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BPKH Good Governance Solution Hajj Fund at Ministry of Religious Republic of Indonesia

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Abstract: This study aims to analyze the Hajj Financial Management Agency (BPKH) as an alternative solution to the problem of Hajj funds in terms of good corporate governance. This research uses qualitative method especially interpretive method. Data collection is done through interviews through the informant that a group of these people are in the activities of the group's life or a unique institution is phenomenal. The criteria of informants in this research is experienced at least two years in the process of management of pilgrim funds and had been involved in the process of monitoring the implementation of the pilgrimage. The informant is the head of the DPHU or the structural official on it, whether active or former, the DPHU employee of the Ministry of Religious Affairs, the person involved in the planning and supervision of the Hajj funds. Data analysis used in this research follow the stages of analysis of qualitative research data consisting of these three stages is data reduction, data presentation and drawing conclusions.

The results showed that mis-match in BPIH will be resolved if the managers use financial instrument and matching concept considering the budget use rupiah currency while partial expenditure use US Dollar and SA ryal currency. This currency difference poses the risk of foreign exchange, which by using hedging instrument risk high cost can be anticipated. For example, aviation costs (in USD) are rapidly changing because 40% of flight costs are subject to aviation fuel prices. Managing Hajj funds without the skills of using financial instruments will be detrimental to prospective Jemaah. BPIH is central to Hajj funding, and according to Law 13/2008 BPIH is deposited into the account of the Minister through sharia banks or national commercial banks managed by the Minister by considering the value of benefits used directly to finance operational expenditure of Hajj pilgrimage so as to achieve efficiency of Jemaah fund. Hajj fund receipts include initial deposit funds, the value of benefits from the development of initial deposit fund, Dana Abadi Umat as efficiency for the organization of pilgrimage after the hajj season and other legitimate but non-binding sources. Hajj expenditure can be streamlined with the allocation of funds directly related to the cost of hajj pilgrimage from the point of Jemaah.

Keywords: Good Covernance, Hajj Fund, BPKH, hajj pilgrims.

1. INTRODUCTION

The economic crisis that hit Asia in 1998 prompted the Government of Indonesia to form a National Committee on Corporate Governance Policy (KNKCG) in 1999. KNKCG is expected to recommend the implementation of Corporate Governance principles to resolve corporate governance issues in Indonesia. Recognizing that the implementation of good corporate governance requires a favorable situation The government extends the scope of work of the KNKG. In order to extend coverage to public sector governance, in 2004 the KNKCG was changed to the National Committee on Governance Policy (KNKG). KNKG issued the 2006 National Guidelines for Good Corporate Governance which was a revision of the previous policy which was first issued in 1999 and revised in 2001. This policy was responded by Bank Indonesia by issuing Bank Indonesia Regulation number 8/4 / PBI / 2006 regarding the implementation Good corporate governance for commercial banks. The same thing was responded by BUMN by issuing the Regulation of the Minister of State Owned Enterprises Number: PER-01 / BUMN / 2011 on the implementation of good corporate governance in BUMN.

KNKG establishes the Ten Principles of Good Governance for government agencies, state-owned enterprises and banks that are not much different from those proposed by UNDP. Each Leader of the institution is required to have forward-looking insight, to build a region based on vision, clear strategic, to engage citizens in the whole development process, so that residents feel to have and take responsibility for the progress of their area. Improve the ability and morale of government administration in order to be able to provide services that are easy, fast, precise with affordable cost. On the other hand, efforts to improve oversight of governance and development by seeking private and public involvement.

In 2006 the National Committee on Governance Policy (KNKG) issued two guidelines namely General Guidelines and Sharia Guidelines (Good Corporate Sharia Business). General guidelines cover the principles or principles of transparency, accountability, responsibility, independence and fairness that are often short with tariffs, ethics and codes of conduct, protection for stakeholders, and protection of corporate or institution goals for going concern and achieving profit objectives. The emergence of governance or governance concepts is an alternative to public sector issues because governance is linked to the process of making and implementing policies or decisions.

