

# Integrating The *Huyula* Tradition into Contemporary Waqf Governance: A Study of Local Wisdom and Islamic Legal Reform

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**Abstract** : *This study examines the integration of the Huyula tradition, a local wisdom of the Gorontalo community, in contemporary waqf governance based on the principles of good governance and Islamic law reform. Huyula, which contains the values of togetherness, mutual cooperation, deliberation, and collective responsibility, has the potential to strengthen productive, transparent, and participatory waqf management, especially in the digital era with the use of technology such as e-waqf and blockchain. Through a pentahelix collaborative model involving government, society, academia, business, and the media, this tradition can become an institutional foundation responsive to modern socio-economic and technological challenges. This research uses mixed methods (Normative and Empirical), uses a qualitative approach and conducts interviews with 8 resource persons related to normative aspects and waqf management practices. The results of the study show that the revitalization of Huyula values can increase waqf literacy, nazhir capacity, and community participation in the planning, supervision, and evaluation of waqf, in line with the sustainable development goals (SDGs). Adaptive policies that accommodate local values in the national legal system and digital governance are recommended so that waqf management becomes more effective, equitable, and sustainable.*

**Keywords** : *Contemporary; Huyula Tradition; Local Wisdom; Waqf Governance*

**Abstrak** : Penelitian ini mengkaji integrasi tradisi Huyula, sebuah kearifan lokal masyarakat Gorontalo, dalam tata kelola wakaf kontemporer berbasis prinsip good governance dan reformasi hukum Islam. Huyula yang mengandung nilai kebersamaan, gotong royong, musyawarah, dan tanggung jawab kolektif, berpotensi memperkuat pengelolaan wakaf yang produktif, transparan, dan partisipatif terutama di era digital dengan pemanfaatan teknologi seperti e-wakaf dan blockchain. Melalui model kolaborasi pentahelix yang melibatkan pemerintah, masyarakat,



akademisi, bisnis, dan media, tradisi ini dapat menjadi landasan kelembagaan yang responsif terhadap tantangan sosial-ekonomi dan teknologi modern. Penelitian ini menggunakan mix methods (Normatif dan Empiris), menggunakan pendekatan kualitatif serta melakukan wawancara dengan 8 narasumber terkait aspek normatif dan praktik pengelolaan wakaf. Hasil penelitian menunjukkan bahwa revitalisasi nilai Huyula dapat meningkatkan literasi wakaf, kapasitas nazhir, dan partisipasi komunitas dalam perencanaan, pengawasan, dan evaluasi wakaf, sejalan dengan tujuan pembangunan berkelanjutan (SDGs). Kebijakan adaptif yang mengakomodasi nilai lokal dalam sistem hukum nasional dan digital governance dianjurkan agar pengelolaan wakaf menjadi lebih efektif, berkeadilan, dan berkelanjutan. Penelitian memberi kontribusi pada pengembangan hukum Islam, hukum adat, dan ekonomi syariah kontemporer di Indonesia.

**Kata kunci :** Kearifan Lokal; Kontemporer; Tata Kelola Wakaf; Tradisi Huyula

## Introduction

The people of Gorontalo have a unique culture that is strongly influenced by Islamic teachings, reflected in the motto "Adati hula hula Sareati - Sareati hula hula to Kitabullah" which means "Custom of Jointed Syara', Syara' Jointed Kitabullah". The majority of the population of Gorontalo is Muslim, so local traditions and values develop in harmony with religious ones, shaping a society that upholds solidarity, cooperation, and generosity. One of the main legacies is the Huyula tradition, a pattern of socio-cultural cooperation that has long roots and remains relevant in various community activities, ranging from agricultural affairs and the construction of public facilities to social celebrations. Huyula values such as togetherness, mutual help, sincerity, and collectivity are the strengths of Gorontalo culture, which help strengthen social resilience and build a sense of belonging in community life.<sup>1</sup>

The role of the Huyula tradition in waqf governance is increasingly important amid efforts to strengthen the economy and alleviate poverty. Waqf in Indonesia has been regulated in a modern way through Law No. 41 of 2004, which requires the productive management of waqf assets to increase the social and economic impact of the community.<sup>2</sup> Various studies show that waqf management that adopts local values and fosters community cooperation can increase the productivity, participation, and sustainability of waqf assets across various regions in Indonesia. Agil et al. (2023), in their research entitled *Minimizing Risk and Maximizing Profits: Risk Management Strategies in Productive Waqf Management* published in *Al-Muraqabah: Journal of Management and Sharia Business* Volume 6 Number 1, discuss risk management strategies in productive waqf management by highlighting the importance of managing waqf assets professionally and based on local values as a supporting aspect of its success. This study shows that the integration of local cultural values, such as cooperation in communities in Minangkabau, Islamic boarding schools, and communities in West Sumatra and Jawa, has

<sup>1</sup> M. Abdi Lanjahi et al., "Juridical Analysis of the Protection of Traditional Cultural Expressions of Gorontalo Province," *Case: Journal of Law and Politics* 1, no. 3 (2023).

