

# Paper

*by* Andang Sunarto

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**Improvement of Social Welfare through Optimization  
Organization of Zakat Management in Indonesia**

**Author:**

Dr. Asnaini, M.A.

Amimah Oktarina, M.E.

**Bengkulu, Indonesia**

*Dedication*

This book is dedicated to the <sup>43</sup> Faculty of Islamic Economics and Business IAIN  
Bengkulu, Indonesia

## Abstract

*The presence of zakat institutions in Indonesia known as Organisasi Pengelola Zakat (OPZ)/ the Organization of Zakat Management serves as a medium for muzaki in distributing zakat for then by OPZ channeled to mustahik systematically and recorded. In this case, meaning OPZ plays a role to ensure the equal distribution of zakat to those who are eligible to receive zakat so as to support the achievement of the purpose of zakat for the social welfare. On the other hand, the current realities revealed above that zakat is still much given directly by muzaki to Mustahik (not via OPZ). This study aims to explore the optimization of OPZ in managing zakat in order to achieve prosperity in Indonesia. The research method used is descriptive explorative. This indicates that the need to optimize the role of OPZ as an important institution to manage zakat. Strategic steps that can be done is with the program "pick up the ball" to muzaki, cooperation with educational institutions, the use of technology, and transparency of financial report. If OPZ is optimal in managing zakat then the purpose of zakat in the prosperity of the people can be achieved. With prosperity achieved means that poverty can be minimized because of the equal distribution of income. Zakat becomes a potential financial instrument in fiscal policy in Indonesia.*

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*Keywords: Zakat, OPZ, welfare, potencial*

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## Introduction

One of the most interesting Islamic financial instruments studied is Zakat. In addition to its great potential, its very wide, profound aspects, zakat has a legal dynamism against the times. Yusuf Qardhawi, in his work *Fiqh al-Zakah* discussed zakat in nine parts: Zakat and his position in Islam; Who is obliged to pay zakat; The wealth which is obligatory to zakat and zakat; Targets of zakat; How to pay zakat; The purpose of zakat and its impact in private and community life; Zakat fitrah; Other obligations outside of zakah; Zakah and taxes.

As a developing country where the majority of its population is Muslim, the potential of zakat in Indonesia is enormous. Survey of <sup>7</sup>Public Interest Research and Advocacy Center (PIRAC) in <sup>17</sup>10 major cities in Indonesia, in 2000, revealed that the potential of zakat in Indonesia reaches Rp 6.3 trillion per year. The next survey, in 2007 showed an increase, amounting to Rp 9.09 trillion per year. For approximately six years, an increase of 30.69 percent. This indicates that the level of generosity of Indonesian Muslims is increasingly increasing. The interest of zakat people as well as understanding and awareness of the community to fulfill the obligations of zakat more positive.

Judging from the legal legality, concepts, and amount of money that can be collected from the implementation of zakat, no doubt. In Indonesia, the presence of Zakat Law number 23 of 2011 Enough to bring influence on the paradigm of Indonesian society about zakat. Based on this, it means that the strength, clarity, and potential that exists, zakat can be one of the financial instruments for economic empowerment and improving the welfare of the people, especially the mustahik. However, the fact that to date, zakat can not be maximized for that purpose. This may be due to the disclosure of the potential of a wrong zakat, or because of its great potential has not been managed properly and properly, or because the zakat funds circulation still occurs between muzaki and mustahik, without involving amil zakat (traditional or "direct distribution"), Or for any other unknown cause.

The presence of zakat institutions in Indonesia known as the Organization of Zakat Management (OPZ) serves as a medium for muzaki in distributing zakat for then by OPZ channeled to mustahik systematically and recorded. In this case, meaning OPZ plays a role to ensure equal distribution of zakat distribution to the parties <sup>23</sup> who are entitled to receive zakat so as to support the achievement of the purpose of zakat to make people prosperous.

On the other hand, the current reality as stated above is that zakat is still given by muzaki directly to mustahik (not through OPZ), revealed in the research of Center of Language and Culture of UIN Jakarta, in 2004. <sup>18</sup> From the potential of zakat property in Indonesia, equal to 13.1 trillion, 93 percent given directly by muzaki to mustahik. The Amil Zakat Board (hereinafter abbreviated BAZ), received only 3 percent. There is a very significant disparity between the amount of zakat given directly with the zakat given through the zakat institution. This shows that the majority of muzaki choose to pay their zakat directly rather than through the zakat institution.

The giving of zakat directly to mustahik which in this case not through OPZ contains weakness and is not recommended in the implementation of zakat (Pribadi, 2004: 136-150). Direct giving can lead to dishonesty on muzaki, injustice to mustahik, and chaos in distribution. In addition, the utilization may not be optimal. Therefore, Islam empowers the state to manage zakat.

Based on the above, it can be said that the increase of public awareness in paying zakat as revealed by PIRAC, is not accompanied by the increase of zakat society awareness to the institution. Apparently, people have their own motives, reasons and goals in distributing their zakat. They prefer to pay for themselves rather than involving zakat institutions. The existence of BAZ and LAZ as OPZ in Indonesia has not been utilized by muzaki. Of course, it is interesting to examine more deeply where zakat has great potential to be developed in order to realize the social welfare of society by optimizing OPZ as an institution that plays an important role to manage zakat.



## Chapter 1: Zakat and Social Control

Prophet Muhammad SAW <sup>18</sup> said "Islam is built on the five pillars of witnessing that there is no god but Allah and Muhammad is the messenger of Allah, establishing the prayer, fasting in Ramadan, issuing zakat, and doing Hajj to the baitullah for the capable". (Narrated by Imam Bukhari and Muslim from Ibn Umar).

*The hadith* above explains that zakat is an obligation upon Muslims which is one of the obvious requirements for the beauty of Islam and its concern for its adherents. Zakat can also be likened to a social activity for the poor, which includes feeding, clothing, housing, and essential needs that are the realization of one's faith. The Qur'an not only appeals to care for and feeds the poor, and threatens them if they are left to falter, but more than that burdens each of the believers to pay attention to the poor, and impose the infidels upon the Muslims not doing that obligation.

In the Qur'an, Allah SWT. down 37 verses about zakat. The order of zakat is also almost always juxtaposed with the obligation of prayer. This indicates the importance of zakat in human life. Especially in the enforcement of economic justice and the circulation of property among people. Leaving zakat as well as worship prayer which if left behind will get sin.

Zakat has become a *maliyyah ijtimaiyyah service* that <sup>10</sup> has a very important, strategic, and decisive position, both seen from the teachings of Islam as well as from the side of welfare development of the ummah, where the end is in the context of controlling social problems. It has been proved that in the history of Islamic development, zakat has become a source of state revenue and <sup>36</sup> has a very important role as a means of syari Islam, the development of education and culture, science development, infrastructure development, social welfare services provision such as compensation for the poor and other social services.

Many people, especially zakat jurists and Muslim economists who predict that, if zakat is managed properly and optimally, then zakat will be one solution of the end

target of the State's economy. That is to create *prosperity for the community*. In this section the author will explain the basic concept that is very important to be understood about the practice, before entering the maximization in realizing the welfare of society.

## 1. Understanding and Position of Zakat

### a. Definition of Zakat

The definition of zakat can be viewed in terms of language and syara '(term). In terms of language, the word *zakat* is a masdar form of the word *zaka* which means *blessing, growing, clean, good*. As quoted from Lisa al-Arab the basic meaning of the word zakat, viewed from the point of language is *sacred, growing, blessing, and praiseworthy*; According to the <sup>11</sup> language, the word zakat comes from the Arabic word "*zaka*" which has many meanings, can mean blessings, grows, is clean, holy and good. "<sup>1</sup> They are all used in the Qur'an and Hadith. The scholars interpret the word zakat with different interpretations, among others:

**First**, zakat means *at-thahuru* (cleansing or purifying), as well as according to Abu Hasan Al-Wahidi and Imam Nawawi. That is, people who always pay zakat for Allah, not praised humans, Allah will cleanse and purify both his property and his soul. Another opinion says, means 'clean' because zakat can cleantreasure *muzakki* from the rights of others. Means' holy 'because zakat can purify the owner of the property of *thama*' property (greedy), *shirk* (associate Allah with treasure), miser (stingy) and hunks.

**Secondly**, zakat means *al-barakatu* (blessings). That is, people who always pay zakat, his wealth will always be blessed by Allah SWT. Called a 'blessing' because zakat will make blessings on the property of someone who has zakat.

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<sup>1</sup>Anis, Ibrahim, dkk, *Al-Mu'jam al-Wasith*, (Egypt: Dar al-Ma'arif, 1972), Juz I, p. 396.

**Thirdly**, zakat means *an-numuw* (growing and developing). This meaning affirms that the person who performs the charity, his property will always continue to grow and develop, this is due to the sanctity and blessings of the property that has been fulfilled his zakat obligations. Means 'grow' because zakat will multiply the reward for *muzakki* (the person who obligate zakat) and help the difficulty of the *mustahiq* (eight groups are entitled to be given zakat).

**Fourthly**, zakat means *as-shalahu* (wrong or good). That is, people who always pay zakat, his property will always be good, meaning no problem and avoid the problem. Good or good, it also means that zakat can bring good good to rich people (*muzakki*) as well as poor and weak (*mustahiq*) people.

If examined, then these meanings are in accordance with what is the goal disyari'atkannya zakat.

In al-Quran, the word zakat often also uses the word shadaqah and infak, in addition to the word zakat itself. For example called the word 'zakat' in the QS. Al-Nur (24): 56; Al-Baqarah (2): 43. The word 'shadaqah' in QS. Al-Taubah (9): 103; Al-Taubah (9): 60. With the word 'infaq', in QS. Al-Hadid (57): 7; Al-Thalaq (65): 7; and Al-Taubah (9): 34. Although mentioned in different words, but in the interpretation of Islamic jurists the intention is the same is to issue part of zakat.

It can be concluded that zakat according to language means holy, blessed, clean, giving the rich to the poor, the duty of the rich, and the rights of the poor.

While the meaning of zakat according syara '(term), the fiqh experts provide different restrictions. However, it remains on the same essence. The meaning can be described as follows:

Zakat is "the name for a certain degree of certain possessions that must be utilized to certain classes of society".<sup>2</sup> Zakat is "to grant property to the needy to the Muslims, not to the descendants of Hashim and not to slaves who have been freed by the descendants of Hashim, on the condition of the release of the property which has been given from the original, from all aspects of God."<sup>3</sup> Zakat is a "compulsory right contained in certain property, for a particular class of society, within a certain time".<sup>4</sup> Zakat is "to expel a certain portion of the treasury which reaches one nisab, for the one who is entitled to receive it when it is perfect possessing and perfect one year for treasures other than minerals and other than crops".<sup>5</sup>

Understanding the above just different editorial. When examined everything includes the elements that must exist in the zakat. The element, namely: first: the collected property, second, the base of property. and thirdly, the subjects entitled to receive zakat. All three become important elements in shaping the structure of meaning of zakat by term. So it can be said that the differences are complementary to each other.

Sabiq, explains that zakat is "a title of a right of God issued to a poor person. It is called Zakat, because by issuing it therein it is hoped to obtain a blessing, cleansing the soul from the miserliness of the rich or eliminating the jealousy of the poor and nurturing it with various virtues. The original meaning is to grow, sacred and blessing."<sup>6</sup> It can be interpreted that zakat is the transfer of some property from the rich people believed by God to take care and control it to the other hand that is hand which strives for their hard-earned life (fakir), and Allah has made the treasure as right and sustenance.

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<sup>2</sup>*Al-Iqna'*, Muhammad al-Syirbini, (Egypt: Mustafa al-Babi al Halabi, 1359 H / 1940 M), p. 195.

<sup>3</sup>Asy-Sya'lan, Ibrahim 'Usman, *Nizhamu Misa fi al-Zakah wa Tauzi 'u al-Ghanâ'im*, (Riyad: Tp, 1402 H), h. 34-35.

<sup>4</sup>Asy-Sya'lan, Ibrahim 'Usman, *Nizhamu...*, p. 35.

<sup>5</sup>Asy-Sya'lan, Ibrahim 'Usman, *Nizhamu ...*, p. 35.

<sup>6</sup>Sabiq, Sayyid, *Fiqhu al-Sunnah*, (Kuwait: Dar-al-Bayan, tt), p. 2.

While al-Mawardi, interpreting zakat equals shadaqah, and otherwise shadaqah same with zakat.<sup>7</sup> This opinion is based on the sentences used by Al-Quran and Hadith which generally use the word shadaqah, but the meaning is zakat.

From some of the above opinion, it can be concluded that the zakat in terms of general terms means removing some of the certain property that has been <sup>8</sup> required by Allah SWT to be given to people who are entitled to receive it, with a certain level, haul and qualify and get along. Briefly "to give some of the treasures that have reached nisab to the parties that have been determined by syara 'with a certain degree".

If we associate the meaning of language and this term, then it is very closely related, that is that every treasure that has been issued zakat will be holy, clean, good, bless, grow, and develop.

## **b. Zakat Position In Islam**

Zakat as the third pillar of Islam has a strong reference and legal basis that is Al-Quran and al-Hadith. The Qur'anic verses about zakat are coming down in Makkah and some are descending in Medina. The verses of Al-Quran and Hadith of Prophet Muhammad SAW about zakat are all present in a general / global form. This shows the desire of Allah Almighty to make the charity always dynamic, always varied and productive throughout the ages. Allah SWT gives only general signs so that humans have enough space to think and create opportunities to develop zakat in <sup>5</sup> order to empower the people's economy.

The legal basis of the obligation to issue zakat is contained in *texts* the *sharih*, both from Al-Quran and al-Hadith.

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<sup>7</sup>Al-Mawardi, *Ahkamu al-Sulthaniyyah*, (Kuwait: Dar al-Fikr, tt), p. 113.

**First:** From the Qur'anic texts another such as:

"And establish prayer, fulfill the zakat, and obey the messenger, that ye may be graced" (Surat an-Nur (24): 56).

"And establish prayer, make zakat and ruku'lah along with people who ruku' ". (Surah Al-Baqarah (2): 43).

"... establish shalat and pay zakat. Then you do not fulfill that promise, except a few of you, and you always turn away. " (Surah Al-Baqarah (2): 83).

<sup>16</sup> "If they repent, establish prayers and pay zakat, then (they are) are your brothers and sisters in religion. And we explain the verses to the people who know". (Surah al-Taubah (9): 11).

"... and grant unto them a portion of the treasure of God which He has given unto you ..." (Surat an-Nur (24): 33).

<sup>6</sup> "The parable of those who spend their wealth in the way of Allah is like a seed that grows seven grains in each grain." (Surah Al-Baqarah (2): 261).

"Allah commands the believers to take some of their property for the good of the good treasure, not the bad ones". (Surah Al-Baqarah (2): 267).