The problem of pilgrimage in Indonesia today is the occurrence of pilgrims accumulation that occurred since 2003, which resulted in the length of waiting list Jemaah departure, even up to 20 years. "The number of candidates pilgrims continue to accumulate, reaching 1.2 million candidates who queue lined up. The average queue is 15-18 years," said Mustolih Siradj Deputy Secretary General of Indonesian Sharia Lawyers Association (APSI). The length of waiting time due to long queues triggers the impetus of pilgrims impatience by performing umroh (small pilgrimage) because it can leave anytime. In the year 2013 and pilgrims reach 720 thousand pilgrims, 2014 increased to 900 thousand people worshipers. Data from 2000 to 2014 shows the number of pilgrims umroh 6.3 million people. On the other hand the quality of umroh is still low, the fact shows that the disappointment of pilgrims and umroh pilgrims increasing. Nevertheless, generally prospective pilgrims Umroh or deceived pilgrims do not dare to report the troubled travel organ to the authorities or to the Ministry of Religious Affairs (Kemenag) for various reasons such as shame. As a result, haj pilgrimage and troubled umroh continue to operate with the increasing number of days.

Anggito (2010) former Director General of DPHU states there are three sectors in discussing haj funds, namely financial sector, religious sector and service sector. Society highlights the financial sector, namely the management of haj money. In addition to the large number, opportunities and challenges are also great in order to provide great benefits to prospective pilgrims. The wrong management resulted in the emergence of cases of misuse of Haj funds.

The statement that the financial sector is important does not mean other factors are not important. The worship sector is always concerned, every group of pilgrims provided mentors, health workers who serve prospective pilgrimage to keep them healthy, although in practice very minimal number of existing health services. Similarly, service factors are often highlighted by pilgrims. Housing away from the mosque, late catering, poor pilgrims, changing flight schedules and so on. All these things become a requirement for the realization of the implementation of a good pilgrimage, the pilgrims mabrur the pilgrimage.

The vulnerability of misappropriation of Haj funds involving the Ministry of Religious Affairs as users and managers of the Haj funds suggests that there are major problems in the management of pilgrim funds. Mustanah (2010) compared the organization of Hajj in Malaysia that uses a model fund Tabung Haj (Haj Tube Institute) and the Directorate General of Management of Hajj and Umrah (DPHU) at the Ministry of Religious Affairs, the research results show that the fee organizing Hajj (BPIH) in Dana Tubes Hajj is much lower and the pilgrims get dividends every year. This study encourages that the management of pilgrim funds requires good governance and requires enlightenment (Rezaee, 2005).

Exposure above shows that the governance of the fund Hajj is a management system implementation of the pilgrimage for pilgrims Indonesia, the policy making process related to the Hajj in particular the determination of the cost of organizing the Hajj, the services provided to pilgrims, the accountability of the financial statements of the organization of the Hajj and the transparency of information and The distribution of haj funds, especially the immortal funds of the Ummah.

This research is based on the phenomenon of low quality of haj fund management, weakness of transparency and accountability of haj funds in Ministry of Religious Republic of Indonesia and at least research related to haj fund management. The low quality of the management of hajj funding such as low quality of service (Wardani, 2011; Research and Development Affairs (2009); the problem is no transparency of information related to the bailout (Rifai, et al., 2010); Oyede (2012); the lack of supervision of endowment people (Maulana, 2011); Agus Santoso, INTRAC (2012) and the lack of accountability of operational funds pilgrimage reflected in the high cost of organizing the Hajj (BPIH) formerly known as ONH (cost of the pilgrimage) (Arif, 2012); Agustianto (2008). the fact prove that every Muslim wants to perform the pilgrimage as the fifth pillar of Islam, but unfinished solution that will be applied to the problem of the Hajj, the pilgrimage continued to walk. Ministry of Religious Affairs is a state institution should be accountable to the public, especially related to the Hajj fund.