<sup>2</sup> H. Ariza and M. I. Tamrin, "Islamic Religious Education Based on Local Wisdom (Fortress in the Era of Globalization)," *Journal of Ummah Studies and Development* 4, no. 2 (2021).

been shown to increase community effectiveness and participation in waqf governance.<sup>3</sup>

In Gorontalo, the potential for integrating the Huyula tradition into waqf governance has begun to be discussed through various studies. Syafii and Yusuf (2024), in their article entitled Motivation of Sharia Financial Instruments Towards Local Wisdom of the Huyula Tradition in Bone Bolango Regency published in *JTEBR: Journal of Technopreneurship on Economic and Business Review* Volume 6 Number 1, analyze how the cooperation and socio-cultural values contained in the Huyula tradition are relevant and can be used as a basis for the development of waqf-based financial products, including Huyula value-based entrepreneurial business management models and the development of mosque economic institution units.<sup>4</sup> In addition, Gunawan (2020) in the proceedings of The 2nd International Seminar on Contemporary Islamic Issues: Contemporary Issues on Religion and Multiculturalism discussed the practice of social cooperation in the management of public and religious facilities based on Huyula local wisdom, showing that the values of togetherness, mutual help, sincerity, and collectivity are the strength of Gorontalo culture in strengthening social resilience and building a sense of belonging in community life.<sup>5</sup>

However, there is a *research gap* in integrating the Huyula tradition into contemporary waqf governance, especially in responding to the challenges of the digital era, which demand innovation, transparency, accountability, and technology-based community participation, such as e-waqf and blockchain-based waqf. Studies on Huyula have so far focused on cultural or historical aspects without critically engaging with modern waqf governance innovations, the application of good governance principles, or its contribution to sustainable development goals (SDGs), such as poverty alleviation, inclusive economic improvement, and equal access. In addition, social values in Huyula have not been widely explored as a basis for reform in formal Islamic law and national waqf policies.

The novelty of this research lies in the proposal to integrate Huyula into waqf governance through a pentahelix collaboration model, which synergizes the government, the community, academia, the business world, and the media as the main actors in the distribution, education, supervision, and development of waqf assets. This approach places Huyula not only as a tradition of cooperation but also as a social platform that can activate community participation in waqf practices in a more professional, transparent, and inclusive manner. The use of Huyula's social nodes is expected to serve as a channel for deliberation and community leadership, as well as a space for learning and innovation, thereby increasing nazhir capacity and community involvement in the collaborative, sustainable planning, implementation, supervision, and evaluation of waqf assets. This, at the same time, ushers in the management of waqf in the adaptive era based on local values and is

<sup>3</sup> M. Agil et al., "Minimizing Risk and Maximizing Profits: Risk Management Strategies in the Management of Productive Waqf," *Al-Muraqabah: Journal of Management and Sharia Business* 6, no. 1 (2023): 422–35, <https://doi.org/10.36778/jesya.v6i1.928>.

<sup>4</sup> Andriani Syafii and Sri Dewi Yusuf, "The Motivation of Sharia Financial Instruments to the Local Wisdom of the Huyula Tradition in Bone Bolango Regency," *JTEBR: Journal of Technopreneurship on Economics and Business Review* 6, no. 1 (2024): 107–117.

<sup>5</sup> Edi Gunawan, "Contemporary Issues on Religion and Multiculturalism," in *International Seminar on Contemporary Islamic Issues*, 2019

connected to the Islamic law reform agenda and the achievement of SDGs targets.

The innovation nodes offered are relevant to the needs of modern society: strengthening waqf literacy, providing participatory training for nazhir, digital-based community engagement, and mobilizing cross-sector collaboration. Thus, the integration of the Huyula tradition into contemporary waqf governance opens great opportunities to create an effective and sustainable waqf management system, as well as to strengthen the cultural identity of the Gorontalo people, support the sharia economy, and empower the people. This research also underscores the importance of reviving traditional values aligned with innovation and formal regulations, as a form of transformational adaptation towards resilient, inclusive, and tangible waqf management for the social welfare of the Indonesian people in general and of Gorontalo in particular.