"Zakat has a social function in society. One's greed and wickedness can not be tolerated if he has eaten and taken possession of the orphan's property. "(Surat an-Nisaa '(4): 10).

"Those who believe, do good deeds, establish prayers and pay zakat, they are rewarded by Allah. There is no fear of them nor shall they grieve. "(Surah Al-Baqarah (2): 277).

This mandatory legal obligation of zakat can also be seen in several verses of the Qur'an that denounce and threaten people who are reluctant to

issue zakat. Though they belong to the category of people who are obliged to zakat. Among other things in the word of Allah SWT:<sup>8</sup>

*"O ye who believe, verily the great majority of the Jewish people and the Christian monks actually eat the treasures of men in false ways and they hinder (human) from the way of Allah. And those who hold gold and silver and spend not in the way of Allah, tell them (that they will get) a painful punishment. "(Surat al-Taubah: 9)*

**Second:** The basis of the Hadith, among others:

*"From Abu Ma'bad from Ibn 'Abbas Allah's ridla to both that the Messenger of Allah (saws) has said when sending Mu'adz ra, to Yemen. Invite them to testify that there is no God but God and I am the messenger of God. So if they have ta'ati, then tell them that Allah has obliged them to pray five times a day and night. And if this they have ta'ati, proclaim that Allah has obliged their Zakah to their property, taken from the rich among them, then returned to the poor among them". (Narrated by Bukhari).<sup>9</sup>*

*"From Sa'ïd al-Thâ'iyyi 'Abî al-Bukhtariyyi, he said that Abu Kabsyah had heard the Messenger of Allah said: There are three things that I swear actually happened and I will tell you, so remember well that no will be reduced treasures due to tithe ..."(HR al-Turmudzi).<sup>10</sup>*

*"From Anas bin Malik he actually said that a man from the tribe of Tamim had come to the Prophet. He said: O Messenger of Allah, I have a lot of treasure, have relatives and friends who come to visit. Please tell me what to do and how I make a living. So the Prophet replied: You remove the zakat from the treasure, because the zakat is actually a cleanser that will cleanse you, that is connecting silaturrahmi with your family, and recognize the right of beggars,*

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<sup>8</sup>Also read al-Taubah verse 35, Ali Imran verse 180.

<sup>9</sup>Thehadith was issued when the Prophet sent Mu'az bin Jabal to be qadi in Yemen. The Prophet said as Hadith above. See: Shahih al-Bukhari, the book of zakat, thechapter wujubu al-zakat, Hadith number 1308.

<sup>10</sup>Sunan At-Tirmidzi, the book al-Zuhdi 'an Rasulullah, bab ma jaa mitslu arba'ati nafarin, Hadith number 21247.

neighbors and poor people. The man said: O Messenger of Allah for me it is very little. The Prophet said: So give to the relatives, the poor and ibn al-Sabîl ". (HR Ahmad).<sup>11</sup>

"From 'A'ishah that the Messenger of Allah (peace and blessings of Allaah be upon him) said: Allah' azza wa jalla will not treat people who have shares in Islam as well as people who do not have shares and Islamic stocks ie fasting, prayer and zakat . (Ahmad Ahmad)<sup>12</sup>

Based on the above verse and hadith,<sup>12</sup> it can be said that zakat is the obligation of every Muslim who has excess wealth. Zakat is neither voluntary nor merely the gift of the rich to the poor / needy, but it is their right with certain sizes and conditions.

Al-Quran and Hadith always coupled with prayer and zakat. This shows how close the relationship is between them. A person's Islam would not be perfect except with both. Prayer is a religious pillar; who establishes it is upholding the religion, and whoever undermines it undermines religion. Meanwhile, zakat is a bridge to Islam. Who passes through it will survive to the destination and whoever chooses another path will get lost. Abdullah ibn Mas'ud revealed, "you are commanded to establish salat and pay zakat. Whoever does not issue zakat, then his prayers will not be accepted. "<sup>13</sup>

In addition to the legal basis of Al-Quran and the hadith that *sharih* and *qath'i* above, the obligation to pay zakat is also strengthened with the ijma ' Khalifah Abu Bakr as-Siddiq RA, at the beginning of his reign was faced with a major problem that is the emergence of groups who are reluctant to pay zakat, while they claim Islam. Based on his ijtihad supported by other friends,

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<sup>11</sup>Musnad Ahmad,book *al-MusnadBaqiyyun*Mukatstsirin,about *Musnad al-nas binMalik*,hadith number 11945.

<sup>12</sup>Musnad Ahmad,book *al-MusnadBaqiyyun*Ansar,about *B.41un al-Musnadal-Sabiq*,hadith number 24110.

<sup>13</sup>Tafsir ath-Thabani, vol. 14, p. 153 in Qaradawi, Yusuf, *Musykilah Al-Faqr Wa Kaifa 'Aalajaha al-Islam* (the Cairo-Egypt: Maktabah Wahbah, Cet. 1, 1397 H / 1977 AD), Translation in Indonesian Budi Halim, *tips Islam Alleviating Poverty* (Jakarta: Gema Insani Press, 1995), p. 92.



then without hesitation he took decisive action that is fighting the group who refused to pay the zakat.

Said Jabir of Zaid, "Salat and Zakat are obligations in one package, both are inseparable." Then he recited the word of God, "if they repent and establish the prayer and pay zakat then they are your brothers of the religion. accept salat unless accompanied by zakat. Jabir added, "May Allah bestow His mercy on Abu Bakr who has taken a very right attitude when facing apostates with his expression," By Allah, I will fight who separates the prayer with zakat. "<sup>14</sup> And this continues until the next caliphs.

Thus, the command to pay zakat for the Muslims can not be doubted. The law of zakat is obligatory. There is no reason for *muzakki* not to pay zakat.

## **2. Purpose, Wisdom, and Nature of Zakat**

### **a. Purpose of Zakat**

In general zakat contains two dimensions, vertical dimensions (divinity) and horizontal (social) dimension. In other words, zakat is not solely done in order to build a human relationship with God, the Creator, without any concrete effect in human life among human beings. And not solely to establish relationships between humans in an effort to meet the needs and necessities of life. Zakat is a worship that reaches both dimensions (divinity and social). Zakat builds the values of devotion to Allah SWT as well as to build harmonious relationships among fellow human beings.

Therefore, in general, zakat aims to set up a two-way relationship that is a vertical relationship with God and a horizontal relationship with fellow human beings. This means vertically, zakat as worship and the form of piety and the mercy of a servant to Allah for the blessings in the form of the treasure given by Allah to him and to cleanse and purify himself and his property. This purpose as contained in Surat al-Taubah (9) verse 103: "*Take (assemble,*

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<sup>14</sup>Qardhawi, Yusuf, *Musykilah Al-Faqr ...*, p. 93.

manage) of some of their wealth alms / zakat; with that charity ye cleanse them and <sup>10</sup>purify them, and pray for them, for verily thy prayer is unto their peace unto them; and Allah is Hearer and Knower. " It is in this context that zakat aims to organize a servant's relationship with his Lord as a provider of sustenance.

While horizontally zakat aims to realize a sense of social justice and affection among those who are capable with the parties who can not afford and can minimize the problems and social and economic disparities of the people. In this context zakat is expected to realize equity and social justice among fellow human beings. This purpose is illustrated in the Word of Allah SWT: *"What are the spoils God gave to His Messenger who came from the inhabitants of the cities then it is for Allah, the Messenger, the Apostle's relatives, orphans, the poor and the people which is on the way, so that the treasure should not be circulated among the wealthy amongst you... "*<sup>15</sup>

Thus, it can be said that horizontally zakat plays a role in realizing social justice and solidarity and supporting the realization of security in society from various negative actions theft or other criminal acts, because the treasures only circulate among the rich only. This horizontal objective is not clear, because in the zakat has been established provisions and procedures such as the minimum limit of zakat obligatory (nisab), the time limit (haul), and the amount of zakah paid (level), and the criteria entitled to receive it (*mustahiq*).

In particular, it can be said that the obligations of zakat contain religious, moral-spiritual, financial, economic, social and political objectives, which ultimately is to achieve prosperity and prosperity of the people. This religious, moral-spiritual, financial, economic, social and political objective can be broken down into two aspects: the aspect of servitude to God and the good deeds to the people.

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<sup>15</sup>QS. Al-Hasyr (59): 7.

The aspect of servitude to Allah (SWT) is that to perform the charity is to offer "devotion" by carrying out His commands. While the charity aspect of goodness to society contains "social" and "economical" aspect. The social aspect is for the benefit of individuals and the common good. The economical aspect is that the property must revolve among the people, become the impetus for the economic turnaround in society, to be an instrument of distribution of property which is obliged to avoid the accumulation and storage of property on certain parties only. In this context zakat aims to protect the fate of the poor and to improve the dignity of human beings.

## b. The Wisdom of Zakat

The Wisdom of zakat<sup>16</sup> is not only to those who issue zakat or receive it, but to many components, including:

**First:** The manifestation of faith to Allah SWT, grateful for His favors, nurture noble character by having a high sense of caring, stingy and greedy, cultivate the peace of life, as well as develop and sanctify owned possessions. Manifestation of humanity for all what Allah has given / entrusted to him. Zakat as the medium of Allah SWT to remind the servant, because humans like to neglect to be grateful, especially to their possessions. Because the treasure, in essence belongs to Allah SWT.<sup>17</sup>

**Second:** Zakat educates berinfaq and gives. Zakat teaches that Muslims have a sense of wanting to give, surrender and berinfaq. With zakat, the habit of giving is created. Habits will give a deep effect on human morals, ways and outlook of life. Imagine if every Muslim is always ready to berinfaq and expend his zakat crops when the harvest, his income if any, the zakat of his livestock, his money and his trade treasures, when come year, and issuing his

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<sup>16</sup>Read: Yusuf Qardhawi, *Fiqh al-Zakah*, (Beirut: Dar al-Irsyad, tt); Yusuf Qaradhawi, *Zakat Law*, (Jakarta: Litera AntarNusa, 2007).

<sup>17</sup>"Unto Allah belongeth the Sovereignty of the heavens and the earth<sup>40</sup> and of all that He createeth what He will. And Allah is Able to do all things. " (QS Al-Maidah (5): 17. Also read: QS Al-Baqarah (2): 255; QS. Al-Maidah (5): 120); and QS. Al-Hajj (23): 64.

zakat fitrah at the end of Ramadan and before'Eid Fitr, berinfaq as a habit that is imprinted in him, and every moment will always be remembered.

**Third:** Zakat cures the heart of the love of the world. Zakat is a remedy for the hearts of men not to drown the love of wealth<sup>18</sup> and the world exaggerated. Being drowned in the love of the world, as ar-Razi puts it, can turn the soul away from the love of God and the fear of the afterlife. With the command of zakat, it is hoped to withstand the excessive love of the treasures, to keep the soul from being mastered and to warn that the happiness of life will not be achieved by subordinating the soul to the treasure, but that happiness can be achieved by infaq- a treasure, in order to seek the pleasure of Allah SWT.

**Fourth:** Zakat Attracts Sympathy / Love. Zakat should be able to grow a strong bond, filled with love, brotherhood and help. There is a good sense of both *muzakki* and *mustahiq*. Fakir people know if there are rich people who give some of their property to them, and if the wealth increases, many will be given to them, then surely they will pray for it.

**Fifth:** Avoid *muzakki* from the miserly nature. Humans in general have a tendency to be miserly, either miserly to themselves or miserly to others.<sup>19</sup> Zakat will be able to purify the *muzakki* from all the dirt of sin and especially the filth of the stinginess. The disgraceful nature of the miser, is the human nature with which it is tested. Kikir is a dangerous disease both for the person and for the society. Therefore Allah (SWT) orders to pay zakat, as a way to remove the character and character.<sup>20</sup> Blessed is the man who seeks to eradicate the evil nature of the miser.

**Sixth:** Growing blessings on zakah. Basically a treasure is a facility that must support the existence of a human being as a *khalifah* on earth, and make it

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<sup>18</sup>QS. Ali Imran (3): 14.

<sup>19</sup>The Word of Allah SWT in the QS. Al-Ma'aarij (70): 19 which means "the indifferent human being was created to be." In this verse it is asserted that man is a delicate and grumpy man. However, this nature can be changed if following the instructions of Allah which He stated in verses 22 to 24 further: "Unless those who perform the Prayer (22), They are still doing their prayers (23), And those who are in their property are available a certain part (24)

<sup>20</sup>The more selfishness or the nature of recognition.

easier for him to carry out the duties and responsibilities imposed. However, not always abundant wealth can ensure the owners live serene and happy. Some people who are wealthy, have an empty soul. The abundant treasures do not make them happy. In the perspective of Islam, it is mentioned that 'the treasure is not a blessing'. This blessing can be gained from paying zakat. So that abundant wealth can be a means or a way of doing good (good deeds). Thus, the owner of the treasure can feel the peace and happiness with his possessions.

**Seventh:** Cleans the property. Treasures obtained by humans through various efforts and efforts from various sources are not closed the possibility of pollution. Pollution when in the process of collecting property there is something *subhat*<sup>21</sup> that is not realized / known by the concerned. So there are unlawful possessions in halal piles. In addition, pollution is also possible in the collected treasures of other parties' rights, such as the rights of the poor, which should be left to them. In this case, the zakat is expected to be a pensuci of these treasures.

**Eighth:** As a source of funds for the <sup>39</sup> construction of facilities and infrastructure that must be owned by the community, so that life will be facilitated, such as education, health, social, economic, and bias as well as for the development of human resources quality (training or the like).

**Ninth:** As an Islamic syi'ar. That is to socialize the right business ethics, because zakat will not be received from the treasures obtained in a way that is not true (*bathil*). Management of zakat by applying management functions will be very important in this regard. From here, came the bright ideas in managing zakat to raise the degree and level of economics of the weak (the poor and the poor).

So great is the purpose and wisdom contained in zakat teachings and presenting. And all this can be realized if the zakat is managed properly and professionally.

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<sup>21</sup>*subhat* is a term in Islam which states about the vague state of the halality or the lust of something.

### c. The Nature of Zakat

Based on the arguments that oblige it, the nature of zakat is a right and not a gift or mercy of the rich only. In other words, the obligation for the rich and the legal right for the poor, whether asked or not. The essence of this is essentially so that people are aware that everything that exists on earth and in the heavens and all that belongs to Allah SWT, and the possessions of a person is essentially the trustworthiness of Allah SWT alone. The argument has been mentioned above (see *footnote* no 14).

