

Multicultural Transformation in Waqf Land Registration: Role of Waqf Pledge Deed Officials in Manado, Indonesia

Hasyim Sofyan Lahilote¹, Syahrul Mubarak Subeitan²

^{1,2}Institut Agama Islam Negeri Manado, Indonesia

Email: hasyim.lahilote@iain-manado.ac.id¹, syahrul.subeitan@iain-manado.ac.id²

Article Info

Article history:

Received Aug 13, 2023

Revised Apr 18, 2024

Accepted Jun 30, 2024

Keywords:

Waqf,
Multicultural
transformation,
PPAIW,
Legal pluralism,
Religious policy

ABSTRACT

This study explores the multicultural transformation in waqf land registration in Indonesia, focusing on the role of Waqf Pledge Deed Officials (PPAIWs) in Singkil District, Manado City. Employing a multicultural approach integrated with empirical legal research methods, this study examines how national waqf policies interact with cultural and religious diversity at the local level. Data collection methods include legal document analysis, field observations, and in-depth interviews with PPAIW, nazhirs, religious leaders from various communities, and government officials. The data were analyzed using a multicultural theoretical framework, emphasizing the concepts of 'interactive multiculturalism' and 'dialogical multiculturalism'. The findings reveal that only 18.9% of waqf lands are certified and 21.6% have Waqf Pledge Deeds, reflecting the challenges in aligning national policies with local multicultural realities. However, the adaptive strategies of PPAIW in bridging cultural and religious differences demonstrate the potential for multicultural transformation in waqf management. This study proposes a more inclusive model of waqf registration, including cross-cultural outreach programs, flexible legal interpretations, and the utilization of interfaith dialogue. This research contributes to a more nuanced understanding of religious law implementation in pluralistic societies, offering new insights into how waqf policies can be enriched through a multicultural approach to enhance social harmony and administrative effectiveness.

This is an open access article under the CC BY license.



Corresponding Author:

Hasyim Sofyan Lahilote,
Institut Agama Islam Negeri Manado, Indonesia,
Jl. Dr. S.H. Sarundajang, Kawasan Ringroad I, Malendeng Manado, 95128
Email: hasyim.lahilote@iain-manado.ac.id

1. INTRODUCTION

Indonesia, as an archipelagic nation characterized by its rich tapestry of cultures, ethnicities, and religions, presents a unique landscape for the study of religious endowments, particularly Islamic waqf. With the world's largest Muslim population, Indonesia faces distinct challenges in managing waqf within its diverse social fabric. The institution of waqf, deeply embedded in Islamic tradition, has played a pivotal role in shaping Indonesia's social, religious, and economic landscape for centuries. As Nurcholis Majid, a prominent Indonesian Muslim intellectual, asserts, Islam is not only a modern religion but also one with significant future relevance, permeating various aspects of Indonesian society (Magnis-Suseno et al., 2015). This perspective underscores the dynamic nature of Islamic practices, including waqf, in adapting to the evolving needs of a multicultural society.

The flexibility of Islamic values in accommodating diverse cultural norms, as highlighted by Nawawi et al. (2022), has allowed waqf to evolve as a crucial instrument for social welfare and religious expression in Indonesia's multicultural context. This adaptability is particularly evident in how waqf practices have been integrated into local customs and traditions across different regions of Indonesia, reflecting the country's motto of "Unity in Diversity" (*Bhinneka Tunggal Ika*).

The practice of waqf in Indonesia is a vivid reflection of the complex interplay between religious devotion and social responsibility. It serves as a manifestation of the intensive social interactions in the religious sphere, where individuals and communities express their faith through charitable acts, particularly by dedicating land for public benefit (Khoerudin, 2018). This tradition has historically been a cornerstone of Islamic financial instruments, addressing various community needs ranging from religious infrastructure to educational institutions and healthcare facilities (Angraeni, 2016).

Moreover, waqf has contributed significantly to the preservation of cultural heritage in Indonesia (Eficandra, 2022; Hazami, 2017). Many historical mosques, Islamic schools (*madrasah's*), and cultural sites across the archipelago owe their existence and continued maintenance to waqf endowments. This aspect of waqf highlights its role not only in religious and social spheres but also in maintaining the cultural identity of Muslim communities within Indonesia's multicultural society.

However, the management and registration of waqf lands in Indonesia's diverse social context present significant challenges. The enactment of Law No. 41 of 2004 on Waqf marked a milestone in providing a clear legal framework for waqf management in Indonesia. This legislation aimed to modernize waqf administration, enhance transparency, and ensure better utilization of waqf assets for social welfare. Yet, despite this legal advancement, implementation remains problematic, reflecting the complex interplay between national legislation and local practices.