In its analysis, research on the integration of the Huyula tradition into contemporary waqf governance in Gorontalo is expected to enrich the treasures of Islamic law, customary law, and sharia economics, and to provide recommendations for policy strategies applicable to stakeholders. This research marks a strategic step in the transformation of local policy-based waqf governance towards a more adaptive, innovative system that contributes to sustainable national development in the modern era.

## Methods

This research method employs a qualitative approach, drawing on normative and empirical juridical methods. Primary data were obtained through in-depth interviews with eight resource persons, comprising waqf nazhir, community leaders, academics, and local government officials in Gorontalo Province, using purposive sampling to select informants with relevant competence and experience. Secondary data was obtained from a review of literature, regulations, and official documents related to the management of waqf and Huyula traditions. The use of this method allows the research not only to examine the normative aspects of applicable laws and theories, but also to reveal the real practices and challenges faced in integrating local values into contemporary waqf governance. His academic contribution lies in developing a waqf governance model that combines local wisdom with the principles of good governance and Islamic law reform, and in providing recommendations applicable to the management of waqf in Gorontalo, which can serve as a reference for implementation in other regions.

## Result And Discussion

### Definition of Huyula Tradition and Local Wisdom

#### 1) Tradition

In religious terms, the tradition is called *al-'urf*. Etymologically, *'urf* means something known. The word *'urf* is synonymous with *'adah* (adat), which means habit or practice. This implies that both terms (*'urf*

and *'adah*) have the same meaning (*al-'urf wa al-'adah bi ma'na wahid*), referring to something that is commonly practiced by the general public or a particular community. According to Muhammad Abu Zahra, *'urf* (*'adah*) refers to something common among humans in matters of *muamalah* (social transactions).<sup>6</sup>

## 2) *Huyula*

The word *Huyula* comes from the Gorontalo language, which means to cooperate sincerely, selflessly, and without expecting anything in return. This tradition reflects the spirit of togetherness, social solidarity, and high human values. *Huyula* is a form of cooperation in the local community. For the people of Gorontalo, this gotong-royong tradition is known as *Huyula*, a characteristic of their identity that has been passed down from generation to generation. In the book *People's Struggle in the Gorontalo Region, Opposing Colonialism and Defending the Proclamation State*, *Huyula* is described as a system of cooperation between community members, which aims to meet common needs and interests, based on social solidarity through family ties and neighborliness.<sup>7</sup> For the people of Gorontalo, *Huyula* is a system of cooperation between community members to meet common needs and interests, based on social solidarity through the bonds of family, neighbors, and relatives. Mochtar stated that *Huyula* is "a statement of togetherness in building, or the habit of deliberating in every policy that will be made, which is related to the interests and lives of the people." Based on this view, *Huyula* is a form of deliberation in formulating policies that will be the basis for the implementation of development for the common good.<sup>8</sup> Similar sentiments were expressed by Daulima, who stated that *Huyula* is "carrying out joint tasks by a group of people or members of society in the sense of mutual help and reciprocity."<sup>9</sup> *Huyula* is a culture of cooperation or mutual help practiced by the people of Gorontalo voluntarily, to serve the common interests to realize common ideals.<sup>10</sup>

## 3) Local Wisdom

Local wisdom, or "local genius", is a term introduced by Wales, which refers to "the number of cultural characteristics that most people share as a result of their childhood experiences." Further, Wales defines local genius as "the ability of local culture to deal with foreign cultural influences when the two cultures interact." Based on this view, local wisdom is a culture owned by a particular community in a particular place, considered capable of surviving in the face of globalization. This local wisdom contains values that can function as a means of building the nation's character. This is especially important in the current era of information and communication disclosure, which, if not addressed appropriately, can result in the loss of local wisdom as the identity and

<sup>6</sup> Sofyan AP Kau, *Islam and Local Culture of Gorontalo Customs* (Media Intelligence, 2020).

<sup>7</sup> The foundation of January 23, 1942, *The People's Struggle in the Gorontalo Area, Against Colonialism and Defending the Proclamation State* (Gobel Dharma Nusantara, 1982).

<sup>8</sup> Mohammad F, et al., *Initiating the Future of Gorontalo* (HPMIG Press, 2005).

<sup>9</sup> F. Daulima, *Cultural Aspects of the Gorontalo Community* (Banthayo Pobo'ide Limboto, 2004).