In addition, based on Surat al-Tawbah verse 104, the nature of zakat is to give up the wealth to Allah Almighty, before it is accepted by the poor and the person who is entitled to receive it. Thus, zakat is the process of transferring ownership to Allah swt. Thus the true nature of zakat is to issue property to Allah SWT. *"Do they not know that Allah receives repentance from His servants and receives Zakat, and that Allah receiveth repentance most merciful."*<sup>22</sup>

That is, the poor need to receive the treasure of the treasure not from the rich, but from Allah SWT. The treasure that God gave to the rich-again returned to them by Allah SWT. And Allah SWT gives to the poor. So the poor do not receive wealth from the rich but from Allah SWT.

Thus, in zakat there is no term indebtedness, repayment, shame or contempt. Because the nature of the gift is from Allah SWT. Especially in Islam a rich person is not excessive in the position of God from the poor because of his wealth. Because that distinguishes only the degree of piety.<sup>23</sup> It is intended to give the opportunity to *mustahiq* utilize the zakat funds as well as possible.

It can also be said that in essence, zakat is an indicator of love / faith of Muslims to God as well as love to fellow human beings. Soul and treasure are

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<sup>22</sup>QS. Al-Taubah (9): 104.

<sup>23</sup>See: QS. al-Hujarat (49): 13.

left entirely to the beloved. Explicitly, the zakat is the gift of the rich, but implicitly is a return to Allah SWT through the *mustahiq*.

I want to say here, that the nature of zakat is a right for *mustahiq* and serves to help, help, and foster the *mustahiq*, especially the poor and needy. Their lives are better and more prosperous, they can fulfill their needs properly, can worship Allah SWT, avoid the dangers of kufr, and eliminate the envy, envy and nature *hurt* that may arise because they see the rich who are well off their lives. Zakat, essentially, is not merely fulfilling the necessities of *mustahiq* a momentary, but providing them with sufficiency and prosperity, by eliminating or minimizing the cause of their lives into poverty and suffering. And is expected to Me-zakat muzakki-kanthem.

### 3. Source of Zakat

#### a. Understanding the Source of Zakat

The source of zakat is the property that is subject to zakat levies on it. In the term fiqh the source of zakat is also called *mahalluz-zakah*, *wi'a'uz-zakah* ie place or **1** object of zakat. In the discussion of zakat, most of the authors discussing zakat, call it 'the types of property that are obligatory in zakati.'

Zakat in terms of *mahalluz-zakah* (object of zakat) is not *ta'abbudi*, but worship *maliyyah*, that is worship of materiality, which means that the verses of the Koran on this subject are flexible and flexible, the interpretation may develop in accordance with the economic development of the ongoing society. This means that in searching for zakat resources can be done in the field *tahqiqul-manat* by the mujtahid. This Ijtihad is merely to establish 'illat<sup>24</sup> the original law, whether it be *mansusah* or *mustanbatah*, for any matter (*furū'* branch) which has no legal entity. With this theory of 'illat the *mujtahid*,

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<sup>24</sup> 'Illat by language means the name for something that causes the change of state of something else with its existence. For example "illness" is said to be 'illat, because with the disease the human body changes from healthy to ill. According to the terms (the majority of scholars Hanafiyah, most Hanbali, Shafi'ites concluded that 'illat is a trait that serves as an identifier of a law. In a sense the existence of a'illat led to the emergence of the law. So 'illat the cause for the law. (Read more : Nasrun, *Ushul Fikih*, 2001: 76-81).

*mujaddid, mutarajjih* can establish the source of zakat that has not been established previously.

## **b. Types of Zakat Compulsory Treasures**

There are two opinions about the kind of property that is obligatory to zakat. Namely: first, Ibn Hazm and the Zahiri school of thought, and Syaukani and Sabiq Hasan Khan, reveals that the source of zakat is limited to what was established and applied by the prophet. According to the narrated Ibn Hazm, the kind of zakat property is: camels, oxen, goats, wheat, wheat kernels, dates, gold and silver.<sup>25</sup> Secondly, Jumhur ulama, reveals that the source of zakat is not limited only to what was established and practiced by the Prophet.<sup>26</sup>

According to al-Jaziri, the scholars of the four schools of thought are in agreement said that the type of property that is obliged to zakah there are five kinds. Namely:

- 1) Livestock (camel, cow, buffalo, goat / sheep);
- 2) Gold and silver;
- 3) Trade;
- 4) Mining and treasures of findings;

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<sup>25</sup>The essence is 1) The wealth of the Muslims must be guarded by the honor of which is clearly affirmed by the nash-nash Quran and Hadith. Therefore nothing can be taken away from that wealth without any underlying nash; 2) Zakat is a religious command. The basis of religious orders is free from all obligations except when there is a nash which obligates them, qiyas should not be applied especially in the matter of zakat. Yusuf al-Qaradawi, p. 145

<sup>26</sup>The bottom line is 1) The texts of the Quran and Hadith global assert that every property contained within it the rights of others. All arguments do not distinguish one wealth from other wealth; 2) All rich people need to clean and purify themselves (At-Taubah: 103); 3) Wealth needs to be cleansed from the dirt "If you pay zakat wealth, then you have cast the bad from it" (hadith). Therefore it does not make sense that cleaning is limited to only eight types of property called Ibn Hazm above; 4) Zakah is obliged to cover the needs of the poor, the debtor, and the travelers, and to carry out the common interest of the Muslims as for the sake of jihad in the way of Allah, to take the hearts of those who convert to Islam to remain in Islam, who owe that friendship is not broken, and others for the sake of Islam and the country; 5) The analogy (*qias*) is one of the sources of law according to *Jumhur scholars*, though not accepted by Ibn Hazm and his friends as Zahiri. Therefore, it seems that it is necessary to analogize all the wealth that grows with the wealth attracted by Zakat by the Prophet. and his friends; 6) We do not deny the sanctity of the Muslim wealth and the right of personal ownership, but argue that the right of God (the right of society) in that wealth and its needy people as poor are also firmly in it. Yusuf Qaradawi, p. 146-148.



5) Agriculture (wheat, date, wine).<sup>27</sup>

Ibn Rushd, mentions four types of property that must be zoned, namely:

- 1) Mining goods (gold and silver that do not become jewelry).
- 2) Unemployed cattle (camels, oxen and goats).
- 3) Grains (wheat and barley /*sya'îr*).
- 4) Fruits (dates and dry grapes).<sup>28</sup>

Yusuf al-Qaradawi suggests that the types of property that must be zoned are:

- 1) Livestock animals.
- 2) Gold and silver.
- 3) Trade Results.
- 4) Agricultural Products.
- 5) Result of land lease.
- 6) Honey and other animal production.
- 7) Mining and marine products.
- 8) Investment returns, factories and warehouses.
- 9) Results of livelihood and profession.
- 10) Stock and bond proceeds.<sup>29</sup>

It does not mean to reject the opinion of Ibn Hazm et al, but the practice that in the source of zakat, from the beginning of Islam until now always undergo development.<sup>30</sup> This, is perfectly reasonable and closer to the purpose of zakat pensyariatan. Because the longer the type of human property increasingly diverse, growing and developing along with the development and

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<sup>27</sup>Abdurrahman al-Jaziri, *Kitabu al-Fiqhi 'ala al-Madzâhibi al-Arba'ah*, (Beirut: Ihya al-Turats al-Arabi, tt), p. 596

<sup>28</sup>Ibn Rusyd, Muhammad bin Ahmad al-Qurtubi, *Bidayatu al-Mujtahid*, (Egypt: Mustafa al-Babi al-Halabi 1370 H), I, cet- 2, p. 259

<sup>29</sup>See: Yusuf al-Qardhawi, 2007, p. 167-497.

<sup>30</sup>In the early days of Islam, zakat property was distinguished from visible property (*zahiriyah*), which is related to zakat (*mawashi*), grains (*habb*) and fruit (*thimar*). And the (*unseen treasure batasanyah*). This second kind of treasure can be easily concealed by its owner, who in the days of Abu Bakr, includes money (*samit*) namely gold and silver. Abu Ubayd, 540 no. 1259; 671 no. 1819 in Ugi Suharto, 2004, p. 214-215.

progress of science and technology. Of course these developments still pay attention to the principles of Shariah regarding the arrangement of zakat.

### **c. Requirement of Wealth of Mandatory Zakah**

The type of zakat property as mentioned above, must be issued zakat when it meets the properties and conditions of the zakat compulsory wealth. Yusuf al-Qaradawi mentions six qualities and conditions, namely:

#### **1) full-owned;**

Wealth, subject to zakat when under control and in the possession of the owner. Some jurists declare: the wealth must be in the possession of the owner, not to be implicated in the rights of others, to be used, and the benefits can be enjoyed. Therefore, the merchant's property which is not yet in his hands, the pawned treasure, the goods robbed and diverted are not obligated to zakat.<sup>31</sup>

With this "full-ownership" requirement, the issue that arises later is regarding the zakat of the loan. Suppose the Hasan menyinkankan money to the Badu. Whether Zakat is compulsory for Hasan, because he is the owner, or his zakat is obliged to the Badu, because he who uses or benefits from the loan, or Hasan and Badu are obligated to zakat, or both are not obliged to zakat. In response to this problem the scholars differed.<sup>32</sup> First, both are not obligatory zakat'. Ownership in the loan is not full. The borrower is only the user and the beneficiary, while the wealth is still the owner of a single owner when it can be taken. Of those who lend, the wealth is not actually in his hands, because it is used by others.<sup>33</sup> The zhahiri school "debtors are not obligated to zakat".<sup>34</sup>

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<sup>31</sup>Yusuf Qaradawi, p. 128. The Zaidiyah School, provides the requirement of 'stability' in full ownership every year. That is "to be in the hands of its owner; the owner knows where the goods are located; nothing is a barrier he takes it; if in the hands of others, the other person justifies it, or can still be expected. If it is unknown, it is believed to be found (such as stuffed, lost, dititip and the like). The property which belongs to the above nature and condition, is subject to obligatory zakat. Yusuf Qaradawi, p. 129

<sup>32</sup>Yusuf Qaradhawi, p. 134-137.

<sup>33</sup>This opinion was adopted by the Ikrima and 'Atha, Ibn Hazm. Ibn Hazm narrated from Aisha, "Loan is not obligatory zakat". The sense is that zakat is not obligatory for the borrower (Badu) or who lends (the Hasan) in the above case.

<sup>34</sup>Rafiq Yunus, h. 112

Secondly, the zakat is on the borrower (the Badu) '. In *al-Amwal it isstalleth* said: "The charity of the loan is borne by the one who enjoys it, if heit." This Hadith is narrated by 'Atha, but he also narrates the contradiction to this as mentioned above. It appears that 'Atha is inconsistent.

Thirdly, the zakat is on the lender (the Hasan) '. In this case the majority of scholars of Jurisprudence, from the time of the Companions to the next, argue that there are two kinds of loans. (1) expected loan return.<sup>35</sup> Zakat is promoted along with its existing wealth every year.<sup>36</sup> (2), an unexpected loan returns again.<sup>37</sup> In this case there are three opinions. a) Issued his zakat for the years of wealth in his hands. This is the opinion of Ali and Ibn Abbas. b) He issued his zakat for a year only, and this is the opinion of Hasan, and Umar ibn Abdul Azis who is the opinion of the Malik priest about all types of debt, is expected to return or not. c) He does not spend his zakat either for years or for a year alone. This is Abu Hanifah's opinion.

## 2) Growing:

Jumhur scholars agree that the compulsory zakat of wealth above is the development of the wealth by cultivated. This requirement is based on the instructions of the Messenger of Allah. and the actions of the four caliphs, and in accordance with the notion of the word zakat itself is "developing". A concrete example of this requirement is that in the days of the first Islam, animals for withdrawal, residence houses, work tools, household furnishings, and others were not obligated to issue their zakat, including wealth that develops with business or has the potential to develop.<sup>38</sup>

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<sup>35</sup>that is a clear loan from a person who is adequate.

<sup>36</sup>The narrators are Abu Ubaid from Umar, Usman, Ibn Umar, Jabir bin Abdullah from the Companions, and fortified by Jabir bin Zaid, Mujahid, Ibrahim, and Maimun bin Mahram from the side *tabi'in*.

<sup>37</sup>is a loan from an insured person who will not be able to repay or loan from someone who does not recognize his debt, while the owner does not have any evidence.

<sup>38</sup>Yusuf Qaradawi, p. 138-141

From this theory, it can be said that "all the developing wealth is the source / subject of zakat, whether it develops by itself or by effort". Al-Mawardi, states: "The obligatory zakat of the law on property that is developed or can be developed. As long as there is growth / growth, the zakat is obligatory. If the treasures can not be developed then the zakat is not obligatory."<sup>39</sup> Abu Zahrah, states:" The treasures that develop in real or can be developed then obligatory zakat. Thus included in the category of mandatory zakat animals that can be bred, such as monitored lizards, ass ass, tame donkeys, horses (as long as all animals are cultivated).<sup>40</sup> Furthermore, Yusuf al-Qaradawi states that it is unwise to obligate zakat to wheat farmers, while wealthy merchants who own apple orchards and mangoes of acres are not obliged to zakat.

Thus, the source of property from animals, agriculture and trade, if developed or can be developed, regardless of its kind then obligatory zakat.

### 3) Enough *Senisab*;

The scholars agree that the wealth exposed to the obligations of zakat should be up to *senisab*. Except for agricultural products, fruits, and precious metals.<sup>41</sup> The difference between nisab and the level of zakat sources indicates the value of the ratio / consideration used when determining the *nisab* and zakat levels. The difficult and easy to obtain ratios can be seen in the zakat content of agriculture (5% irrigated and 10% non-irrigated)<sup>42</sup> and

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<sup>39</sup>Rafiq Yunus al-Mushry, 2006, p. 24

<sup>40</sup>Rafiq Yunus al-Mushry, 2006, p. 45

<sup>41</sup>Abu Hanifah argues that many or fewer yields from the land should be deducted by 10% Ibn Abbas, Umar bin Abdul Aziz and others, that in the ten-tier vegetables grown from the ground are obliged to issue alms as much as one sash. But Jumhur scholars argue that nisablah is a provision that obligates zakat for all wealth, whether it is wealth that grows from the ground or not. Their reason is the hadith: "under five quintals there is no zakat".

<sup>42</sup>5% and 10% are the maximal and minimum size that can not be bidders for more than that. But if the said cost of maintenance is more than that, it is sometimes calculated between the capital and the yields are unbalanced, or even loss or profit but very few, then how is the law of zakat in dealing with such cases ?. In order to be more in depth it needs special assessment. However, al-Qaradhawi in his *Fiqhuzah*, states: When financing the land and crops from debt, Ibn Abbas ra. And Ibn Umar ra. argued, debt was first repaid from agricultural produce and the rest was calculated by zakatnya, when the remainder reached one nisab. About the costs of plants and fruits that are not out of debt such as the cost of being spent from his own pocket for seedlings, fertilizers, hijacking costs, irrigation, grass clearing, etc., in this case the scholars differ in opinion. *First opinion*: 'Atha, Ibn Umar ra. and ibn Abbas ra: Can be taken into account. When there is a residue of one nisab collected zakat when it is not there is no zakat. Ibnul Arabi in *syarh at-Turmuzi* argues with the opinion of 'Atha, based on the hadith of the Prophet saw: "Leave a third or a quarter (do not count)."

ricaz (20%), economic value in gold and silver and so on (2.5%). This provision shows that zakat is imposed / charged on the rich.