According to data from the Ministry of Information and Communication, the scale of waqf land in Indonesia is substantial, covering approximately 56,000 hectares across more than 430,000 locations (Kementerian Informasi dan Komunikasi RI, 2022). However, a critical issue emerges from this statistic: only 58% of these waqf lands have been officially certified. This situation underscores the pressing need for robust legal protection and efficient governance to ensure that waqf properties are managed in accordance with the donors' intentions and existing regulations. The lack of proper registration not only jeopardizes the legal status of these lands but also hampers their effective utilization for social benefit.

The role of Waqf Pledge Deed Officials (PPAIW) is crucial in addressing these challenges. As stipulated in Article 6 of Law No. 41 of 2004, the PPAIW is an essential component in the waqf process, responsible for ensuring legal certainty in the registration of waqf properties (Faisal, 2018). The Waqf Pledge Deed (AIW) issued by these officials is vital for the legal transfer of property rights from the donor (wakif) to the waqf institution, represented by its manager (nazhir) (Siregar, 2014). This legal instrument is crucial in preventing future disputes and ensuring the perpetuity of waqf as intended by Islamic law and national regulations.

However, the multicultural nature of Indonesian society, coupled with varying local practices and understanding of waqf, often leads to disputes and legal challenges. Komariah (2014) identifies several causes of waqf disputes brought before religious courts, including the lack of proper Waqf Pledge Deeds, attempts by heirs to reclaim waqf properties, and the hereditary control of waqf lands by nazhir's. These issues highlight the tension between traditional practices and modern legal requirements, reflecting the broader challenges of implementing standardized regulations in a diverse society.

The Indonesian government has taken steps to address these issues through various initiatives. One significant effort is the Complete Systematic Land Registration (PTSL) program, launched through the regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 12 of 2017. This program aims to register all land in Indonesia, including properties used for social and religious purposes such as mosques, churches, temples, and educational facilities, many of which are established on waqf lands. The PTSL initiative represents a comprehensive approach to land registration, aiming to provide legal certainty for all types of land ownership and use, including waqf.

Despite these efforts, a significant number of religious buildings and educational facilities, including those on waqf lands, remain uncertified. National data indicates that only 3,340 out of approximately 320,000 places of worship in Indonesia have been certified (Maharani, 2023). In Manado City alone, there are about 202 mosques, 892 churches, 4 Hindu temples, 21 Buddhist temples, and 1 Confucian temple, with the majority lacking proper certification (BPS Manado, 2021). This data underscores the magnitude of the challenge in ensuring legal certainty for religious properties, including waqf lands, across Indonesia's diverse religious landscape.

The complexity of waqf land registration in Indonesia is further compounded by the diverse religious and cultural practices across the archipelago. While waqf is primarily associated with Islamic tradition, the concept of religious endowments is not alien to other faiths practiced in Indonesia. Christian churches, Hindu temples, and Buddhist viharas often operate on land donated by devotees, reflecting similar principles of charitable giving for religious and social purposes. This parallel practice across different faiths adds another layer of complexity to the land registration process, necessitating a nuanced and inclusive approach that respects the multicultural fabric of Indonesian society.

Previous research on waqf in Manado City has revealed significant challenges in the management and registration of waqf lands. A study by Hasan & Rajafi (2018) classified waqf land management in Manado into two categories: effective and ineffective, with ineffective management predominating due to the burdensome procedural requirements for obtaining waqf land certificates. Another study by Lahilote (2016) highlighted the reasons why many nazhir's (waqf managers) have not registered waqf lands, including economic insufficiency, time constraints, and lack of knowledge about the

registration process. These findings underscore the need for a more proactive and supportive role of PPAIW in facilitating the registration process.

This research aims to examine the transformative role of PPAIW in the context of waqf land registration, particularly in enhancing multiculturalism through legal certainty for waqf properties in Manado City. Unlike previous studies that focused on the challenges faced by waqf managers (nazhir) in land registration, this study concentrates on the role of PPAIW in the registration process from an agrarian law perspective. It includes an analysis of the AIW validation process and the supervision of waqf implementation, specifically in the Singkil District of Manado City.

The significance of this research lies in its exploration of how PPAIW, as government representatives, can contribute to enhancing social functions in society, particularly in ensuring legal certainty for religious and educational facilities managed by various religious-affiliated organizations. By examining the challenges and opportunities in waqf land registration within a multicultural framework, this study aims to provide insights into improving the effectiveness of waqf management and registration policies in Indonesia's diverse society.

The research is particularly timely given the ongoing efforts to modernize and streamline land registration processes in Indonesia. Article 17 of Law No. 41 of 2004 on Waqf mandates that the waqf pledge by the donor (wakif) to the manager (nazhir) must be made in the presence of a PPAIW. However, many communities still practice traditional methods of waqf transfer, based on local customs and agreements between community leaders, often without proper documentation or government oversight (Bukido & Makka, 2020). This disconnect between legal requirements and local practices often leads to legal uncertainties and potential conflicts in the future.