This study aims to analyze BPKH as an alternative solution to the problem of Haj funds in terms of good corporate governance. This research uses qualitative method especially interpretive method. The results of this study are expected to contribute to the concept of governance in public sector organizations, especially the management of pilgrim funds. The findings of this research can be an input for the Directorate of Hajj and Umroh of the Ministry of Religious Affairs of the Republic of Indonesia as a consideration in

applying the governance mandated by laws and regulations and can be used as input in the improvement and consideration in formulating regulations related to the pilgrimage.

2. THEORETICAL BASIS

Governance comes from the Greek word *kubernao* which means to control and the word is then used in Latin and other languages. The word governance is often equated with government. Yet these two words have different meanings. Government is an entity or institution that organizes the power of government within a country. The difference between government and governance lies in how the implementation of political, economic, and administrative authority within an organization. The concept of government means the role of the dominant government in the administration of various authorities. While governance means how an institution distributes authority or power and how they manage resources and solve problems encountered. The concept of governance should be understood as a process, not a structure or institution (Sudarmanto, 2010).

Governance differs from management because governance is broader in scope, focuses on rules and decision-making mechanisms, how diverse stakeholders influence the decisions, how they are accountable and to whom they should account for. There are three main pillars that support the ability of a nation in implementing good governance, namely: state / government (the state), indigenous peoples, civil society, civil society, and the market or business world. Good governance is responsible for the implementation of the political, economic and administrative authority that all three elements have equal and harmonious networks and interactions. Such interactions and partnerships usually only thrive when there is trust, transparency, participation, and clear and definite rules of conduct, good governance will evolve under authoritative leadership with clear visions.

The governance analysis focuses on the actors and the systems and structures, both formal and informal involved in the policy-making process and the implementation of the policy. The government is one of the actors in 'governance', while the other is called a 'civil society'. United Nation Economics and Social Commission for Asia and Pacific or UNESCAP (2010) states that the basic principles of good governance include participation, consensus oriented, transparency, accountability, Responsive, responsive, effective and efficient, equitable and inclusive, follow the rule of law. The participation of all stakeholders to resist bureaucratic pressure becomes a force for change (Cayeros, et al., 2005). Governance is collaborative between public and private stakeholders in a forum together with public institutions to engage in collective decision-making processes (Ansell and Gash, 2008). The decision taken is a shared consensus.

In the local context of Indonesia the principle of deliberation to consensus with the spirit of *gotong royong* becomes an important part in institutions or institutions in Indonesia. This spirit can produce good performance if applied positively. However, if applied otherwise can lead to misappropriation. Good governance is basically not an option but a necessity as well as the demands of society in today's democratic era especially in Government institutions or state ministries.

Governance is a management system that is principled on the clarity of responsibilities and duties, justice, transparency, and accountability. All entities that have a broad range of stakeholders require good governance. In general, the implementation of good governance in Indonesia is still limited to window dressing that is a condition that looks good from the outside but the reality is the opposite. The governance mechanism

can be seen from two sides: internal mechanism and external mechanism. Internal mechanism is a control mechanism through the leadership that serves as a liaison between stakeholders (stakeholders) with the management, as well as monitor the implementation of the use of existing resources (Syahroza, 2003). While external mechanisms are mechanisms that utilize instruments outside the company, whether economic, social, political and legal conditions are in place to control the company's operations to suit the interests of stakeholders. The implementation of governance requires three supporting pillars, namely the state and its equipment as regulator, entrepreneurs as market participants and the community as buyers or service users (Fajri, 2006). The Government encourages the realization of good governance through various laws and the establishment of various support tools, such as structural tools in the company through independent commissioners, audit committees, risk committees through the 'fit and proper test' mechanism to select top management. All this is done to build 'board governance' (Syakhroza, 2003). Oyede (2012) states that the experience in Nigerian state sponsorship system proved to be inefficient to help the community in the issue of haj money payments. Oyede's research conducted on Haj funds managed by private parties in Nigeria, Oyede (2012) recommends bailout funds from the Government so that the dominant State control over the pilgrim funds.

