

# Istibdal Waqf: Sentiment Analysis

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Land waqf in Indonesia continues to grow, but there are waqf lands that are unproductive because they are located in not strategic areas, so there is a need for Ibdal or Istibdal Waqf but, there are differences of opinion from some Muslim scholars regarding Ibdal or Istibdal. So, there is a need for sentiment analysis to find out sentiment on topic of Ibdal or Istibdal. The method of this study is a descriptive statistical analysis method combined with meta-analysis and sentiment analysis of secondary data in the metadata of 44 publications from Dimension from 2010-2022, processed using Microsoft Excel 2016 and SentiStrength software. The results of the research sentiment analysis regarding Istibdal Waqf are positive 9%, Neutral 45%, and Negative 46%. The author found research on istibdal Waqf from year to year has increased. The results of this study indicate that there is negative sentiment regarding Istibdal Waqf, indicating that literacy regarding support for Istibdal waqf is still low so massive socialization is needed for the community or to Nazhir as the waqf manager. The power of laws and technical guidelines that regulate Istibdal are also needed by the Nazirs so that the flow of execution is easier, to create optimal waqf land.

**Keywords: Istibdal, Waqf; Sentiment Analysis**

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## INTRODUCTION

History records that waqf plays an important role in developing community social, economic and cultural activities (Ilyas, 2016). Waqf has facilitated scholars and students in research and education (Ayuba et al., 2020; Usman & Rahman, 2023). In addition, waqf has also helped the development of medical science (Waluya, 2018). As part of Islamic teachings, waqf is evidence of Islam's high concern for social problems and human life in the world. Waqf is a voluntary sector in the Islamic economy that functions as an economic development asset for the welfare of society.

Waqf land in Indonesia continues to grow from year to year. According to the latest data from the Indonesian Waqf Agency (BWI) in the 2022 National Waqf Index Report, to date, land waqf data in Indonesia is in 440.5 thousand points with a total area of 57.2 thousand hectares, with a total certified land area of 21 thousand hectares. and 36 thousand hectares for the total uncertified land area. The National Waqf Index (IWN) in 2022 also experienced a significant increase of 0.135 from the previous year with a value of 0.274. The 2022 IWN category is included in the "adequate" category, compared to the previous year which was still in the "less" category. This shows that the performance of waqf in Indonesia has increased (Indonesian Waqf Board, 2022).

However, the benefits of waqf are currently not fully felt (Ilyas, 2016). In general, waqf is in the form of consumptive objects, so it is not uncommon for problems with maintenance costs to occur which causes waqf assets to be damaged and even neglected. It is also common to find waqf management that is not optimal. Among the factors causing irregularities in waqf management, one of them is a lack of understanding of waqf fiqh. As a result, waqf assets become unproductive.

In principle, a waqf property that has been waqf cannot be changed, whether it concerns the problem of allocation or other use by focusing on the principle of eternity that maintaining the sustainability or existence of waqf goods is a necessity whenever and wherever, it cannot be sold for any reason and cannot be exchanged in in any form, except facing certain circumstances such as non-productive waqf property due to old age, broken and abandoned so that it cannot be used (Ilyas, 2016). Changing the status of waqf property in Islamic law is known as *istibdal* or *ibdal*, namely removing or releasing waqf property from the party who is given waqf (waqf recipient) by means of sell it and buy other assets whose status then becomes waqf as a replacement.

However, there are differences of opinion from several Muslim scholars regarding *Ibdal* or *Istibdal*. Among the research that discusses the *istibdal* of waqf is the research of Abdullah (2010), the results of his findings show that the Syafi'i School is very strict in the issue of *istibdal* of waqf. Ilyas (2016) as a result of his research suggests that *istibdal* in Islamic law is allowed for the public interest with various considerations and in accordance with the applicable legal procedures. Meanwhile, in Salleh's research (2015) it is mentioned that Imam Al Sarkhasi (Hanafi Sect) allows *istibdal* waqf property. As for Imam An Nawawi (Syafi'i School) forbids the sale or replacement of waqf property. The Syafi'i school of thought believes that waqf items should be left to be used until they are completely exhausted.

