



Collaboration Pattern in Waqf Land Registration in Aceh Province

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ABSTRAK

Tanah wakaf memiliki kedudukan strategis dalam hukum Islam dan pembangunan sosial masyarakat karena berfungsi tidak hanya sebagai sarana ibadah, tetapi juga sebagai aset produktif yang dapat dimanfaatkan secara berkelanjutan untuk kepentingan pendidikan, kesehatan, dan kesejahteraan umum. Di Provinsi Aceh, potensi tanah wakaf sangat besar, namun belum sepenuhnya diikuti oleh kepastian hukum melalui pendaftaran dan sertifikasi. Penelitian ini bertujuan menganalisis pola kolaborasi antar lembaga dalam pendaftaran tanah wakaf di Aceh serta menilai efektivitas pelaksanaannya melalui pendekatan collaborative governance. Penelitian menggunakan metode hukum normatif dengan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Data diperoleh melalui studi kepustakaan dan analisis dokumen terhadap peraturan perundang-undangan, laporan kelembagaan, serta data resmi terkait wakaf di Aceh. Hasil penelitian menunjukkan bahwa pola kolaborasi telah terbentuk melalui sinergi antara Kantor Wilayah Kementerian Agama Aceh, Badan Pertanahan Nasional, Kejaksaan Tinggi Aceh, dan Forum Koordinasi Pimpinan Daerah melalui perjanjian kerja sama dan forum koordinasi lintas sektor. Kolaborasi tersebut telah mendorong percepatan sertifikasi tanah wakaf, namun efektivitasnya belum optimal. Hambatan utama meliputi belum terintegrasinya sistem data antarinstansi, rendahnya kapasitas nazhir, terbatasnya dokumen pendukung, serta belum terbentuknya pemahaman bersama secara merata di tingkat lokal. Penelitian ini menyimpulkan bahwa pola kolaborasi dalam pendaftaran tanah wakaf di Aceh masih berada pada tahap berkembang.

ABSTRACT

Waqf land holds a strategic position in Islamic law and social development, functioning not only as a religious asset but also as a productive resource that may be sustainably utilized for education, healthcare, and public welfare. In Aceh Province, the potential of waqf land is substantial; however, legal certainty through registration and certification remains incomplete. This study aims to analyze institutional collaboration patterns in waqf land registration in Aceh and to assess their effectiveness through the perspective of collaborative governance. The research employs normative legal research using statutory and conceptual approaches. Data were collected through library research and document analysis of legislation, institutional reports, and official waqf-related records in Aceh. The findings indicate that a collaborative framework has been established through the synergy among the Regional Office of the Ministry of Religious Affairs of Aceh, the National Land Agency, the Aceh High Prosecutor's Office, and the Regional Leadership Coordination Forum, supported by cooperation agreements and inter-agency coordination mechanisms. This collaboration has contributed to accelerating waqf land certification, yet its implementation remains suboptimal. Major challenges include the absence of integrated inter-agency data systems, limited administrative capacity of *nazhir*, insufficient supporting documentation, and the lack of shared understanding at the local level. This study concludes that the collaboration pattern in waqf land registration in Aceh remains in the developing stage.

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1. INTRODUCTION

Waqf land is one of the important instruments in Islamic law that has a strategic role in supporting the social and economic development of the community. The existence of waqf not only functions as a means of worship, but also as a productive asset that can be used sustainably for the benefit of education, health, and welfare of the people. In Aceh Province, as an area with specialization in the application of Islamic law, waqf land is widely distributed in various districts/cities and is an integral part of the provision of religious facilities and social community activities.

This great potential has not been fully optimized. This is due to the fact that there are still many waqf lands that have not been registered and legally certified. Based on the latest data, the number of waqf land in Aceh is estimated to reach around 18,520 fields, of which 14,239 fields have been certified, while 4,281 other fields still do not have legal certainty. This condition poses various problems, including vulnerability to ownership disputes, overlapping land rights, and low productivity levels in the utilization of waqf assets (InfoPublik.id, 2026).

