

REVITALIZATION SUNAN MURIA WAQF'S ASSET: MAQASID SHARIAH AL-NAJJAR'S APPROACH

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Abstract: *This study aims to examine the revitalization of Sunan Muria's waqf assets in terms of the Maqasid Shariah al-Najjar approach. The source of the data came from observation, documentation, and interviews with the Snowball Sampling method and the analysis uses the Miles and Huberman method. The results of the study indicate that the revitalization of Sunan Muria's waqf assets was due to the stress and disappointment of members of the Colo community towards the management of Sunan Muria's waqf assets. The two reasons are caused by the revitalization movement according to Wallace. The study also found that there were two efforts to revitalize the waqf assets of Sunan Muria carried out by YM2SM; non-physical revitalization and physical revitalization. Non-physical revitalization occurs in changes of waqf asset management which according to al-Najjar is part of safeguarding the asset by maintaining ownership rights. Whereas physical revitalization includes the revitalization of mosque and tomb, revitalization of the area around mosque and tomb, and the establishment of "Pesantren Tahfidz". According to al-Najjar, revitalization of mosque and tomb is safeguarding assets from damage and maintaining the value of the asset. The revitalization of the area around the mosque and the tomb is protecting assets by investing. And the establishment of the "Pesantren Tahfidz" is YM2SM's responsibility in protecting the environment from damage that according to al-Najjar is part of maintaining the asset and social structure of the community.*

Keywords: *Revitalization, Waqf Asset, Maqasid Al-Shariah*

Introduction

Waqf assets are religious assets that are perpetual (Abdullah, 2017) for the welfare of the people (Alam, Shariar, & Said, 2018) in accordance with the terms of the provisions and become alms

for the *Waqif*. That is narrated by Abu Dawud from Abu Hurairah: “If a man dies, his charity is cut off except three things, namely: Alms finger, useful knowledge and pious children who always pray for him.” (HR. Abu Dawud)

Waqf assets have a very broad welfare function to achieve socio-economic needs and the demands of the people (Shaikh, Ismail, & Mohd Shafiai, 2017). Waqf assets also have function as a way of life for congregations in Islam (Che Azmi & Hanifa, 2015). The concept of well-being emphasizes beneficial desires that are physical, material, psychological and eschatology (Nghah, 1992). Waqf assets are enduring charities to realize the welfare of the people so that these assets need to be maintained continuously (Abdullah, 2017).

One of the ways to maintain the benefits of waqf assets continuously manner is by revitalization. Revitalization is defined by the process, method or action of reviving or activating a previously empowered thing (Budi, 2015). When associated with waqf assets, revitalization is related to efforts to recycle management and development patterns of waqf assets to provide new innovations, improve existing functions or even revive the waqf function that has ever existed for the benefit of the people and make a positive contribution to social life-culture and especially economic life (Lestari, 2017).

The latest data from the Indonesian Waqf Board (BWI) states that the waqf land totalled 475,768 locations with an area of 4,359,443,170 square meters (BWI, 2017). Most of the waqf assets in the form of land are only used for the establishment of mosques, orphanages, educational facilities, graves and only a small part is managed productively. Most of the existing waqf assets also need to be revitalized in order to provide maximum benefits to the community.

One of the waqf assets that needs to be revitalized is the waqf assets property of Sunan Muria, which is located in Colo village, Dawe sub-district, Kudus Regency, precisely at the top of Mount Muria. Above the waqf assets, there is a mosque and the tomb of Raden Umar Said (Sunan Muria). Based on data from informants, initially the mosque and tomb were managed by one family, Mbah Kartodirono, who was the caretaker of the tomb assisted by “*Abdi Dalem*”. Because the management did not develop and did not have an impact on the welfare of the surrounding community, there was a reformation of Colo community in 1998.

Reformation of Colo community led to the establishment of foundation “*Yayasan Masjid dan Makam Sunan Muria*” (YM2SM) which has a role to maximize the potential of the tomb and mosque of Sunan Muria as a religious tourist place so that it has an impact on the welfare of the surrounding community. This study aims to examine the revitalization of Sunan Muria’s waqf assets in terms of the theory of Anthony F. C. Wallace’s Revitalization Movement. In addition, the Maqasid al-Shariah al-Najjar approach was also used to review efforts to revitalize Sunan Muria’s waqf assets carried out by YM2SM.