By focusing on the role of PPAIW in Manado City, this study seeks to illuminate the challenges and opportunities in implementing national waqf policies at the local level. Manado, as a city known for its religious diversity and harmonious interfaith relations, provides an ideal setting to examine how waqf registration practices can be adapted to serve a multicultural community. The study will explore how PPAIW navigate the complex interplay between national regulations, local customs, and the diverse needs of different religious communities in managing and registering waqf properties.

Moreover, this research aims to contribute to the broader discourse on land registration and management in multicultural societies. By examining the specific case of waqf land registration through the lens of PPAIW's roles, the study hopes to offer insights that could be applicable to other forms of communal or religiously-affiliated land management across Indonesia and potentially in other diverse societies.

In conclusion, this study on the multicultural transformation in waqf land registration, focusing on the role of Waqf Pledge Deed Officials in land registration policy, seeks to bridge the gap between legal frameworks and social realities in Indonesia's diverse religious landscape. By examining the challenges, opportunities, and potential innovations in waqf land registration practices, this research aims to contribute to more effective, inclusive, and culturally sensitive land management policies that can strengthen social cohesion and religious harmony in Indonesia's multicultural society.

2. METHODS

This study employs a socio-legal research design to examine the role of Waqf Pledge Deed Officials (PPAIW) in the multicultural context of waqf land registration in Manado City, Indonesia. As highlighted by (Arikunto, 2013), this approach allows us to

investigate both the legal provisions and their practical implementation in society. We adopt a sociological perspective, following Soekanto's (2006) framework, which views law as a functional institution within the fabric of social life.

Our research centers on a qualitative case study of the Singkil District in Manado City, enabling an in-depth exploration of the complex interplay between legal frameworks, cultural practices, and the role of PPAIW in waqf land registration within a diverse religious setting. This focus allows us to capture the nuances of multicultural transformation in waqf practices.

Data collection involves a multi-faceted approach. We begin with a comprehensive analysis of legal documents, including Waqf Pledge Deeds (AIW), land registration records, and relevant local and national regulations. This documentary review provides the legal context for our study. To gain deeper insights into the practical aspects and challenges of waqf registration, we conduct in-depth, semi-structured interviews with key stakeholders. Our primary informant is the Head of the Office of Religious Affairs (KUA) in Singkil District, who serves as the PPAIW. We also engage with waqf managers (nazhir's) from various religious backgrounds, local religious leaders representing different faith communities, and officials from the local land registration office. These diverse perspectives help us understand the multifaceted nature of waqf registration in a multicultural context.

To complement our interview data, we employ participant observation techniques, observing the waqf registration process and PPAIW activities firsthand. This approach allows us to witness the practical challenges and cultural dynamics involved in waqf registration. Additionally, we organize focus group discussions with community members and stakeholders to explore broader perceptions and experiences related to waqf land registration in Manado's multicultural environment.

Our data analysis follows the thematic analysis approach described by Braun & Clarke (2006). This method involves a systematic process of familiarization with the data, generating initial codes, searching for themes, reviewing and refining these themes, and finally producing a coherent narrative. Through this analysis, we aim to identify patterns and themes that illuminate the multicultural aspects of waqf land registration and the role of PPAIW in navigating these complexities.

Ethical considerations are paramount in our research. We obtain informed consent from all participants and maintain strict confidentiality throughout the research process. Our study has received approval from the relevant institutional ethics committee, ensuring adherence to ethical guidelines for social science research.

We acknowledge that our focus on the Singkil District may limit the generalizability of our findings to the broader Indonesian context. However, the depth of our case study approach provides rich insights that can inform wider discussions on multicultural approaches to waqf land registration. To enhance the validity and reliability of our findings, we employ triangulation of data sources and methods, and use member checking to verify the accuracy of our interview transcripts and interpretations with participants.

This comprehensive methodological approach allows us to examine the multifaceted role of PPAIW in the multicultural transformation of waqf land registration. By combining legal analysis with empirical investigation, we aim to bridge the gap between theoretical frameworks and practical realities in the field of waqf management and land registration in Indonesia's diverse religious landscape. Our study contributes to the broader understanding of how legal institutions adapt to and operate within

multicultural societies, particularly in the context of religious endowments and land management.

3. RESULTS AND DISCUSSION

3.1 Registration of Waqf Land in Singkil District

The registration of waqf land for Muslim religious, educational, and social assets in Indonesia represents a systematic effort to support the social interests of religious communities and minimize inter-religious disputes. This process takes on particular significance in the multicultural context of Manado City, where Muslims constitute a minority within a predominantly non-Muslim population.

Singkil District, with a population of 48,185, of which 54.16% are Muslim, serves as a microcosm of the challenges faced by Muslim communities across Indonesia in managing waqf properties (Badan Pusat Statistik, 2021). The district's demographic composition, with Muslims forming a slight majority, makes it a representative case for examining the complexities of waqf land registration in a diverse urban setting.