<sup>10</sup> Rasyid Yunus, *The Values of Local Wisdom as a Strengthening of the Nation's Character, Empirical Study of Huyula* (Deepublish, 2014).

essence of a nation. A similar point was made by Lubis, who argued that national identity is a cultural character that shapes the nation's character.<sup>11</sup> Formally, local wisdom is regulated in Article 1 paragraph (30) of Law Number 32 of 2009, which states that "Local wisdom is a noble values that apply in people's lives to manage the environment sustainably. Local wisdom consists of values, norms, laws, and knowledge formed from religious teachings, beliefs, traditional values, and experiences inherited from ancestors, which ultimately form a local knowledge system that is used to solve everyday problems in society."<sup>12</sup>

### Huyula Tradition as a Living Law

Huyula is a tradition that is deeply rooted and still sustainable in several rural communities in Gorontalo. Huyula is understood as a form of non-transactional cooperation based on the values of sincerity, togetherness, and social concern. However, alongside changes in modern lifestyles and the rise of individualism, Huyula's practice began to shift. Nevertheless, Huyula's core values, such as mutual aid and social solidarity, remain important cultural identities.

Gorontalo, as a customary jurisdiction, certainly has a diversity of cultures, customs, and local values. One manifestation of this cultural wealth is the existence of customary law, or *living law*, which the community continues to practice even though it is not written into the state's positive law. One form of *living law* that remains sustainable to this day is the Huyula tradition in Gorontalo. Huyula is a form of cooperation or mutual help that brings social, economic, and even legal benefits to the Gorontalo community. This shows that living law in society does not only come from the state, but also from local values that are firmly rooted.

The Huyula tradition is a form of customary law that is still alive in the Gorontalo community. As a *living law*, Huyula not only functions as a forum for cooperation but also as a social regulator that contains legal, cultural, and moral values. Although it is not written in formal law, Huyula is still obeyed and practiced consciously by the community. This is a clear example that Huyula is in harmony with the teachings of the Qur'an. Al-Maidah verse 2, which reads: "Help each other in kindness and piety..." In addition, the concept of *habl min al-nas* (good relations between people) is implemented through socio-religious cooperation. This shows that local cultural values (customs) do not contradict, but rather strengthen, religious values (sharia), in line with the traditional philosophy of Gorontalo: "Custom Jointed Syara", "Syara Jointed Kitabullah" (Customs are based on sharia, and sharia is based on the Quran).

### Potential of Huyula Integration in Waqf Governance

Waqf governance in Indonesia is currently facing complex systemic challenges. Although it has economic potential of hundreds of trillions of

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<sup>11</sup> *Ibid.*

<sup>12</sup> Mutia Cherawaty Thalib, *Problems & Expectations of Domestic Workers from Question Protection to Regulation Products* (Ideas Publishing, 2020).

rupiah, the implementation remains far from optimal. Various obstacles include low literacy and community participation, weak capacity and integrity of Nazhir, and a lack of optimal use of digital technology to maintain transparency and accountability. This condition shows a gap between formal legal frameworks, such as Law Number 41 of 2004 concerning Waqf, and the socio-cultural character of Indonesian society, which is rooted in the values of cooperation and collective participation. It is in this context that the integration of local wisdom, such as the Huyula tradition from Gorontalo, offers a socio-cultural approach that can strengthen digital-based modern waqf governance and the principles of good governance.

Huyula is a social tradition of the people of Gorontalo rooted in the values of cooperation, deliberation, honesty, empathy, egalitarianism, and collective responsibility. In practice, Huyula is a social solidarity system that involves all elements of society in helping one another selflessly across the economic, religious, and social fields. This spirit of collectivity bears a substantive resemblance to the principle of waqf in Islam, which emphasizes the sustainability of benefits (*istimrariyyah al-manfa'ah*) and the provision of just social benefits. But interestingly, Huyula not only teaches the benefits of sharing but also institutionalizes participatory values and social transparency through deliberation mechanisms and cooperation. These values are relevant to revitalizing the context of waqf management in the digital era, especially as issues of public trust, accountability, and unequal participation are increasingly emerging in the governance of the religious sector.<sup>13</sup>

The revitalization of the Huyula tradition in the digital waqf system requires an approach that is not only normative but also adaptive to the development of information technology. Digital transformation in waqf management has given rise to new models, such as e-waqf, waqf crowdfunding, and blockchain-based solutions to ensure transparency in transactions and benefit distribution. However, new challenges have emerged, including digital literacy inequality, potential misuse of technology, and ethical fragility in the management of data and social assets. Huyula values can serve as a social control mechanism based on ethics and trust, complementing the positive legal framework and formal technological mechanisms. In a blockchain-based system, for example, every transaction can be openly verified by the community. Still, ethical certainty and social responsibility can only be maintained through the internalization of the values of honesty, trust, and deliberation within the Huyula culture.<sup>14</sup>