Data sources were obtained through direct observation, YM2SM report documents, and structured interviews with the Snowball Sampling method (Creswell, 2014). The interview began with the YM2SM management and was equipped with various related parties, such as traders, motorcycle drivers and managers of “*Pesantren Tahfidz*”. While the data analysis model used is the Miles and Huberman model through the stages of data reduction, data display, and verification (Sugiono, 2017).

Literature Review

The theory that explained this study is Revitalization Movement Theory by Anthony F. C. Wallace. The revitalization movement is “a deliberate, organized, and conscious effort by group members to create a more satisfying new culture”. Wallace took his theory from studies in primitive communities with special attention to the revitalization movement of Iroquois. Wallace believes that his revitalization model applies to broad and complex movements such as the rise of Christianity, Islam, Buddhism, or Wesleyan Methodism (Sabir, 2016).

Many movements of revitalization such as reforms, religious revival, mass movements, social movements (Ch, 2016), utopian communities, sect formation, and charismatic movements. Although they are different in individuals and social, they are all characterized by a uniform process and motives for building a more satisfying cultural system (Phelan, 2005). Revitalization can revive traditional culture, import a foreign cultural system, or look for utopia that has never been seen before (Sabir, 2016).

The revitalization movement can occur for two reasons, when individual members of the community get stress and disappointment of the culture. According to Wallace, there are five stages in the revitalization movement process; first, the steady stage, at this stage people’s needs are fulfilled in general so that stress varies in the community and is still tolerance. Second, the increasing stage of individual stress, the tension increases at this stage. Third, the cultural distortion stage, new options emerged to deal with old ways to find solutions to community tension. Fourth, the revitalization stage, when the distortion stage has occurred, the revitalization movement also will be occurred. Fifth, the new stable stage, the emergence of new steady conditions after cultural transformation is carried out and a new cultural system proves itself feasible, and after the movement organization has solved its routine problems (Wallace, 1956).

When cultural distortions occurred as Wallace described them, the revitalization movement carried out six main tasks (Wallace, 1956); (1) Reformation Mazeway, where a prominent figure begins to describe the desired formulation of ideas in new and different ways. (2) Communication, the heroine communicates his ideas to the public. He must be able to ensure that they will get benefit significantly. (3) Organizations, the leaders form organizations that will provide continuity to their ideas. (4) Adaptation, organizations must adapt to the community which they face because the new ideas offered a lot of resistance. (5) Transformation, transformation of ideas will occur when most people follow the new idea, then at that time social revitalization has taken place. (6) Routinization, the revitalization movement will affect various economic, social and political institutions. This process is called routinization by Weber.

The approach that used to analyze the revitalization efforts was the Maqasid al-Shariah al-Najjar approach. In his work, al-Najjar revealed that there are four things that need to be safeguarded as the realization of the goal of sharia (*Maqasid al-Shariah*) which includes (Najjar, 2008); safeguarding the value of human life, safeguarding humanity, guarding society, and safeguarding all wealth. Al-Najjar argues that maintaining the value of human life can be achieved by preserving religion and humanism (Oladapo & Rahman, 2016). Maintaining human self can be produced by maintaining human soul and mind. While protecting the community can be realized with the preservation of offspring and the social structure of the community (Kasri & Ahmed, 2015). And protecting the wealth can be produced by maintaining property and the environment (Syamsuri, 2018).

Al-Najjar made five indicators to safeguard property (Najjar, 2008); (1) safeguarding property by seeking and developing, (2) safeguarding property by safeguarding damage, (3) safeguarding property by maintaining ownership rights, (4) safeguarding property by safeguarding value, and (5) safeguarding property by distributing or investment. And al-Najjar also made four indicators to safeguard environment; (1) safeguarding the environment from damage, (2) protecting the environment from pollution, (3) protecting the environment from exploitation, and (4) protecting the environment by preserving it.

Result and Discussion

Result of Study

The YM2SM was established on July 23, 1998 in Colo village, Kudus, Central Java. The Foundation is built through a long process that begins with the reformation of Colo community. The reform was spearheaded by 17 residents of the Colo village who became known as the 17 team. They were not satisfied with the management of the mosque and the tomb of Sunan Muria in their village, because the existence of mosque and tomb is considered not to have an impact on the lives of the people of Colo village.