Table 1. Religious Composition of Singkil District

No.	Sub-district	Religion / Belief				
		Islam	Christian	Catholic	Hindu	Buddhist
1.	Karame	2.826	1.104	45	-	43
2.	Ketang baru	3.503	15	-	-	-
3.	Wawonasa	2.816	519	52	-	96
4.	Ternate baru	2.835	67	3	-	9
5.	Ternate Tanjung	2.622	527	-	-	-
6.	Kombos barat	2.115	3.189	100	-	39
7.	Kombos Timur	2.060	5.918	131	16	37
8.	Singkil Satu	3.765	4.704	297	4	63
9.	Singkil Dua	3.559	3.732	145	5	17
Total		26.101	19.685	773	25	304

Source: Processed data

The religious diversity of Singkil District is clearly illustrated in Table 1, which presents the distribution of religious adherents across the district's nine sub-districts. This data reveals a nuanced religious landscape, with Islam predominating in some areas while others show a more diverse mix of faiths. For instance, Ketang Baru sub-district appears to be predominantly Muslim, while Kombos Timur presents a more diverse picture with significant Christian, Catholic, Hindu, and Buddhist populations alongside Muslims.

This diversity underscores the importance of a multicultural approach to waqf land registration. The process must not only adhere to Islamic principles and national regulations but also be sensitive to the broader religious and cultural context of Manado City.

The challenges in waqf land registration are not unique to Singkil District but reflect broader national issues. As noted by Ardiansah (2016), there have been 375 cases related to the establishment of houses of worship across Indonesia, including 307 cases of disturbances to existing houses of worship and 68 cases of violations in their establishment. These figures highlight the potential for conflict surrounding religious properties and underscore the need for clear legal status of waqf lands.

Furthermore, Nugroho (2020) emphasizes the necessity of state intervention in establishing houses of worship due to the numerous and complex issues arising from religious disputes. This observation reinforces the critical role of formal waqf land registration in preempting potential conflicts and ensuring the protection of religious assets in a multicultural society.

3.2 The Role of Waqf Pledge Deed Official in Registering Waqf Land in Singkil District

The Waqf Pledge Deed Official (PPAIW), typically the Head of the Office of Religious Affairs (KUA) at the district level, plays a pivotal role in the waqf land registration process. This role is mandated by Article 32 of Law No. 41 of 2004 on Waqf, which stipulates that the waqf pledge must be made by the *waqif* (donor) to the *nazhir* (manager) in the presence of the PPAIW.

In Singkil District, the KUA is located on Sungai Musi Street, Singkil One, Environment 6, headed by Mr. Suryanto Muarif. The office oversees nine sub-districts: Karame, Ketang Baru, Wawonasa, Ternate Baru, Ternate Tanjung, Kombos Barat, Kombos Timur, Singkil Satu, and Singkil Dua. This administrative structure places the PPAIW at the heart of waqf management in a diverse urban setting.

The responsibilities of the PPAIW in waqf land registration, as outlined in Ministerial Regulation No. 1 of 1978, including examining the waqif's intentions, verifying and validating the nazhir, examining waqf pledge witnesses, witnessing the waqf implementation, creating and delivering the Waqf Pledge Deed (AIW), maintaining a register of Waqf Pledge Deeds, and managing waqf registration. These responsibilities position the PPAIW as a key intermediary between the religious practice of waqf and the formal legal system, a role that is particularly significant in a multicultural context where different religious and cultural norms intersect.

Despite the clear legal framework and the PPAIW's defined role, waqf land registration in Singkil District faces several challenges. These challenges reflect broader issues in waqf management across Indonesia, as identified by various scholars:

1. Limited understanding among nazhir's about the importance and process of waqf land registration (Fachrodin, 2020).
2. Insufficient socialization from KUA officials about waqf registration procedures (Fachrodin, 2020).
3. Limited involvement of village officials in waqf matters (Fachrodin, 2020).
4. Economic constraints faced by many nazhir's (Emha et al., 2022; Farhati & Khisni, 2018; Lahilote, 2016).
5. Time constraints due to the busy schedules of nazhir's (Emha et al., 2022; Farhati & Khisni, 2018; Lahilote, 2016).
6. Lack of motivation among some nazhirs to pursue waqf land registration (Emha et al., 2022; Farhati & Khisni, 2018; Lahilote, 2016).

These challenges are compounded in the multicultural context of Manado City, where the Muslim community is a minority. The need to navigate diverse cultural and religious sensitivities while adhering to Islamic principles and national regulations adds another layer of complexity to the registration process.

In response to these challenges, the KUA of Singkil District has implemented several initiatives to facilitate the creation of Waqf Pledge Deeds (AIW):

1. Direct socialization to religious leaders, community figures, and KUA stakeholders through both scheduled and incidental events such as weddings and religious counseling sessions.
2. Streamlined requirements for the AIW application process, including simplified documentation requirements and forms.

These initiatives demonstrate the PPAIW's efforts to adapt to local conditions and overcome bureaucratic hurdles, making the registration process more accessible to the diverse community of Singkil District.

