

Waqf Land Registration and Its Implications for Legal Certainty: A Case Study in Jember Regency

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ARTICLE INFO	ABSTRACT
<p>Keywords: Land Registration, Waqf Land, Waqf Pledge</p> <p>Date logs: Received: Mart 27, 2025 Reviewed: Mart 30, 2025 Accepted: May 4, 2025 Published: May 5, 2025</p> <p>How To Cite: Wibisono, A., Mujiburohman, D.A., Khasanah, D.D. (2025). Waqf Land Registration and Its Implications for Legal Certainty: A Case Study in Jember Regency. <i>Marcapada: Jurnal Kebijakan Pertanahan</i>, 4(2), 104–118. https://doi.org/10.31292/mj.v4i2.149</p>	<p>This study analyzes the implementation of the waqf land registration acceleration program in Jember Regency as an effort to increase recognition and legal protection of waqf assets. The method used is descriptive-qualitative by combining primary data from interviews and secondary data. This program is implemented through three main approaches: local acceleration, integration with the 2023 PTSL program, and a cross-sector scheme (<i>lintor-lintas sektor</i>) involving the regional government, Ministry of Religious Affairs, Land Office, and Indonesian Waqf Agency. Of the target of 1,000 plots, only 752 waqf plots and 87 lintor plots were successfully certified. The main obstacles include limited KUA infrastructure, unsystematic rotation of officials, data asynchrony between institutions, and low public legal awareness of the importance of certification. This study concludes that the effectiveness of the program is determined by the simplification of procedures, institutional synergy, and public education through religious institutions. Theoretically, this study expands the study of religious agrarian governance by applying a multi-actor approach and offering a collaborative model that can be replicated in other areas. Capacity building of Nazir and sustainable funding are also recommended to encourage the legalization of waqf land nationally and ensure long-term legal certainty.</p>

A. Introduction

Waqf is a form of worship in Islam that not only has a spiritual dimension but also plays a role in social and economic aspects. In general, waqf is defined as the transfer of rights to an asset, especially land, either forever or for a certain period of time, to a nazhir or management body, with the provision that the benefits are used for certain interests (Niswah, 2018; Saputra, 2021). In addition, waqf can also be understood as a legal act carried out by the wakif by separating and handing over part of his property to be used permanently or for a certain period of time according to his interests, either for the purposes of worship or public welfare based on sharia provisions (Muthoifin et al., 2024). This definition is in line with that stated in Article 1 of Law No. 41 of 2004 concerning Waqf (hereinafter referred to as the Waqf Law).

The Waqf Law regulates waqf and clarifies its implementation through Government Regulation No. 42 of 2006. These provisions were then updated through Government Regulation No. 25 of 2018, which revised several rules in PP No. 42 of 2006 (hereinafter referred to as PP Waqf). The existence of

this regulation aims to provide legal certainty and overcome various obstacles in waqf practices. However, during implementation, challenges persist, particularly with the waqf land certification process. Until now, many waqf lands do not have certificates, so their legal status does not have clear certainty. This unclear status can cause various problems, including the potential for misuse and legal disputes. Therefore, the waqf land certification process is critical to ensure the legality of waqf assets and the protection of their ownership (Fauzi et al., 2022; Sudirman et al., 2022).

The Indonesian Waqf Board (BWI-*Badan Wakaf Indonesia*) noted that in 2022, the number of waqf land points in Indonesia reached 440.5 thousand locations with a total area of 57.2 thousand hectares. In addition to waqf land, the potential for cash waqf is also huge, estimated to reach 180 trillion rupiah per year. However, until March 2022, the realization of cash waqf funds had only reached 1.4 trillion rupiah. To optimize the benefits of waqf, effective management and comprehensive policy support are needed. The government has taken strategic steps to accelerate the certification of waqf land, one of which is by issuing 18,808 waqf land certificates in November 2022 through cooperation between the Ministry of Religion and the Ministry of ATR/BPN in more than 400 districts/cities (Badan Wakaf Indonesia, 2023).