YM2SM's main task is managing the mosque and the tomb of Raden Umar Said, better known as Sunan Muria. This tomb was visited by pilgrims from all over Indonesia, demanding YM2SM administrators to provide the best service. In addition, YM2SM's task is improving the welfare of the surrounding community through the tomb religious tourism site Sunan Muria. Therefore, YM2SM administrators must create programs that can support the achievement of these tasks.

The YM2SM program is made based on a meeting of the village community foundation that held annually. The meeting aims to create a program and evaluate the implementation of the program. YM2SM forms several fields to streamline the work of the organization. Each field is responsible for each program, among the fields formed are:

First, the Secretariat field, this field is generally responsible for organizational governance. Among the programs are arranging, organizing, perfecting and conducting administration. Another program is arranging donations and assistance to institutions and communities including educational institutions, mosques, prayer rooms, orphans, the poor and widows.

Second, the development and infrastructure field, this field is responsible for the construction and infrastructure such as; (1) preserving and caring for the original relics that still exist, (2) caring for maintaining and repairing all existing building facilities, (3) building, managing, arranging stalls around the mosque and the tomb of Sunan Muria.

Third, the religious and social affairs field, this field has obligations in terms of; (1) regulating mosque prosperity activities, (2) managing and arranging *istighasah*, *khatamil Quran* and *selawat Nariyah*, (3) providing scholarships, money and rice to orphans, to the poor in Colo village, (4) providing subsidies to educational institutions, mosques, prayer rooms and other social facilities, (5) planning the establishment of "*Pesantren Tahfidz*".

Fourth, the public relations and information field, this field is responsible for the implementation of several programs such as; (1) linking the interests of the foundation with community, organization and government, (2) forming a trade union and establishing cooperatives, (3) pointing and directing researchers, mass media and all the people who need

information about Sunan Muria, (4) make models the mosque and the tomb of Sunan Muria location.

Fifth, the household and logistics field, this field has a program that becomes the responsibility as follows; (1) providing management and employee consumption every day, (2) arranging the distribution of rice aid, chickens to the community if there is an excess, (3) buying and submitting assistance for the “*Sedekah Bumi*” ritual.

Based on the YM2SM program, there are two aspects of revitalization that occur in Sunan Muria’s waqf assets; non-physical revitalization and physical revitalization.

Non-physical revitalization appeared because of management changes from certain families to YM2SM. Management changes have an impact on the management of Sunan Muria’s waqf assets, both in terms of planning, organizing, implementing or controlling. Based on data from informants, the recording of Sunan Muria’s waqf assets was managed from the status of the mosque’s land and tomb as well as inventorying other relics of Sunan Muria that had historical value. The bookkeeping of the results of asset management and its use is carried out transparently and reported annually as a manifestation of YM2SM accountability. Employee arrangements were also made to provide the best service to pilgrims.

Physical revitalization was carried out by YM2SM as an effort to preserve the heritage sites of Sunan Muria. With the existence of the mosque and tomb of Sunan Muria on the slopes of Mount Muria, the place is a religious tourist destination for pilgrims. For this reason, YM2SM administrators arranged the area around the mosque and the tomb of Sunan Muria to improve the welfare of the surrounding community. The physical revitalization carried out by YM2SM is:

First: Revitalization of mosque and tomb of Sunan Muria. The YM2SM administrators revitalized the Sunan Muria mosque with a mosque renovation to maintain the continuity of its benefits. Renovation is done by expanding and adding several mosque facilities and beautifying the mosque building without reducing historical value. The relics of Sunan Muria also remain in their place.

Sunan Muria also left a house behind the mosque. He was buried in the house so that the house is now a tomb area. The mosque and the tomb of Sunan Muria can be reached by walking approximately 432 pieces of stairs from the gate near the parking area. To facilitate the pilgrims, YM2SM officials expanded the tomb area and renovated it. The arrangement of access to the tomb was also done so that the pilgrims did not jostle, distinguishing the entrances and exits of the pilgrims. YM2SM also provides a place of rest for pilgrims with sufficient facilities.