Seeing the various arguments above, the author wants to examine more deeply the developments and sentiments related to the practice of *istibdal* waqf, especially issues circulating in society. The research method used in this study is a descriptive statistical analysis method combined with meta-analysis and sentiment analysis of secondary data in metadata from 44 publications from Dimension from 2010-2022, then processed using Microsoft Excel 2016 and SentiStrength software.

## LITERATURE REVIEW

### Waqf

Waqf is a form of worship with treasures that are widely known by the public with the aim of getting closer to Allah. In addition, the person who donates his property (Wakif) will continue to get a reward when the property that has been donated is useful for the people even when the Wakif has died (Fahrurroji, 2017). Waqf is a voluntary sector of the Islamic economy that functions as a construction asset for economic development for the welfare of society. The principle of waqf teachings encourages people who are able to help the less fortunate by donating endowment funds that are managed, and the results are used to help meet their needs, even foster and elevate them (Ministry of Religion, 2013).

Waqf according to law (Indonesia, 2004) Waqf is a legal act of waqif to separate and/or surrender part of his property to be used forever or for a certain period of time in accordance with his interests for the purposes of worship and/or general welfare according to sharia. Waqf includes charity, so the basis used by scholars in explaining the concept of waqf is generally based on the verses of the Koran which explain charity in general. Among these verses is verse 267 of sura al-Baqarah:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَنْفِقُوا مِنْ طَيِّبَاتِ مَا كَسَبْتُمْ وَمِمَّا أَخْرَجْنَا لَكُمْ مِنَ الْأَرْضِ ۖ وَلَا تَيَمَّمُوا الْخَبِيثَ مِنْهُ تُنْفِقُونَ وَلَسْتُمْ بِآخِذِيهِ إِلَّا أَنْ تُغْمِضُوا فِيهِ ۚ وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ حَمِيدٌ

“O believers! Donate from the best of what you have earned and of what We have produced for you from the earth. Do not pick out worthless things for donation, which you yourselves would only accept with closed eyes. And know that Allah is Self-Sufficient, Praiseworthy.”

نا إِبْرَاهِيمُ بْنُ حَمَّادٍ، نا الْحَسَنُ بْنُ مُحَمَّدِ بْنِ الصَّبَّاحِ، نا مُطَرَفٌ، نا عَبْدُ اللَّهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنْ ابْنِ عُمَرَ، إِنَّ أَوَّلَ صَدَقَةٍ تُصَدَّقُ بِهَا فِي الْإِسْلَامِ صَدَقَةُ عُمَرَ بْنِ الْخَطَّابِ، وَإِنَّ عُمَرَ، قَالَ يَا رَسُولَ اللَّهِ أَتَشِيرُ كَيْفَ أَصْنَعُ؟، فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ «أَخْبِسْ أَصْلَهَا وَسَتِلْ ثَمَرَهَا

Ibrahim bin Makhlad bin Hammad told us, Al Hasan bin Muhammad bin Ash-Shabbah told us, Mutharrif told us, Abdullah bin Umar told us from Nafi', from Ibn Umar, that the first alms given in Islam are alms Umar bin al-Khattab, and Umar said, "O Messenger of Allah, show me what to do."

Rasulullah ﷺ also said to him, "Hold on (endow) the principal and give (fi sabilillah) the results." (Narrated by ad-Daruquthni: 4356)

### Istibdal Waqf

Istibdal in waqf fiqh is defined as the sale of waqf assets to buy other assets as a replacement, whether the replacement assets are the same as the waqf assets sold or different. There is another understanding which states that istibdal is removing an asset from waqf status and replacing it with other assets. As for ibdal, it means replacing waqf property with other waqf property (Fahrurroji, 2017).

Istibdal waqf can be interpreted as a replacement, change, exchange, and sale of waqf goods carried out by the waqf manager (nazhir) of existing waqf goods with other goods (Yulianto et al., 2022). This istibdal needs to go through a transaction to replace the original waqf property and exchange it for a new asset but it needs to have the same or better value. It may apply alternately in the form of houses, buildings, land and so on (Sabri & Mahamood, 2020).

### Hanafi Madhhab

The concept of istibdal is accepted in the Hanafi school and they provide a broad scope for carrying out istibdal for a mawquf, in addition to maintaining the continuity of the waqf and the purpose (intention) of the

waqf made by the endowment. However, the space for istibdal only involves mawquf besides the mosque. For the Hanafi school, the implementation of istibdal for mosque waqf that is damaged or no longer used is not required under any circumstances whether it is sold or replaced with other assets (Hasbullah et al., 2019).