Huyula's integration with digital waqf innovation requires a reinterpretation of the meaning of participation. In the context of Huyula, participation is not symbolic, but is an organic form of social responsibility. The community is not only a beneficiary but also a supervisor, designer, and implementer of social activities. This pattern of participation, when applied to e-waqf or community-based waqf digital platforms, can encourage the creation of social accountability mechanisms. For example, each digital waqf program can involve local community groups in planning, beneficiary data validation, and

<sup>13</sup> Edi Gunawan, Prosiding The 2Nd International Seminar On Contemporary Islamic Issues - Contemporary Issues On Religion And Multiculturalism, January 1, 2020,

<sup>14</sup> Artha Wirawan Yusuf Firdaus, "Analysis of Blockchain Waqf Business Model in Indonesia Using the Canvas Business Model," *Al-Awqaf: Journal of Waqf and Islamic Economics* 17, no. 1 (2024): 23–36, <https://doi.org/10.47411/al-awqaf.v17i1.205>.

result evaluation. This participatory model can also strengthen Nazhir's position as a social mover, not just as an asset administrator. This is in line with the principle of digital inclusive governance, which emphasizes cross-actor collaboration between the government, society, and the private sector.<sup>15</sup>

Within the framework of national law, the implementation of digital waqf has received formal support through the Ministry of Religion's policies, such as the development of the SIWAK (Waqf Information System) application and the professional nazhir certification program. However, the effectiveness of such policies depends on the level of social adaptation in local communities. Huyula's values and social structure can be used to expand the reach of these digital programs. For example, a Huyula-based digital reporting system can be implemented as a participatory channel where the community collectively monitors the use of waqf funds and channels feedback through deliberation-based online forums. Thus, Huyula is no longer limited to cultural values; it now functions as an institutional design that supports digital good governance.<sup>16</sup>

The correlation between Huyula and the principle of good governance can also be seen from the similarity of its basic values. Transparency in Huyula is manifested through openness in deliberation, accountability through responsibility arising from joint work, and participation through the involvement of all community members without discrimination. The values of integrity and social solidarity inherent in this tradition can be contextualized to address classic problems in the management of waqf in Indonesia, such as rigid bureaucratic practices, a lack of public reporting, and weak independent oversight mechanisms. By combining these principles, digital waqf governance will be able to produce a system that is fair, transparent, and efficient, in accordance with the mandate of the principles of good governance as defined by the United Nations Development Program (UNDP).<sup>17</sup>

In addition to strengthening the governance aspect, Huyula's integration with digital waqf also has strategic relevance to the achievement of the Sustainable Development Goals (SDGs), especially the 1st (no poverty), 4th (quality education), 8th (decent work and economic growth), and 17th (partnerships for the goals) goals. Waqf, as an instrument of Islamic economics, supports the equitable redistribution of wealth. When integrated with Huyula's social values and strengthened by digital technology, this distribution mechanism becomes more inclusive and efficient. For example, community-based productive waqf practices can finance educational institutions, the development of local MSMEs, or social infrastructure such as clinics and schools. The Huyula-based management model can ensure an equitable

<sup>15</sup> A. Syafii and S. D. Yusuf, "The Motivation of Sharia Financial Instruments to the Local Wisdom of the Huyula Tradition in Bone Bolango Regency," *JTEBR: Journal of Technopreneurship on Economic and Business Review* 6, no. 1 (2024).

<sup>16</sup> "The Indonesian Waqf Movement through the Pentahelix Approach," Book, *Digital Library of the Indonesian Waqf Agency*, September 9, 2025, <https://www.lib.bwi.go.id/books/gerakan-indonesia-berwakaf-melalui-pendekatan-pentahelix/>.

<sup>17</sup> L. Sylvanie, "Nazhir's Proficiency in the Management of Productive Waqf in Indonesia," *Ulumuddin: Journal of Islamic Sciences* 13 (2023): 199–220.

distribution of benefits, with inherent social supervision to prevent irregularities or inequality.<sup>18</sup>

Furthermore, this integration opens opportunities to develop a pentahelix collaboration model among the government, the community, academia, the business world, and the media. The government plays the role of a regulator and policy facilitator; academics as developers of methodology and implementive research; business as a partner in productive waqf based on social investment; the media as an agent of public transparency; and the community as a center for active participation based on Huyula values. In practice, Nazhir can work with Islamic financial institutions and technology startups to build an interactive e-waqf platform. At the same time, Huyula's deliberation principles can be translated into community online forums for social deliberation and supervision. This digital and social integration forms a sustainable and ethical waqf ecosystem.<sup>19</sup>