Second: Revitalization area around the mosque and the tomb of Sunan Muria. To improve the welfare of the community around the mosque and tomb, YM2SM has created a community economic empowerment program. Because the majority of them as farmer so their economic level is at the lower middle level. For this reason, the YM2SM management revitalized the area around the mosque and the tomb which included two aspects; revitalizing stalls to manage traders and revitalizing roads to mosque and tomb.

YM2SM rearranged the stalls around the mosque and graves by rebuilding the stalls on the waqf land of Sunan Muria. A total of 132 stalls were built and integrated with the road passed

by the pilgrims, both the entrance to the mosque and the tomb and the exit from the tomb. So, that pilgrims can see directly the merchandise of the majority traders from the surrounding community.

Traders can rent a stall for a certain time and the rent becomes YM2SM income. The rent is used to preserve the heritage of Sunan Muria and provide operational assistance to religious institutions around the tomb. The new policy set by YM2SM, traders can only rent one stall for equity. Before revitalization and arrangement are carried out, one trader could have 3 to 4 stalls around the tomb.

In addition, YM2SM also revitalizes the road to the mosque and tomb. YM2SM collaborated with the Village Head to form the Sunan Muria Motorcycle Association. They collaborated to build a road that connects the parking area with the tomb of Sunan Muria. Sunan Muria Motorcycle Association members are residents of the graveyard by registering with the community. Nowadays, members of the Sunan Muria Motorcycle Association have reached more than 200 people.

Third: Establishment of “*Pesantren Tahfidz*”. To build “*Pesantren Tahfidz*”, YM2SM purchased a land area of approximately 7000 square meters in Dukuh Waringin in 2014. YM2SM founded “*Pesantren Tahfidz*” and a dormitory on the land in collaboration with the Arwaniyah Foundation. In 2018, “*Pesantren Tahfidz*” received 120 new students. The students come from villages around the mosque and the tomb of Sunan Muria and other areas.

In addition to establish “*Pesantren Tahfidz*”, YM2SM also provides operational assistance and subsidies to various educational institutions, mosques and prayer rooms around the tomb. Operational assistance is provided at the beginning of each year for educational institutions and every month for mosques and prayer rooms. This assistance operational for electricity bill payments, maintenance fees and other operational costs.

Discussion

Revitalization of Sunan Muria’s Waqf Assets

Based on the data, it can be analysed that the establishment of YM2SM in Colo village was a result of community dissatisfaction with the management of Sunan Muria’s waqf asset. The surrounding community is not satisfied with the management model of the inheritance because its existence doesn’t have an impact on the lives of surrounding communities. Wallace calls that conditional as a stressful condition of individual members of society because they are disappointed with the existing environment. Therefore new options emerged to deal with old ways that caused community disappointment resulting in a revitalization movement (Wallace, 1956).

According to Wallace, there are six main tasks so that the revitalization movement can be realized (Sabir, 2016); (1) The Mazeway Reformation, this reform was realized by seventeen people who were members of the 17 team which became the driver of the reformation of Colo community. They formulated the idea of change for the renewal of Sunan Muria’s waqf management. (2) Communication, the 17 team who was the initiator of the reformation of Colo community communicated the idea of renewing the management of Sunan Muria’s waqf asset to religious and community leaders. They were able to convince them that the renewal of the management of Sunan Muria’s waqf asset could cause them to benefit significantly. (3)

Organization, establishment of YM2SM legally and recognized by the State as evidence of the organization that manages the mosque and tomb of Sunan Muria.

The main task of the revitalization movement is (4) Adaptation, YM2SM as an organization adapt to the community through the preparation of programs desired by the community. (5) Transformation, programs designed by YM2SM are transformed to the community and the majority of programs are well received by the community. Among the programs that had a major impact were the stalls revitalization program, the arrangement of traders and the formation of the Sunan Muria Motorcycle Association. (6) Routinization, programs designed have been implemented by YM2SM over time so that it becomes a routine. The benefits of these programs have been felt by the community so that they can influence their economic and social conditions.

So, the revitalization of Sunan Muria's waqf assets was due to community members experiencing stress and disappointment in the management of Sunan Muria's waqf asset. Therefore, there was a reformation of Colo community which resulted in YM2SM. YM2SM offers programs that can increase the benefits of Sunan Muria's waqf asset. What YM2SM does is an intentional, organized, and conscious effort to create a more satisfying new culture. This is the Revitalization Movement initiated by Wallace.