According to the Hanafi school, if the waqf justifies istibdal, then the waqf property may be changed and the process of istibdal is continued. However, if the waqf does not require this case, and the waqf property is badly damaged and unable to achieve the waqf objective, then this istibdal process may be carried out by obtaining the qadi's permission. However, the qadi also needs to consider the implementation of istibdal waqf based on the "general benefit" factor. In fact, this istibdal process also cannot be carried out even if the waqf property may bring more profit or goodness at that time (Sabri & Mahamood, 2020).

### Maliki Madhhab

The Maliki school prohibits the sale of waqf property "al-habs" even if it has been damaged. However, if the judge sees that the public benefit will only occur with the sale of the waqf property, then the concept of istibdal needs to be implemented prudently. Therefore, according to the Maliki School, the waqf property that has been sold must be returned in the form of benefits commensurate with it and have a value equal to the actual value of the waqf property. However, the proceeds of the sale of the waqf property must be brought in the nazir meeting and decide on the purchase of new waqf property that has the same value as the waqf property (Sabri & Mahamood, 2020).

Imam Malik did not allow the existence of istibdal waqf because he had to consider the perpetuity of the waqf object. That way, if the waqf property can still be used and the immovable waqf property has been damaged but has benefits, according to him it is not allowed to sell or replace the immovable waqf property. However, if you want to expand the mosque, road, or cemetery, istibdal is allowed (Lapantatja & Bakry, 2021).

### Shafi'i Madhhab

According to the Shafie school of thought, if someone donates a horse for the purpose of war, but due to age factors that are getting older and causing the horse to be unusable on the battlefield, then it may be sold. In addition, if someone donates land for agricultural purposes, then after a while, the property cannot produce results, then the Nazir may carry out the

buying and selling process or make a lease to a third party (Sabri & Mahamood, 2020).

To understand the perspective of the Syafi'e school of thought regarding istibdal, it is important to first explore the main principles contained in the waqf law in this school (Abdullah, 2010).

### Hanbali Madhhab

According to the Hambali school, the practice of istibdal does not distinguish between immovable waqf assets and movable waqf assets because according to them, if waqf assets are not beneficial to society, they can be exchanged or traded (istibdal). If the object being waqf is damaged and no longer obtains benefits, such as a house that has collapsed, land that has been destroyed and has returned to being dead and unmanageable land, or a mosque that has been abandoned by its occupants so that the mosque is in a place that is no longer available, then it is permissible istibdal is done. Although istibdal waqf is allowed. The Hambali school still provides restrictions on permits to practice waqf istibdal. This school limits the practice of istibdal waqf, with the condition that the waqf property is in an emergency and

can consider the benefits for the community (Lapantatja & Bakry, 2021).