#### 4) More Than Ordinary Needs;<sup>43</sup>

The Hanafi scholars in most of their books add to the provision of nisab, the wealth that flourishes with that wealth from the "normal needs" of the owner, because with this one is rich and enjoys a luxurious life. Based on the words of the Prophet: '*pay the zakah of your wealth by which you gain pleasure*'. Normal (routine) needs are something that is absolutely necessary for the sustainability of life such as daily shopping, residence of weapons for self-defense, or clothing necessary to protect the body from heat and cold. Or that includes primary needs, such as debt, work equipment, home furnishings, animal mounts, and science books. <sup>44</sup>Therefore if a person has some money that needs to be spent to meet the needs above, then he means to have nothing. It means he is not obliged to zakat.

#### 5) Free from Debt;

This little issue has been alluded to in the explanation of "full possession". Briefly there are three opinions. (1) *Jumhur ulama* (Malik, Auza'i, and Shafii) distinguish visible treasures<sup>45</sup> and those stored<sup>46</sup>; (2) Abu Haneefah, the obligation to obstruct the obligatory zakat of all wealth, except for agricultural products and fruits; (3) Abu Ubaid, the obligation to

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This Hadith is the order of the Messenger of Allah to the zakat officers in estimating the yield of the agar so that a third or a quarter from that result do not be taken into account for the collection of zakat. It seems in this hadeeth the Prophet considers also the costs of maintenance. *Second Opinion*: Any costs incurred for plant management can be deducted from zakat. The reason 1) the burden and the cost have the effect of reducing the mandatory rate, such as drainage with reduced compulsory tools to be half the tenth. 2) the "essencenamâ" (developing, is after calculating the expense of expenditure, the new findings are known, and there is a *name*. Al-Qaradhawi chose the second opinion

<sup>43</sup>The essence is the hadith: "Zakat is only charged on the shoulders of the rich"; another hadith "Zakat is not burdensome on the shoulders of the rich" (Narrated by Imam Ahmad in his musnad, narrated by Imam Bukhari from Abu Hurairah). Allah's Word 'they ask you Muhammad about what they will give. Ibn Katsir said: Ibn Umar, Mujahid, 'Atha, Ikrima, Sa'id bin Jubair, Muhammad bin Ka'ab, Hasan, Qatada, Kasim, Salim, 'Atha Khurasani, Rabi'ah bin Anas argues that *al-Afwu* in the verse is "more". Tafsir Ibn Katsir, vol. 1, p. 256.

<sup>44</sup>Rafiq Yunus, *an-Name* '...', p. 109, mentions: Essentials (al-Qunniyah), goods used to meet everyday essentials both fixed and non-permanent. This item is not obligatory of zakah, such as clothes, riding animals (*al-dawab*), cars, houses and home furnishings.

<sup>45</sup>Obligatory zakat is debt or not. There are several reasons in this regard: Zakat collectors of the Apostle and Companions have never asked their owners any debt or no. In the days of Abu Bakr, this group was fought for not paying zakat. Zakat collectors also never ask for zakat stored wealth. And the poor are very touched by the visible wealth. It means wealth zakat looks very strong.

<sup>46</sup>Debt barring the obligatory zakat. Narrated Malik in *al-Muwaththa* ' ' whoever has debt, pay first, then he has issued the remaining zakat. ' Shafi'i also narrated from Ibn Shihab from the source of Said bin Yazid from Usman.

comply with the obligatory obligation of zakat if the debt is really true and true. Abu Ubaid, narrated from Saib bin Yazib: I heard Uthman ibn Affan say "this is the month of zakat, who has the debt to pay before you issue your zakat wealth".

However, Ibn Rushd,<sup>47</sup> explains that in the opinion of the jumhur ulama, the most obvious intent of the Shari'a requires that the obligation of zakat be discharged from the debtor. This is supported by the texts, soul, and integral principles of the Shari'a on wealth. Ownership of the debtor is weak and incomplete, the person who has a debt equal to or reduce the amount of nisab including who may receive zakat because belonging to the category of poor, people who have debt is not including the rich because he needs to settle the debt, the consequence is that zakat is required to menyantuni people who are in trouble, and the person in debt is in trouble.

#### **6) Self Haul**

Even one year (354 days year of Hijrah, 365 days of Masihi year). Jumhur fiqh scholars, require gold, silver, and livestock obligatory zakat after a year. This is because the application of the caliph, its popularity among friends, its popularity among the people, and the belief of the scholars that such popularity must mean that it is not disputed which means it is a decree (*tauqifi*). A hadith marfu 'narrated by Ibn' Umar from the Prophet. Mentions: "*there is no zakah on wealth until it passes a year*" (HR Daruquthni and Baihaqi from Ibn Umar) ". From Ibn Masud, Ibn Abbas and Muawiyah reported, argued that wealth is obligatory to zakat when used after one year. The scholars of *salaf* and *khalaf* argues that the zakat of nominal property, ie of livestock, money, and merchandise is only required once a year and that zakat is not collected twice in that year.

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<sup>47</sup>Ibn Rusyd, *Bidayah al-Mujtahid...*, p. 238.

The difference of the 'ulama lies in the "acquisition wealth".<sup>48</sup> The opposite is like money, trade goods and livestock. Is the wealth of compulsory zakat earnings after quite a haul, or not? If not until *senisab* whether combined with the property that is in the owner, then *dizakat*? Ibn Qudama in *Al-Mughni* as quoted by al-Qaradawi divides it into three groups. 1) If the acquired wealth becomes a growing status because it increases with the wealth available to it, then the obligatory zakat such as trade profits and livestock products. 2) If the wealth of the acquisition is not of one kind with the wealth available to him, for example, he has a *nisab* of camels to which he earns money. In this case there are two opinions. According to the scholar *Jumhur* his acquisition is not equated with the treasures that exist on him, if his "acquisition" until *senisab* applied to him one year ago issued *zakatnya*, whereas if not until *senisab* not issued zakat. In the opinion of Ibn Masud, Ibn Abbas, and Mu'awiyah zakat obligatory so "acquisition" is accepted. Narrated from Ahmad, from a source not just one saying "should be issued *zakatnya* so obtained." Hadith from Ibn Masud, "Abdulah gave us something and issued his zakat." 3) When the wealth of acquisition is one type with the wealth that existed to him that has reached *senisab* and has until his time of one year, for example he has forty goats who have not passed his time one year, then he bought or given a hundred more. According to Ahmad and Shafi'i the last issued *zakatnya* a year later. According to the last Hanafi combined with the calculation of the year with other wealth, then issued *zakatnya* together wealth that has reached its full year.<sup>49</sup>

It seems that Hanafi's opinion is closer to the principle of zakat *pensyariatan*, and according to the author of a kind or not the acquisition with the treasures that exist in a person there is no proposition that prohibits merging, then assess *nisabnya* together and issue his zakat with "*haul*" treasure

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<sup>48</sup>ie wealth that includes regular income, such as salaries and wages, benefits, benefits and gifts or the like. Most of the same as plants, fruits, precious metals are obliged to pay zakat when it comes to politics and this is not contested.

<sup>49</sup>Yusuf al-Qaradhawi, 2007, p. 125-166.

first. Because it separates the property that belongs to the owner as it evades from paying zakat.

#### **d. Zakat Resource Development in Indonesia**

In Indonesia, the presence of a law on zakat management<sup>50</sup> has had a considerable impact on the Indonesian paradigm of zakat. Although this change is not too significant, and slow, but at least the development of zakat resources has been done, and has also seen awareness on some people who have business types other than those mentioned in the fiqh-fiqh classic to pay zakat.

In the Law of the Republic of Indonesia Number 38 Year 1999 on the Management of Zakat, it is mentioned that zakat, is a property that must be set aside by a Muslim or a body owned by a Muslim in accordance with the provisions of religion to be given to who is entitled to receive it.<sup>51</sup> And mentioned there are seven types of property that must zakat, namely:

- 1) Gold, silver and money.
- 2) Trade and company.
- 3) Agricultural products, plantation products, and fishery products.
- 4) Mining results.
- 5) Livestock products.
- 6) Return on income and services.
- 7) Rikaz.<sup>52</sup>

Subsequently Law No. 38 was amended, Law of the Republic of Indonesia No. 23 of 2011 on the Management of Zakat was born. In this Law zakat mal (wealth) includes:

- 1) gold, silver, and other precious metals;
- 2) money and other securities;

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<sup>50</sup>The Law of the Republic of Indonesia Number 38 Year 1999 About Zakat Management, consists of 10 chapters 25 articles. This Act was then amended to become the Law of the Republic of Indonesia Number 23 of 2011 on Zakah Management, consisting of Chapter XI and 47 articles. A more detailed explanation will be explained in the history section chapter 3.

<sup>51</sup>The Law of the Republic of Indonesia Number 38 of 1999, Chapter I article 1 paragraph (2).

<sup>52</sup>Act of the Republic of Indonesia Number 38 of 1999, Chapter IV, Article 11 (2).



- 3) commerce;
- 4) agriculture, plantation and forestry;
- 5) livestock and fisheries f. mining;
- 6) industry;
- 7) revenues and services; and
- 8) rikaz.<sup>53</sup>

When compared to the two laws there are additional sources of zakat in Indonesia. This shows the effort to continue to explore the potentials of zakat treasures available.

According to Didin,<sup>54</sup> the kind of property that must be zoned in accordance with the development of modern economy today. Namely:

- 1) Zakat profession.
- 2) Zakah on the Company.
- 3) Zakah on securities.
- 4) Zakah on currency trading.
- 5) Zakat of livestock traded.
- 6) Zakah on honey and animal products.
- 7) Zakah on property investment.
- 8) Zakah on sharia insurance
- 9) Zakat orchid plant business, swiftlet nest, ornamental fish, and other similar sectors of modern.
- 10) Zakah of the modern household sector.

Both Law and Didin, directing that the source of zakat can be individuals and companies. The description of the difference of the experts on the source of zakat mal shows that in establishing the source of zakat, Islam is very flexible, and dynamic, therefore the source of zakat will depend on the development of the business world and the work of mankind. Importantly, in

<sup>53</sup>The Law of the Republic of Indonesia No. 23 of 2011 on Zakat Management Chapter I Section 4 verse 2.

<sup>54</sup>See: Didin Hafidhuddin, 2002, p. 91-121.

its determination must pay attention to the four principles<sup>55</sup> in property. If the principle is in the treasure, then the obligatory zakah and can be defined as the source of zakat mal, namely:

1) *Illat Growth Fertility* or

<sup>2</sup> That zakat is present in all possessions that contain ' *illat* (cause) fertility, or flourish, either self-evolved or developed by way of breeding or trading.

2) Plants with economic value.

This is very clear in the terms of zakat. Based on the Quranic theorem,<sup>56</sup> Hadith,<sup>57</sup> Ijma 'and ratio.<sup>58</sup>

<sup>2</sup> 3) That the zakat is contained in all the treasures issued from the bowels of the earth, whether in the form of liquid or solid form (mining). Such as gold, oil, coal, and the like.

4) That the salary, honorarium and fees, which we receive, in which there is a zakat property that we must pay (income).

These four principles are very important to consider in determining whether a property or business is obligated to zakat or not. And also underlying the calculation of zakat which is included in appendix II of the Instruction of

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<sup>55</sup>The principle here is basic, basic, basic rules. So the basic rule for zakat resources, or according to Abdul-Khaliq an-nawawi, is the general rule of property that is subject to zakat on it. Depag RI, *Guideline of Zakat 9 series*, Jakarta, 2000

<sup>56</sup>The Qur'an's al-Quran, surat al-An'am verse 141: "And fulfill the right thereof to quote the result (with zakatnya issued)". Al-Baqarah verse 267: "O ye who believe! Spend part of your good deeds, and part of what we bring out from the earth for you."

<sup>57</sup>The traditions of the hadith: "In plants watered by (rain of) sky, and springs, or plants' atsari (plants that are watered by rainwater, or plants whose roots can suck the springs of the water source close to it without watering again). there is a tenth obligation. And in the plants that watered (using) tools, there is a duty of the twenty-second zakat." Narrated by Al-Jama'ah except a Muslim from Ibn Umar (Annail IV / 139). And the Prophet said: "In the rivers that are watered and overcast (rain), there is a tenth obligatory. While in plants that are watered through the instrument of worship, [57] there are twenty-one." Narrated by Ahmad, Nasai and Abu Dawud. He said: the rivers and springs, from Jabir (Nailul Authar IV / 139).

<sup>58</sup>As the arguments of ijma 'then the Ulama have agreed on the obligatory one-tenth of the obligations for the plants that are watered without the owner's hard work as watered as rain water and plants that suck the water with its roots. While the plants are watered with the cost and the owner's hard work it is obligatory to pay the 25th. There has been a consensus of the Ulama on this matter, as stated by al-Baihaqi, if the plant was watered with the owner's hard work for half a year, and the remaining half of the year without the owner's hard work, the zakat was twenty-four. This is based on the content of one of the two. And if one of the means of watering is more than the other, then zakah is calculated by the way of watering more, so that the rest of the provisions (less watering) are lost. While the rationale for the rationale is that spending one-tenth of the duty to the poor is one of the efforts of grateful favors, strengthening the weak, making it ready to fulfill its obligations, and including purification and cleansing from sin. And all that is a necessity both in terms of intellect and shari'ah.

the <sup>13</sup> Minister of Religious Affairs No. 5 of 1991 on the type of property tables and the obligatory obligatory zakat. In this table are mentioned five types of property that must be zoned, namely: plants, gold and silver, company, trade, income and services, livestock, fixed income.<sup>59</sup>

According to the authors of these four principles, the source of zakat can be <sup>35</sup> in the form of wealth developed / cultivated in the form of livestock, agriculture and trade. And wealth which is income / acquisition in the form of mining, salary, service / profession, rent, and others. Thus, zakah acceptance in Indonesia can be significantly increased by expanding the source of zakat.