3.3 Registration of Waqf Land in a Multicultural Approach

The current status of waqf land registration in Singkil District reveals the ongoing challenges in implementing national policies at the local level. Table 2 presents the distribution of waqf lands across the nine sub-districts of Singkil, showing significant variations in both the number and size of waqf properties. For instance, Singkil Dua has the highest number of waqf lands (8) and the largest total area (14,128 m²), while Karame and Ternate Tanjung have only one waqf property each.

Tabel 2. Waqf Land Data in Singkil District

No.	Sub-district	Total	Land Area (M2)
1.	Singkil Satu	4	3.167
2.	Singkil Dua	8	14.128
3.	Wawonasa	4	595
4.	Karame	1	600
5.	Ketang Baru	7	6.820
6.	Ternate baru	8	4.320
7.	Ternate Tanjung	1	152
8.	Kombos Barat	2	907
9.	Kombos Timur	2	300
Total		37	31.085

Source: Processed data

Tabel 3. Waqf Land Registration Status in Singkil District

No.	Sub-district	Has Waqf Pledge Deed (AIW)	Has Certificate	Not Certified
1.	Singkil Satu	3	2	2
2.	Singkil Dua	2	2	2
3.	Wawonasa	2	2	2
4.	Karame	0	0	1
5.	Ketang Baru	0	0	7
6.	Ternate baru	0	0	8
7.	Ternate Tanjung	1	1	0
8.	Kombos Barat	0	0	2
9.	Kombos Timur	0	0	2
Total		8	7	30

Source: Processed data

Table 3 provides a more detailed breakdown of the registration status of these waqf lands. The data reveals that out of the 37 waqf properties in Singkil District, only 8 have a Waqf Pledge Deed (AIW), and just 7 have been fully certified. This means that only 18.9% of waqf lands in the district have been certified, while 81.01% remain uncertified.

Moreover, only 21.6% of waqf lands have an AIW, indicating a significant gap between the legal requirement for waqf registration and actual practice.

This low certification rate persists despite the government's implementation of the Complete Systematic Land Registration (PTSL) policy through Ministerial Regulation No. 6 of 2018, which aimed to simplify the land registration process. The discrepancy highlights the challenges in implementing national policies at the local level, particularly in a multicultural context where various religious and cultural practices intersect.

The implementation of waqf land registration in multicultural contexts like Singkil District has sparked debates among scholars and practitioners. Proponents of a standardized national approach argue that uniform regulations ensure legal certainty and equal treatment across diverse communities. For instance, Nasution (2020) contends that "a unified waqf registration system is essential for maintaining the integrity of waqf assets and preventing potential disputes." This view aligns with the government's efforts to implement a comprehensive land registration policy.

On the other hand, critics argue that such a uniform approach may not adequately address the complexities of multicultural societies. Huda (2019) argues that "the application of a one-size-fits-all policy in waqf registration often overlooks the unique cultural and religious dynamics of diverse communities, potentially leading to low compliance rates." This perspective is supported by our findings in Singkil District, where the low registration rates suggest a disconnect between national policies and local realities.

Kymlicka (2015), a leading scholar in multicultural citizenship, offers a middle ground, arguing that legal frameworks in diverse societies must be flexible enough to accommodate different cultural practices while maintaining core principles of justice and equality. He states, "Effective multicultural policies require a delicate balance between universal principles and particularistic accommodations." Applying this concept to waqf land registration in Singkil District, we can see the need for a more adaptive legal approach that respects Islamic principles of waqf while also considering the multicultural context of Manado City.

Bowen (2016), in his analysis of Islamic law in contemporary Indonesia, supports a more localized approach. He emphasizes that "the effectiveness of religious laws often depends on their alignment with local cultural norms and practices." This perspective sheds light on the low registration rates in Singkil District, suggesting that the current implementation of waqf registration policies may not adequately address local cultural dynamics.

However, some scholars caution against excessive localization. Hasan & Rajafi (2018) warns that "overly flexible interpretations of waqf regulations may lead to inconsistencies and potential abuse of the system." This view highlights the need for a balanced approach that maintains the integrity of waqf principles while allowing for cultural adaptations.

The role of the PPAIW in Singkil District exemplifies the potential for multicultural transformation in waqf land registration. By adapting national policies to local conditions and working across cultural and religious boundaries, the PPAIW serves as a crucial bridge between Islamic practices, state regulations, and the diverse community of Manado City.

This transformative role aligns with what Modood (2013) describes as "interactive multiculturalism," where different cultural and religious groups engage in dialogue and mutual adaptation. He argues that "successful multicultural policies require active

engagement and negotiation between diverse communities and state institutions." The PPAIW's efforts to simplify procedures and conduct outreach to diverse community members reflect this interactive approach, potentially fostering greater understanding and cooperation across religious boundaries.

However, critics of this adaptive approach, such as Maksum (2021), argue that "excessive localization of waqf registration procedures may undermine the standardization efforts necessary for effective national management of waqf assets." This perspective emphasizes the importance of maintaining a degree of uniformity in waqf administration across diverse regions.