The problem in the registration and certification of waqf land in Aceh is not only administrative, but also related to institutional aspects. The weak coordination and synergy between agencies, such as the Regional Office of the Ministry of Religion, the National Land Agency (BPN), the Indonesian Waqf Agency (BWI), and local governments, caused the certification process to run slowly and unevenly. In addition, low public awareness and nazhir of the importance of formal legality, limited supporting documents, and disputes with the heirs also complicate the process. This condition shows that there is institutional fragmentation that has an impact on the suboptimal governance of waqf in the region (Zuhra et al., 2024).

In recent years, efforts to accelerate waqf land certification in Aceh have begun to show progress through strengthening cross-sector collaboration. The involvement of the Regional Leadership Coordination Forum (Forkopimda), the Aceh High Prosecutor's Office, the BPN Regional Office, and the Regional Office of the Ministry of Religion reflects the application of the Collaborative Governance in solving complex public problems. In this case, the High Prosecutor's Office not only plays a role as a law enforcer, but also as a facilitator and guardian of state/people's assets through legal assistance and strengthening the commitment of local governments. However, the effectiveness of the collaboration is still not fully optimal, as shown by fluctuations in certification achievements and still obstacles at the implementation level (Nur et al., 2024).

Collaborative governance emphasizes the importance of the involvement of various actors, both government and non-governmental, in a consensus-based decision-making process oriented towards solving public problems collectively. However, in the context of waqf land registration in Aceh, the implementation of this approach still faces challenges, especially in building shared understanding, strengthening inter-stakeholder commitments, and creating sustainable institutional mechanisms down to the grassroots level.

2. METHOD

Types and Approaches to Research

This research is a normative legal research supported by a conceptual approach and a statute approach. The normative approach is used to examine various legal provisions that regulate waqf, especially related to the registration and certification of waqf land, as well as to

examine the legal principles underlying the management of waqf assets in Indonesia. In addition, this study also uses a conceptual approach to analyze collaborative governance theory as a framework for understanding the pattern of collaboration between institutions in the waqf land certification process. This approach allows researchers to examine the linkages between legal norms and evolving institutional practices. Although it does not use primary field data, this study still considers empirical aspects in a limited way through the analysis of policy documents, official reports, and institutional data, thus providing a contextual picture of the implementation of legal norms in Aceh Province.

Research Location and Time

This research focuses on the Aceh Province area as an area with specificity in the application of Islamic sharia and has a large potential for waqf land. The selection of the location is based on representative considerations of urban and rural conditions, as well as the diversity of achievement levels of waqf land certification. The research period was carried out for six months, from November 2025 to April 2026, which included the stages of data collection, document analysis, and preparation of research reports.

Data Source

This research is a literature study that relies entirely on secondary data. Data sources are divided into three categories, namely primary, secondary, and tertiary legal materials. Primary legal materials include Law Number 41 of 2004 concerning Waqf, Government Regulation No. 42 of 2006, Qanun Aceh Number 10 of 2018 Concerning Baitul Mal as amended by Qanun Aceh Number 3 of 2021, ministerial regulations related to waqf land certification, as well as MoU and cooperation agreements between the Regional Office of the Ministry of Religion of Aceh, the Regional Office of BPN Aceh, and the Aceh High Prosecutor's Office for the 2023-2026 period. Secondary legal materials include the annual report of the Aceh Representative BWI, the SIWAK data of the Ministry of Religion of Aceh Province, the Performance Report of the Aceh Government Agency (LKJIP) for the year 2024-2025, and various scientific literature such as journals, books, and theses related to waqf and Collaborative Governance. Meanwhile, tertiary legal materials are used as support in the form of legal dictionaries, encyclopedias, and official media articles regarding waqf land certification in Aceh.

Data Collection

The data collection technique in this study was carried out through library research and document analysis. Literature studies are carried out by searching various sources of legal literature and relevant scientific publications. Meanwhile, document analysis was carried out on official documents related to the policy and implementation of waqf land registration.

Data collection is carried out through access to various official sources, such as the Legal Documentation and Information Network (JDIH) website, Waqf Information System (SIWAK), and the official websites of related agencies, including the Aceh BPN Regional Office and the Aceh High Prosecutor's Office. In addition, the minutes of coordination meetings and cooperation agreements between agencies were also analyzed to understand the patterns of collaboration formed.