At the regional level, for example, in East Java Province, there are 78,825 waqf land plots, with 37,940 plots having certificates, while 40,885 others do not yet have certificates. In Jember Regency, out of 2,443 plots of waqf land, only 280 have been certified, while 2,163 other plots still lack legal certainty (Direktorat Pemberdayaan Zakat dan Wakaf, 2024). The unavailability of this certificate has the potential to trigger disputes and misuse of land by unauthorized parties. Therefore, certification of waqf land is not just an administrative procedure but also a strategic step in ensuring legal protection and avoiding potential ownership conflicts. Without certification, ownership of waqf land is only based on informal documents such as deeds of gift or statements, which can cause difficulties in legal proof in the event of a dispute. In practice, many waqf assets are still not officially registered, creating legal uncertainty that impacts the effectiveness of their use.

Various previous studies have highlighted persistent problems in waqf land certification and the challenges faced in its implementation. One of the main issues is legal uncertainty caused by the large number of uncertified waqf lands, which has the potential to trigger disputes and hinder the optimal utilization of these lands (Fatimah, 2019; Jabar, 2019; Yusnita Eva, 2023). Additionally, Nazhir's capacity as waqf land managers influences the effectiveness of certification. Studies have shown that many Nazhir still lack adequate knowledge in land administration and legal aspects, resulting in less optimal waqf land management (Anwar, 2020; Dakum et al., 2021; Fauzi et al., 2022).

The issue is further exacerbated by the limited availability of skilled human resources in the waqf land registration process (Hapsari et al., 2023). This deficiency is largely attributed to the lack of socialization from authorized institutions, which in turn results in low public understanding of administrative and legal procedures (Ratnasari & Ridlwan, 2020). On top of that, administrative and financial barriers also remain a challenge. Many people are still unfamiliar with the certification procedures, and access to clear information regarding the legalization of waqf land is limited (Azmi,

2022; Fajrin et al., 2023). Furthermore, coordination problems between key institutions such as the Ministry of Religious Affairs, the Indonesian Waqf Board (BWI), and the National Land Agency often result in overlapping responsibilities and bureaucratic inefficiencies. Policy inconsistencies and lack of institutional synergy have been identified as key obstacles that slow down the certification process (Ilyas et al., 2023; Mubarak et al., 2023; Nawawi et al., 2024).

Previous research has made important contributions by mapping these challenges from legal, administrative, institutional, and human resource perspectives. However, most of these studies tend to be descriptive in nature and do not comprehensively offer actionable models or frameworks to overcome the problems identified. Although efforts to accelerate the certification of waqf land have been addressed by some scholars, there is still a lack of empirical studies that evaluate the implementation of specific acceleration models within a regional context.

This study aims to fill that gap by looking at how three combined waqf land registration methods are being used in Jember Regency: (1) the local acceleration initiative, which is a teamwork effort between the Jember Regency Government, the Ministry of Religious Affairs (Jember Office), and the Jember Regency Land Office; (2) the 2023 Complete Systematic Land (PTSL) program; and (3) the Cross-Sector Waqf Land Registration initiative. In this context, the Indonesian Waqf Board also plays a strategic and operational role in ensuring the success of the certification process.

The novelty of this research lies in its empirical analysis of a multi-stakeholder, region-specific acceleration model, which has yet to be extensively examined in the existing literature. This study not only maps the challenges but also evaluates the effectiveness, collaboration mechanisms, and policy implications of these integrated efforts—offering both theoretical and practical contributions to the discourse on waqf land certification in Indonesia.

B. Methods

This study takes a detailed look at how waqf land certification is speeding up in Jember Regency by using a qualitative method that describes and explores the topic. This approach was chosen because it is able to explore the social, institutional, administrative, and regulatory dynamics that influence the process of waqf land legalization. The focus of the study is not only limited to administrative aspects but also investigates how synergy between agencies, the role of Nazhir, and local community involvement affect the effectiveness and sustainability of the acceleration program. This study looks at three acceleration programs happening at the same time in Jember: the local acceleration program that involves different sectors, the integration of waqf land in PTSL 2023, and the registration scheme for waqf land that includes the Indonesian Waqf Agency and community leaders.