**Table 1.1**  
**Type of Treasures and Provisions of Mandatory Zakah**

No.	Type of Treasures	Nisab	Content	Time	Information
I.	Herbs: 1. Rice	750 kg of rice / 1350 kg of grain	5% or 10%	Each harvest	<ul style="list-style-type: none"> <li>- 5% if the water is difficult (own business) and cost, 10% if the water comes from the rain / sky (Allah SWT)</li> <li>- valued *, meaning can be calculated the price</li> </ul>
	2. Grains: corn, kacangkedelai etc.	Worth * nisab paddy	5% or 10%	Each harvest	
	3. Ornamental plants: orchids, and all kinds of flowers	-Number of rice nisab value	5% or 10%	Each harvest	
	4. Grasses: ornamental grass, sugar cane, bamboo, etc.	Worth of rice nisab	5% or 10%	Each harvest	
	5. Fruits: mango, orange, banana, coconut, rambutan, durian, etc.	Worth of rice nisab	5% or 10%	Each harvest	

<sup>59</sup>See table 1.1. This is the basis for the determination of the obligatory property of zakat in Indonesia.

	6. Vegetables: onion, carrot, chilli, etc.	Worth of rice nisab	5% or 10%	Each harvest	
	7. All types of plants that have value economic	Worth of rice nisab	5% or 10%	Each harvest	
II.	<b>Gold and silver</b>				
	1. Pure gold	85 - 94 grams of pure gold	2.5%	One year	<ul style="list-style-type: none"> <li>- If for everyday jewelry is not required if the gram is still considered reasonable</li> <li>- There are different scholars about the number of this gram. There is a loose 78 grams, which is 85, a tight 94. Then that is fairer in Indonesia.</li> </ul>
	2. Women's jewelry, furniture / home appliances from gold	Worth 85 - 94 grams of pure gold	2.5%	One year	
	3. Silver	672 grams of pure silver	2.5%	One year	
	4. Women's jewelry, furniture / home appliances from silver	Worth 672 grams of pure silver	2.5%	One year	
	5. Precious metals, other than silver, such as platinum and so on.	Worth 85 - 94 grams of pure gold	2.5%	One year	
	6. gems, such as diamonds, diamonds, etc.	Worth 85 - 94 grams of pure gold	2.5%	One year	
III.	<b>Company, trade, income and services</b>				
	1. Industries, such as cement, fertilizer, textile, and the like	Worth 85 - 94 grams of pure gold	2.5%	One year	

	2. Hospitality business, entertainment, restaurants, and the like.	Worth 85 - 94 grams of pure gold	2.5%	One year	
	3. Trading of export / inport, contractor, real estate, printing / publishing, supermarket / supermarket, and the like.	Worth 85 - 94 grams of pure gold	2.5%	One year	
	4. Services, consultant, notary, commissioner, travel bureau, salon, transportation, warehousing, workshop, accountant, doctor, and the like.	Worth 85 - 94 grams of pure gold	2.5%	One year	
	5. Income, salary, honorarium, wages, services production, overtime, and the like.	Worth 85 - 94 grams of pure gold	2.5%	One year	
	6. Plantation, fishery, and animal husbandry	Entering 85 - 94 grams of pure gold	2.5%	One year	
	7. Money deposits, deposits, tabanas, Taska, simpedes, simaskot, stages, demand deposits,	Worth 85 - 94 grams of pure gold	2.5%	One year	

	and the like.				
IV.	<b>Livestock</b>				
	1. Goat, Sheep, Sheep	40 -120 tail 121 - 200 tail	1 tail 2 tail	One year	Each additional 100 zakatnya tail 1 tail
	2. Cattle	30-39 tail	1 tail 1 year old	One year	- ** Each additional 30 zakatnya plus 1- yearold 1 -- ** Each additional 40 zakatnya plus 1- year-old tail 2
		40-59 tails	1 tail 2 years old	One year	
		60-69 tails	2 tail 1 year old	One year	
		70 heads **	2 heads aged 2 years	One year	
	3. Buffaloes and Horses	equal to cows	with cows	One year	
V.	Fixed Income	Worthpure gold	2.5%	One year	

Source: <sup>14</sup> Ministry of Religious Affairs RI Directorate General of Islamic Community Guidance and Hajj Affairs, "Zakat Management", Jakarta, 1999 and elaborated by writers from other sources.

#### 4. Leaving Zakat Money

There are many questions about this zakat money. Is it mandatory or not ?. Contemporary clerics view that banknotes must be issued zakatnya as silver-gold money, that is 2.5%.<sup>60</sup> Wahbah Zuhaili in his work *al-Fiqh al-Islamy wa 'Adillatuhu* states that at present the capital in the form of money is not only concentrated to the processing of land and trade, but also has been directed to the establishment of buildings for lease, factories, air, sea and land transportation and so on. Yusuf al-Qaradawi in *Fiqh Zakat* termed this activity with *al-musthaghallat* or investment, either for lease or for production activities which are then sold. It provides examples of housing, rented transportation equipment, even factories that produce various commodities to be sold in markets.

<sup>60</sup>Yusuf al-Qaradawi, 2007, p. 266-270; Sabiq, terj., 1996, Volume 3, p. 33.

According to Didin, the clerics of the Hambali school, the Maliki school, the Hadawiyyah ulama of the Zaidiyyah school, as well as Abu Zahra, Abdul Wahhab Khallaf and Abdurrahman Hasan, argue that the property is obligated to issue zakat, on the basis of: (1) In the letter at-Tawbah verse 103 there is a mandatory order to issue zakat for all kinds of possessions. (2) In a general hadith, such as the history of Imam At-Turmudzi from Abu Hurairah, Rasulullah SAW. He said: "*When you have issued zakat you, then you have obligations.*" In another *hadith*, the Prophet Muhammad also said: "*Take out by you, zakat you.*" (HR. Muslim). (3) Based on *Ijma' Ulama*: The reason zakah is obligated on a zakat source, as agreed by the Fuqaha, is to grow and develop. Undeveloped treasures, such as houses of residence, jewelry that can be worn by women, horses that can be used for battle, cattle, and camels are employed, are not obligated to issue zakat. While treasures in various forms are invested, is growing and developing, so there is a compelling reason to obligate zakat on it.<sup>61</sup> (4) Among the wisdom disyariatkannya zakat, is to cleanse and purify the soul and the heart of the owner of the treasure, sponsors the needy, such as the poor and needy, the participation of the owners of property to defend the religion, and maintain and spread the da'wah of Islam. All that will be realized, when the owners of treasures willing to issue zakat property owned. (5) The second congress of the scholars discussing Islamic matters in 1965 AD made a decision that the growing and developing treasures, which had no *texts* (Qur'aan and Hadiths) or their propositions or had no provisions *fiqh* obligating them, were obliged to zakah, not of the type of object, such as airplanes, buildings, etc., but from the net gain it gains. This is based on a hadith from Imam Ahmad bin Hambal, that "the net profit of such property is obligatory to issue zakat."<sup>62</sup>

The MUI fatwa No. 03 of 2003 on zakat income states that zakat income, ie any income such as salary, honorariums, wages, services, etc. obtained in a lawful

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<sup>61</sup>This problem can also be read: Rafiq Yunus, h. 109-110.

<sup>62</sup>Didin Hafidhuiddin, Property Investment Zakat (Factory And Similar, [www.pkpu.or.id](http://www.pkpu.or.id), accessed March 25, 2008.

way, whether routine as state officials, employees, employees, or not routinely as doctors, lawyers, consultants and the like, as well as income earned from other free employment. The law is mandatory if nisab and enough haul is worth 85 grams of gold, with a content of 2.5%, directly issued when the senisab and collected a year if not until senisab.

Al-Qaradawi, mentioned, Zakat Profession (*Kasbul-'amal* and *al-Mihanul-Hurrah*), ie zakah on workers' wages, employee salaries and self-employment fees. The term *kasbul-'amal* by al-Qaradawi is the work of a person who is subject to a company or an individual with a wage. While *al-Mihanul-Hurray* is a free work, not tied to others, such as the work of a private doctor, contractor, lawyer, artist, tailor, carpenter and so on.<sup>63</sup>

In principle, around 1952 AD in Dimisyik, Abdur-Rahman hasan, Muhammad Abu Zahra and Abdul wahab Khallaf have thrown the issue of zakat money (profession) on their lectures. They are paying wages and free business income with rented house revenue according to the Ahmad School. Imam Ahmad is of the opinion that whoever leases his house and receives the rent as much as one nisab, then obligate zakat upon it upon receipt of the rent, unconditionally waiting for a year.

According to al-Qaradawi, salaries, wages, entrepreneurial income are categorized as *mustafad malls*,<sup>64</sup> ie new income treasures, which are not assets already levied on zakat. *Mustafad mall* has been agreed by the next congregation of friends and clerics to be obliged to be charged zakat.

Based on the above explanation, there is agreement among ulama, salaf, khalaf, and contemporary about the obligation of zakat money. The difference of opinion is only at the time of obligatory zakat, that is about the requirements *haul*.

- a. According to Imam Abu Hanifa, not zoning before perfect one year in the hands of the owner, except when the owner has similar assets which at the beginning of the year has reached one nisab.

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<sup>63</sup>Yusuf al-Qaradhawi, *Fikih Zakat ...*, 2007, p. 459-489.

<sup>64</sup>The *mustafad mall*, is a property acquired by Muslims and has only one way through its legal owner's means.



- b. According to Imam Malik, not zoning before perfect a year, either the owner has similar or no property, except cattle.
- c. According to Imam ash-Shafi'i, it is not zoned before a year, even though the owner has similar property, except his own cattle which are zoned to follow his parent.
- d. According to Ibn Hazm, all the treasures are hinted at a year of either property *mustafad* or not, whether cattle or not.
- e. According to David Azzahiri, obligatory zakat unconditionally up to a year.
- f. According to Yusuf Al-Qaradawi, *Mustafad's malls* such as salaries, labor wages, doctors' income, lawyers, contractors and capital income outside trades, car rentals, boats, airlines, hotels, entertainment venues and so on, up to a year, but dizakati at the time received the income.

The lesson of this difference is that the matter of zakat is a matter of ijtihadi. So the good determination is with the agreement that has authority. In Indonesia, submitted to the State (Government) according to its level. Because BAZNAS has an important role in agreeing on this. And the last opinion (Yusuf Al-Qaradawi) is more inclined to be used in Indonesia in establishing the zakat of property *mustafad*. This is the opinion that the author is more oriented to the development of the world economy, which became one of the missions of the law of zakat. In the implementation of zakat economy, the important thing to note is what is to be achieved from the zakat is not the material of zakat.

## 5. Leaving Zakat on minerals (*rikaz*)

Like zakat money, zakat of mining is also often disputed. The source of zakat from *rikaz* is great, because: (1) *rikaz* covers all the treasures stored and buried in the ground; (2) does not take *Nisab* into account; (3) there is no haul; and (4) anyone who finds, whether Muslim or non-Muslim, is obliged to issue zakat.<sup>65</sup> The tariff of zakah on minerals varies<sup>66</sup> between 20%, 2.5%, or 5%, 10%, and is in accordance with the ratio between the goods produced and the effort and

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<sup>65</sup>Yusuf al-Qaradhawi, *Jurisprudence Zakat ...*, p. 410-413; Sabiq, *Fiqhu al-Zakat...*, p. 73-78.

<sup>66</sup>Yusuf al-Qaradawi, *Fikih Zakat ...*, p. 417-423.

expenses incurred. In principle, the less difficulty level, the greater the zakat level.

In Indonesia, zakat potential of mining goods (*rikaz*) is quite large. Given Indonesia gifted with extraordinary natural wealth. Indonesia is the world's second largest producer of tin, the fourth for copper, the fifth for nickel, the seventh for gold, and the eighth for coal.<sup>67</sup> Not to mention if we consider also oil and gas which has been the mainstay of Indonesian exports.

One company such as PT Freeport Indonesia (FI) alone exploits a mine in Papua which has the world's largest gold reserves of 2.16 million kg and the world's third largest copper reserve of 22 million tons, and makes a remarkable profit by producing it daily at least 1,800 tons of copper and 9,000 troy ounces of gold. Using the gross value added of the mining and quarrying sectors as a proxy for rikaz value, in 2006 we have estimated the potential of zakat rikaz at least Rp 8.9 trillion and a maximum of Rp 71 trillion.<sup>68</sup>

Neither money nor *rikaz* is the obligatory treasure of zakat. Its provisions require an agreement and be endorsed by legislation. In Indonesia, this is not a problem, because it has been established by the Government in Zakat Management Act.

## **6. What is the Shari'ah Principle on Zakat Arrangement**

Starting from the discussions about zakat that have been done by the experts, then there are six principles of Shariah governing the zakat, namely:

**First:** Principles of belief. Paying zakat is a worship, only someone who truly believes can execute it in the real sense and soul. This principle is reflected in the zakat rules that the zakat is a Muslim.<sup>69</sup>

**Second:** The principle of justice. The term zakat can be used on all types of income such as: hidden treasure, crops, livestock, income and so forth. This

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<sup>67</sup>Data World Bank, 2005.

<sup>68</sup>Yusuf Wibisono, Paper presented at the Focus Group Discussion BAZNAS - Dompot "Benchmarking and Impact Making Strategy Toward Empowerment Zakat Economic System Fair", Jakarta, March 14, 2007.

<sup>69</sup>Joseph Qaradawi, *Fikih Zakat ...*, p. 96.

principle follows the principle of justice which states that the less the amount of work and capital, the less the level of levy (level) of zakat.<sup>70</sup>

**Third:** Principles of productivity and up time (*nisab and haul*). With this principle, the zakat is paid every year after paying attention to *Nisab*. *Nisab* applies to zakat when it is time and productive. The enactment of a twelve-month period is crucial, because time is necessary to realize productivity.<sup>71</sup>

**Fourth:** The principle of reasoning. <sup>2</sup> The person who is required to pay zakat is someone who is intelligent and responsible. Therefore zakat is only required on those who are able to exercise wisdom. This principle is reflected in the consensus of the opinion of the scholars that the property obliged to zakat belonged to a mature and sane Muslim.<sup>72</sup>

**Fifth:** The principle of convenience. The ease of zakat is derived in part from the nature of zakat collection and partly derived from Islamic law on economic ethics.<sup>73</sup>

**Sixth:** The principle of freedom. That is, a person must become a free man before it can be required to pay zakat. This principle can be extracted in the terms of the obligatory zakat requirement<sup>74</sup> is "independent". And in the terms of the recipient of zakat (*mustahiq*), that slave (*riqab*) is entitled to receive zakat, not zakat.<sup>75</sup>

Of the six principles above, it can be grouped into three parts. (1) The principle of belief, reason and freedom is a principle relating to *muzakki*. (2)

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<sup>70</sup>The principle of justice is contained in the words of the Prophet saw: "For the (yield) of land which is watered by rain and spring, or watered flowing on the surface of the earth is determined a tithe of tithes from the result, whereas for those who are well watered, of the result " (HR.Bukhari).

<sup>71</sup>The Islamic Jurisprudence considers one year to be enough time for the development of a treasure. Therefore *mukallaf* must calculate its assets at market price, if it is enough for one year. Ibn Umar said: The Messenger of Allah said: "Whoever earns wealth after one year, applies zakat on it". (Narrated by Tirmidzi). Al-Zuhaily, 1997, p. 119. In the book of *Syarh ash-Shaghir* can be read as follows: "Assess your wealth per type each year on the basis of the price at that time (market price) at fair price and good purchase."

