The research findings confirm that one of the obstacles to implementing professional waqf in Indonesia is the lack of specific regulations regarding professional waqf, which leads to legal uncertainty in its implementation. Through the legal pluralism approach, the regulation of professional waqf will be more optimal and synergistic with Islamic law and state law. Optimizing professional waqf requires a pentahelix approach involving the community, universities, business actors, government, and the media thru a transparent and participatory digitalization process. Digitalization implemented with a penta helix-based approach and accommodating legal pluralism is expected to increase community participation and contribution to the implementation of professional waqf in Indonesia. The academic contribution of this research lies in the use of the penta helix approach and legal pluralism, where professional waqf not only requires a legal framework in the form of regulations but also needs the penta helix approach and legal pluralism to optimize professional waqf in Indonesia.*

Keywords : *Digitalization; Legal Pluralism; Penta Helix; Professional Waqf.*

Abstrak : Wakaf profesi adalah salah satu jenis wakaf yang berpotensi menjadi sarana peningkatan kesejahteraan masyarakat di Indonesia. Pengembangan digitalisasi pada dasarnya menghadirkan peluang untuk mengoptimalkan pelaksanaan wakaf profesi di Indonesia. Penelitian ini bertujuan untuk menganalisis strategi penta helix dan pluralisme hukum dalam mengoptimalkan wakaf profesi berbasis



digital di Indonesia. Penelitian ini adalah penelitian hukum normatif dengan tujuan melakukan penelitian berorientasi reformasi terkait kebijakan hukum wakaf profesi di Indonesia. Bahan hukum dikumpulkan, termasuk undang-undang dan peraturan serta temuan penelitian lainnya, yang kemudian dianalisis secara preskriptif. Temuan penelitian mengkonfirmasi bahwa salah satu kendala dalam implementasi wakaf profesi di Indonesia adalah kurangnya peraturan khusus mengenai wakaf profesional, yang menyebabkan ketidakpastian hukum dalam pelaksanaannya. Melalui pendekatan pluralisme hukum, pengaturan wakaf profesi akan lebih optimal dan sinergis dengan hukum Islam dan hukum negara. Mengoptimalkan wakaf profesi membutuhkan pendekatan pentahelix yang melibatkan masyarakat, universitas, pelaku bisnis, pemerintah, dan media melalui proses digitalisasi yang transparan dan partisipatif. Digitalisasi yang diimplementasikan dengan pendekatan penta helix dan mengakomodasi pluralisme hukum diharapkan dapat meningkatkan partisipasi dan kontribusi masyarakat terhadap pelaksanaan wakaf profesional di Indonesia. Kontribusi akademis dari penelitian ini terletak pada penggunaan pendekatan penta helix dan pluralisme hukum, di mana wakaf profesi tidak hanya membutuhkan kerangka hukum berupa peraturan, tetapi juga membutuhkan pendekatan penta helix dan pluralisme hukum untuk mengoptimalkan wakaf profesi di Indonesia.

Kata kunci : : Digitalisasi; Pluralisme Hukum; Penta Helix; Wakaf Profesi.

Introduction

Waqf plays a very important role for the Muslim community, especially in Indonesia, where the majority of the population is Muslim.¹ Indonesian society has unique characteristics because, in addition to the majority of its population being Muslim, the country also officially facilitates the implementation of Islamic law in various aspects of life, especially through regulations on family law, inheritance, and waqf, ensuring they align with the principles of Sharia.² This is reflected in the national legal system, which accommodates religious courts and Islamic institutions, providing space for Muslims to practice their religious teachings legally and structurally.³ This characteristic demonstrates a unique integration between the majority religious identity and the pluralistic national positive legal system, in which Indonesia blends Islamic values with the principles of the rule of law, thereby

¹ Rindawati Maulina, Wawan Dhewanto, and Taufik Faturohman, "How to Attract Wealthy Muslims to Contribute to Cash Waqf (Islamic Endowment) Held by the Islamic Banks? Case in Indonesia," *Journal of Islamic Marketing* 15, no. 12 (December 2, 2024): 3323–3356, <http://www.emerald.com/jima/article/15/12/3323-3356/1232485>.

² Ahmad Sofyan Mustafa and Nurul Hikmah, "Konsep Wakaf Profesi Pada Hukum Positif Di Indonesia," *Novum: Jurnal Hukum* 11, no. 1 (2024): 119–129.

³ Dicky Eko Prasetyo, "Inventarisasi Putusan Peradilan Adat Sendi Sebagai Upaya Memperkuat Constitutional Culture Dalam Negara Hukum Pancasila," *Jurnal Hukum Lex Generalis* 2, no. 3 (2021): 249–273.

ensuring a balance between religious norms and aspects of modernity and cultural diversity in social, political, and legal life.⁴

Waqf is not only a form of worship and righteous deeds encouraged in Islamic teachings, but also a social and economic instrument that can strengthen the well-being of the community, support the development of religious and social infrastructure such as mosques, education, and healthcare, and help overcome social inequality through transparent and sustainable management of zakat and waqf.⁵ In addition, waqf can encourage economic empowerment in society, especially for those who are less fortunate, by providing access to the necessary education, training, and business capital. Therefore, the existence of a waqf can effectively strengthen the spirit of cooperation and solidarity among fellow Muslims and contribute to strengthening the values of social justice taught in Islam. Thus, the optimal and sustainable implementation of waqf is very important to maintain social harmony, strengthen the resilience of the Muslim community in Indonesia, and realize more just and Sharia-based welfare.

The development of professional waqf in Indonesia is urgent, given the significant potential of this form of waqf to improve the welfare of the community and society at large.⁶ However, to date, professional waqf has not been explicitly addressed in the legislation, especially in Law Number 41 of 2004 concerning Waqf and its implementation and amendments, which are regulated by Government Regulation No. 42 of 2006 and Government Regulation No. 25 of 2018. These three regulations still focus on regulating waqf with respect to tangible and intangible assets, such as land, buildings, money, vehicles, and intellectual property rights, without specifically regulating waqf in the form of expertise or professional work.⁷ The implication of not yet regulating professional waqf is the lack of a clear legal framework and minimal formalization of professional waqf practices; thus, the potential of professional waqf as a social and economic contribution through the voluntary provision of expertise services has not been optimally and legally maximized.