Data collection was carried out through two main sources, namely primary and secondary data. Primary data was obtained through in-depth interviews with key informants, such as officials of the Jember Regency Land Office, the Ministry of Religion, and Nazhir as the manager of waqf land. Meanwhile, secondary data was collected from various official documents, such as annual reports,

laws and regulations, and relevant previous research. After the data was collected, the analysis was carried out interactively by reducing and grouping information based on the main themes that emerged. Triangulation techniques were applied to ensure data validity by comparing information from various sources. With this method, the research is expected to produce more accurate findings and provide strategic recommendations to increase the effectiveness of the waqf land certification process in Jember Regency.

C. Results and Discussion

1. Acceleration of Waqf Land Registration

Registration of waqf land in Indonesia still faces various obstacles, with the certification rate not yet reaching the expected target. Based on the latest data, of the total 655,238 waqf land plots spread throughout Indonesia, only around 41 percent have been officially registered (Cakti, 2025). This indicates that there are still many waqf assets that do not have legal certainty, which can hinder their comprehensive utilization (Beik et al., 2021; Syarief, 2021). In fact, waqf land is handed over by the wakif to the nadzir so that it can be managed and utilized sustainably according to its original purpose (Faizah et al., 2022). Therefore, the government continues to strive to accelerate the registration of waqf land to secure these assets and ensure that their management runs according to its designation.

As part of the acceleration, the government has issued various regulations and policies to simplify the waqf land certification process. One of them is the Regulation of the Minister of ATR No. 2 of 2017 concerning Procedures for Waqf Land Registration, which serves as a guideline for the implementation of certification. Further, the Instruction of the Minister of ATR/BPN No. 1/INS/II/2018 about speeding up the certification of land for places of worship and the Circular of the Minister of ATR/BPN No. 1/SE/III/2018 were both released to get around administrative problems (Windayana, 2023). The signing of the Memorandum of Understanding between the Ministry of Religion and the National Land Agency in December 2021 was also an important step in strengthening synergy between institutions. This understanding includes simplifying the issuance of Waqf Pledge Deeds, providing a special route for registering waqf land in the PTSL program, and increasing waqf mitigation and advocacy (BWI, 2023).

The implementation of various policies to accelerate the certification of waqf land has shown positive results, as reflected in the increase in the number of waqf lands certified each year. In 2021, as many as 25,336 waqf land plots were successfully certified, increasing to 27,526 plots in 2022, exceeding the target of 21,000 plots (BWI, 2023). Until 2024, the Ministry of ATR/BPN has certified 15,093 waqf land plots. Although this achievement reflects positive progress, there are still obstacles in the field, such as lengthy procedures, limited documents owned by the waqif or heirs, and minimal public understanding of the registration process. To overcome this, the government plans to develop a digitalization system in managing waqf land certificates and provide special counters at each Land Office to accelerate the administrative process (Cakti, 2025).

Acceleration of waqf land registration plays an important role in providing legal certainty and protecting the sustainability of waqf assets so that they can be widely utilized for social and religious interests. With certification, waqf land is not only protected from potential legal disputes but can also be better managed in accordance with the waqif's mandate. Several regions have implemented acceleration programs, such as those carried out by the Jember Regency Government through three main channels. First, the Jember Regency Government, the Ministry of Religious Affairs Office, and the Land Office collaborate with each other to accelerate certification. Second, the Complete Systematic Land Registration Program (PTSL), which aims to provide legal certainty for land ownership as a whole. Third, cross-sector registration (Lintor) is a result of cooperation between the Ministry of ATR/BPN and the Ministry of Religious Affairs. It allows for data integration and simplifies the registration process.