<sup>72</sup>Among the scholars of this principle is debatable. That is, in terms of the obligatory obligations of children and crazy people. Yusuf Qaradawi, argued that "the wealth of children and the crazy people is obligatory zakat. Zakat is a liability related to wealth and can not be killed from children and crazy people who are asked to issue zakat is their guardian." Some scholars of the Hanafi sect suggested that this problem be set by a religious court. Yusuf Qaradawi, p. 106- 120, Also read Sayyid Sabiq, *Fiqh as-Sunnah*, vol. 1, p. 335.

<sup>73</sup>Abu Ubaid considers that the payment of zakat must be simple (*taysir, tashili*) for the payer of zakat. See: Abu Ubayd, 467, no. 962 in Ugi Suharto, p. 224.

<sup>74</sup>Learn more, the obligatory obligation of zakat is: Islam- Merdeka- Completely Perfect - The Effort of Good Business- Enough Nisab- Enough Haul.

<sup>75</sup>Yusuf Qaradawi, p. 583-593

Principles of productivity, nisab and haul are related to the nature of zakah compulsory property; (3) Principles of justice and ease<sup>9</sup> related to the management of zakat.

## 7. The recipient of Zakat (*Mustahiq*)

Sayid Muhammad Rashid Ridha based on the letter<sup>2</sup> at-Taubah verse 60, divides the 8 groups entitled to receive the zakat to two parts:<sup>76</sup>

- a. To Individuals, there are 6 groups
  - 1) Fakir Group (*fuqarâ* ') abandoned in life due to the lack of tools and conditions.
  - 2) The Poor (*masâkîn*) group with nothing.
  - 3) Group of Zakah employees (*'milîn*), who work to regulate the collection and distribution of zakat.
  - 4) People who need to be entertained (*mu'allafati qulûbuhum*), who need material or financial aid to bring their hearts closer to Islam.
  - 5) People of debt-bound (*Ghârimîn*), who do not want to free themselves from the debt.
  - 6) The displaced persons on the way (*Ibn al-sabîl*), who need the help of the cost for his life and his home and to return to his hometown.
- b. To public interest from society and country, there are 2 groups:
  - 1) For liberation and independence, for each individual (individual) or for a group or a nation, named *fî al-riqâb*.
  - 2) For all the interests, the people and the country, it is a development in every field or the defense of the struggle named *after Allah*.

The eighth *mustahiq* can be explained as follows:

### **First/second: Fakir- Poor**

In reality in poor pakir community difficult to be distinguished and separated. This group is called the first and second group who are entitled to zakat.

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<sup>76</sup>This section has been described by the author in the Productive Zakat book published by the Library of Students in collaboration with the campus in 2008.

Sabahaddin Zaim, divided the people into three categories<sup>77</sup>:

- a. Those whose income did not meet their basic needs, they could take the zakat.
- b. Those who can satisfy their basic needs, but the rest of their income under nisab, they are not obliged to pay zakat, but are not entitled to take zakat.
- c. Those whose income is sufficient for their basic needs and the rest is sufficient for a nisab, they <sup>2</sup>are obliged to pay zakat.

Based on this opinion who are entitled to zakat is the society in the first category, those who do not meet their basic needs. And this is what is called the poor.

It can be said that if a person has half the food for a day-to-night, then he is a poor man. And if he has a gameplay (long shirt) but has no headgear, shoes and pants, while the value of his gamma does not cover the price of all that, just as worthy of his fellow fakir, he is called the poor. Because in such a situation, he does not have enough of what is right for him and does not have the ability to meet his or her basic needs.

So to be regarded as poor, it does not have to be that he has nothing but his aurat cover. Because, such requirements are extreme.

Whereas the poor are when their income is not enough. Sometimes he has a thousand dirhams while he is poor, but sometimes he has only an ax and a rope while he is fit enough. The shack he owned and the clothes covering him just worthy of him, did not deprive the poor of himself. Similarly, home furnishings. Which is really necessary and just as worthy of it. Also the books of fiqh they have. It does not negate the nature of his being a poor (who deserves part of zakat).

Among the prophecies referring to the poor sense of the word is the word of Allah in the letter Adz-Dzaariyaat (51) verse 19: "*And in their property there is the right to **the begging and the non-beggar***". In The Messenger of Allah (may peace be upon him) mentioned:

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<sup>77</sup>Sabahaddin Zaim, *Management of Zakat in Modern Muslim Society*, (Pakistan: tp, 1985), h. 12.

*From Abu Hurairah radiallahu'anhu that the Messenger of Allah (peace and blessings of Allaah be upon him) said: It is not the poor people who call around to ask others, being rejected by a meal or two dates. But the poor is the one who fights life, but does not tell his fate to be given alms, nor does he beg for mercy. (Narrated by Bukhari).<sup>78</sup>*

In another Hadith it is mentioned:

*It is not the poor are the ones who can be driven with two grains of dates and two bribes. However, the poor are the ones who can still resist (not begging). Read if you want, that is the saying: "They do not whine for a man". (HR Bukhari).<sup>79</sup>*

The above arguments give that the poor is *impressional-mahrûm* (see in the letter Adz-Dzaariyaat (51) verse 19) ie the person who can not but keep the honor of himself, **will not beg**. While beggar **theis** still called the fakir. In Indonesia, phenomena close to this sense are homeless and / or beggars.

Among the poor and the poor are those who say that "the poor are worse than the poor. Because there are two possibilities why the poor do not beg. First it may be due to maintaining her honor and having a strong self esteem. Secondly, the possibility of his illness is not as bad as the poor. On this second basis he thinks so. Another opinion says that the poor are worse than the poor."<sup>80</sup>

An-Nawawi said that: "including the poor, if one does not have a job at all or has a job,<sup>81</sup> but does not cover his need, even though he has a house occupied and has a servant".

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<sup>78</sup> Shahih Bukhari, the book of zakat, chapter *Qaulu Allah Ta'ala La Yas'alu an-nas Ilhâfan Wa qamu al-ghina*, Hadith number 1385.

<sup>79</sup> Shahih Bukh <sup>38</sup> the book Tafsir Al-Quran, about *La Yas'alu an-nas Ilhâfan* Hadiths, 4175.

<sup>80</sup> An-Nawawi, Muhyiddin Abu Zakariya Yahya bin Syarauf, *Al-Majmu 'Syarh al-Muhazzab*, (Tp: tt), VI, h. 205.

<sup>81</sup> The meaning of the job here is the proper occupation of the situation and its performance. Jobs that are incompatible with the circumstances and prestige of a person are considered to have no job. And the person who has the right job, but he is busy searching for the knowledge of syar'iyah, he can accept zakat on behalf of the deceased, because seeking knowledge is the law fardhu kifayah. But if he is unable to acquire knowledge, although he is settled on campus, while he is able to work, then he is not permissible to accept zakat. To read more clearly: An-Nawawi, *Al-Majmu '...*, h. 189-199.

Sayyid Sabiq mentions that "the poor and the poor are the people who do not get the sufficiency of life, the opponent of the rich, those who get the sufficiency of his life".<sup>82</sup>

It appears that Sayyid Sabiq tries to compromise the two previous notions. He tries to unify the poor-poor understanding with one category that is one who has no sufficiency in his life. This understanding can be narrow and wide. Given the "sufficiency" is relative in everyone's view.

According to the writer of the poor-poor understanding is more simple and easy to understand as mentioned by Yusuf Qardhawi that they have two characteristics<sup>83</sup> that are: first, weakness in the field of wealth. Second, weakness in physical fields. And according to him it is not useful to discuss more about the difference between the two.

The last two opinions are more in line with the Indonesian community. This definition is also used by BAZIS (currently modified BAZNAS) of DKI Jakarta, even "people who are tied for the sake of da'wah and have no opportunity to make a living in other fields, including the poor category".<sup>84</sup>

**Third: 'Amilîn**

'Amilîn ('Amilûn), says the word' from the Almighty 'Amilun. <sup>1</sup> According to Imam Shafi'i 'amilûn is "the people who are appointed to collect zakat from their owners, the sa'i and the guidance of the way that help them, because they can not collect zakat without the help of the guide."<sup>85</sup>

<sup>1</sup> According to Yusuf Qardhawi, 'amilun is "everyone who works in zakah administration business equipments, both collecting, maintaining, administering, calculating, utilizing and subsequently".<sup>86</sup>

<sup>82</sup> As-Sayyid Sabiq, *Fiqhu al-Zakat*, (Kuwait: Dar al-Baran, 1388/1968), p. 107.

<sup>83</sup> Yusuf al-Qardhawi, *Fiqhu al-Zakat*, (Beirut: Dar al-Irsyad, tt), cet. 2nd, h. 546.

<sup>84</sup> Decree of the Governor-General of the Capital City of Jakarta, No. 276 of 1977, dated May 11, 1977, regarding the Pattern of Productive Fit Zakat Management within the Special Capital Region of Jakarta Capital City. Read: BAZIS, *ZIS Management Guidelines*, (Jakarta: BAZIS, 1401/1980), p. 16-22.

<sup>85</sup> Sa'i are those who come to the regions to collect zakat. Read: Muhammad Ibn Idris asy-Shafi'i, *al-Umm*, (Egypt: The Book of asy-Sya'b, tt), p. 61.

<sup>86</sup> Yusuf Qardhawi, *Fiqhu al-Zakat ...*, p. 579.

There are still many definitions of *'amil* of the scholars, but the clear *'amil* is the managers associated with zakat affairs ranging from recruitment to distribution and processes between them, including the development of zakat. So it can be argued that *'Amil* is an orig person in charge of managing zakat including chiefs, writers, treasurers and other officers, seeking to make zakat useful and successful for the community.

#### **Fourth: *Mu'allaf***

According to Abu Ya'la, "*muallaf* consists of two groups, namely Muslims and polytheists. They have four categories. 1) Those who are tamed in their hearts to tend to help the Muslims. 2) Those who have tamed him to tend to defend the Muslims. 3) Those who are tamed to enter Islam. 4) Those who are tamed with zakat so that their race and tribe are attracted to Islam."<sup>87</sup>

This grouping is similar to that which Sayyid Sabiq and al-Qardhawi speak. The difference with the As-Sabiq and Al-Qardhawi categories is:

First, for the Muslims: 1) The leaders and leaders of the Muslims. 2) The leader of the weak Muslims of his faith, obeyed the community. 3) Muslims who are on the border of the enemy, in order to defend the Muslims behind him from enemy attacks. 4) Muslims are required to collect zakat from those who will not issue zakah without their influence. Second, non-muslim *mu'allaf*, there are two categories: 1) People who are expected to believe in tamed his heart. 2) People who are worried about their crime.<sup>88</sup>

In the Workshop on the Formulation of Zakat Implementation Guidelines (P3Z) in DKI Jakarta, participants recommended that *mu'allaf* be "those who need to tame their hearts to tend to believe in or to remain faithful to God, and to prevent them from doing evil even hopefully they will defend or helping the Muslims."<sup>89</sup>

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<sup>87</sup> Al-Qadi Abu Ya'la, *al-Ahkamu as-Sulthaniyah*, (Mustafa al-Babi al Halabi, 1356), cet. 1st, h.132

<sup>88</sup> As-Sayyid Sabiq, *Fiqhu al-Zakat ...*, h.115-117; Yusuf Qardhawi, *Fiqhu al-Zakat ...*, p. 595-596. read also: Rasyid Ridha, *al-Manar*, juz 10, h. 574-576 and an-Nawawi, *Al-Majmu' ...*, p. 207-209.

<sup>89</sup> Conclusions of the Workshop on the Formulation of Zakat Implementation Guidelines in DKI Jakarta. Read: BAZIS DKI, *Recommendations and Guidelines for the Implementation of Zakat*, (Jakarta: BAZIS), cet. 3rd, h. 60.



In terms of establishing which categories of *mu'allaf* can be given this zakat, what is important is that the author is not too broad and not too narrow. In the time of Umar, this group was not given the share of zakat. Because Islam was already strong. So paying attention to an *'illat* in setting the law into something very important.

**Fifth: *Al-Riqâb***

Imam Malik, Ahmad and Ishaq, states that *riqab* is a regular slave with their zakat ration being liberated. According to al-Syafi'iyah groups and al-Hanafiyyah, *Riqab* is slave, *mukatab* the slave who was given the opportunity by his master for trying to free himself, to pay the compensation in installments.

Two of the above, covered in QS. at-Taubah verse 60. According to az-Zuhri, which is also supported by Muhammad Abduh, Rasyid Ridha, Sayyid Sabiq and Yusuf al-Qardhawi.<sup>90</sup> Yusuf al-Qardhawi further expanded the sense of *riqab*. He adapted it to the state and socio-political developments and developed it up to the pre-emptive Muslim captivity under the power of the infidels, liberating the colonized colonists, for they all belong to the nature of slavery.

Yusuf al-Qardhawi<sup>91</sup> explains that the legal reasoning contained in the sense of *riqab* is the nature of human exploitation of human beings who must be freed, both as individuals as individuals and as colonial. Therefore, including in this sense is the release of prisoners of war, liberation from occupation, group or nation that is liberating from the exploitation of others. During the Umayyad period, Umar bin 'Abd al-Aziz sent Yahya Ibn Sa'id to take care of the zakat in the African region. The collection of zakat will be distributed to the poor people there. But no people are there anymore. Then the result of zakat was all bought by the slave and liberated him.

In the execution of liberation of the promised slave, the part of zakat for them is given to the employers to fulfill the freedom accord of the slaves they

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<sup>90</sup>Muhammad Rasyid Ridha, *al-Manar...*, p. 578; As-Sayyid Sabiq, *Fiqhu al-Zakat ...*, p. 120-121; Yusuf al-Qardhawi *Fiqhu al-Zakat ...*, II, h. 616.

<sup>91</sup>Yusuf al-Qardhawi *Fiqhu al-Zakat ...*, p. 620.

possess. It may also hand over this section to the slaves themselves to be paid to their employers. But it is not permissible for an employer to pay his zakat to his own slave for his freedom, because at that time he was still in the slave state owned by the payer of zakat.