Data Analysis

The collected data is analyzed qualitatively using content analysis and thematic analysis. Content analysis is used to identify, classify, and interpret the content of legal documents, policies, and official reports related to waqf land registration. Meanwhile, thematic analysis is used to group and analyze the main themes that emerge, such as the pattern of collaboration between institutions, the effectiveness of actors' roles, obstacles in the certification process, and supporting factors for the success of collaboration. This analysis was conducted within the theoretical framework of collaborative governance.

3. RESULT AND DISCUSSION

Waqf Land Registration and Certification Process in Aceh Province

Waqf is one of the philanthropic instruments in Islam that has a worship dimension as well as a socio-economic dimension. Terminologically, waqf is defined as a legal act of a person (waqf) to separate and/or hand over part of his property to be used forever or within a certain period of time in accordance with his interests for the purposes of worship and/or general welfare in accordance with sharia. The main principle of waqf lies in the permanence of benefits (*Perpetuity*), where waqf property cannot be transferred in ownership, either through sale and purchase, grants, or inheritance (Halim, 2005).

In the context of national law, the regulation of waqf in Indonesia has been comprehensively regulated through Law Number 41 of 2004 concerning Waqf, which is the main legal basis in the management and protection of waqf assets. This law emphasizes the importance of formal legality through waqf pledges and the recording of waqf assets to ensure legal certainty. In addition, its technical implementation is further regulated in Government Regulation No. 42 of 2006 which regulates the procedures for registration, management, and development of waqf.

In Aceh Province, as an area with a special autonomy status, waqf management is also supported by regional regulations such as Qanun Aceh Number 10 of 2018 which was then updated through Qanun Aceh Number 3 of 2021. This regulation strengthens the institutional role in the management of religious assets, including waqf, thereby providing additional legitimacy in the practice of waqf management in Aceh.

The process of registering waqf land in Aceh Province normatively begins with the implementation of the waqf pledge by the waqf in front of the Waqf Pledge Deed Making Officer (PPAIW) who is domiciled at the Office of Religious Affairs (KUA). After the waqf pledge is made, the nazhir is obliged to submit an application for waqf land registration to the National Land Agency (BPN) to obtain a certificate as proof of the legality of the right to waqf land. In this process, the Regional Office of the Ministry of Religion plays a role in administrative verification, nazhir coaching, and data collection of waqf assets (Hazra et al., 2025).

Based on data from the Waqf Information System (SIWAK), the number of waqf lands in Aceh Province reached around 18,520 fields, with 14,239 fields that have been certified and 4,281 other fields do not have legal certainty. The data shows that despite progress in the certification process, there is still a significant gap between the total amount of waqf assets and the level of legality.

Certification achievements show an unstable trend. In 2023 and 2024 there will be an increase in the number of certificates issued, but in 2025 there will be a fairly drastic decrease. This phenomenon indicates that the certification process is not yet supported by a *sustainable*

system, but still depends on program intensity and short-term policy encouragement. Thus, the main problem lies not only in the administrative aspect, but also in the weak institutional consistency in managing the certification process in a sustainable manner.

Current Collaboration Patterns and Their Effectiveness

Waqf land registration and certification is a process that involves various actors with different functions and authorities, including the Ministry of Religion as the waqf regulator, the National Land Agency (BPN) as the land authority, and the High Prosecutor's Office as a law enforcement agency that plays a role in securing assets. In addition, the Regional Leadership Coordination Forum (Forkopimda) functions as a forum for strategic coordination in harmonizing policies at the regional level.

In practice, this collaboration between agencies is realized through cooperation agreements, cross-sector coordination, and the formation of integrated teams in accelerating waqf land certification. This approach reflects the characteristics of *Collaborative Governance*, where problem solving is no longer carried out sectorally, but through institutional synergy (Yuniningsih, 2020).

However, the implementation of the collaboration still faces various challenges, such as suboptimal data integration between agencies, differences in interests and policy priorities, and limited capacity at the local level. In addition, the involvement of non-state actors such as the community, ulama, and nazhir in the collaboration process is still relatively limited, so it does not fully reflect the principle of inclusivity in the *Collaborative Governance* (Pawan et al., 2026).