The articles in Law No. 41 of 2004, especially Articles 6 to 10, which regulate the elements and implementation of waqf, have not specifically addressed the recognition and management of professional waqf, such as the nazhir's obligation to manage, the waqif's rights, and the waqf declaration deed required for the legal and administrative validity of waqf. The economic potential of professional waqf in Indonesia is very large and has significant

⁴ Irhamudin Irhamudin and Ibrahim Fikma Edrisy, "Restorative Justice in the Implementation of Diversion Against Child Criminal Victims," *Nurani: Jurnal Kajian Syari'ah dan Masyarakat* 22, no. 2 (2022): 223–238.

⁵ Ahmad Zaenur Rosyid et al., "The Dynamics of Productive Waqf Management of Islamic Kingdom Property in Java," *Al-Adalah* 21, no. 1 (June 25, 2024): 149, <https://ejournal.radenintan.ac.id/index.php/adalah/article/view/16384>.

⁶ Putri Allana Abdullah et al., "Development of Waqf from an Islamic Perspective through the Land Professional Society of Malaysia in an Effort to Increase Waqf Literacy," *AJAD: Jurnal Pengabdian kepada Masyarakat* 4, no. 2 (August 10, 2024): 384–392, <http://journal.msti-indonesia.com/index.php/ajad/article/view/353>.

⁷ Rindawati Maulina et al., "Empowering Waqf (Islamic Endowment) Entrepreneurs: A Study of the Key Motivational Factors Underlying Waqf -Based Entrepreneurship in Indonesia," *European Business Review* 37, no. 2 (January 22, 2025): 338–370, <http://www.emerald.com/eb/article/37/2/338-370/1242812>.

capacity to empower the community broadly, especially in an inclusive and sustainable economy. Professional waqf, which involves waqf donors donating expertise and professional services, opens new opportunities to create economic value beyond material assets, including intellectual capital and human capital, that can be used to improve social services, education, health, and the community's economic empowerment.⁸ With the very large Muslim population in Indonesia, the potential contribution of professional waqf becomes a strategic instrument for addressing the shortage of expert resources across various fields and strengthening professional-based social empowerment networks.

Economically, professional waqf can increase the community's productivity capacity through knowledge transfer, skills training, and the provision of free or affordable services that lower access costs for the poor and vulnerable, while also strengthening the role of religious and social institutions in supporting sustainable development. This potential development is also in line with the orientation of productive waqf, which is currently the focus of waqf policy reform in Indonesia. The presence of a professional waqf can optimize the use of waqf assets that are not only physical but also competence- and expertise-based, thereby driving economic growth for the community and improving quality of life.⁹ Professional waqf thus not only broadens the scope of the waqf movement at the macro level but also mobilizes human resources as a strong form of social capital, which, in turn, will increase economic independence, reduce inequality, and strengthen the socio-religious foundation within Indonesian society.¹⁰ Therefore, the existence of professional waqf is highly potential as an instrument for empowering the community, capable of driving balanced and sustainable socio-economic change throughout Indonesia.

The efforts to regulate and facilitate professional waqf in Indonesia are not only about regulating and facilitating the implementation of professional waqf in Indonesia, but also about formulating a strategy for implementing professional waqf in Indonesia as a 5.0-based professional waqf by optimizing the penta-helix strategy. The Penta Helix is a collaboration model involving five key elements in development and innovation: government, academia, business, community, and media.¹¹ The importance of implementing the Penta Helix model for the implementation of professional waqf in Indonesia lies in its ability to integrate and synergize the roles of five strategic elements: government, academia, business actors, community, and media, to create more effective, professional, and accountable waqf management. This model is highly relevant because waqf of professional expertise not only requires regulatory and policy support from the government as the regulator, but also contributions from academics to develop the capacity of nazhir (waqf

⁸ Ana Laela Fatikhatul Choiriyah, Dominikus Rato, and Bayu Dwi Anggono, "Urgensi Pembaharuan Pengelolaan Wakaf Di Indonesia," *Jurnal Rechts* 12, no. 2 (2023): 239–256.

⁹ Venny Fraya et al., "Implementation Of Wakaf As A Tool Of Social Finance To Achieve The SDGs In Indonesia Case Study On Indonesian Waqf Board," *Moneter : Jurnal Keuangan Dan Perbankan* 12, no. 3 (2024): 623–634.

¹⁰ Aulya Rachma Damayanti et al., "Konsep Wakaf Dalam Ilmu Manajemen," *Journal of Creative Student Research* 1, no. 4 (July 17, 2023): 01–21, <https://ejurnal.politeknikpratama.ac.id/index.php/jcsr/article/view/2211>.

¹¹ Antony Stefanus Purba Matana and Iwan Setiawan, "Analisis Konsep Penta Helix Dalam Pengembangan Potensi Wisata Di Kampung Bekelir Tangerang," *Formosa Journal of Multidisciplinary Research* 1, no. 4 (2022): 920.

managers) and to innovate waqf management models that are suitable for the dynamics of professional expertise. Another important area to develop in Indonesia is the digitalization of professional waqf from a Society 5.0 perspective.¹² The digitalization of professional waqf plays a crucial and highly strategic role in the context of Society 5.0, a societal concept that integrates advanced technology with human needs to create a more inclusive, sustainable, and human-centered life.¹³ In the Society 5.0 era, the digitalization of professional waqf enables more efficient, transparent, and accountable management and implementation of waqf through digital technologies such as online platforms and data management systems. This is to ensure that the implementation of professional waqf in Indonesia is more optimal and in line with Sharia principles.

The implementation of professional waqf in Indonesia based on 5.0 digitalization, optimizing the penta-helix strategy, is also in line with the strategy of legal pluralism, particularly in the regulation of professional waqf in Indonesia, which mandates synergy between positive law made by the state and the regulation of Islamic law as two different types of law that need to be harmonized and synergized thru the concept of legal pluralism. Based on the above description, this research aims to formulate a digitalized 5.0 professional waqf with an emphasis on the penta-helix strategy and legal pluralism. Two legal issues are the focus of this research: first, the urgency of regulating professional waqf in Indonesia considering digitalization, using the penta-helix approach; and second, the legal reconstruction of digitalized 5.0 professional waqf regulation based on the penta-helix strategy and legal pluralism.