The low rates of AIW creation and land certification in Singkil District point to persistent challenges in implementing waqf registration policies in a multicultural context. These challenges include bureaucratic complexity, resource limitations, difficulties in document preparation, and the need to navigate various cultural and religious norms while implementing standardized national policies.

Benda-Beckmann and von Benda-Beckmann & von Benda-Beckmann (2014), in their work on legal pluralism in Indonesia, provide insight into these challenges. They argue that "the coexistence of state law, religious law, and customary law often leads to complex negotiations and adaptations at the local level." The situation in Singkil District reflects this legal pluralism, with waqf registration involving interactions between national regulations, Islamic principles, and local cultural practices.

To address these challenges, Auda (2022) proposes a "maqasid" approach to Islamic law, which focuses on the higher objectives and underlying values of religious principles rather than rigid interpretations. He suggests that "by focusing on the core objectives of waqf, we can develop more flexible and culturally sensitive implementation strategies" (p. 189). Applying this approach to waqf land registration could allow for more flexible and culturally sensitive implementation of policies, potentially increasing participation rates among diverse communities.

However, traditionalists like Ali (2020) caution against overly liberal interpretations, arguing that "maintaining the specific forms and procedures of waqf is crucial for preserving its religious and legal integrity." This view emphasizes the importance of adhering to established Islamic jurisprudence in waqf administration.

The multicultural context of Singkil District also presents opportunities for innovation in waqf land registration. These opportunities align with what Parekh (2016) describes as "dialogical multiculturalism," where different cultural perspectives contribute to the development of more inclusive policies and practices. He argues that "genuine multicultural policies emerge from ongoing dialogue and negotiation between diverse communities." The potential for inter-religious dialogue on religious endowment practices and the cultural adaptation of national policies to diverse local contexts exemplify this dialogical approach.

In light of these expert perspectives and our findings, we propose several recommendations for improving waqf land registration in multicultural contexts:

1. Develop culturally sensitive outreach programs that explain the importance of waqf registration in terms meaningful to diverse religious communities.
2. Implement flexible legal interpretations that maintain core waqf principles while accommodating local cultural practices.
3. Enhance the cultural competence of PPAIW's through specialized training in multicultural mediation and community engagement.

4. Establish interfaith advisory committees to provide input on the implementation of waqf registration policies at the local level.
5. Utilize digital technologies to simplify the registration process and make it more accessible to diverse communities, potentially overcoming language and literacy barriers.

These recommendations align with what An-Na'im (2014) calls "civic reason" in the negotiation of religious practices in pluralistic societies. He argues that "the public reasoning process in diverse societies should involve all affected communities in developing mutually acceptable solutions." By fostering dialogue and mutual understanding, these approaches can help bridge the gap between national policies and local realities in waqf land registration.

In conclusion, the case of waqf land registration in Singkil District, Manado City, illustrates the complex interplay between religious practices, legal requirements, and multicultural realities in Indonesia. The low registration rates reveal the challenges of implementing standardized national policies in diverse local contexts. However, the adaptive practices of the PPAIW demonstrate the potential for multicultural transformation in this process.

The debate between proponents of standardized national approaches and advocates for localized, culturally sensitive implementations reflects the broader challenges of governing diverse societies. While uniformity in waqf registration can ensure legal certainty and equal treatment, it may fail to address the nuanced cultural and religious dynamics of multicultural communities. Conversely, excessive localization risks creating inconsistencies and potentially undermining the integrity of the waqf system.

The path forward likely lies in striking a balance between these perspectives, as suggested by scholars like Kymlicka and Modood. By embracing a more flexible, culturally sensitive approach to waqf land registration, informed by expert perspectives on multiculturalism and legal pluralism, Indonesia can develop a more robust and inclusive system of waqf management. Such an approach would not only serve the needs of its diverse population but also contribute to social cohesion and mutual understanding across different religious and cultural communities.

Future research could explore comparative approaches to religious endowment registration in other multicultural societies, potentially offering additional insights for policy development in Indonesia. Moreover, longitudinal studies on the impact of adaptive waqf registration practices in diverse communities could provide valuable data on the long-term effects of such approaches on both waqf management and intercommunal relations.

4. CONCLUSION

This study has examined the role of Waqf Pledge Deed Officials (PPAIWs) in the multicultural transformation of waqf land registration in Singkil District, Manado City, Indonesia. The findings reveal a significant gap between national policy expectations and local implementation, with only 18.9% of waqf lands certified and 21.6% having Waqf Pledge Deeds. Despite these challenges, PPAIW demonstrate a crucial adaptive capacity in navigating the complex interplay of state law, Islamic principles, and local customs. Their strategies in bridging cultural and religious differences highlight the potential for multicultural transformation in waqf management. The study concludes that effective waqf registration in diverse settings like the Singkil District requires a balanced approach that maintains Islamic principles while accommodating local cultural nuances.