3. RESEARCH METHODS

This research uses qualitative method with interpretive approach. The interpretive paradigm encompasses broad philosophical and sociological thinking, but has the same trait in understanding and explaining the social world. The equation is that actors are directly involved in social processes, so in constructing social science it is not focused on structural analysis, since the social world is in fact inseparable from the human framework as a social actor (Ludigdo, 2005). Interpretive research is a naturalistic meaning placed in everyday circumstances, where understanding is based on experience. The interpretive paradigm is rooted in sociology especially regulative sociology by promoting a subjective viewpoint. This point of view focuses on how to understand the world as it should be. The interpretive paradigm explains the world of one's consciousness and the subjective in the eyes of the one who sees it directly. The interpretive paradigm emphasizes the meaning of symbols (Triuwono, 2012). Qualitative research collects data through observation, in-depth interviews and document review (Creswell, 2013). In this research will be conducted three stages namely the initial stage, field data collection phase, reporting stage.

The informant is a group of individuals who become the unit of penelitian analysis. This group of people is in a unique phenomenal group or group life activity. In determining the informant settled the criteria first. The criteria of informants in this research is experienced at least two years in the process of management of pilgrim funds and had been involved in the process of monitoring the implementation of the pilgrimage. Based on the above criteria, the informants to be selected are the head of the DPHU or the structural officials on it, whether active or former, employees of DPHU Ministry of Religious Affairs, persons involved in the planning and supervision of Haj funds. Data analysis used in this research follow the stages of analysis of qualitative research data interactive model (Milles and Huberman, 1992) consisting of these three stages is data reduction, data presentation and conclusion.

4. RESEARCH RESULT

Hajj Funds become an important part in Hajj Pilgrimage. Law no 13/2008 mandates Ministry of Religious Affairs especially the Directorate General of Hajj and Umrah (PHU) management to carry out the

management of hajj and umroh. The Hajj Fund management process is a year-round routine that takes place from one Haj season to the next Haj season. The Directorate of Fund Management of Hajj carries out this mandate at the operational level regarding the management of Haj funds. The increasing number of pilgrims increases the accumulation of Early Deposit Funds paid by pilgrims. All Indonesian citizens who are Muslim and have istitho'ah have the same rights to get the opportunity to perform the pilgrimage as the fifth pillar of Islam received by Allah SWT.

The management of Hajj and Umroh in Indonesia is conducted by the Ministry of Religious Affairs of the Republic of Indonesia as the implementation of the mandate of Law no 13 of 2008. Ministry of Religious Affairs is known as one of the Ministry that has a big budget. The Ministry's budget even reached Rp 49.582 trillion (the third largest budgetary institution) in the 2014 state budget and Outstanding Haj funds reaching Rp 64 trillion, plus DAU (Dana Abadi Umat) of Rp 2.4 trillion. DAU is a fund collected by the Indonesian government and derived from the cost efficiency of the annual Hajj pilgrimage.

The accumulation of investment funds from the hajj pilgrim fund is named Dana Abadi Umat. The Financial Transaction Analysis Reporting Center (PPATK) finds allegations of irregularities in the management of endowment funds of the Ummah and the alleged misappropriation of Hajj pilgrimage involving the provision of lodgings, catering and the provision of foreign currency that is reyal. Santoso (2013) found some money belonging to the Hajj pilgrimage called DAU (Dana Abadi Umat) during the period of 2004 to 2012 reached Rp. 64 trillion. Even the stored interest reaches Rp. 2.4 trillion equivalent to the cost of building an apartment near the haram mosque in Mecca. But in reality the prospective Indonesian pilgrims get away from the haram mosque every year. PPATK concluded the existence of misuse of the use of Haj funds.