Several previous studies have examined professional waqf and the digitalization of waqf in Indonesia. Among them, the first is the research by Nirmala et al. (2024), one of the legal novelties of which is the regulation of professional waqf in Indonesia.¹⁴ The second study is by Nuraini and Yusuf (2025), whose novelty lies in affirming the importance of waqf digitalization and highlighting the need to improve understanding and quality of digitalization for waqf managers as a key aspect.¹⁵ The third study was conducted by Fadhlurrahman et al. (2025), whose novelty emphasized that the development of waqf, such as professional waqf, is part of societal development that must be facilitated.¹⁶ Of the three studies mentioned above, this research is essentially original because the penta-helix approach, as an important aspect of professional waqf in Indonesia, has not been specifically discussed in them. One important aspect that demonstrates the originality of

¹² Muh. Ali Masnun et al., "Legal Reform of Legal Profession Amidst the Development of Artificial Intelligence in Indonesia: The Perspective of Mesu Budi's Philosophy of Law," *Novum: Jurnal Hukum* 12, no. 2 (2025): 277–287.

¹³ Morteza Ghobakhloo et al., *From Industry 4.0 Digital Manufacturing to Industry 5.0 Digital Society: A Roadmap Toward Human-Centric, Sustainable, and Resilient Production, Information Systems Frontiers* (Springer US, 2024), <https://doi.org/10.1007/s10796-024-10476-z>.

¹⁴ Rindang Dwi et al., "Legal Status of Profession Waqf from a Positive Legal Perspective in Indonesia," *Journal of Law, Politic and Humanities* 4, no. 4 (2024): 1085–1091.

¹⁵ Suhairi Yusuf Siti Aisyah Nuraini, "Professional Waqf Trustees In the Digital 5.0 Era," *I-PHILANTHROPY: A Research Journal On Management Of Zakat and Waqf* 5, no. 1 (2025): 56–58.

¹⁶ Fauzan Ulwan Fadhlurrahman, Muhammad Diaz Wahyu Darmansyah, and Yogi Permana Adi Citra, "Managing Islamic Endowments (Waqf): Legal Challenges and Strategic Approaches for Sustainable Development," *Journal of Islamic Law and Legal Studies* 2, no. 1 (June 17, 2025): 16–25, <https://mabadiiqtishada.org/index.php/ShariaLex/article/view/65>.

this research is the legal pluralism approach used to synthesize positive law made by the state and Islamic law sourced from the Quran and Sunnah, as well as the opinions of scholars on the regulation of waqf, particularly professional waqf in Indonesia.

Methods

This research focuses on formulating digitalized 5.0 professional waqf, emphasizing the penta-helix strategy and legal pluralism, and is a normative legal study. Normative legal research is legal research grounded in doctrinal analysis, emphasizing legal theories, concepts, and principles.¹⁷ In this study, the theories and concepts used are the penta-helix concept and legal pluralism. The primary legal materials used in this study are Law Number 41 of 2004 concerning Waqf, along with its implementing regulations and amendments, which are stipulated in Government Regulation Number 42 of 2006 and Government Regulation Number 25 of 2018. The secondary legal materials used are journal articles, books, and research findings that discuss professional waqf, waqf digitalization, the penta-helix concept, and legal pluralism. Secondary legal materials were predominantly collected through the internet, particularly "Google Scholar," which searches for recent journal articles and e-books.

Additionally, secondary legal materials were collected manually from libraries, especially e-books that were not available online. The criteria for selecting legal materials are based on the keywords: "Professional Waqf," "Penta-Helix," and "Legal Pluralism." Non-legal materials are language dictionaries. The collected legal materials were then analyzed prescriptively, with the existing materials examined in light of legal doctrines, theories, and concepts to formulate a legal prescription.¹⁸ The approach used is conceptual and legislative.

Result And Discussion

The Urgency of Regulating Professional Waqf in Indonesia Based on Digitalization with the Involvement of the Penta-Helix Approach

According to the Great Indonesian Dictionary (KBBI), waqf is movable or immovable property provided for public benefit as a sincere donation.¹⁹ Linguistically, waqf comes from the Arabic word "*waqafa*," which means to stop, hold back, or remain stationary.²⁰ In the context of waqf, this refers to the retention of ownership of the property for its benefits to be used for social

¹⁷ Maalikatussofa Masnun, Muh. Ali, Prasetyo, Dicky Eko, "Reconstruction of the Normative Legal Research Paradigm in Responding to Global Challenges: An Epistemological Analysis," *Novum: Jurnal Hukum* 12, no. 3 (2025): 372–384.

¹⁸ Achmad Irwan Hamzani et al., "Legal Research Method: Theoretical and Implementative Review," *International Journal of Membrane Science and Technology* 10, no. 2 (2023): 3610–3619.

¹⁹ Pusat Bahasa Departemen Pendidikan Nasional, *Kamus Bahasa Indonesia* (Jakarta: Departemen Pendidikan Nasional, 2008).

²⁰ Husni Husni, Juliana Putri, and Harjoni Harjoni, "Model Pengelolaan Waqaf Dalam Keragaman Etnis Di Aceh," *Owner* 7, no. 4 (October 1, 2023): 3128–3143, <https://owner.polgan.ac.id/index.php/owner/article/view/1681>.

or religious purposes. Waqf can take the form of land, buildings, or other objects voluntarily donated, with the proceeds used for public benefit, such as the construction of mosques, madrasas, or other social facilities.²¹ Important aspects of waqf include several fundamental points:²² first, the presence of the waqif as the party making the waqf, who must be of sound mind and possess lawful wealth; second, the waqf property (mauquf) must have value and be usable for the public good; and third, the benefits of the waqf must be used sustainably for social or religious purposes, and ownership rights over the waqf property cannot be transferred back. Fourth, a waqf has religious value because it is a form of continuous charity, the reward of which continues to flow to the waqif forever. Finally, a waqf must have a valid contract or statement (shighat) that is binding without any possibility of cancellation, making the waqf a legal commitment that the waqif cannot unilaterally revoke. Thus, waqf is not merely the transfer of property, but a social and religious institution that possesses values of sustainability, benefit, and sincerity to support the welfare of the community and the development of public facilities with a strong legal and religious foundation.

Article 1, paragraph 1 of the Law of the Republic of Indonesia Number 41 of 2004 concerning Waqf (Waqf Law), waqf is defined as the legal act of the waqif to separate and/or hand over part of their property to be utilized forever or for a certain period according to their interests for worship and/or public welfare in accordance with Sharia. Waqf is implemented by fulfilling the elements of waqf, namely the waqif, nazhir, waqf property, waqf declaration, waqf property allocation, and the duration of waqf. The waqif can be an individual, organization, or legal entity with specific requirements regulated in Articles 7 and 8 of the Waqf Law. Article 16 of the Waqf Law also states that waqf property includes immovable property, such as land and buildings, as well as movable property, such as money, precious metals, securities, vehicles, intellectual property rights, and lease rights. Article 3 of the Waqf Law also explains that a waqf that has been declared cannot be canceled, emphasizing the perpetuity of the waqf.