Recommendations include developing culturally sensitive outreach programs, implementing flexible legal interpretations, enhancing PPAIW's cultural competence, establishing interfaith advisory committees, and utilizing digital technologies. These findings contribute to a broader understanding of religious law implementation in pluralistic societies and offer practical insights for improving waqf administration in multicultural contexts. The research underscores the importance of PPAIW's as crucial agents in facilitating the adaptation of national policies to local realities, thereby promoting both effective waqf registration and social harmony in Indonesia's diverse religious landscape.

ACKNOWLEDGEMENTS

The authors extend their sincere gratitude to the Rector of IAIN Manado for the consistent support and encouragement throughout this research endeavor. We are particularly indebted to the Institute for Research and Community Service (LPPM) of IAIN Manado for their pivotal role in facilitating this study through the Litapdimas program. Our deepest appreciation is directed to the Litapdimas program, operating under the aegis of the Ministry of Religious Affairs, Republic of Indonesia, for providing the requisite funding that enabled this research. Their dedication to promoting academic research and community engagement has been crucial in bringing this project to fruition.

We express our heartfelt thanks to the Waqf Pledge Deed Officials (PPAIW's), nazhirs, religious leaders, and government officials in Singkil District, Manado City, who generously contributed their time, expertise, and experiences. Their insights have been instrumental in ensuring the depth and authenticity of our findings. Special recognition is extended to our colleagues at IAIN Manado for their academic support and constructive feedback throughout the research and writing process. We also acknowledge the administrative staff for their assistance with logistical matters.

Lastly, we are grateful to all community members in the Singkil District who indirectly contributed to this study. Their lived experiences and perspectives have significantly enriched our understanding of the multicultural dynamics of waqf land registration. This research stands as a testament to the collaborative spirit of all involved parties, and their contributions are deeply valued. The support from IAIN Manado, LPPM, and the Litapdimas program has substantially advanced our understanding of waqf management in multicultural contexts.

REFERENCES

- Ali, N. M. (2020). *The Practice of WAQF Land Development in Malaysia: A Social Enterprise Business Perspective*. University of Malaya (Malaysia).
- An-Na'im, A. A. (2014). Islamic Politics and the Neutral State: A Friendly Amendment to Rawls? In *Rawls and religion* (pp. 242–266). Columbia University Press.
- Angraeni, D. (2016). *Pengelolaan Wakaf Produktif pada Yayasan Wakaf Universitas Muslim Indonesia (UMI) Makassar*. Universitas Islam Negeri Alauddin Makassar.
- Ardiansah, A. (2016). Legalitas Pendirian Rumah Ibadat Berdasarkan Peraturan Bersama Menteri Agama Dan Menteri Dalam Negeri Nomor 9 Tahun 2006. *Jurnal Hukum Respublica*, 16(1), 165–182.
- Arikunto, S. (2013). *Prosedur penelitian suatu pendekatan praktik*. Rineka cipta.
- Auda, J. (2022). *Maqasid al-Shari'ah as Philosophy of Islamic Law*. International Institute of Islamic Thought (IIIT).
- Badan Pusat Statistik. (2021). *Kecamatan Singkil Dalam Angka 2021*.