Funding for this program comes from the Budget Implementation List (DIPA) of the land office, as stipulated in Technical Instructions Number 7/Juknis-HR.01/XII/2022. Its implementation is supported by the signing of a Memorandum of Agreement (MoU) in 2022, with an initial target of certifying 1,000 plots of waqf land. This program uses a sporadic registration mechanism, similar to routine registration, but with budget support from the Jember Regency Government and free registration facilities. Ahmad (interview, June 2, 2023) says that the main rules used in this program are the Regulation of the Head of the BPN (PerKBPN) No. 1 of 2010 and the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the BPN (PMNA/KBPN) No. 2 of 2017. These rules set the standards for service and requirements for waqf land registration.

The waqf land registration process refers to several administrative requirements as stipulated in PerKBPN No. 1 of 2010. The main requirements include a registration application form, a power of attorney if represented, a photocopy of the applicant's identity, proof of ownership of the waqf land, previous ownership documents, and a Waqf Pledge Deed (AIW) or a Replacement Deed for a Waqf Pledge Deed (APAIW). PMNA/KBPN No. 2 of 2017 also stipulates additional requirements, such as a letter of application, a land measurement certificate, and a letter of approval from the Nadzir of the Ministry of Religion. Procedurally, registration begins with the making of an AIW by the nadzir before the Waqf Pledge Deed Making Officer (PPAIW) and then continues with registration at the Land Office to obtain a waqf land certificate. This certificate serves as valid legal evidence and ensures that the land cannot be traded, inherited, or transferred for other purposes outside the waqf agreement. With a certificate, the land ownership status is more protected from third-party claims making it easier to manage and develop the land productively according to Islamic waqf principles.

Applications for certification of waqf land in Jember Regency experienced a rapid increase in 2023, showing a much better trend compared to previous years. Based on interviews with the acceleration program implementers from the Jember Regency Land Office, it was recorded that in 2021 there were only 83 applications for initial waqf land registration (conversion). This number almost doubled in 2022 with a total of 152 plots of land. The biggest spike occurred in 2023, where the number of certification applications jumped sharply to 961 plots of land, or almost seven times

the previous year (Ahmad, interview, June 6, 2024). This increase shows increasing public awareness of the importance of legalizing waqf land and the effectiveness of the acceleration program implemented by the local government and related agencies.

The implementation of the 2023 program to accelerate waqf land certification has fundamental differences compared to PTSL 2023. The main difference lies in the scope of the target area, where the acceleration program targets villages that are not included in the 2023 PTSL program. Thus, waqf land registration in villages within the PTSL coverage is still processed through the PTSL mechanism, while the acceleration program focuses on areas that have not benefited from the program. This strategy aims to expand the reach of waqf land certification more evenly and ensure that more waqf land obtains legal certainty, regardless of the limitations of other certification programs.

Table 1. Designation and Number of Waqf Land in the 2023 Acceleration Program

No	Designation	Amount
1.	Educational Facilities	152
2.	Places of Worship	487
3.	Graves	75
4.	Clinics	2
5.	Integrated Service Posts	4
6.	Environmental Security Posts	5
7.	Rice Fields	27

Source: Jember Regency Land Office Data, 2024

The table above shows that the largest allocation of waqf land is allocated for places of worship (64.7%), followed by educational facilities (20.2%), cemeteries (9.9%), rice fields (3.5%), integrated service posts (0.5%), environmental security posts (0.6%), and clinics (0.2%). The dominance of places of worship in the allocation of waqf land reflects the high need of the community for religious facilities. Meanwhile, the category of rice fields is included in productive waqf, namely waqf land that is used for economic activities such as agriculture, industry, trade, and services (Komarudin et al., 2020). According to Purwaningsih & Susilowati (2020), the main benefit of productive waqf does not lie in the waqf object itself but in the net profit generated from its management. This profit is then distributed according to the initial purpose of the waqf and to the parties entitled to receive it.

In addition to the acceleration mechanism, registration of waqf land in Jember Regency can also be done through the 2023 PTSL Program. Several applications for waqf land certification were submitted through PTSL and are spread across various villages. Of the total 248 villages, 44 villages are targeted by the 2023 Jember Regency PTSL. However, the number of waqf lands registered through this program is still relatively low. In fact, several villages targeted by PTSL did not apply for waqf land certification at all.