Regarding the management of waqf in Indonesia, Articles 47 to 50 of the Waqf Law explain the status, duties, and authority of the Indonesian Waqf Board (BWI), including stating that BWI is an independent non-structural government agency tasked with fostering and supervising the implementation of waqf in Indonesia, and playing a role in developing waqf so that its benefits can be optimally realized.²³ BWI is headquartered in the nation's capital and can establish representatives at the provincial, regency, and city levels as needed. Article 49 paragraph (1) of the Waqf Law explains that the Indonesian Waqf Board (BWI) has several main tasks, namely guiding nazirs in managing and developing waqf property, managing and developing waqf property on a national and international scale, approving or permitting changes in the allocation and status of waqf property, dismissing and replacing nazirs if necessary, approving the exchange of waqf property, and providing advice

²¹ Andi Muhammad Ikram, "Pendayagunaan Wakaf Uang Dalam Hukum Islam Dan Undang-Undang Wakaf," *Rayah Al-Islam* 8, no. 1 (2024): 175–190.

²² Misbahul Munir, "Transformasi Wakaf Produktif Berbasis Nilainilai Al-Qur'an: Pendekatan Studi Kasus Di Indonesia," *Jurnal Dinamika Ekonomi Syariah* 12, no. 1 (2025): 339–356.

²³ Rahmawati et al., "Transformasi Digital Wakaf BWI Dalam Menghimpun Wakaf Di Era Digitalisasi," *Jurnal Tabarru': Islamic Banking and Finance* 4, no. 2 (2021): 532–540.

and recommendations to the government in formulating policies in the field of waqf.

In the Waqf Law, the types of waqf are distinguished based on several main criteria, including time, the type of property being endowed, and the purpose of the waqf. First, based on time, there are two types of waqf: waqf muabbad and waqf mu'aqqot.²⁴ Waqf muabbad is a waqf given without a time limit, so its benefits can be enjoyed forever. An example is a waqf of land for the construction of a mosque or madrasah.²⁵ Meanwhile, waqf mu'aqqot is a waqf with a specific time period, where the right to use is limited and is usually consumptive, such as a waqf of food supplies or money assistance for a certain period. Second, based on the type of waqf property, the law recognizes waqf of immovable property and waqf of movable property, including waqf in the form of money. An immovable property waqf includes land, buildings, or facilities that are not easily moved and have long-term benefits. Movable property waqf includes items that can be moved other than money, such as securities, vehicles, and intellectual property rights. Finally, cash waqf is waqf property issued as cash waqf certificates, providing ease and flexibility in making a waqf. Thirdly, in terms of allocation, waqf is divided into waqf ahli and waqf khairi.²⁶ Waqf ahli is a waqf allocated for the benefit of family or relatives, such as for financing educational needs or the maintenance of family members. In contrast, waqf khairi is a waqf whose benefits are for the wider community, such as the construction of places of worship, education, health, and other social facilities. With this classification, the Waqf Law provides a comprehensive legal framework to ensure the sustainability, benefits, and management of waqf in accordance with Sharia principles and the interests of the community and society at large.

Regarding professional waqf, it is essentially understood as a waqf concept related to the dedication or surrender of the benefits of a professional's expertise and work for the benefit of the community, which, in practice, is not explicitly regulated in the Waqf Law. This concept differs from traditional waqf, which generally focuses on waqf of movable and immovable property, such as land, buildings, or money. Professional waqf is part of waqf of benefits, where a waqif dedicates their time, energy, and expertise, such as a doctor who donates their services to serve health without receiving compensation, or a notary who handles deeds free of charge to help the community. The uniqueness of professional waqf lies in its nature as a professional service or offering that is valuable for optimizing society, while also being a continuous charity whose benefits continue to flow.

²⁴ Risti Ulfi Hanifah, Ahmad Sahri Romadon, and S. Sulistyorini, "Optimization of the Implementation of PSAK 112 in An Effort to Increase Accountability for the Management and Reporting of Waqaf Assets at the Pondok Pesantren Foundation," *Quantitative Economics and Management Studies* 3, no. 3 (June 29, 2022): 457–467, <https://jurnal.ahmar.id/index.php/qems/article/view/958>.

²⁵ Deden Misbahudin Muayyad and Didik Jatmiko, "Higher Education Financing Model Through Cash Waqf: An Exploratory Study," *Journal of Islamic Economics Lariba* 1, no. 1 (December 15, 2021): 113–124, <https://journal.uui.ac.id/JIELariba/article/view/20892>.

²⁶ Muhammad Bilal Zafar and Ahmad Jafar, "Waqf over a Century: Innovation and Tradition in Shaping Social Equity and Sustainable Development," *International Journal of Sociology and Social Policy* 1, no. 1 (October 10, 2025): 1–25, <https://www.emerald.com/ijssp/article/doi/10.1108/IJSSP-12-2024-0625/1302644/Waqf-over-a-century-innovation-and-tradition-in>.

Although professional waqf has developed in some countries and is implemented on both community and institutional scales, in the Indonesian regulatory context, this type of waqf still lacks a clear and formal legal basis in the current waqf regulations, so its governance and mechanisms are not yet detailed in the law. This presents both challenges and opportunities for the development of modern waqf, where professional waqf can serve as a strategic instrument for human resource empowerment and the optimization of social services. In practice, waqf institutions like Tazakka have initiated professional waqf programs involving various professions, such as doctors, teachers, architects, and engineers, who voluntarily donate their expertise for social good.²⁷ Generally, this professional waqf requires that the benefits of the donated work must be in accordance with Sharia, be practically feasible, and be clear in time, and must not involve any material reward for the waqif from that work. This concept describes the transformation of waqf law toward a more inclusive and responsive approach to the evolving needs of modern society.

Professional waqf is closely linked to the rapid growth of waqf digitalization in Indonesia, where digital transformation facilitates and expands access to waqf for various professional groups, including those operating in the digital realm. With waqf digitalization, the waqf process is no longer limited to managing traditional physical assets such as land or buildings; it also opens up opportunities for digital-based professions to contribute to professional waqf more flexibly and innovatively.²⁸ Various digital professions, such as YouTubers, Instagram celebrities, social media influencers, content creators, and other digital professionals, can now perform professional waqf by donating their skills, influence, or income earned on their digital platforms for social, educational, and public welfare purposes.