The amount of fee that must be paid by the candidate of pilgrims known as the Cost of Hajj Implementation (BPIH) stipulated by the Ministry of Religious Affairs together with the House of Representatives (DPR) of the Republic of Indonesia. Firdaus (2004) explains that the normal haj costs incurred by the pilgrims is \$ 3.586, while the Ministry of Religion in 2010 asks every prospective pilgrim to pay \$ 4,043.4, which means about \$ 457 more per person. In 2015 BPIH agreed at \$ 2,717 or equivalent to Rp. 33.962.500, - assuming the exchange rate of one US dollar is Rp. 12,500, - compared to BPIH in previous years which is more expensive. In 2016 BPIH agreed at \$ 2,585 assuming the exchange rate of one US dollar is Rp 13,400, - Director of Haj and Umrah (PHU) Organizer is a budget manager who gets mandate from the Minister of Finance. The Director of PHU is assisted by a subdir of BPIH who is preparing the preparation process of BPIH proposed by the Government based on previous years experience. The drafting process of BPIH involves various ministries and related institutions such as the transportation department, health department, Indonesian bank. This joint discussion is intended to realize the synergy and comprehensive implementation of the pilgrimage. The principle of security and protection of the congregation are important factors to be considered. DG PHU allocates funds either direct cost or indirect cost. This practice led to the utilization of Jemaah's funds that had not yet departed as Jemaah's cross-subsidy for the under-funding of Jemaah who left in the year.

Four sub directorates at the Directorate General of BPHU manage the Hajj funding simultaneously because the order of the Hajj pilgrimage activity is continuous in a year. Hajj pilgrims fund the initial deposit to the Depository Bank (BPS) of Rp 25 million and report to the Ministry of Religion office in the

place of the hajj candidates are either in the Regency / City or in 440 offices spread across Indonesia. Jemaah will pay the repayment if it has got the certainty of departure. The thirsty congregation awaits decades. This fund is the task of the Haj funds management sub directorate to develop and optimize the benefits of these funds in accordance with the law limitations. The number of waiting lists already above 5 million people is also reflected from the amount and initial deposit amounting to above Rp. 80 trillion rupiah. If the amount of BPIH is completed and received the approval of the House of Representatives of the Republic of Indonesia (DPR RI) then the funds are disbursed and managed by sub-operators of the Hajj Operational Budget.

Hajj operational starts from the homeland to its peak in the holy land. Yearly operational funds are managed in accordance with the designation agreed in the House of Representatives. Funds will flow throughout Indonesia, and Hajj pilgrims of 200 million people take turns to Mecca and Armina to perform the pilgrimage. Hajj operational strived to provide services, protection for pilgrims to achieve Mabrur pilgrimage. Efficiency is attempted in spite of occasional deficits such as in 2014 and surplus in the following years. Reports of Hajj are submitted to the DPR RI not later than three months after the hajj season passes. This report will be audited by BPK RI and will be discussed in DPR RI. Since 2014 the CPC audit results have changed from disclaimer to WDP. The result of the efficiency of Haj operational fund will be delegated and managed by Subdir Dana Abadi Umat Umat (DAU). The amount of funds managed to date has reached more than Rp. 2, 8 trillion.

The management of the large Hajj Fund which seems to have not been anticipated in Law no 13 of 2008 has caused some weaknesses. The utilization of information technology through Siskohat has been implemented since ten years ago. However, the researcher's observation during this research shows that Dithen PHU has been remarkable in managing Haj funds. Siskohat has not provided sufficient information for the decision making especially in providing information about the value of the benefits of pilgrim funds to Jemaah. The use of Virtual Account that has been applied in banking world is expected to be applied by Depository Bank (BPS) for Haj pilgrimage fund. This Virtual Account embodies transparency in the management of pilgrim funds.

Compliance with existing legislation and unresolved weakness has raised the Government's desire to separate the management of haj funds from the Ministry of Religious Affairs of the Republic of Indonesia. Currently Kemenag runs the regulator function as well as the executor and supervisor in the organization of the pilgrimage. Optimal performance is difficult to expect under these conditions. The decision of the Government and the House of Representatives to separate the management of the Hajj Fund is in order to bring a sense of justice to Jemaah and the maximum utilization of the people's property for the people. The interpretation of the separation of the management of pilgrim funds is set forth in Law No. 34/2016. The mandate of this law becomes an alternative solution to the weaknesses. But the execution of the law no 34 of 2016 on Haj Financial Management Agency (BPKH) has not done that bring potential losses of about Rp. 2.7 trillion on the investment funding of the Haj funds which is the best long-term funding to date. The duties of the President to realize the sense of justice and enlarge the value of the benefits of pilgrim funds for the community.