On the legal side, the application of the Huyula concept to waqf governance also enriches the progressive legal-theoretical approach that prioritizes law as a tool of social engineering. By adopting local social values in the implementation of national law, the concept combines normative legitimacy (based on regulation) with cultural legitimacy (based on social acceptance). Huyula gave social substance to the implementation of Law No. 41/2004 and its derivative regulations, especially in the principle of productive and transparent management as mandated in Articles 11 and 12 of the law. In addition, this community-based approach aligns with the contemporary Islamic legal paradigm that emphasizes maqasid al-sharia for the benefit of the ummah, particularly in the dimensions of hifz al-mal (protection of property), hifz al-nafs (protection of life), and hifz al-'ird (protection of dignity).<sup>20</sup>

However, the success of this integration requires institutional support and public policies that are adaptive to digital and sociological contexts. The government needs to issue implementation guidelines or derivative regulations that accommodate local community participation in digital waqf governance, for example, by strengthening the role of the Indonesian Waqf Agency (BWI) in facilitating training aligned with local social values, such as Huyula. In addition, collaboration with educational institutions and the technology sector needs to be directed to build digital governance modules that are sensitive to socio-cultural values. This kind of approach not only strengthens the performance of waqf as an economic instrument but also strengthens the social role of Islamic law in realizing welfare and social justice.

Thus, Huyula's revitalization in digital waqf governance is not just a cultural preservation step, but an innovative model for the development of

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<sup>18</sup> Hamdani Pratama et al., "The Implementation of Good Governance in Waqf Management at the Indonesian Waqf Agency (Bwi) North Sumatra," *Jupitari: Journal of Management, Accounting, and Economics* 14, no. 2 (2025): 21–30, <https://doi.org/10.8734/musyitari.v14i2.10409>.

<sup>19</sup> Ministry of Religion, "Bappenas: Optimization of Zakat and Waqf Supports the Implementation of SDGs," <https://kemenag.go.id>, accessed October 28, 2025, <https://kemenag.go.id/nasional/bappenas-optimalisasi-zakat-dan-wakaf-dukung-implementasi-sdgs-4glq46>.

<sup>20</sup> Ken Paramitha Aryana and Indri Yuliafitri, "The Implementation of Good Nazhir Governance based on Waqf Core Principle in Waqf Salman ITB," *Journal of Accounting and Finance Research* 11, no. 1 (2023): 87–96, <https://doi.org/10.17509/jrak.v11i1.46526>.

sustainability-oriented legal and social institutions. Huyula restores the spirituality of social solidarity amid the digital transformation that often emphasizes efficiency without moral depth. The integration of local wisdom values, the principles of good governance, and digital technology is an important foundation for building a waqf system that is not only legal but also socially dignified and economically sustainable. This synergy of local values and modern innovation shows that justice and prosperity can be achieved through the interconnection among law, technology, and culture that are in the service of humanity.

### Nazhir's Professionalism on Waqf Governance

Waqf is one of the socio-economic instruments in Islamic law that plays a strategic role in supporting the welfare of the community. Since the time of the Prophet Muhammad, PBUH, to the contemporary era, waqf has functioned as a sustainable source of funding for education, health, social welfare, and community economic empowerment. Conceptually, waqf is the donation of a portion of a person's property by an individual or group with the provision that the property cannot be sold, granted, or inherited. The property must be used sustainably for the public benefit in accordance with the goals set by the waqf giver.<sup>21</sup>

Waqf is one of the demands of Islam, which has a dimension of monotheism: everything that seeks the pleasure of Allah. Waqf is also *ijtima'iyah* (social worship), meaning it helps strengthen the economy of Muslims.<sup>22</sup>

In Indonesia, the legal basis for waqf is regulated in Law No. 41 of 2004 concerning Waqf.<sup>23</sup> This regulation provides a definition, regulates the form and purpose of waqf, and establishes implementation procedures and supervision mechanisms. This law explains that waqf not only includes land and buildings, as traditionally understood, but also other forms, such as money waqf. The presence of this regulation is expected to provide legal certainty and enhance the optimization of waqf use.

According to Islamic legal experts such as Dr. Darwin Botutihe, MH, there are two main types of waqf commonly found in society. First, social waqf, in the form of money or goods, is intended for the development and management of public facilities such as mosques, schools, hospitals, and other social infrastructure. Second, traditional waqf in the form of land or buildings is used to support religious or educational functions, such as mosques, Islamic boarding schools, and similar facilities. These two types of waqf have distinct management characteristics, but both require the right strategy to ensure benefits are felt sustainably.<sup>24</sup>

<sup>21</sup>Ministry of Religious Affairs of the Republic of Indonesia, "Nadzir Waqf, What is it?," 2023, <https://subang.kemenag.go.id/berita/detail/nadzir-wakaf-apa-itu>.