Therefore, it is necessary to strengthen institutional design and a more systematic coordination mechanism so that the collaboration built is not only formal, but also effective in encouraging the acceleration of waqf land certification in a sustainable manner

The pattern of collaboration in the registration of waqf land in Aceh involves several main actors, namely the Regional Office of the Ministry of Religion of Aceh, the Regional Office of BPN Aceh, and the Aceh High Prosecutor's Office, with the support of the Regional Leadership Coordination Forum (Forkopimda). This collaboration was formalized through a cooperation agreement (PKS) which aims to strengthen coordination, synergy, and accelerate waqf land certification.

If analyzed using *the collaborative governance* model, the pattern of collaboration can be explained through several main components as follows:

a. Starting Conditions

The collaboration was formed in conditions of inequality of capacity between actors and the low level of waqf land certification. In addition, there is an initial distrust (*low trust*) between the community and the government regarding the management of waqf assets, which is a challenge in building effective collaboration.

b. Institutional Design

The collaboration has a legal basis through PKS and the support of Forkopimda. However, this institutional design is still administrative and has not been fully integrated to the operational level (gampong/village). This causes policy implementation to often not run uniformly in the field.

c. Facilitative Leadership

The role of facilitative leadership can be seen from the involvement of the Aceh High Prosecutor's Office which not only acts as a law enforcer, but also as a mediator and driver of

inter-agency commitment. However, this role still tends to be reactive and has not been fully a systemic driver in collaboration.

d. *Collaborative Process*

- 1) *Face-to-face dialogue*: has been carried out through coordination meetings and Forkopimda forums
- 2) *Trust building*: still limited, especially at the community and nazhir levels
- 3) *Commitment to process*: increased post-PKS signing, but not consistent
- 4) *Shared understanding*: it has not been optimally formed, especially regarding the urgency of certification at the local level

This analysis shows that the collaboration built in Aceh is still in the early to intermediate stage (*developing stage*), where the aspect of institutional formality has been formed, but has not been followed by the strengthening of the substance of the collaboration as a whole.

The Role of Forkopimda and the Aceh High Prosecutor's Office

Forkopimda acts as a strategic coordination forum that bridges communication between agencies at the provincial and district/city levels. Through this forum, the issue of waqf land certification can be raised as a regional priority agenda, thereby encouraging the formation of political will from regional heads.

Meanwhile, the Aceh High Prosecutor's Office has a broader role in the framework *Collaborative Governance*. In addition to carrying out law enforcement functions, the Prosecutor's Office also acts as a facilitator in dispute resolution, a companion in the preparation of documents, and a supervisor in ensuring compliance with regulations. The involvement of the Prosecutor's Office provides positive pressure (*positive pressure*) which encourages regional actors to be more serious in carrying out the certification process (Prince, 2025).

However, the findings of the study show that the role of the Prosecutor's Office is still dominant at the *problem solving* stage and has not been fully oriented to a preventive *approach*. This indicates the need to transform the role from just a legal guardian to a more proactive and sustainable driver of a collaborative system.

Barriers and Supporting Factors

Aceh Province has significant waqf land potential and is among the top five provinces with the highest number of waqf land in Indonesia. Based on data from the Waqf Information System (SIWAK) of the Ministry of Religion, the number of waqf lands in Aceh reaches around 18,520 fields. However, the level of waqf land certification is still not optimal, where around 4,281 fields do not have official certificates (Ministry of Religion of the Republic of Indonesia, 2026).

The low level of certification poses various legal and social implications. Legally, waqf land that has not been certified is vulnerable to disputes, both with heirs and third parties. Administratively, the absence of legal documents hinders the process of managing and developing waqf assets productively. In addition, this condition also shows the weak data collection and supervision system for waqf assets at the local level (Hafsah, 2009).

Other problems that also affect the low certification are the limited capacity of nazhir in managing waqf administration, lack of public awareness of the importance of legality, and lack of coordination between related agencies. In the context of post-conflict Aceh, strengthening the waqf sector should be a strategic instrument in socio-economic

development. However, without the support of a strong legal and institutional system, this potential cannot be utilized optimally (Hidayatullah & Saiin, 2025).

a. Major Obstacles

Some of the barriers identified in this study include:

- 1) The low commitment of some local governments and nazhir in prioritizing waqf land certification
- 2) Limited quality and completeness of data at the gampong/village level
- 3) Unresolved disputes with heirs
- 4) Lack of socialization and pick-up programs, especially in 2025
- 5) Unintegrated interagency data system

These obstacles show that the problems of collaboration are not only technical, but also structural and cultural.

b. Supporting Factors

On the other hand, there are several factors that support the success of the collaboration, namely:

- 1) There is a political commitment through the signing of cross-agency PKS
- 2) The active role of Forkopimda as a coordination forum
- 3) Technical support from BPN and nazhir coaching by the Ministry of Religion
- 4) The potential for the formation of an integrated team in the acceleration of certification

These factors indicate that the foundation of collaboration has been established, but its implementation still needs strengthening.