According to Hidayat, this low participation is inversely proportional to the Waqf Land Certification Acceleration Program. The main cause is the lack of socialization and minimal information regarding waqf land certification, so that public enthusiasm for the PTSL program is not as great as the

acceleration program. In addition, because PTSL is general and does not specifically target waqf land, the community prioritizes private land certification (Hidayat, interview, June 5, 2024).

Table 2. Number of Applications for Waqf Land Registration in PTSL Villages 2023

No.	Village	Amount
1	Pondokjoyo	11
2	Mundurejo	24
3	Slawu	26
4	Jumerto	7
5	Bintoro	18
6	Banjarsengon	5
7	Sukorejo	5
8	Biting	6
9	Arjasa	9
10	Serut	3
11	Paseban	6
12	Mojogeni	11
13	Jenggawah	14
14	Curahnongko	7
15	Mayang	2
16	Tegalrejo	2
17	Seputih	4

Source: Jember Regency Land Office Data Analysis, 2024

The PTSL program not only ensures the legality of waqf land ownership but also strengthens legal protection, increases economic value, and facilitates access to information for interested parties. In addition, this program contributes to more structured waqf land management and prevents potential disputes due to unclear legal status. However, the implementation of PTSL in Jember Regency shows a relatively low waqf land registration trend compared to other acceleration programs in 2023. This is attributed to a lack of socialization that specifically addresses waqf land, leading people to concentrate more on registering private land. Counseling is generally only carried out once before PTSL begins, with general material, and it does not specifically highlight the procedures and benefits of waqf land certification. As a result, public understanding of the importance of waqf land legality is still limited. Therefore, we need more intensive and targeted socialization efforts to increase participation in this program.

Registration of waqf land through the 2023 PTSL Program shows variations in its designation in various villages. This program will provide legal certainty over waqf land ownership and use so it can be used as intended. Based on the data collected, waqf land registered through the 2023 PTSL has four main uses, namely for mosques, prayer rooms, cemeteries, and educational facilities. The distribution of waqf land in each village varies, reflecting the needs and priorities of the local community. The following table presents the number of waqf land designations in various villages targeted by the 2023 PTSL in Jember Regency.

Table 3. Number of Waqf Land Allocations Per Village PTSL

No	Village	Designation			
		Mosque	Prayer Room	Graveyard	Educational Facilities
1	Pondokjoyo	2	6	-	3
2	Mundurejo	8	13	-	4
3	Slawu	7	11	3	4
4	Jumerto	1	3	2	1
5	Bintoro	13	-	6	-
6	Banjarsengon	3	2	-	-
7	Sukorejo	2	3	-	-
8	Biting	3	1	2	-
9	Arjasa	4	2	2	1
10	Serut	1	2	-	-
11	Paseban	4	-	2	-
12	Mojogeni	5	3	1	2
13	Jenggawah	5	4	1	4
14	Curahnongko	3	2	1	1
15	Mayang	-	2	-	-
16	Tegalrejo	-	1	1	-
17	Seputih	2	-	1	1

Source: Jember Regency Land Office Data Analysis, 2024

Based on the data presented, places of worship are the main designation of waqf land in PTSL 2023 in Jember Regency, both for mosques and prayer rooms. Bintoro Village recorded the largest number of mosques (13 units), while Mundurejo Village has the largest number of prayer rooms (13 units). The dominance of waqf land allocation for places of worship reflects the high need of the community for religious facilities as the main priority. Waqf land serves as burial grounds in addition to places of worship, albeit in a more limited quantity. Bintoro Village has the highest number of burial waqf lands (6 units), followed by Slawu Village (3 units). Meanwhile, several villages such as Pondokjoyo, Mundurejo, and Banjarsengon do not have waqf land for burials. This absence is likely due to the availability of non-waqf burial land or differences in the needs of the local community.