<sup>22</sup>Riyanto, "Optimization of Waqf Management (Study in Demak Regency)," *Al-'Is Journal* 14, no. 2 (2017): 333–366.

<sup>23</sup>Republic of Indonesia, *Law of the Republic of Indonesia Number 41 of 2004 concerning Waqf* (State Secretariat of the Republic of Indonesia, 2004), <https://www.bwi.go.id/wp-content/uploads/2019/09/Undang-undang-No.-41-2004-Tentang-Wakaf.pdf>.

<sup>24</sup>Interview with Dr. Darwin Botutihe, MH as a nazhir on July 21, 2025

A waqf can be made for a specific period, according to the owner's wishes. In other words, the owner of the property retains the object for personal use, but allows the proceeds to be used for good, with the object remaining the property of the wakif. The waqf is valid for a certain time, and therefore should not be requested as a permanent waqf (forever).<sup>25</sup>

One common problem in the management of social waqf is the unclear statement of the waqf's promise. The promise of waqf is an official statement made by the waqf giver (waqf) regarding the purpose, form, and management of the assets that are waqf. This statement should be specifically formulated, for example, explaining whether the funds are intended solely for physical development or also include funding for operations, maintenance, and related social programs. In practice, many waqf promises are stated in general, such as "I donated this money for the construction of the mosque." Such a vague formulation can lead to differing interpretations and complicate waqf managers' (nazhir) efforts to allocate funds appropriately.

The main principle that Nazirs must instill is how to generate substantial profits from waqf assets and make them productive to meet the basic principles of waqf. The development of waqf assets must also be expanded, because waqf can take the form not only of land but also of money or any other valuable asset that can be utilized and developed. Thus, Nazir can overcome the problem of waqf.<sup>26</sup>

Ambiguity in this waqf promise can result in two consequences. First, the use of funds is delayed due to the absence of clear guidelines. Second, there is a risk of deviating from the purpose of the funds set by the waqf. This problem is exacerbated by the low level of public literacy regarding the importance of clear waqf promises and formal procedures in waqf.

Another challenge is the public's confusion in distinguishing the concept of waqf from infak. Although both are forms of charity in Islam, the nature of the law and the purpose of each are fundamentally different. Waqf is permanent, meaning the benefits are expected to continue as long as the waqf assets remain available and can be utilized. The conditions set by the waqf bind the waqf's management and cannot be transferred. In contrast, infak is temporary and expendable, allowing for more flexible use without the need for sustainability.

A lack of understanding of these differences often leads to errors in fund management. For example, funds intended as infaq can be treated as waqf, or vice versa. This confusion interferes with program planning and implementation and can reduce the long-term impact of donated assets<sup>27</sup>. This is where Nazhir's role becomes crucial. A *nazhir* is an individual or institution that is trusted to manage waqf assets. Nazhir's professionalism affects the success of waqf management. A *Nazhir* is not only expected to have technical skills in asset management but also to demonstrate high integrity,

<sup>25</sup> Khoirul Abror, "The Dynamics of Waqf in Islamic Legal Thought, Laws and Regulations in Indonesia and Muslim Countries," *Journal of Al-'Adalah* 12, no. 2 (2014): 321–332.

<sup>26</sup> Junaidi, "Revitalization of Waqf Management in Langsa City from the Perspective of the Waqf Law," *Al-Istinbath Journal* 6, no. 2 (2021): 223–246.

<sup>27</sup> *Ibid*, Interview with Dr. Darwin Botutihe, MH as nazhir on July 21, 2025

accountability, and transparency, as he is trusted to manage community-owned assets.

Nazhir's professionalism *includes* the ability to develop strategic plans, manage funds effectively, prepare accountable financial statements, and ensure transparency to the public. For example, if a mosque receives nazhir waqf funds, it needs to allocate them to several categories, such as physical development, maintenance, the implementation of socio-religious programs, and reserve funds for sustainability. Progress reports must be submitted regularly so the community can monitor accountability for activities.

However, strengthening Nazhir's professionalism faces several challenges. Social waqf, for example, in the form of money, requires adequate financial knowledge and expertise to ensure that funds are invested productively in accordance with Sharia principles. Many *Nazhir* do not fully understand Islamic investment management, so funds are often abandoned or quickly depleted in the short term. Ideally, the principal of the fund should remain intact, and only the proceeds should be used to finance the program.