The digitalization of waqf in Indonesia, supported by institutions such as the Indonesian Waqf Agency (BWI) through digital platforms such as SATUWAKAF and berkahwakaf.id allows waqf donors from the digital community to participate directly and transparently in waqf management.²⁹ By leveraging the internet and social media, this professional waqf can reach more beneficiaries with greater efficiency and more accurate documentation. Additionally, digitalization accelerates the waqf process, from donation collection and waqf certification to real-time distribution and monitoring of waqf property management. Digital waqf platforms in Indonesia, such as SATUWAKAF and berkahwakaf.id, have shown significant effectiveness and community participation in managing digital professional waqf from 2023 to 2025. For example, SATUWAKAF has successfully raised cash waqf funds

²⁷ Mujiyanto Muhammad Jumain, Nagina Gul, and Mir Hassan, "The Productive Waqf Impact upon Pesantrens' Self-Sufficiency: A Comparative Study of Pondok Modern Tazakka Batang and Pondok Pesantren Modern Sulthon Auliya Jakarta," *Global Legal Studies Review* 7, no. 2 (June 30, 2022): 1–15, <https://www.glsrjournal.com/article/the-productive-waqf-impact-upon-pesantrens-self-sufficiency-a-comparative-study-of-pondok-modern-tazakka-batang-and-pondok-pesantren-modern-sulthon-auliya-jakarta>.

²⁸ Heru Wahyudi et al., "Digitalisation of Islamic Finance in the Era of Industrial Revolution 5.0: The Contribution of Crowdfunding and e-Wakaf to Islamic Fintech," *International Journal of Economics and Financial Issues* 15, no. 2 (February 17, 2025): 46–53, <https://econjournals.com/index.php/ijefi/article/view/17480>.

²⁹ Qurrota A'yun, Achmad Muhibbin Zuhri, and Rahma Hanim Azzahra, "Berwakaf Sebagai New Life Style: Strategi Komunikasi BWI Pada Akun Instagram Di Kalangan Milenial," *Qolamuna: Jurnal Studi Islam* 10, no. 2 (2025): 165–179.

totaling billions of rupiah, including Waqf for Eternal Funds for Mosques totaling approximately Rp 2.5 billion, Waqf for Palestinian Reconstruction totaling approximately Rp 54 million, and various other social and productive waqfs that demonstrate active community participation.³⁰ Overall, the total funds raised at SATUWAKAF are in the tens of billions of rupiah. Meanwhile, *berkahwakaf.id* also reported a stable increase in the number of waqf donors, with a focus on transparency and efficient distribution.

Data from the Indonesian Waqf Agency in 2022 show that the total collection of cash waqf reached approximately Rp 1.4 trillion, a significant increase from the 2018-2021 period, when it was only Rp 855 billion.³¹ The annual potential for cash waqf in Indonesia is estimated to reach Rp 180 trillion. Additionally, land waqf certification in Indonesia has reached 18,808 certificates as of November 2022, strengthening the legal and management aspects of waqf.³² Digital waqf from platforms like SATUWAKAF and *berkahwakaf.id* makes a significant contribution to allocating waqf funds to productive programs, including empowering MSMEs, education, and healthcare, which accounts for approximately 60-65% of the total waqf collected.³³ Community participation is increasing, especially from young people and digital technology users who feel helped by the ease of the digital system, transparency, and real-time reporting of this waqf platform. The success of this digital waqf platform enhances economic empowerment for the community while also bringing positive social impact, proving the effectiveness of digital professional waqf as a valuable and growing social financial instrument in Indonesia.

The existence of digital-based professions as subjects of professional waqf demonstrates that waqf is not limited to physical property, but can also be actualized through contributions of services and expertise in the virtual world, which have significant economic and social value. This is highly relevant to the current development of digital society, where the influence and income from digital professions can become a source of productive waqf that drives empowerment for the wider community. Thus, the digitalization of waqf not only modernizes and streamlines the way waqf is performed but also provides opportunities for digital professions to actively contribute to raising the social and economic value of waqf in the digital era in Indonesia.

The potential to develop a digital 5.0-based professional waqf in Indonesia opens significant opportunities to transform waqf practices into something more inclusive, efficient, and adaptable to technological developments and the needs of modern society.³⁴ The Society 5.0 era, which integrates the physical and digital worlds, allows for the involvement of a wide range of professions, including digital-based ones, to engage in professional waqf on a broader and

³⁰ "Satu Wakaf Indonesia," n.d., <https://apps.satuwakaf.id/>.

³¹ Ibid.

³² Badan Wakaf Indonesia, "440.500 Titik Tanah Wakaf Seluas Lebih Dari 57.200 Hektare," 2024, <https://www.bwi.go.id/9364/2024/03/20/kementerian-bappenas-gelar-zakat-wakaf-impact-forum-pertama/>.

³³ Siti Masriyah, "Peran Wakaf Produktif Dalam Kesejahteraan Masyarakat," *Jurnal Ilmiah Ekonomi Islam* 10, no. 1 (March 13, 2024): 627, <https://jurnal.stie-aas.ac.id/index.php/jei/article/view/12064>.

³⁴ Surjanti Surjanti et al., "Digital Counter Terrorism: Legal Policy for Countering the Spread of Terrorist Content on Social Media," in *Proceedings of the First International Cyber Law Conference, ICL-C 2023, 11 November 2023, Jakarta, Indonesia* (EAL, 2025), 1-4, <http://eudl.eu/doi/10.4108/eai.11-11-2023.2351348>.

more systematic scale.³⁵ Digital technology, especially online platforms and information technology-based applications, allows waqfs to donate their expertise, services, time, and even income earned from digital activities in a practical and transparent manner.³⁶ Digital professions such as YouTubers, Instagram influencers, content creators, digital marketers, and various social media-based professions can allocate a portion of their income or leverage their reach for social and economically impactful waqf activities.