4. CONCLUSION

This study concludes that the pattern of collaboration in the registration and certification of waqf land in Aceh Province has been shaped by synergy among the Ministry of Religion, the National Land Agency (BPN), the Aceh High Prosecutor's Office, and Forkopimda, as part of the implementation of *collaborative governance*. However, the effectiveness of the collaboration remains suboptimal, as evidenced by the gap between the number of waqf lands certified and those that have not, as well as fluctuations in certification achievements. Substantively, the existing collaboration is still in its early stages, with weaknesses in implementation, institutional integration, and the development of a common understanding at the local level. Therefore, institutional strengthening, capacity building of actors, and the development of more systematic and sustainable collaboration mechanisms are needed to ensure that waqf land management in Aceh operates effectively and delivers optimal benefits to the community.

5. REFERENCES

- Aceh, M. P. (2026). Aceh Completes Waqf Land Legality, 14,239 Fields Have Pocketed Certificates. InfoPublik.
- Aceh, P. (2025). Performance Report of Government Agencies (LKJIP) of the Government of Aceh in 2024.

- Aceh, P. (2026). Aceh Government Agency Performance Report (LKJIP) in 2025.
- Ansell, C., & Gash, A. (2008). Collaborative governance in theory and practice. *Journal of Public Administration Research and Theory*, 18(4).
- Hafsah, H. (2009). PRODUCTIVE WAQF IN INDONESIAN ISLAMIC LAW A PHILOSOPHICAL ANALYSIS OF THE Republic of Indonesia Law No. 41 of 2004 concerning Waqf. MIQOT: *Journal of Islamic Sciences*, 33(1).
- Halim, A. (2005). *Waqf Law in Indonesia*. Ciputat Press.
- Hazra, F. A., Haryono, D., & Bachtiar, M. (2025). Implementation of Waqf Land Registration for Land That Has Not Been Certified in Bukit Raya District. *Journal of Competitive Business*, 4(1), 60-69.
- Hidayatullah, R., & Saiin, A. (2025). Dynamics of Waqf Law in Indonesia: Challenges and Solutions in Productive Waqf Asset Management. *Al Barakat: Journal of Sharia Economic Law Studies*, 5(1).
- Indonesia, K. A. R. (2026). Aceh Province Waqf Land Data.
- Law Number 41 of 2004 concerning Waqf, (2004).
- Government Regulation No. 42 of 2006 concerning the Implementation of Waqf, (2006).
- Nur, M. M., Ramadhan, M., & Nasution, Y. S. J. (2024). Strategic Development of Productive Waqf in Aceh. *Journal of Islamic Economics and Finance*, 13(2). <https://doi.org/10.22373/share.v13i2.24362>
- Pawan, A. P., Iva, M. I. N., & Rahayu, R. (2026). Cross-Sector Collaboration in Public Policy Implementation in Indonesia: A Systematic Literature Review. *RIGGS: Journal of Artificial Intelligence and Digital Business*, 5(1), 9404-9412.
- Putri, A. H. (2025). Transforming Witness and Victim Protection: Legal, Psychosocial, and Restorative Justice Approaches. *Madza Media*.
- Qanun Aceh Number 10 of 2018 concerning Baitul Mal, (2018).
- Qanun Aceh Number 3 of 2021 concerning Baitul Mal, (2021).
- Yuniningsih, A. T. (2020). *Public Service Innovation and Contemporary Issues* (1st ed.). Doctoral Study Program in Public Administration Press.
- Zuhra, F., Sulaiman, & Herinawati. (2024). The Position of Waqf Land That Has Not Been Certified Based on Law Number 41 of 2004 concerning Waqf. *Journal of Student Science*, VII(4).