- <https://manadokota.bps.go.id/publication/2021/09/24/1e5196f93d6cd6ac2a626633/kecamatan-singkil-dalam-angka-2021.html>
- Bowen, J. R. (2016). Islam in Indonesia: a Case Study of Religion in Society. In *Asia: Case Studies in the Social Sciences-A Guide for Teaching* (pp. 91–104). Routledge.
- BPS Manado. (2021). *Banyaknya Tempat Peribadatan Di Kota Manado 2018-2020*. Badan Pusat Statistik Kota Manado. Banyaknya Tempat Peribadatan Di Kota Manado 2018-2020%0A
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101.
- Bukido, R., & Makka, M. M. (2020). Urgensi akta ikrar wakaf sebagai alternatif penyelesaian sengketa tanah. *NUKHBATUL'ULUM: Jurnal Bidang Kajian Islam*, 6(2), 244–257.
- Eficandra, E. (2022). The Reconstruction of High-Inherited Wealth in Minangkabau through Cash Waqf Movement. *JURIS (Jurnal Ilmiah Syariah)*, 21(1), 121–133.
- Emha, Z. I. F., Silviana, A., & Musahadi, M. (2022). Waqf Land Certification Postponement for Place of Worship Due to the Obscurity of the Toll Road Expansion Project (Re-overview of Gustav Radbruch's Three Basic Legal Values Theory). *Al-Ahkam*, 32(1), 17–40.
- Fachroedin, F. (2020). Peran Nadzir Dalam Pengelolaan Tanah Wakaf Ditinjau Dari Perspektif Undang-Undang Nomor 41 Tahun 2004 (Studi Kasus Di Desa Ngadi Kec. Mojo Kab. Kediri). *Mahakim: Journal of Islamic Family Law*, 4(1), 49–63.
- Faisal, F. (2018). Akibat Hukum Ketidadaan Akta Ikrar Wakaf Atas Perwakafan Tanah. *De Lega Lata: Jurnal Ilmu Hukum*, 3(2), 143–153.
- Farhati, D., & Khisni, A. (2018). Legal review of implementation endowments authority relating to the under hand agreement made by waqif (case study in Kua Wonosalam, Demak). *Jurnal Akta*, 5(3), 773–776.
- Hasan, S., & Rajafi, A. (2018). Pengelolaan Tanah Wakaf Masjid Di Kota Manado. *Aqlam: Journal of Islam and Plurality*, 3(2).
- Hazami, B. (2017). Peran dan aplikasi wakaf dalam mewujudkan kesejahteraan umat di Indonesia. *Analisis: Jurnal Studi Keislaman*, 16(1), 173–204.
- Huda, M. (2019). Fundraising Wakaf dan Kemandirian Pesantren (Strategi Nazhir Wakaf Pesantren dalam Menggalang Sumber Daya Wakaf). *Intelegensia: Jurnal Pendidikan Islam*, 7(1).
- Kementerian Informasi dan Komunikasi RI. (2022). *Wapres Harapkan Aset Sertipikat Tanah Wakaf Produktif Dorong Peningkatan Ekonomi Nasional*. Kominfo. <https://www.kominfo.go.id/content/detail/41444/wapres-harapkan-aset-sertipikat-tanah-wakaf-produktif-dorong-peningkatan-ekonomi-nasional/0/berita>
- Khoerudin, A. N. (2018). Tujuan Dan Fungsi Wakaf Menurut Para Ulama Dan Dan Undang-Undang Di Indonesia. *Tazkiyya: Jurnal Keislaman, Kemasyarakatan Dan Kebudayaan*, 19(2), 1–10.
- Komariah, U. (2014). Penyelesaian Sengketa Wakaf di Pengadilan Agama. *Jurnal Hukum Dan Peradilan*, 3(2), 117–126.
- Kymlicka, W. (2015). 1. The Three Lives of Multiculturalism. In *Revisiting multiculturalism in Canada: Theories, policies and debates* (pp. 17–34). Springer.
- Lahilote, H. S. (2016). Status Hukum dan Produktifitas Tanah-tanah Wakaf di Kota Manado. *Jurnal Ilmiah Al-Syir'ah*, 6(1).
- Magnis-Suseno, F., Sumaktoyo, N. G., Kolimon, M., Pasiak, T., Wahid, A., Mufid, A. S., Imanulhaq, M., & Sciortino, R. (2015). *Agama, Keterbukaan dan Demokrasi: Harapan*
-
- Multicultural Transformation in Waqf Land Registration: Role of Waqf Pledge Deed Officials in Manado, Indonesia (Hasyim Sofyan Lahilote)*

- dan Tantangan*. Centre for the Study of Islam and Democracy.
- Maharani, A. S. A. (2023). *3.340 Rumah Ibadah di Indonesia Sudah Punya Sertifikat Tanah*. Kompas.Com.
<https://www.kompas.com/properti/read/2023/09/23/053000321/3.340-rumah-ibadah-di-indonesia-sudah-punya-sertifikat-tanah>
- Maksum, M. (2021). *Hukum Dan Pengelolaan Wakaf Uang Untuk Penanggulangan Bencana Pandemi Covid-19: Perbandingan Badan Wakaf Indonesia Dan Yayasan Waqaf Malaysia*. Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta.
- Modood, T. (2013). *Multiculturalism*. John Wiley & Sons.
- Nasution, A. I. (2020). Implementasi Wakaf Mikro Dalam Perspektif Hukum Islam. *OIKOS*, 1(1), 67–86.
- Nawawi, M. A., Sulastri, S., Edi, R. N., & Setiawan, A. (2022). Harmonization of Islam and human rights: Judges' legal arguments in rejecting child marriage dispensation in Sukadana, Indonesia. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 22(1), 117–134.
- Nugroho, N. (2020). Kebijakan Dan Konflik Pendirian Rumah Ibadah Di Indonesia. *Jurnal Studi Agama*, 4(2), 1–17.
- Parekh, B. (2016). Afterword: Multiculturalism and Interculturalism--A Critical Dialogue'. *Multiculturalism and Interculturalism: Debating the Dividing Lines*. Edinburgh UP, 266–279.
- Siregar, R. P. (2014). Problematika pendaftaran tanah wakaf (studi di kecamatan percut sei tuan, kabupaten deli serdang). *Premise Law Journal*, 2, 13983.
- Soekanto, S. (2006). *pengantar penelitian hukum*. UI press.
- von Benda-Beckmann, F., & von Benda-Beckmann, K. (2014). Temporalities in property relations under a plural legal order: Minangkabau revisited. *The Journal of Legal Pluralism and Unofficial Law*, 46(1), 18–36.