The Haj Financial Management Agency (BPKH) as an agency directly under the control of the President is intended to manage the haj funds in a professional manner. Infoman states that,

“BPKH is expected to improve the quality of Hajj implementation. BPKH is required to manage Hajj finances efficiently and rationally. BPKH will be managed by professionals and integrity in managing finances”.

The informant said that,

If the people in BPKH are right and nice the ease will be better. The people at BPKH should not look for a job there ... the security of funds.

BPKH held by people who understand the finances are expected to solve the financial problems that occur and take corrective action. Problems include, among others, initial fund deposits accumulated, endowments of people, management of DAU Assets, BPIH issues including BPIH calculations, mis-match BPIH, BPIH asset management. Hajj fund as of December 31, 2015 (audited) shows fantastic figures for the collection of public funds in the Ministry of Religious Affairs, especially the Fund of initial deposit of candidates Jemaah that is Rp 81.6 trillion. The informant said that,

the highest return investment is long-term funds, none as good as haj fundscompare to other financial instruments. There is no long-term funding as well as the Haj funds.

If we compare with the model of Hajj Tube in Malaysia haj funds in the form of savings that can be invested in the long term so that can be expected high return. Trillions of rupiah that piled up in the accounts of the Minister of Religious Affairs were not invested professionally. If this is done then a candidate Hajj pilgrims who have been depositing the money for tens of years do not need to do payment repayment due to the value of the benefits of investment funds initial deposit. As a financial management agency, BPKH can invest in various banking products, securities (sukuk), gold, direct investment or other investment. This will indirectly assist development in Indonesia. President of the Republic of Indonesia Joko Widodo stated that,

“... large funds owned by these institutions make it possible to be invested” (February 16, 2016) Other data on the efficiency fund or the remaining operational funds of hajj in 2015 namely Dana Abadi Umat (DAU) shows the figure of Rp 2.8 trillion. These funds can actually be invested to bring benefits. DAU benefit funds can be used to build people’s economy, education and da’wah, the construction of religious facilities and infrastructure such as mosques and facilities. Various mis-matches in BPIH will be resolved if the manager uses financial instruments and matching concepts. The budget using the rupiah while partial expenditures use US Dollar and SA royal currency. This currency difference poses the risk of foreign exchange, which by using hedging instrument risk high cost can be anticipated. For example, aviation costs (in USD) are rapidly changing because 40% of flight costs are subject to aviation fuel prices. Managing Haj funds without the skills of using financial instrument will hurt prospective Jemaah.

BPIH is central to Hajj funding, and according to Law 13/2008 BPIH is deposited into the account of the Minister through an Islamic bank or a national commercial bank managed by the Minister taking into account the benefits. Benefit value is used directly to finance operational expenditures for Hajj (article 23). BPKH can revise the miss match of BPIH, resulting in Jemaah fund efficiency. Haj fund receipts include initial deposit fund, benefit value from initial deposit fund development, Dana Abadi Umat as efficiency of Hajj pilgrimage after hajj season and other legitimate but non-binding source. Hajj expenditure is assessed and streamlined in relation to the cost of hajj implementation from the point of Pilgrims.

CONCLUSION

Practical implications in this study found that the Hajj Financial Management Board (BPKH) as a solution to the weaknesses in the organization of Hajj during this time. Separation of financial management of pilgrim funds can prevent fraud. The loss of authority over the Hajj pilgrimage will provide an opportunity for Ministry of Religion (Kemang) of Republic of Indonesia to improve regulatory functions and coaching and supervisory functions on Hajj pilgrims, which in turn will improve the performance of the Ministry of Religious Affairs. Implications for researchers can further examine and develop the pattern of increasing the value of the Hajj funds and utilization of these funds for the benefit of nation building and economic improvement of the people.

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