### **Sixth: *Al-Ghârimîn***

*Al-Ghârimîn* is "the word jama" from the word of the *prophet al-gharimu*, meaning the person who owes and can not pay it ".<sup>92</sup>

Al-Qardhawi mentions that: In view of its legal subjects *al-gharim* there are two: Individuals and legal entities. Viewed in terms of motivation, there are two also: It is owed for personal interest beyond the vice, and owes for the interest of society (general public). For personal benefit, for example, owing to the maintenance of a family, clothes, mating, medication, building a house, buying household appliances, damaging the property of others deliberately or inadvertently and so forth. The terms of the *gharim* for personal interest are: 1) Not being able to pay all or some of its debts. 2) He owes himself to the field of obedience to God or in the field of religion (permissible). 3) Debt that has to be settled, not the debt that is still in its repayment period.<sup>93</sup>

This is very important in order not to make mistakes in understanding the meaning of *al-Gharim*. People who are *indebt*, is a poor, owing to the need for obedience to God or religion is permissible (permissible). But when owing to an immoral act, he is not given from the zakat money except when he has repented. And if the debtor is a wealthy person, then it should not be given from the zakat unless it is to reconcile the hostile groups. That means there should be reason and purpose why someone owes it. Obviously the *gharim* is the person who owes it in the non-wasteful nature.

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<sup>92</sup>An-Nawawi, *Al-Majmu'...*, p. 109.

<sup>93</sup>For a more detailed explanation, read: Yusuf al-Qardhawi, *Fiqhu al-Zakat*.

So, size *gharim* this is the rest of the needs of one family is not enough to pay off debt. "The deficiency can be taken from zakat". This opinion is held by Abdul Khaliq an-Nawawi.<sup>94</sup>

Those who are indebted to the benefit of the Muslims, both wealthy and wealthy, can be given zakat of their debt, no more. According to Zaim, "some scholars allow debts for the benefit of Muslims, from zakat funds."<sup>95</sup>

### **Seventh: *Sabili Allah***

According to *sabil* means street. *Sabili- Allah* means the way of God. The road leading to God's will. For this reason God sent the Prophets, to guide the people, to preach.

Ibn 'Abidin said that "every person who strives in obedience to God and virtue paths, including into God."<sup>96</sup> Rasyid ridha says that "sabilillah includes all syar'iyah benefits in general, which includes religious and state affairs".<sup>97</sup> While, Sayyid Sabiq, sabilillah is "the path leading to the willingness of God, both in knowledge and charity".<sup>98</sup>

According to Yusuf al-Qardhawi, this meaning of sabilillah should be taken in the middle. Do not be too narrow (the meaning of war and defense), nor too broad meaning (common benefit). Because this third meaning would undermine the eight categories of mustahiq zakat that have been restricted by the Qur'an with the word "*innama*" (only), and also break the boundary distinction between the one category and the other category, because all those categories are paths of virtue and importance people. The jihad is not only with the sword, but can be oral, mind, education, pen, book, social, economic, political and security defense. So all the efforts related to the success of Islam.<sup>99</sup>

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<sup>94</sup>An-Nawawi, *Al-Majmu'...*, p. 110.

<sup>95</sup>Sabahaddin Zaim, *Management of Zakat ...*, p. 13.

<sup>96</sup>Ibn 'Abidin, Muhammad Amin, *Raddu al-Mukhtar' ala ad-Duru al-Mukhtar*, (Egypt: al-'Amirah, 1307 H), h. 343.

<sup>97</sup>Muhammad Rashid Rida, *Al-Manar...*, h. 587.

<sup>98</sup>As-sayyid Sabiq, *Fiqhu al-Zakat ...*, p. 124.

<sup>99</sup>Read: Yusuf al-Qardhawi, *Fiqhu al-Zakat ...*, p. 655-659.

In Indonesia, BAZIS (BAZNAS) of DKI Jakarta interpreted Sabili Allah as "individual or body of business aimed at the interests of religious success or public interest".<sup>100</sup>

If seen from the history of the development of this meaning, then there are three views: First, the meaning of war, defense and security of Islam. Second, it means the importance of Islamic religious importance. Third, it means the benefits or the common interest.

These three meanings are in the Indonesian context, covering the whole human development and society in general. Similarly, the fighter *fi sabilillah*, (those who fought or fight *fi sabilillah*), who did not receive salaries from the state. They can be given from the part of zakat even as rich, as an encouragement for them to keep fighting.

In its application, according to the author all these meanings can be applied according to the demands of the situation and condition. Of course the first application is the first meaning, then the second and third meaning. In accordance with the provisions, still within the scope of virtue and goodness according to the view of Islam (*taqarrub*), does not bring consequences to the field of disobedience and does not result in matters which threaten the safety of Islam and its people.

#### **Eighth: Ibn As-Sabil**

According to the asy-Syafi'iyah class, "ibn as-Sabil there are two kinds: 1) People who want to travel, 2) People who are on the way. Both are entitled to zakat, although some will be able to repay or have property in their country. Traveling in obedience, such as pilgrims, wars, pilgrims who are believed to be. They are given the share of zakat for the living, clothing, bags, supplies and whatever is needed to reach their destination."<sup>101</sup>

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<sup>100</sup>Conclusion Workshop on Compilation ..., p. 60.

<sup>101</sup>An-Nawawi, *Al-Majmu'...*, p. 229.

Whereas, Malik and Ahmad, ibn as-Sabil who are entitled to zakat are "especially for travelers who are on the way, not the ones who want to travel. The person who owes or has property in his country, can not be given zakat."<sup>102</sup>

Sayyid Sabiq, states that "the scholars agree with the cutaway traveler from his land, given Zakat, on condition of traveling in obedience to God or not vice".<sup>103</sup>

It can be said that ibn as-Sabil, is a person who comes to a city (state) or passes it in status as a traveler who does not intend to commit immorality with that journey. It can be given when it is a *fakir* (ie run out of cost). And if he has a treasure in a city he is going to, then he is just given that can deliver it there.

In understanding the meaning of ibn as-Sabil, well understood the origin he said, so that there is no mistake in the development and extension of its meaning. Ibn as-Sabil consists of two words. Ibn means a child; Sabil means street. Ibn as-Sabil means a street kid. According to the current terms the person traveling. Typically is traveling and there are obstacles. This means that ibn as-Sabil is given to facilitate communication traffic so there is no obstacle in traveling.

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<sup>102</sup>Read: As-Sayyid Sabiq, *Fiqhu al-Zakat ...*, p. 126-127; an-Nawawi, *Al-Majmu' ...*, p. 231. Here it is also explained that Abu Hanifah agrees with Malik and Ahmad.

<sup>103</sup>Sayyid Sabiq, *Fiqhu al-Zakat ...*, p. 126

## Chapter 2: Organization of Zakat Management (OPZ) in Indonesia

### 1. History of Zakat Management in Indonesia

Management of zakat in Indonesia departed from several periods that led to the rapid development of today. Beginning since the Dutch colonial era, the implementation of Islamic teachings (including zakat) is regulated in ordonante Government of the Dutch East Indies Number 6200 dated February 28, 1905. In this arrangement the government does not interfere with the issue of zakat management and surrender fully to Muslims.

At the beginning of Indonesian independence, zakat management is also not regulated by the government and is still a community affair. Then in 1951 then the Ministry of Religious Affairs issued Circular Letter Number: A / VII / 17367, dated December 8, 1951 <sup>10</sup> on the Implementation of Zakat Fitrah. In 1964, the Ministry of Religious Affairs drafted a law on the implementation of zakat and the government regulation plan in lieu of the law on the implementation of the <sup>25</sup> collection and distribution of zakat and the establishment of Baitul Maal, but both sets of regulations have not been submitted to the House of Representatives or to the President.<sup>104</sup>

In the <sup>14</sup> New Order era, the Minister of Religious Affairs drafted the Bill on Zakat and submitted to the House of Representatives of Gotong Royong with letter Number: MA / 095/1967. The bill is also submitted to the Minister of Social Affairs as responsible for social issues and the Minister of Finance as the party having authority and authority in the field of collection. Minister of Finance in his answer suggested that the issue of zakat in set with the Minister of Religious Regulation.

In 1968 issued the <sup>14</sup> Regulation of the Minister of Religious Affairs No. <sup>1</sup> 4 of 1968 on the Establishment of Amil Zakat Agency and Regulation of <sup>34</sup> the Minister of Religious Affairs No. 5 of 1968 on the Establishment of Baitul Maal.

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<sup>104</sup>MoRA RI, Zakat Guideline, 2002, p. 284

Both of these PMA have a <sup>1</sup> very close relationship because Baitul Maal serves as the recipient and reserve of zakat, and then deposited to the amil zakat entity to be distributed to the eligible. In 1984 issued the Instruction of the Minister of Religious Affairs <sup>1</sup> No. 2 of 1984 dated March 3, 1984 about Infaq Thousand Rupiah during Ramadhan month whose implementation is regulated in the Decree of the Director General of Islamic Guidance and Hajj Affairs No. 19/1984 dated 30 April 1984.

On December 12, 1989 issued Instruction Minister of Religious Affairs <sup>1</sup> 16/1989 on the Guidance of Zakat, Infaq and Shadaqah, which commissioned the entire Ministry of Religious Affairs <sup>1</sup> to assist religious institutions administering zakat, infaq and shadaqah to use zakat funds for Islamic education activities and others. In 1991 issued a Joint Decree of the Minister of Religious Affairs and Minister of the Interior <sup>1</sup> No. 29 and 47 of 1991 on the Development of Amil Zakat, Infaq and Shadaqah which was followed up by the Instruction of <sup>20</sup> the Minister of Religious Affairs No. 5 of 1991 on Guidance of <sup>1</sup> Technical Guidance of Amil Zakat, Infaq and Shadaqah Bodies and Instruction of the Minister of Home Affairs Number 7 of 1998 on General Guidance of Amil Zakat, Infaq and Shadaqah.

In the reform era of 1998, following the collapse of the New Order national leadership, significant political and social progress was made. A year after the reform, 1999 issued Law No. 38 of 1999 on Zakat Management. In the era of reform, the government seeks to purify the zakat <sup>3</sup> management system in the homeland so that the potential of zakat can be utilized to improve the socio-economic condition of the nation that collapsed due to the world economic recession and multi-dimensional crisis that hit Indonesia. For that reason, in 1999, the <sup>7</sup> government and the People's Legislative Assembly (DPR) issued Law No. 38 of 1999 on the management of Zakat, followed by the issuance of Decree of the <sup>13</sup> Minister of Religious Affairs Number 373 Year 2003 on the Implementation of Law Number 38 Year 1999 and Decision Director General of

Bimas Islam and <sup>8</sup> Hajj Affairs No. D-291 of 2000 on Technical Guidance of Zakat Management.

Based on <sup>2</sup> Law No. 38 of 1999, the management of zakat is conducted by an amil zakat (BAZ) body formed by the government consisting of the community and government elements for the territorial level and amil zakat institution (LAZ) established and managed by the community various ORMAS (community organizations) of Islam, foundations and other institutions In Law No. 38 of 1999 described the principle of professional and responsible management of zakat by the community with the government. The government in this case is obliged to provide protection, guidance and service to muzakki, mustahiq, and zakat managers.

That in terms of institution there is no fundamental change because amil zakat does not have the power to tell people to pay zakat. They are not registered and regulated by the government as well as tax officers in order to realize a caring society that zakat is a liability.

As mentioned above, that in 1999 was issued and the enactment of zakat management law. Thus, <sup>5</sup> the management of national zakat intensified. This law is the official legal basis for the implementation of zakat in Indonesia, although in its articles there are various shortcomings and weaknesses, such as the absence of sanctions for muzakki who do not want or reluctant to issue zakat property and so forth. (BAZDA) for the Region level. BAZNAS was established based on Presidential Decree No. 8/2001 dated January 17, 2001.

As a consequence of zakat law, the government (central to local level) is obliged to facilitate the establishment of zakat management institution, the national amil zakat body (BAZNAS) for central and amil zakat area.

The scope of national-scale BAZNAS is the Zakat collection unit (UPZ) in the Department, State-Owned Enterprise, Consulate General and Private-Owned Enterprises on a national scale, while the BAZDA scope of work is in the province.



In accordance with the zakat management law, BAZNAS relationship with other amil zakat agencies is coordinative, consultative, and informative. BAZNAS and BAZDA-BAZDA in cooperation with amil zakat institution (LAZ), both national and regional. Thus, it is expected to build a standard national zakat system, which can be applied by all zakat managers.

In carrying out its work program, BAZNAS uses the synergy concept, which is for the collection of ZIS (Zakat, Infaq, Shadaqah) using cooperation relationship with zakat collecting unit (UPZ) in Department, SOE, Consul General, and other zakat institution. The cooperation pattern is called UPZ Mitra BAZNAS. As for the distribution, BAZNAS also uses a synergy pattern with other zakat amil institutions, called as Zakat Salur units (USZ) Mitra BAZNAS.

After the issuance of Law no. 38 of 1999 on the Management of Zakat, many zakat institutions are emerging. The management and networks of these institutions are improved and bettered so that it can become a separate movement for the economic empowerment of people (the community). Nevertheless, the true potential of zakat according to many circles can not be extracted maximally. This is so because zakat is still regarded as a voluntary donation and the state can not force the obligatory zakat to pay for it.

After nearly a decade, zakat management in Indonesia now faces a dilemma. The government through the Ministry of Religious Affairs wants a centralization of zakat management, by proposing a revision of Law 38/1999 on the Management of Zakah. As the result of this revision, the amendment of Zakat management law is to become Law no. 23 of 2011 on the Management of zakat.

In the amendment of the Act there are several revisions to the articles concerning the management of zakat. So hope is the optimization in the management of zakat in Indonesia through the support of a very large government. Not only that, but at this time the various activities of the discussion of zakat did not cease to be routine activities in various lines, especially between the government and universities.

In this case, it seems that there is a good intention from the government, to give more attention to zakat management activities, which are often viewed as social worship. Indeed, since the passing of the zakat management law, there are now thousands of private zakat management institutions.

The government assumes that this condition will lead to the inefficiency of national zakat management. Therefore, it should be, the management of national zakat can be done in a centralistic manner. In this case all the zakat funds flow is controlled by the government both in management and empowerment. With this centralistic system, it is expected that the utilization of zakat can be optimized by mustahik.

## 2. Zakat Management Organization (OPZ)

The Zakat Management Organization (OPZ) in recent years has become a rapidly growing organization in both quantity and quality. This is driven by the increasing public trust to OPZ in entrusting its zakat funds to be managed by OPZ professionally.

The more professional the OPZ the better the service provided to the Muzakki. Muzakki's satisfaction in channeling his zakat funds depends on the level of service quality provided by OPZ. The professional performance of OPZ certainly gives a big influence to the level of public trust, the level of zakat funds, the level of public awareness to pay zakat and of course the most important thing is will affect the level of welfare of the people.

Management of zakat by organizations / institutions especially those with formal power will have several advantages, namely:

- a. To ensure the certainty and discipline of zakat payers
- b. To keep the inferiority feelings of the mustahik zakat when facing directly to receive zakat from the muzakki
- c. To achieve efficient and appropriate effectiveness and targets in the use of zakat property according to priority scale that exist in a place
- d. To show the syiar of Islam in the spirit of organizing an Islamic government.