The Penta-Helix approach is a relevant framework for optimizing the development of digital-based professional waqf because it involves close collaboration between five key stakeholders: government, academics, community, industry players, and media and technology.³⁷ The Penta-Helix approach is crucial for the development of digital-based professional waqf because this model emphasizes the need for synergistic collaboration between five main elements that complement and support the success of waqf transformation toward a more modern and innovative direction. These five elements include the government as the regulator and facilitator providing the regulatory framework, infrastructure, and policies that encourage waqf digitalization; academics who contribute thru research, the development of technology-based waqf management models, and digital waqf literacy education for the community, business actors, and technology industry players who provide digital platforms, innovative solutions, and ecosystems that support transparent, efficient, and secure waqf management; the community as the main actors, both as waqif and beneficiaries, and utilizing digitalization for increased participation and supervision and the media as the main link in disseminating information, education, and building public trust in digital waqf management. The implementation of this Penta-Helix model is able to accelerate the growth of productive waqf, increase the effectiveness of benefit distribution, and foster a culture of waqf based on expertise and digital services that can reach a wide audience. It is also able to create an inclusive, sustainable, and responsive waqf ecosystem that adapts to technological developments and the needs of the times.

Thru 5.0 digitalization and the Penta-Helix model, professional waqf can be formulated as an innovative instrument for empowering human resources and the community's economy by leveraging the power of digital networks. This includes expanding waqf segmentation, increasing the capacity of digital nazirs who manage waqf, and developing waqf models that are suitable for the uniqueness of digital professions and the characteristics of digital society. This effort simultaneously supports increased waqf literacy, optimization of digital fundraising, effectiveness of waqf benefit distribution, and reporting transparency accessible to all stakeholders. In addition, the digitalization of professional waqf 5.0 has the potential to be a strategic solution in facing socio-economic challenges and opening up new avenues for inclusive and

³⁵ Dicky Eko Prasetyo Ridwan Arma Subagyo, "Dari Citizen Ideology Menjadi Netizen Ideology: Pendidikan Digitalisasi Pancasila Dalam Mewujudkan Kesantunan Bermedia Sosial," in *Pancasila Dan Pendidikan* (Sukoharjo: Pramudita Press, 2025), 336–345.

³⁶ Kiki Indrayani et al., "From Citizen Ideology to Netizen Ideology: The Legal Culture of Digitizing Pancasila in Realizing Politeness on Social Media," *Golden Ratio of Law and Social Policy Review* 4, no. 1 (December 31, 2024): 12–17, <https://www.goldenratio.id/index.php/grlspr/article/view/845>.

³⁷ Matana and Setiawan, "Analisis Konsep Penta Helix Dalam Pengembangan Potensi Wisata Di Kampung Bekelir Tangerang."

sustainable Islamic-based economic progress in Indonesia, where waqf is no longer limited to physical assets but also includes the tangible contributions of digital human resources who have extensive networks and significant influence in the digital era.

The urgency of regulating professional waqf in Indonesia based on digitalization, involving the Penta-Helix approach, emphasizes that waqf is no longer solely related to physical assets but can also encompass real contributions in the form of expertise, services, and income from digital professions that have a very wide reach and influence. However, in order for this great potential to be utilized to the fullest and sustainably, clear and integrated regulations are essential to address various challenges ranging from legal, management, and technological aspects to the socialization and literacy of digital waqf. The Penta-Helix approach is becoming increasingly important because it involves five main pillars: government, academia, industry, community, and media, which complement each other in creating a healthy and productive digital waqf ecosystem. The government functions as a regulator and facilitator, providing an adequate legal framework and digital infrastructure, while academics contribute thru research and education, equipping digital nazhirs and waqifs with sufficient knowledge and capacity. The technology industry provides safe, transparent, and easily accessible digital platform innovations, making it easier to manage and transact digital professional waqf. The community, especially professionals, influencers, and digital actors, plays a role as the driving force and main actors in implementing professional waqf thru their digital networks. Media, as the heart of communication and information, works to increase public awareness, oversight, and trust in digital waqf governance. Thru this Penta-Helix cross-sector collaboration, the development of digitalized professional waqf can become more focused, innovative, and responsive to the needs of the times, while also ensuring that waqf management is transparent, accountable, and has a broad impact.

Reconstruction of the Legal Regulation of Professional Waqf Based on Digitalization 5.0, Based on the Penta-Helix Strategy and Legal Pluralism

Reconstructing the legal regulation of digital 5.0-based professional waqf using a penta-helix strategy approach is highly necessary as a response to the rapid development of digital technology and the complexity of socio-economic dynamics that influence waqf practices in the modern era. Digitalization 5.0, which integrates artificial intelligence, big data, the Internet of Things (IoT), and other advanced technologies, enables the public and professionals to manage waqf more efficiently, transparently, and measurably.³⁸ However, without an adaptive and progressive legal framework, this digitalization potential is difficult to optimize because there is a risk of incompatibility between old regulations and new needs and challenges, such as data governance, information security, and the legal clarity of digital transactions within the waqf ecosystem.

The penta-helix strategy, which involves collaboration between government, academia, business, community, and media, has become a focal point for

³⁸ Stefan Koos, "Digital Globalization and Law," *Lex Scientia Law Review* 6, no. 1 (2022): 33–68.

ensuring that legal reconstruction is not only normative but also applicable and inclusive, creating synergy among stakeholders capable of fostering innovation while preserving the religious and social values of waqf. This approach is important for strengthening legal legitimacy and increasing the active participation of professionals and related parties, so that professional waqf can have an optimal impact on the sustainable socio-economic development of the community. Additionally, this legal reconstruction also serves as a means to reposition the role of waqf within the new digital paradigm, addressing the challenges of transparency, accountability, and effective waqf distribution mechanisms.³⁹ Thus, this effort has strategic urgency that not only supports the modernization of waqf administration but also promotes the creation of a waqf ecosystem that is responsive to changing times, innovative in management, and oriented toward the common good in accordance with Sharia principles and good governance.

Within the framework of waqf regulation in Indonesia, the Waqf Law, along with its implementation as regulated in Government Regulation Number 42 of 2006 and its amendments subsequently regulated in Government Regulation Number 25 of 2018, still shows limitations in specific regulations regarding professional waqf, and has not adequately accommodated the aspect of digitalization in general waqf management. These three legal products essentially focus on fundamental aspects such as the procedures for waqf of immovable property, the process of establishing, managing, and utilizing more traditional waqf, without touching upon the scope of professional waqf, which is now beginning to develop as a strategic instrument in empowering human and professional resources.⁴⁰ Furthermore, the rapid and increasingly crucial development of digital technology in various fields of life is not yet reflected in the waqf regulations, meaning there are no provisions governing digital platform-based waqf management, online waqf transaction mechanisms, the use of technology in waqf data management, or legal protection related to the digitalization of waqf; this creates a gap between the needs of modern waqf practice and the existing legal framework. Therefore, focusing on the development of professional waqf regulations, and even the comprehensive digitalization of waqf, is extremely urgent so that these regulations are not only relevant to the times but also capable of strengthening waqf governance in a transparent, accountable, and integrated manner with technological innovation. This will allow the potential of waqf as a social and economic instrument to be maximized effectively and efficiently within the current digital transformation context. This reinforces the fact that legal reconstruction thru revising the Waqf Law, along with its implementation as regulated in Government Regulation Number 42 of 2006 and its amendments subsequently regulated in Government Regulation Number 25 of 2018, is essentially necessary not only to facilitate professional waqf but also to ensure the implementation of the spirit of waqf digitalization, particularly professional waqf.