Additionally, educational facilities receive a smaller allocation of waqf land compared to places of worship. Mundurejo, Slawu, and Jenggawah villages each have 4 units of waqf land designated for education, while other villages have fewer or none. This difference reflects the variation in community needs in each village, which can be influenced by factors such as population density, religious traditions, and the availability of other educational facilities. Although waqf land for places of worship still dominates, more diverse uses need to be encouraged, especially for the education and social welfare sectors. With more balanced management, waqf land can provide broader and more sustainable benefits to society in the future.

The last, cross-sectoral waqf land registration is a form of cooperation between institutions to accelerate waqf land certification through integrated policies and technical mechanisms. This program involves the Ministry of ATR/BPN, the Ministry of Religion, the Indonesian Waqf Agency (BWI), and local governments to ensure legal certainty for waqf assets. Based on the Regulation of the Minister

of ATR/BPN No. 2 of 2017 and the Memorandum of Understanding (MoU) between BWI and the Ministry of ATR/BPN, the cross-sectoral approach aims to simplify administrative procedures and expand the scope of waqf land certification nationally (Prasetyo et al., 2021). Through this system, the process of data collection, verification, and issuance of certificates is carried out in an integrated manner by utilizing resources from various agencies.

In terms of regulation, this program is supported by the Circular of the Minister of ATR/BPN No. 1/SE/III/2018, which facilitates the registration of waqf land, especially for places of worship. This regulation allows the use of the Waqf Pledge Deed (AIW) from the KUA as the basis for registration without additional burdensome requirements (Prasetyo et al., 2021). In addition, the PTSL program also accelerates certification by including waqf land as one of the registration priorities. Through PTSL, the process of measurement, verification, and issuance of certificates can be carried out en masse at a lower cost so that more waqf land obtains legal certainty.

In Jember Regency in 2023, as many as 1,000 waqf land plots were allocated for free certification through the DIPA budget of the Ministry of Religion. Although this target has not been fully achieved—with 752 plots certified through the acceleration program and 87 plots through cross-sector registration (Lintor)—this number shows an increase compared to the previous year. Collaboration between the East Java BPN Regional Office, the Jember Ministry of Religion, and the local BWI is a major factor in identifying uncertified waqf land, especially for mosques, prayer rooms, and educational institutions.

Table 4. Allocation of Waqf Land in the Cross-Sector Land Registration Program

No	Designation	Amount
1	Places of Worship	55
2	Educational Facilities	30
3	Graveyards	2

Source: Jember Regency Land Office Data, 2024

The program to accelerate the certification of waqf land in Jember Regency through a cross-sector scheme has shown better results. Based on data from the Jember Regency Land Office in 2024 (see Table 4), it was recorded that 87 waqf land plots were successfully certified through this program, with the dominant designation being for places of worship (55 plots), educational facilities (30 plots), and cemeteries (2 plots). This success shows the effectiveness of the collaborative model between the BPN, Ministry of Religion, BWI, and local governments in accelerating the legalization of waqf assets.

This acceleration effort has a real impact on creating legal certainty for waqf land. As emphasized by Fatimah (2019) and Yusnita Eva (2023), legal uncertainty due to uncertified waqf land is the main source of disputes and an obstacle to asset optimization. This study confirms that certification through cross-sector channels can overcome administrative and bureaucratic obstacles previously identified by Jabar (2019) and Ilyas et al., (2023) as the main obstacles. This finding also strengthens the views of Anwar (2020) that the active involvement of *Nazhir* and increasing institutional capacity are key to

the effectiveness of waqf land management. In this context, this study contributes by showing that a systematic collaborative strategy—which has not been discussed in much detail in previous studies—can be an effective approach and can be replicated in other regions.

Furthermore, this study expands the theoretical study of waqf governance by incorporating a multi-actor governance perspective in religious agrarian management. The approach used in Jember shows how different groups, like government bodies, religious leaders, and community heads, can work together to find flexible solutions to challenges in rules and structures. This concept is different from previous studies that tend to be descriptive and stop at mapping problems. This study emphasizes solutions based on structured and measurable collaborative practices.