In addition to the limited capacity of human resources, another challenge is the weak, detailed regulations related to the management of waqf. Although Law No. 41 of 2004 provides a legal framework, its derivative regulations regarding investment mechanisms, permitted instruments, and distribution systems have not been fully implemented. This has the potential to lead to differences in interpretation across institutions and to open opportunities for deviations.<sup>28</sup> From a supervisory perspective, the Indonesian Waqf Agency (BWI), as a supervisory body, does provide control instruments, but limited resources make the supervisory function suboptimal and uneven. The wide geographic coverage and diverse types of waqf require a more sophisticated, integrated monitoring system.<sup>29</sup>

Good waqf management should ideally be carried out through three main stages: planning, implementation, and evaluation. At the planning stage, *Nazhir* sets a strategy for the utilization of waqf assets based on waqf contracts, community conditions, and development potential. The implementation phase focuses on implementing the program in accordance with Sharia principles and ensuring the distribution of benefits aligns with the expected goals. Meanwhile, the evaluation stage assesses success, identifies obstacles, and formulates corrective actions.<sup>30</sup> Diversifying the use of waqf funds is an important strategy. For example, waqf funds may not only be used for the construction of places of worship, but also allocated for economic empowerment, education, and health service programs. Diversification expands benefits and helps create program sustainability.

In terms of transparency, implementing an open reporting system is essential to maintain public trust. The use of information technology, such as online

<sup>28</sup>Tiswarni, "The Role of Nazhir in Waqf Empowerment (A Review of the Waqf Empowerment Strategy of the Qur'an Waqf Agency and Waqf Center)," *Journal is, Faculty of Sharia IAIN Imam Bonjol, Padang*, 2023, <https://ejournal.radenintan.ac.id/index.php/adalah/article/download/195/401/772>.

<sup>29</sup>Anas, "Optimizing the Potential of Waqf in Indonesia: The Challenges and Role of Digitalization," *Journal of Islamic Management Business Studies* 5, no. 1 (2023): 45–67.

<sup>30</sup>Indonesian Waqf Agency, "The Role of Waqf Management," 2024, <https://www.bwi.go.id/9430/2024/04/17/peranan-pengelola-nazhir-wakaf/>.

reporting systems, can make it easier for the public to monitor program developments and financial conditions in real-time.<sup>31</sup> To increase the effectiveness of social waqf management in Indonesia, several strategic steps can be taken. First, increasing public literacy regarding the nature of waqf, which is different from the infaq, the importance of a clear contract, and the benefits of transparent management. Second, organizing training for waqf managers (nazhir) to improve their managerial, financial, and legal understanding. Third, strengthening regulations and supervision mechanisms by drafting more detailed technical rules. Fourth, utilizing digital technology to expand the reach of waqf donors, optimize data management, and speed up the reporting process.

Overall, waqf is a sacred mandate that brings religious and economic benefits. Improving Nazhir's professionalism is not just an option but a necessity to ensure that waqf assets are managed sustainably and accountably and to provide real benefits to the community in the long term. If managed properly, waqf can become one of the main pillars of social and economic development for Muslims in Indonesia.

## Conclusion

This research confirms that the Huyula tradition, as a local wisdom of Gorontalo, has strategic potential for integration into contemporary waqf governance in Indonesia. The values of cooperation, deliberation, honesty, and collective responsibility in Huyula align with the principles of good governance, including transparency, accountability, and participation. This integration can overcome systemic problems in waqf management, such as low public literacy, weak nazhir capacity, and limited use of digital technology. The pentahelix collaboration model, which synergizes the government, the community, academia, the business world, and the media, has proven relevant in supporting the transformation of local value-based waqf into an adaptive, productive, and sustainable system in accordance with the Sustainable Development Goals (SDGs).

## Recommendation

To the Indonesian Waqf Agency and the Gorontalo local government, it is recommended that guidelines be developed for implementing the Huyula value-based pentahelix collaboration model in the management of digital waqf. It is necessary to establish a community deliberation forum as a channel for active participation in the collective planning and supervision of waqf assets. Academics are expected to develop digital governance training modules that are sensitive to local socio-cultural values. The business world and Islamic financial institutions can partner to develop a transparent, socially invested, productive waqf platform. The media plays a role as an agent of public education and transparency. This model can be a pilot project replicated

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<sup>31</sup>Syaid Syamsuri, "The Role of Nazhir is Very Important in Waqf Management," 2023, <https://ppid.riau.go.id/berita/11404/peran-nazhir-sangat-penting-dalam-pengelolaan-wakaf>.

in other regions in Indonesia, with their respective local wisdom, so that waqf management is not only legally sound but also socially dignified and economically sustainable.

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