The efforts to revise the Waqf Law, along with its implementation as regulated in Government Regulation Number 42 of 2006 and its amendments

³⁹ Arum Teguh Fitriyani, "An Analysis of the Islamic Fiscal Policy of the State of Kuwait," *Jurnal Cendekia Ilmiah* 4, no. 1 (2024): 2592–2605, <https://www.kemlu.go.id/kuwait>.

⁴⁰ Riska Widya Abiba and Eko Suprayitno, "Optimalisasi Wakaf Produktif Dalam Mendukung Upaya Pencapaian SDGs Melalui Pemberdayaan Peternakan," *Al-Intaj: Jurnal Ekonomi dan Perbankan Syariah* 9, no. 1 (March 2023): 109.

subsequently regulated in Government Regulation Number 25 of 2018, highlight the need for professional waqf regulation based on the Penta-Helix strategy. In the context of increasingly complex social and technological developments, this legislation needs to be developed, especially to accommodate the regulation of professional waqf, which has not been explicitly regulated until now. This regulatory strengthening must consider the characteristics and dynamics of professional waqf, which has great strategic potential in human resource empowerment and sustainable socio-economic development. Therefore, the development of professional waqf law based on the Penta-Helix strategy is highly relevant because this strategy integrates collaboration between five important elements: government, academics, business actors, society, and the media, forming an innovation ecosystem capable of strengthening the governance, implementation, and utilization of waqf more effectively and efficiently.⁴¹ The benefits of the Penta-Helix strategy in managing professional waqf are reflected in its ability to create cross-sectoral synergy that leads to innovation in waqf management, increase transparency and accountability thru technological support and academic research, expand the reach and participation of the community and professionals involved, and strengthen communication and education thru media to raise public awareness and understanding of professional waqf. Thus, the regulation of professional waqf integrated with the Penta-Helix approach not only strengthens the legal framework but also encourages the transformation of waqf management toward adaptability to the times and community needs, particularly in the digital era and dynamic social environment. This is crucial to ensure that professional waqf can contribute optimally as an instrument for community empowerment while also supporting national development in an innovative, inclusive, and sustainable manner.

In the context of developing the Waqf Law and related regulations in Indonesia, a legal pluralism approach is highly necessary to create a comprehensive and harmonious balance between national positive law and Islamic law.⁴² This is because waqf, as a religious and social institution, does not operate solely within the realm of formal state law but is also heavily influenced by sharia norms, which are the main foundation for its implementation. Therefore, exclusive regulations that rely solely on positive law would disregard the religious and cultural dimensions of the Muslim community, who are the majority of waqf stakeholders. The concept of legal pluralism according to Werner Menski not only refers to the existence of multiple different positive laws among nations or within a single country, but also encompasses pluralism in the legal behavior of individuals and groups in society, which is influenced by various values, norms, and cultures.⁴³ The concept of the triangle proposed by Menski describes three main elements that

⁴¹ Hendri Azwar et al., "Does Penta-Helix Multi-Stakeholder Collaboration Serve as a Sustainable Development Strategy for Community-Based Tourism (CBT)?: A Qualitative Inquiry of Agam Regency, Indonesia," *Tourism Planning & Development* 1, no. 1 (July 30, 2025): 1–26, <https://www.tandfonline.com/doi/full/10.1080/21568316.2025.2540535>.

⁴² Husni Husni and Miftahul Khairat, "Penetration of Muamalah Jurisprudence into Indonesian Law," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 2 (November 21, 2024): 699–722, <https://journal.iaincurup.ac.id/index.php/alistinbath/article/view/11116>.

⁴³ Dicky Eko Prasetyo et al., "The Construction Of The Lex Sportiva Principle In Indonesia's Sports Law: Implications And Future Arrangements," *UUM Journal of Legal Studies* 16, no. 2 (July 31, 2025): 58–69, <https://e-journal.uum.edu.my/index.php/uumjls/article/view/24580>.

interact within a legal system: the formally applicable state law, the social law derived from social norms, customs, ethics, morals, and religion, and the influence of negotiation and adaptation between them, making law a dynamic and complex system.⁴⁴ Werner Menski's concept of legal pluralism emphasizes that law in practice is a combination of formal and non-formal laws that influence each other and require comprehensive regulation to create just and effective legal harmonization in a pluralistic society.⁴⁵

Thru the strategy of legal pluralism, the appropriate integration of positive law and Islamic law in waqf regulation will strengthen legal legitimacy while providing adequate protection for the rights and obligations of the parties involved, and addressing current needs in modern and dynamic waqf management without losing the inherent spiritual and social values. This legal pluralism approach is expected to provide an inclusive and flexible regulatory framework where positive legal provisions governing institutional structures, administrative governance, oversight mechanisms, and formal aspects can coexist synergistically with Islamic legal principles emphasizing justice, understanding the objectives of Sharia, purity of intention, and efficient distribution of waqf benefits in accordance with religious values. Thus, the Waqf Law, which adopts the principle of legal pluralism, will not only provide stronger legal certainty for waqif and nazhir, but will also maintain social harmony and the sustainability of waqf benefits as an important economic and social instrument for the community, while also encouraging innovation in waqf management that is adaptable to the times without damaging the sharia foundation and state governance. This approach also anticipates contemporary challenges such as the diversity of interpretations of Islamic law in various communities, the need for integrating digital technology in waqf management, and the increasingly complex and plural socio-economic dynamics of society, resulting in a waqf law that is contextual, responsive, and socially just. This can ultimately serve as an inspiring model for harmonizing law in the broader field of religious law in Indonesia.