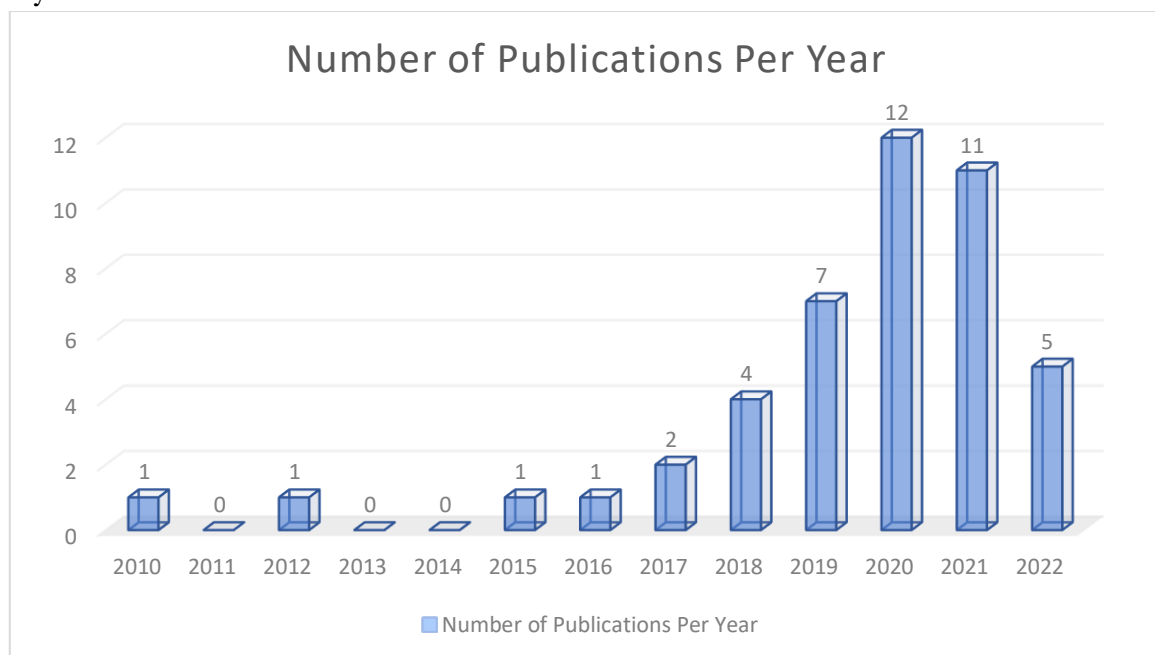
## RESEARCH METHODS

Sentiment analysis or opinion development is the research method used in this study. Sentiment analysis is commonly used to determine public sentiment on a particular issue. The main objective of sentiment analysis is to classify the polarity of text at the level of documents, phrases, or features and aspects, determining whether the opinions expressed in documents, sentences, and feature entities are positive, negative, or neutral.

Sentiment analysis is text analysis aimed at processing words, not numbers. Sentiment analysis is divided into three distinct subprocesses: Subjectivity Classification, Detection Orientation, and Holder Opinion and Target Detection. Most sentiment analysis research is conducted in English, due to the large number of tools/resources available in that language. SentiWordNet and WordNet are two frequently used sources for sentiment analysis (Rusydiana & Izza, 2022).

## RESULTS AND DISCUSSION

### Meta Analysis



**Figure 1:** Number of Publications Per Year

This research reviews 44 studies related to istibdal waqf issuance from 2010 to 2022. During this period, research on halal certification increased in 2018-2021. The number of papers published in that period sequentially were 4, 7, 12, and 11. The appearance of

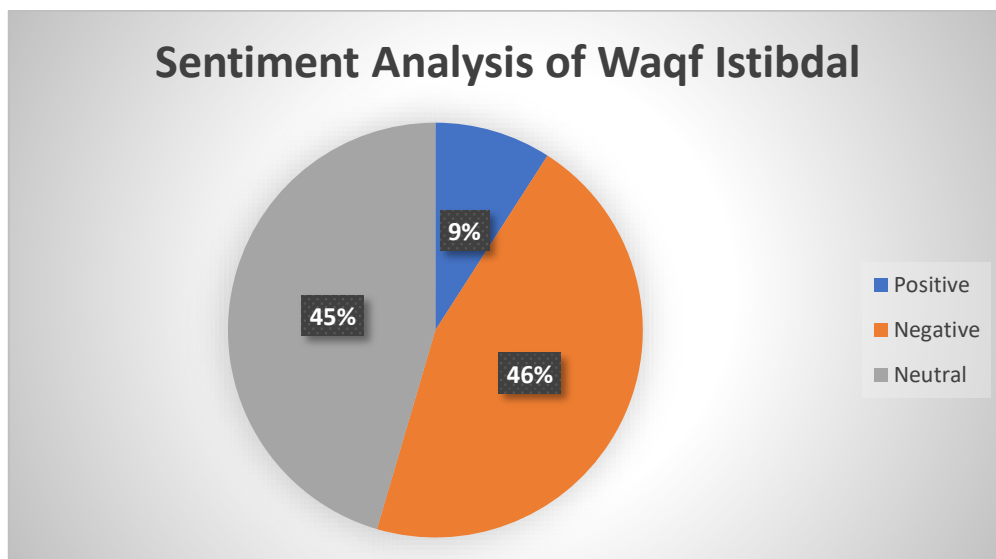
papers regarding halal certificates in the first 5 years had a very small number, namely only 1 to 2 papers issued and continued to grow until 2021, and back down the following year.