The cross-sectoral approach used in Jember Regency is a clear example of policy network theory, where cooperation among government bodies, religious leaders, and community members—especially Nazhir and local leaders—can create flexible solutions to different challenges in the waqf land certification process. Beyond the legality aspect, accelerating certification also has a significant social impact, especially in increasing public awareness of the importance of the legal status of waqf land. This finding strengthens the views of Azmi (2022) and Fajrin et al., (2023), who emphasize that strengthening community legal literacy is an important part of an effective and sustainable waqf land registration strategy.

2. Problems with Waqf Land Registration and Alternative Solutions

The acceleration of waqf land registration still faces various obstacles that hinder its effectiveness and efficiency. One is the limited infrastructure and budget at the Office of Religious Affairs (KUA). As an institution authorized to issue Waqf Pledge Deeds (AIW), KUA should have adequate facilities to conduct field measurements and reviews. However, the lack of facilities and the absence of a special budget allocation for issuing AIW documents have caused the certification process to run slowly. As a result, although the acceleration program continues to be encouraged, the number of waqf lands that have been successfully registered is still far from the target. In fact, without sufficient infrastructure and funding support, KUA will continue to experience difficulties in carrying out its duties optimally, which ultimately hinders the legality and management of waqf assets in Indonesia.

In addition to infrastructure constraints, administrative and technical aspects also slow down the waqf land certification process. The long procedure and lack of coordination between related institutions, such as the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) and the Ministry of Religion, create uncertainty for the community, especially for nadzir (waqf managers). One of the main problems is the difference in data on the number of certified waqf lands between the two agencies, which often results in confusion in decision-making. The lack of synchronization could potentially delay the certification of many waqf lands, leaving them without clear legal certainty. Closer coordination between agencies should be realized through an integrated

digital-based recording system so that waqf land data can be managed more accurately and transparently.

In addition to structural and technical barriers, low public awareness of the importance of waqf land certification is another factor that slows down this process. Many people still view waqf as a mere practice of worship without considering its legal aspects, so that waqf land registration is considered less urgent. In fact, without official certification, waqf land is at risk of losing its status due to potential disputes or misuse in the future. Therefore, public education needs to be strengthened to increase public understanding of the benefits of certification in ensuring the sustainability of waqf assets. A socialization campaign involving religious figures and religious organizations can be a strategic solution so that the public better understands that waqf land registration is not just a formality but an important step to ensure legal protection for waqf assets.

In addition, the cost factor is also a major obstacle in the certification process of waqf land. This procedure often involves huge costs, including for measurement, document issuance, and other administrative costs. Therefore, we need a more inclusive policy that simplifies procedures, reduces administrative costs, or even provides subsidies for uncertified waqf land. Reducing certification costs can provide legal certainty to more waqf assets, maximizing their benefits for social and religious interests. Currently, the registration fee for waqf land is free.

In some cases, waqf land does not have formal documents because the waqf process is carried out verbally between the Wakif and Nazhir, although its existence is still recognized by the community through two witnesses. If the Wakif has died or his whereabouts are unknown, making a Waqf Pledge Deed (AIW) is not possible, so a Waqf Pledge Deed Replacement Deed (APAIW) is needed as an alternative document. However, if the waqf land does not have proof of historical ownership, there are no witnesses who can confirm his testimony, and the Wakif has died, then the waqf isbat process through a religious court is a necessary step to determine and strengthen its legal status. This waqf isbat decision can be used as a basis for making an AIW so that the waqf land obtains clear legality. From an Islamic legal perspective, waqf made verbally is still considered valid because the intention and *ijab kabul* from the Wakif are the main elements in the waqf contract. However, in practice, the absence of administrative documents often gives rise to legal disputes, especially when claims arise from other parties who feel they have rights to the land (Baharuddin et al., 2022; Bukido & Makka, 2020).