Al-Najjar's Approach to Revitalize Sunan Muria's Waqf Assets

The revitalization program of Sunan Muria's waqf assets is grouped into two; non-physical revitalization and physical revitalization (Budi, 2015). Non-physical revitalization occurs in management changes of waqf property, which has an impact on the administration and recording of waqf assets. The main purpose of structuring administration and recording of waqf assets is safeguarding and protecting Sunan Muria's waqf assets so that they are not recognized by others. This is in accordance with the Maqasid al-Shariah al-Najjar indicator in safeguarding property, by safeguarding property rights. Islam mandates the recording of property ownership by noting the contract of transfer of property before the witness. With the recording and witnesses, the rightful owner of the property becomes calm (Najjar, 2008: 198-199). Al-Qurtubi also argues in interpreting verse 282 of Surat al-Baqarah; "*When Allah SWT orders to record and present witnesses (when transacting), then it becomes a definite argument in safeguarding property rights*".

However, al-Najjar did not specifically mention the revitalization of the non-physical properties of waqf in his theory of Maqasid al-Shariah. Revitalization of waqf property management is explained specifically by Jamaluddin Athiyah, he argues that among the objectives of Sharia (*Maqasid al-Shariah*) which is specifically for ummah is prospering the earth and maintain the assets of the people. Waqfs are assets of the people that need to be developed and maintained by good management and avoided from damage (Asyur, 1999: 221; Athiyyah, 2003: 163). Waqf assets can be used for public facilities that are needed by the community such as educational institutions, student dormitories, mosques, and hospitals. To get maximum benefit, it needs good management (Athiyyah, 2003: 164). Revitalization of management that occurred in Sunan Muria's waqf assets which were originally managed by certain families and replaced by YM2SM was part of an effort to increase the benefits of the waqf assets.

Physical revitalization carried out by YM2SM is; revitalization of mosque and tomb, revitalization of the area around the tomb, and the establishment of "*Pesantren Tahfidz*". YM2SM renovated the Sunan Muria mosque to maintain the benefits of the mosque.

Renovations are carried out by expanding and adding several mosque facilities and beautifying mosque buildings without reducing historical value. As for the tomb, renovations were carried out by extending the tomb area and arranging access to the tomb, resting places for pilgrims were also provided. All of that was done by YM2SM to provide the best service to the pilgrims.

Al-Shafi'i argued that the efforts made by YM2SM in revitalizing the mosque were not justified. This is because al-Shafi'i argued that waqf mosque should not be exchanged or sold even if they replace them with new mosques (Syirazi, 1976: 581). Al-Hanbali disagreed with al-Shafi'i, he said that the exchange of mosque waqf can be done if the exchange can save the continuity of the purpose of waqf (Ibnu Qudamah, n.d.: 225-227), this is done by YM2SM in revitalizing the mosque and tomb of Sunan Muria.

According to al-Najjar, there are two indicators of Maqasid al-Shariah in safeguarding assets in the efforts of YM2SM to revitalize mosque and tomb of Sunan Muria. The two indicators are safeguarding property from damage and safeguarding property by maintaining its value. Al-Najjar argues that assets must be protected from futile damage by being maintained and utilized. Because destroying property includes scattering property and it is contrary to the purpose of the creation of property (Najjar, 2008: 189).

Al-Najjar also argues that an item can be called wealth if it has value, if the item has no value, then it cannot be called wealth. The value standard of an item can be seen from someone's liking for goods because of the benefits generated or based on the price of the item. Islam has given instructions in maintaining the value of an item by prohibiting the purchase of goods at a price lower than the actual price (Najjar, 2008: 200). The revitalization of the mosque and the tomb of Sunan Muria carried out by YM2SM aims to safeguard the historical value of Sunan Muria's heritage and also maintain the love of pilgrims from the benefits of mosque and tomb.

Revitalization of the area around the tomb was carried out by YM2SM to improve community welfare. YM2SM rearranged the stalls around the mosque and graves by rebuilding the stalls on the waqf land of Sunan Muria. A total of 132 stalls were built and integrated with the road that the pilgrims passed. Traders rent stall for a certain period of time and the rental proceeds become YM2SM income. In addition, YM2SM collaborated with the Village Head to form the Sunan Muria Motorcycle Association. They collaborated to build a road that connects the pilgrim parking area to the tomb of Sunan Muria by motorcycle transportation.