Paper Name	Authors	Citation
Socio-economics and management of Muslim cemetery waqf using istibdal and GIS method in Penang state	Fathullah Asni, Mohd Amirul Mahamud and Jasni Sulong	10
Istibdal Harta Wakaf Dari Perspektif Mazhab Syafi'e	Luqman Hj Abdullah	4
Istibdal Harta Wakaf: Kajian Ringkas Terhadap Peranan dalam Mengembangkan Produk Wakaf	Mushaddad Hasbullah, Sofia Hayati Yusoff, Mohamad Zaharuddin Zakaria	2

Table 2 lists the three most cited journals on istibdal waqf published in the last 13 years. the journal that occupies the highest position is the journal Socio-economics and management of Muslim cemetery waqf using istibdal and GIS method in Penang state, then the journal with the title Istibdal Harta Waqf From the Perspective of the Syafi'e School, the ranking is Istibdal Harta Waqf: A Brief Study of the Role in Develop Waqf Products

### Sentiment Analysis

The author conducted further research using sentiment analysis from 44 journals regarding waqf istibdal taken from Dimension, which was then processed to find out the responses or sentiment views of researchers and experts regarding waqf istibdal. The results of data processing are as follows:



**Figure 2:** Sentiment Analysis of Waqf Istibdal

Based on the diagram it is known that there are three categories of percentages, namely Positive, Neutral and Negative. The highest percentage of sentiment processing results is a negative percentage which is equal to 46%, followed by a neutral percentage of 45%, and a positive percentage is in last place with the number 9%. Each presentation shows a different meaning. According to Rusydiana & Izza, (2022), Positive sentiment is an abstract sentiment that comes from related literature that is positive and optimistic in response to a topic, while negative sentiment is an

abstract sentiment that comes from related literature that shows pessimistic and negative elements in responding to a topic.

The article with the title "Exchange of waqf land at the Great Mosque of Semarang in the perspective of istibdal jurisprudence" has a large negative number score, namely -2 on a scale of -1 to -4. This research shows that there are problems in the waqf istibdal process carried out at the Great Mosque of Semarang city waqf which causes losses and long disputes. Furqon, (2017) stated that there were 3 times the process of

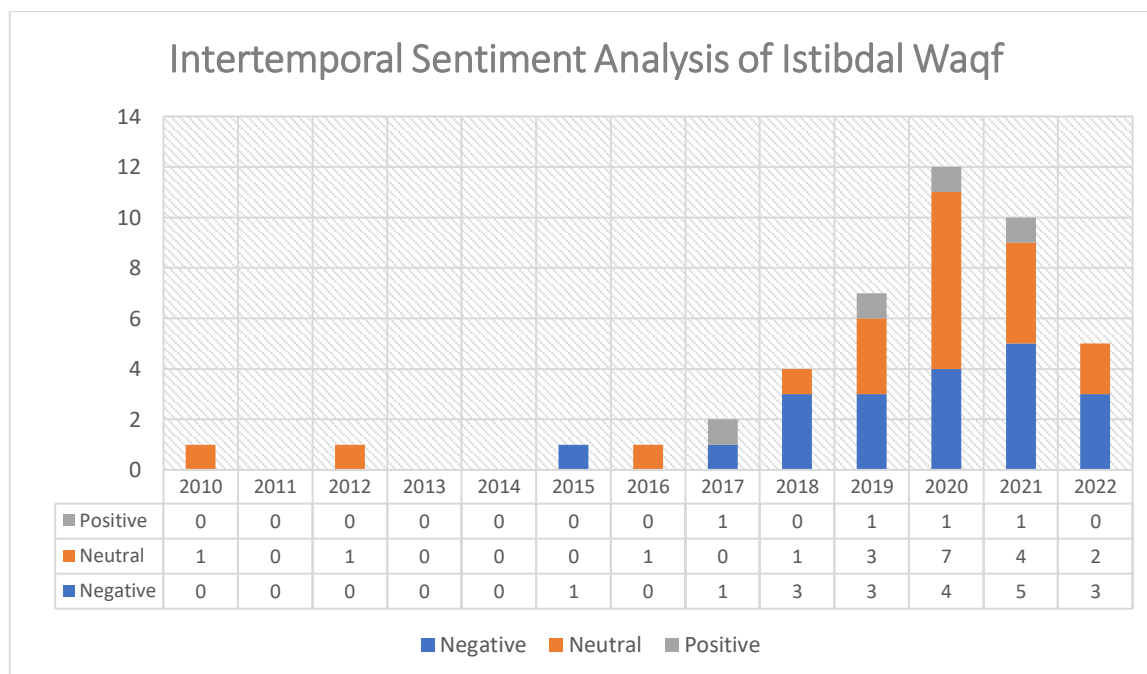
exchanging waqf land. One of the problems that arose in the first exchange was negligence in the process of buying land for waqf land at the Great Mosque of Semarang. The land exchanged was fictitious land without letters. Another article entitled "Agricultural Land Protection Design through Istibdal Waqf Strategy" written by Dewanto & Hilyatin, (2021) also has a large negative number, with a score of -1. This is due to the phenomenon of reduced agricultural land in Sidoarjo. caused by high land prices so that farmers in the area chose to sell land to developers, besides that, in 2015 it was recorded that agricultural land conversions in Sidoarjo Regency were converted into residential areas and industrial areas.