The concept of legal pluralism is highly relevant in the context of regulating professional waqf in Indonesia, considering the existence of various overlapping legal sources such as national positive law, Islamic law, and customary law that exist within society. Legal pluralism asserts that relying solely on one source of law for regulating professional waqf is insufficient because waqf is an institution with strong religious and social dimensions, closely linked to the values and norms of Islamic Sharia, while also needing to be within the framework of the country's positive law, which governs its administration, legal protection, and accountability. Therefore, revisions to the Waqf Law and its implementing regulations are absolutely necessary to make it more responsive to the complexities of professional waqf dynamics, including the need to integrate digital-based regulations and the professionalism of waqf that is developing in modern society. However, these regulatory revisions are not sufficient without the presence of specific Islamic legal rules that delve deeply into the principles of professional waqf, which are directly derived from Islamic law and translated into a special Islamic legal

⁴⁴ Dita Perwitasari Dicky Eko Prasetyo, Fradhana Putra Disantara, Nadia Husna Azzahra, "The Legal Pluralism Strategy of Sendi Traditional Court in the Era of Modernization Law," *Rechtsidee* 8, no. 1 (2021): 4.

⁴⁵ Dicky Eko Prasetyo, "Hukum Adat Di Indonesia: Perspektif Pluralisme Hukum," in *Refleksi Dinamika Hukum Di Indonesia* (Jakarta: PT Adikara Cipta Aksa, 2025), 174–180.

compilation related to waqf. The presence of this special Islamic legal compilation is important so that the regulation of waqf does not solely rely on state legal norms but also maintains consistency with the principles of fiqh and maqashid syariah, thus creating harmony between religious values and the demands of state administration.⁴⁶

The legal pluralism approach in regulating this professional waqf becomes a solution to proportionally harmonize Islamic law and positive law, accommodate different religious understandings and practices while adhering to state legal norms, thus creating a professional waqf governance that is not only legally valid but also religiously valid and socially accepted by Indonesia's diverse society. This approach also avoids legal conflicts and disputes that often arise due to the ambiguity of which law should be prioritized in the practice of waqf. Overall, legal pluralism in the regulation of professional waqf promotes the creation of an inclusive, adaptive, and just waqf legal system that can accommodate community aspirations, preserve religious values, and create the legal certainty absolutely needed for the management of professional waqf in Indonesia today and in the future. The concept of legal pluralism is highly relevant in the context of regulating professional waqf in Indonesia, considering the existence of various overlapping legal sources such as national positive law, Islamic law, and customary law that are prevalent in society. Legal pluralism asserts that relying solely on one source of law for regulating professional waqf is insufficient because waqf is an institution with strong religious and social dimensions, closely linked to the values and norms of Islamic Sharia, while also needing to be within the framework of the country's positive law, which governs its administration, legal protection, and accountability.

The reconstruction of the legal regulation of professional waqf based on 5.0 digitalization with a penta-helix and legal pluralism approach is a strategic step that is urgently needed in the context of developing waqf law in Indonesia so that it can address the various challenges and opportunities of the modern era. In this regard, digitalization 5.0, which adopts cutting-edge technologies such as artificial intelligence, big data, and the Internet of Things (IoT), opens up significant opportunities for more efficient, transparent, and accountable waqf management. However, this cannot be optimally realized without adequate and adaptable legal support. Therefore, revising Law Number 41 of 2004 concerning Waqf and its implementing regulations such as Government Regulation No. 42 of 2006 and Government Regulation No. 25 of 2018 is very important to include provisions on digital-based waqf management and waqf professionalism, which are now increasingly needed by society and waqf management professionals. Furthermore, more specific waqf regulations must also be realized thru the compilation of Islamic law specifically in the field of waqf, containing principles, rules, and regulations derived from Islamic law. This will provide a strong normative framework for sharia-compliant professional waqf practices while also harmonizing with national positive law. The legal pluralism approach in this reconstruction is crucial because the management of waqf in Indonesia takes place amidst a diversity of legal systems, including state law, Islamic law, and customary law. Therefore,

⁴⁶ Muhammad Vicki Azhari. Imam Kamaluddin, "Analisis Kebolehan Wakaf Tunai Menurut Maqashid Syariah," *Jurnal Masharif Al-Syariah: Jurnal Ekonomi Dan Perbankan Syariah* 9, no. 1 (2024): 682–694.

prioritizing the integration of these three systems is an important principle for producing inclusive and realistic regulations. Additionally, the penta-helix strategic approach, which emphasizes collaboration among five main pillars: government, academia, the business world, community, and media also provides strength in implementing innovative and sustainable waqf regulations, with each party playing an active role in supporting digitalization, education, supervision, and the development of a professional waqf ecosystem. This collaborative synergy not only enhances the quality of technology-based waqf governance and services but also broadens community and professional participation, allowing the potential of waqf to be optimally realized and have a positive impact on national socio-economic development.

Conclusion

The urgency of regulating professional waqf in Indonesia based on digitalization with the involvement of the Penta-Helix approach is very important and pressing to address the times and challenges that have emerged in the digital era 5.0. Waqf now not only relates to physical assets, but also includes tangible contributions in the form of expertise, services, and income from digital professions that have a wide reach and influence. The findings of this research indicate that the Penta-Helix approach, which involves collaboration between government, academia, industry, community, and media, is a strategic pillar for building a healthy and productive digital waqf ecosystem while also increasing the participation of Indonesian society in waqf. This research also confirms the need for innovative waqf model development, increased digital nazhir capacity, optimized fundraising, effective benefit distribution, and transparent reporting accessible to all stakeholders.

Reconstructing the legal regulation of digital-based professional waqf 5.0 with a penta-helix strategy and legal pluralism approach is essential to address the various challenges and opportunities in this modern era. The legal pluralism approach is highly relevant because waqf management in Indonesia exists within a complex legal system involving state law, Islamic law, and customary law. The penta-helix strategy, which involves collaboration between government, academics, business actors, the community, and the media, is key to creating an innovative, sustainable, and effective waqf ecosystem. With the synergy of these three aspects, the regulation of professional waqf can become an effective instrument for the socio-economic development of the community and the country, as well as address the needs of the times with inclusive and adaptive legal governance.

Recommendation

This research recommends that a revision of Law Number 41 of 2004 concerning Waqf and its implementing regulations is needed to accommodate the evolving aspects of digitalization and professionalism in waqf. Additionally, specific waqf regulations thru the Islamic Law Compilation regarding waqf are essential to ensure that Sharia principles are met and that

a balanced harmonization between Islamic law and positive law can be achieved.

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