According to al-Najjar, the efforts made by YM2SM in revitalizing the area around the mosque and the tomb of Sunan Muria were part of safeguarding property by being circulated or invested. Al-Najjar argues that property has social rights to circulate in the community. With the circulation of assets in the community, the community can enjoy these assets. Property is not only enjoyed by certain individuals or groups. Therefore, many Islamic teachings encourage investment in economic purposes. Islam prohibits hoarding and storing property without being invested. Islam also prohibits property from being controlled and utilized only by certain people or groups. Islam implies charity and alms in an effort to distribute property to the rightful people (Najjar, 2008: 203). YM2SM's efforts to build stalls around mosque and tomb for rent to traders are part of investing the assets of Sunan Muria's waqf assets.

YM2SM established "*Pesantren Tahfidz*" as a manifestation of the empowerment program. YM2SM bought 7000 square meters of land in Dukuh Waringin for this purpose and has received 120 students since 2018. The students who studied at the "*Pesantren Tahfidz*" came

from villages around the mosque and the tomb of Sunan Muria and also from other regions. The main purpose of establishing “*Pesantren Tahfidz*” is providing knowledge and piety to the younger generation. This is an environmental responsibility implemented by YM2SM.

Al-Najjar argues that, maintaining support is part of safeguarding all matters relating to matter. Environmental damage causes damage to individual property and also property of the people. Environmental damage on the face of the earth includes moral damage, religious damage and damage to the community (Najjar, 2008: 210), the waqf system can also maintain the social structure that exists in the community (Najjar, 2008: 161). The existence of “*Pesantren Tahfidz*” which was founded by YM2SM is expected to be able to maintain the religion and morals of the young generation and be able to maintain the social structure of the community in the area.

In contrast to al-Najjar, Ibn Asyur categorized the establishment of “*Pesantren Tahfidz*” as part of the Shariah General Purpose (*al-Maqсад al-‘Am*). He argues that safeguarding the community system and preserving the good of society are part of the general goal of sharia. The goodness of society includes the goodness of reason, the good deeds of deeds, and the goodness of the environment in which the community is located (Asyur, 1999: 200). To achieve the general goal of the sharia, YM2SM does not have to bear the land acquisition and construction of the “*Pesantren Tahfidz*”. YM2SM can involve the surrounding community to help by using the “*Wakaf Kaki*” scheme. “*Wakaf Kaki*” scheme is to inherit assets for the purpose of virtue by means of the management of the waqf foundation to buy the entire property and *Waqif* pay the price of a certain size according to ability (Ridwan, 2006).

Conclusion

Based on the results of the above studies, it can be concluded that the revitalization of Sunan Muria’s waqf assets is due to stress and disappointment experienced by members of the Colo village community towards the management of Sunan Muria’s waqf assets. YM2SM was formed to replace the waqf property manager with programs that favored the interests of the community. This is a deliberate, organized, and conscious effort carried out by YM2SM to create a more satisfying new environmental condition, Wallace called the Revitalization Movement.

Sunan Muria’s waqf asset revitalization program run by YM2SM includes; non-physical revitalization and physical revitalization. Non-physical revitalization occurs in management changes of waqf assets that have an impact on structuring the administration and recording of waqf assets. Recording of waqf assets in accordance with one indicator of al-Najjar in safeguarding property, which is an indicator of maintaining ownership rights.

Whereas physical revitalization takes place in the revitalization of mosque and tomb, revitalization of the area around the tomb, and the establishment of “*Pesantren Tahfidz*”. Revitalization of the mosque and the tomb of Sunan Muria by YM2SM is in line with the two indicators of al-Najjar in safeguarding property; indicators of safeguarding property from damage and indicators of safeguarding the value of assets. Revitalizing the area around the tomb by building stalls and roads in accordance with one indicator of al-Najjar; safeguarding assets by being circulated or invested. When the establishment of the “*Pesantren Tahfidz*” is YM2SM’s responsibility in protecting the environment from damage. Al-Najjar argues that protecting the environment from damage is part of safeguarding all matters relating to property.

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