From the small positive percentage of 9%, there are several articles with the largest positive scores, namely 1 point from the range 1-4 entitled Istibdal Waqf Relevance on Development of Waqf in Indonesia by Hariyanto & Zaki, (2019). The research states that the Istibdal waqf which is permissible according to the Imam Hanbali School is the most suitable to be implemented in Indonesia. There are other articles that support that regarding the discussion of istibdal waqf the

Imam Hanbali school is more elastic than other schools, because it pays attention to aspects of benefit (Al-Haq & Jasni, 2017; Rohman et al., 2020).

One article with a neutral value is an article entitled Significance of Istibdal Concept in Waqf Management Systems: An Analysis from Fiqh and Law Perspectives, explaining that waqf is one of the important objects of *ijtima'* in Islam, istibdal is needed to maintain the continuity of the benefits of waqf. In this study (Sabri & Mahamood, 2020) explains in detail the differences in schools of thought in terms of istibdal waqf and also explains how Malaysian state law resolves problems related to this istibdal.

From this explanation it can be seen that Istibdal has different opinions from various schools of thought. Among these differences are the conditions for istibdal waqf, illat or the underlying reasons (Al-Haq & Jasni, 2017; Lapantatja & Bakry, 2021; Rohman et al., 2020; Sabri & Mahamood, 2020). Apart from that, there are several big problems that arise if the waqf istibdal is carried out in the wrong way and is not in accordance with the Shari'a, such as the problem of waqf istibdal at the Great Mosque of Semarang (Furqon, 2017).



**Figure 3:** Intertemporal Sentiment Analysis of Istibdal Waqf

Based on the graph above, it can be seen that there are always neutral and negative percentages every year except in 2015 and 2017. Meanwhile, positive percentages do not dominate from 2010-2022. The highest number of negative points in the journal occurred in 2021 and the most neutral points appeared in 2020.

With the large negative and neutral values in the results of this study, there is a need for guidance on technical guidelines governing istibdal so that the implementation flow is easier to realize optimal waqf land based on Indonesian Waqf Agency Regulation Number 1 of 2008 concerning Procedures for Preparing Recommendations on Requests for Exchange/Change



Status of Waqf Property. Fahrurroji, (2017) mentions the provisions regarding the exchange of waqf assets in Law Number 41 of 2004 concerning Waqf and Government Regulation Number 42 of 2006 concerning Implementation of Law Number 41 of 2004 concerning Waqf, emphasizing caution in carrying out istibdāl or exchanging waqf assets so as not to have a negative impact on waqf objects thereby eliminating the benefits.

## CONCLUSION

The large potential of waqf land in Indonesia needs special attention in its management so that it becomes productive. By conducting a sentiment analysis on the practice of istibdal waqf in Indonesia, we can identify positive and negative issues circulating in society regarding the practice of istibdal waqf management. So that stakeholders can take concrete policies on existing issues. The findings show that negative sentiment dominates with a percentage of 46%, followed by neutral sentiment of 45% and positive sentiment of 9%. The development of cash waqf publications tends to increase every year. 2020 was the year with the most sentiment, which was dominated by neutral sentiment with 7 documents.

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