Registration of waqf land in Jember Regency still faces various obstacles rooted in administrative and institutional aspects, as well as low public legal awareness. Complicated administrative processes, incomplete documents, and inconsistencies in location data are often the main factors that slow down registration. One important document, namely the Waqf Pledge Deed (AIW), is often unavailable, thus hampering the certification process. To overcome this problem, it is necessary to simplify procedures and provide technical assistance from the National Land Agency (BPN) to the community and village officials to ensure the completeness of documents before submission. In addition, setting a maximum

deadline of three months before the end of the budget year can help ensure that all submitted applications can be completed in a more orderly and systematic manner.

In terms of institutions, coordination between agencies is still a challenge even though a certification acceleration team has been formed involving the BPN, the Ministry of Religion, and local governments. Obstacles, such as the rotation of key officials and minimal support from village governments, often slow down the implementation of this program. Inconsistencies in policies due to changes in officials make the acceleration program less effective and sustainable. Therefore, a stronger coordination mechanism is needed, such as regular meetings between related agencies, to ensure that administrative problems can be resolved immediately. Local governments also have an important role in providing direct supervision to village officials so that administration runs smoothly and there are no delays due to overlapping policies.

The low level of public legal awareness is also a factor that complicates the registration of waqf land. Many people still make waqf orally without officially registering it with the Office of Religious Affairs (KUA) or BPN, which has the potential to cause disputes in the future. The lack of understanding of the importance of waqf land certification means that many waqf assets do not have clear legal force, making them vulnerable to third-party claims or misuse. To overcome this, an intensive and sustainable socialization program is needed. The Ministry of Religion and BPN can carry out information campaigns through seminars, local media, and direct visits to villages. This approach will not only increase public awareness but also encourage them to be more proactive in officially registering waqf land.

In addition to technical and regulatory factors, the financial aspect is also a challenge in registering waqf land. Many people are reluctant to carry out certification because the costs are considered high. To overcome this, the local government needs to allocate a special budget for a free waqf land certification program. Jember Regency itself has allocated a free certification acceleration program for 1,000 plots of land in 2023. However, to achieve the target of certifying 10,000 plots before October 2025, there needs to be an increase in the number of plots certified each year. In addition, the local government must also ensure that there are no additional levies at the village level that can burden the community so that they are more motivated to register their waqf land.

One factor that often hinders the continuity of the waqf land registration acceleration program is the rotation of key officials in various related agencies. The rapid turnover of officials often causes policy changes that hinder the continuity of ongoing programs. Therefore, a sustainable policy is needed so that the program continues to run even though there are changes in the institutional structure. In addition, training for implementing staff at the KUA and BPN needs to be improved to ensure that they have adequate capacity to handle certification applications more carefully and efficiently.

Based on the explanation above, it can be concluded that the resolution of the problem of waqf land registration in Jember Regency cannot be done partially but requires synergy between the government, the community, and various related institutions. By simplifying administrative

procedures, strengthening institutional coordination, increasing public legal awareness, optimizing the use of digital technology, and ensuring a budget for free certification and sustainable policies, the waqf land registration process can run more effectively and transparently and provide long-term benefits for the interests of the community.

D. Conclusion

This study shows that the acceleration of waqf land certification in Jember Regency through a cross-sectoral collaborative approach—involving the Regional Government, Ministry of Religious Affairs, Land Office, and BWI—successfully increased the number of waqf lands that received certificates, although it has not fully reached the target. The main findings show that institutional integration and public funding have not been able to drive the effectiveness of the program, especially through local acceleration channels, PTSL 2023, and cross-sector registration. However, a number of obstacles still arise, ranging from the lack of infrastructure at the KUA, the rotation of officials that is not well managed by the community, and overlapping data between institutions to minimal legal awareness.

Theoretically, this study enriches the discourse on religious agrarian governance by applying a multi-actor governance approach, emphasizing that collaboration between the state, religious institutions, and communities is able to formulate solutions to structural and regulatory obstacles. This contribution is important because most previous studies are still limited to descriptions without presenting a systematic model based on empirical practice. Therefore, further research needs to explore the economic and social impacts of the legalization of waqf land on the empowerment of the community—especially in the fields of education, health, and the productive economy.

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