Some of the above advantages will be obtained if zakat organized and institutionalized. Simply, it means that there will be equal distribution of zakat distribution to the mustahik. On the contrary, if this is not done the meaning of zakat is given directly by muzakki to mustahik, then some of the above advantages are neglected so that the wisdom and the function of zakat to improve the welfare of the people is difficult to be realized as in Chapter II Article 5 of Law no. 23 of 2011 on the management of zakat mentions that the management of zakat aims to<sup>105</sup>:

- a. Improving service for the community in fulfilling zakat in accordance with religious demands
- b. Improve the function and role of religious institutions in the effort to realize the welfare of society and social justice
- c. Improve the use and utilization of zakat.

The law also shows the synergy between religion and the State. Concern and concentration of Indonesian government which intensively to the management of zakat become clear evidence that zakat is very potential to be optimized. Synergy is a strategic step in tackling the problems caused by the socio-economic disparity.

The government's attention to the Organization of Zakat Management is quite large. After issuing Law no. 38 of 1999 on the management of zakat, in 2011, the government re-issued Act No.23 of 2011 in lieu of Law no. 38 of 1999. Formation of this Act is expected to improve the management system of zakat in Indonesia, so that the optimization of zakat can be achieved. In addition, professional experts such as the Indonesian Institute of Accountants also contribute to achieving good zakat management by issuing PSAK 109 on Zaltat Accounting, in the hope of creating an accountable and transparent Zakat Management Organization.

The zakat management organization (OPZ) is an institution that works in the management of zakat, infaq, and *shadaqah*, both established by

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<sup>105</sup>Law no. 23 Year 2011 on the Management of Zakat

governments such as BAZ, as well as those formed by communities and protected by governments like LAZ.<sup>12</sup> According to Law no. 23 In 2011 stated that, "The management of zakat is <sup>2</sup> planning, implementing, and coordinating activities in the collection, distribution and utilization of zakat." Based on the laws and regulations, in Indonesia there are two types of Zakat Management Organization, namely <sup>33</sup> Badan Amil Zakat (BAZ) and Institute of Amil Zakat (LAZ).

<sup>10</sup> BAZ is formed by the government under the auspices of the Ministry of Religious Affairs, and is scattered almost at every level at the national, provincial, district / city, to sub-district levels.<sup>106</sup> In contrast to BAZ, Lembaga Amil Zakat (LAZ) is a community-formed institution that is tasked to collect, distribute and utilize zakat.

The provisions on zakat management in Indonesia are contained in Law 23 of 2013 on the Management of Zakah. More specifically is the explanation of the organization of zakat management both BAZNAS and LAZ. as for the matters set forth in Law No. 23 of 2013 on the Management of Zakah, as follows:

- a. Provisions on Zakat Management in Indonesia
- b. Zakat management principle
- c. The purpose of zakat management
- d. Types of Zakat
- e. <sup>1</sup> National Amil Zakat Agency (BAZNAS Pusat)
- f. Provincial and Municipal Government Amil Zakat Board
- g. Institute of Amil Zakat
- h. Collection, Distribution, Utilization and Reporting of Zakat
- i. Fund Management Infak, shadakah and other religious funds (DSKL)
- j. Financing in the management of zakat

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<sup>106</sup>Mahmudi, "Strengthening Governance and Institutional Reposition of Zakat Management Organizations", *Ekbbisi*, Vol. 4 No. 1, h. 69-84

- k. Supervision<sup>5</sup> in the management of zakat
- l. Participation of society in the management of zakat
- m. Administrative sanctions and restrictions on the management of zakat

As the official and authorized institution<sup>10</sup> in the management of zakat in Indonesia, in order to account for the management of zakat, it is necessary to be based on various regulations that strengthen its operations. Organization of Zakat Pengeloa (OPZ) is the organization that manages the public fund which is zakat fund. OPZ has an intermediation role of zakat, which is to collect community funds and channeled and utilized to the community mustahik. For regulation related to zakat management becomes very important. Below is the regulation on which zakat management is based in Indonesia:

- a. Law (Act)<sup>25</sup> Number 23 Year 2011 About Management of Zakat
- b. Government Regulation of the Republic of Indonesia (PP)<sup>30</sup> Number 14 Year 2014 About Implementation of Law (Act)<sup>1</sup> Number 23 Year 2011 About Management of Zakat
- c. Instruction of the President of the Republic of Indonesia (Inpres) No. 3 of 2014 on the Optimization of Zakat Collection in Ministries / Agencies, Secretariat General of State Institution, Secretariat General of State Commission, Local Government, State-Owned Enterprises and Regional-Owned Enterprises Through National Amil zakat Agency.
- d. Regulation of National Amil Zakat Agency Number 01 Year 2014 About the Guidelines for Procedure for Approval of the appointment / Dismissal of the Leaders of Bilan Amil Zakat National Provincial and National Amil Zakat Board of City and Regency.
- e. Regulation of Badan Amil Zakat Nasional Number 02 Year 2014 About Guidelines of Procedure of Providing Recommendation

The development of BAZ and LAZ in Indonesia today has made much progress when compared to the early days of its establishment. Didin Hafidhuddin stated that up to 2010, there were 33 BAZ provinces and 429 BAZ districts / cities, as well as 4771 BAZ sub-district level. On the other hand, the

Minister of Religious Affairs has also established eighteen national level LAZ.<sup>107</sup>

a. Amil Zakat

Agency The Agency for Amil Zakat (BAZ) is a zakat management organization formed by the government consisting of elements of society and government with the task of collecting, distributing and utilizing zakat in accordance with religious provisions.<sup>108</sup>

Amil Zakat Agency (BAZ) includes Badan Amil Zakat Nasional (BAZNAS), Provincial Amil Zakat Board, Amil Zakat Agency District / City and Amil Zakat Agency District. BAZ consists of elements of scholars, scholars, community leaders, professionals and government representatives.

BAZ's own task is not just to manage or distribute only. Here are the tasks of BAZ:

- 1) To organize administrative and technical tasks of collection, distribution and utilization of zakat.
- 2) Collecting and managing the data needed to formulate the zakat management plan.
- 3) Conducting guidance in the field of management of collection, distribution and utilization of zakat.
- 4) Implementing the collection, distribution and utilization of zakat, preparing plans and programs for the implementation of collection, distribution, utilization and development of zakat management. (Regency / Municipal and District level).
- 5) Conducting research and development tasks, information communication, and education of zakat management (National and provincial level).

In performing its duties above, pursuant to Article 7 of Law no. 23 of 2011, BAZNAS performs the following functions.<sup>109</sup>

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<sup>107</sup>Rani Rahmat, et al. Transparency and Accountability Management of Zakat, Infaq, Shadaqah (A Case Study On National Amil Zakat Agency Buleleng Regency), *E-Journal SI Ak*, Vol. 7 No. 1 Year 2017

<sup>108</sup>Minister of Religious Affairs, *Guidance on Implementation of Zakat Management Institution*, h. 5

<sup>109</sup>Law no. 23 Year 2011 on the Management of Zakat

- 2) 1) planning of collection, distribution and utilization of zakat;
- 2) implementation of collection, distribution and utilization of zakat;
- 3) controlling the collection, distribution and utilization of zakat; and
- 4) reporting and accountability of zakat management.

In performing its duties and functions, BAZNAS may cooperate with relevant parties <sup>5</sup> in accordance with the provisions of legislation. BAZNAS reports the results of its written duties to the President through the Minister and to the People's Legislative Assembly of the Republic of Indonesia at least 1 (one) time in 1 (one) year.

b. Institute of Amil Zakat Amil Zakat

The abbreviated Institute <sup>11</sup> (LAZ) is an institution founded by the community. In the establishment it may be government officials to co-create, but in personal authority not as employees or government officials. Substantially, the LAZ organization is much more flexible in developing its organization than the BAZ. One is that LAZ is not limited by government bureaucracy.

In developing its organization, LAZ can choose suitable human resources. With the choice of HR, LAZ can determine the direction of organization with its vision and ideals.

Amil Zakat Institute is confirmed, nurtured and protected by the government. In performing its duties LAZ reports to the government according to its level. Inauguration of Amil Zakat Institution conducted by the government on the recommendation of LAZ that has fulfilled the requirements of inauguration is carried out after firstly done the research requirements.

LAZ itself has a forum inter-agency amil zakat which this forum have function to exchange fikir inter-agency zakat and discuss about how the

development of zakat in Indonesia. The conditions can be established Amil Zakat Institute is as follows:<sup>110</sup>

- 1) legal status
- 2) Have data muzaki and mustahiq;
- 3) Having a work program;
- 4) Attach a statement letter willing to be audited;

In order to obtain confirmation, the LAZ candidate must apply to the government according to the level of Islamic organizations that have it by attaching the following conditions:

- 1) Deed of establishment (incorporated).
- 2) Your data zakki (who pay zakat) and mustahiq (who are entitled to receive zakat).
- 3) List of board members.
- 4) Short-term, medium-term, and long-term work plan.
- 5) Balance sheet or statement of financial position.
- 6) The statement is willing to be audited.

Prior to the inauguration as LAZ, a research requirement that has been previously attached should be done. If deemed to have met these requirements, then it can be done inauguration.

In addition to the inauguration, the government also conducts guidance to LAZ in accordance with the level of the LAZ location, such as at the center by the Minister of Religious Affairs, in the province by the Governor on the recommendation of the Head of the Provincial Office of the Provincial Department of Religious Affairs, in the regency / city by the Regent / Mayor at the Office of the Department of Religious Affairs of the Regency / City, while the subdistrict by the Head of Subdistrict Head on the recommendation of Head of Office of Religious Affairs.

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<sup>110</sup>Suparman Usman, *Islamic Law: Principles and Introduction to Islamic Law Studies in Indonesia*, (Jakarta: Gaya Media Pratama, 2002), Cet. II, h.269



Amil Zakat Institute (LAZ) that has fulfilled the requirements, and then done the government inauguration, has obligations to be done by LAZ, namely:

- 1) Immediately perform activities in accordance with the work program that has been made.
- 2) Prepare reports, including financial statements.
- 3) Publish audited financial statements through mass media.
- 4) Submit a report to the government.

The Amil Zakat Institute (LAZ) that has been confirmed can be reviewed, if it no longer meets the requirements and does not perform the obligations as described in point 3 above. The review mechanism for the LAZ Inauguration was carried out through the stage of warning in writing up to three times and the inauguration was revoked.

The revocation of LAZ may deprive the right of guidance, protection and service from the government, the absence of proof of zakat deposit issued as deductible of taxable income and can not perform zakat fund collection.

As we know BAZ and LAZ are two zakat institutions that have the authority to manage, distribute and utilize them. BAZ itself is a governing body of zakat formed by the government, while LAZ is an institution of zakat formed by private and moves outside the government. Therefore, is there any difference in the behavior given by the government to these two zakat institutions?

Obviously there is, in terms of the provision of facilities for example, if a natural disaster occurs in an area then BAZ will be easier to provide facilities or rescue post for victims that is by using buildings owned by the government. While the opposite is experienced by LAZ, which if there is a disaster in Suatau area then they will not be as easy as BAZ to establish a rescue post for disaster victims. However, it does not mean the government does not contribute at all towards LAZ. Suppose that in the event of natural disasters in Nepal some time ago, the government provides an accomodation

for volunteers who are in LAZ to go to the country famous for the Himalayan mountains. The government also provides a post for them so that they can help victims of natural disasters in the area located in the south of Asia.

Therefore, so far no significant behavioral difference has been given to BAZ or LAZ, the government has given almost equal behavior to these two institutions, it's just that BAZ is easier to get izan in using State facilities compared to LAZ.

As an organization, the Zakat Management Organization has principles that guide its work. In <sup>2</sup> Law no. 23 of 2011, stated that the principles of Organization of Zakat Management is:<sup>111</sup>

- 1) Islamic Sharia. In carrying out its duties and functions, Zakat Management Organization must be guided <sup>12</sup> in accordance with Islamic Shari'a, starting from the procedure of employee recruitment to the procedure of distribution of zakat.
- 2) Trust. Zakat Management Organization must be a trustworthy organization.
- 3) Utilization. Zakat Management Organization must be able to provide maximum benefits for mustahik.
- 4) Justice. In distributing zakat, the Zakat Management Organization must be able to act fairly.
- 5) Legal certainty. Muzakki and mustahik must have guarantee and legal certainty in zakat management process.
- 6) Integrated. Zakat management must be done hierarchically so as to improve the performance of collection, distribution, and utilization of zakat.
- 7) Accountability. Zakat management must be accountable to the community and easily accessible by the community and other interested parties.

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<sup>5</sup>  
<sup>111</sup>Law No. 23 Year 2011 on the Management of Zakat

Viewed from the history of the LAZ establishment which is the target of this study population, it is divided into four groups based on the reasons and the history of the establishment that is:<sup>112</sup>

1. LAZ-based mosque

LAZ was founded with a mosque base such as: LAZ Salman Charity House (mosque Salman ITB); LAZ Al Azhar Peduli (Al Azhar Mosque); and LAZ DPU-DT (Daarut Tauhid Mosque).

Generally, the establishment of the LAZ is a result of the rapid development of mosque management and public trust (mosque worshipers), especially with regard to the financial management of the mosque (including ZIS funds by the mosque's DKM). Furthermore, the large funds must be managed more professionally through the establishment of LAZ as a form of responsibility of the manager and to increase the role of the mosque to the community, both communities around the mosque and the wider community.

2. LAZ based on mass organizations

LAZ in this group, founded on the basis of mass organizations such as LAZ Zakat Ummat Center (mass organizations), LAZ NU (NU Ormas), and LAZ Muhammadiyah (Ormas Muhammadiyah). Generally, LAZ was established in the framework and became a medium to enhance the role of mass organizations for the community, both community members of the mass organization and the wider community.

3. LAZ-based (Corporate)

LAZ was established on the basis of the company(*corporate*)such as:

- a) LAZ Muttaqien Baitul Maal (PT. Telkom);
- b) Baitul Maal Muammalat (Bank Muammalat Indonesia);
- c) Baitul Maal BRI (Bank BRI);
- d) Baitul Maal Pupuk Kujang (PT Pupuk Kijang Cikampek).

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<sup>112</sup>Sri Fadilah, et al. Organization of Zakat Management (OPZ): Description of Zakat Management from Aspects of Zakat Institution. *Accounting Review*, Vol. 18 No. 1 Year 2017. PP 60-74

Generally this LAZ establishment, as part of corporate social responsibility program (CSR). Furthermore, to manage the CSR funds of large companies, need professional institutions, including by establishing LAZ. Then, it is expected that with the establishment of LAZ, CSR programs of the company will be more focused, systematic and have long-term impacts, as well as increasing the company's role for the community, especially social field.

4. LAZ based as the Zakat Collecting Organization (OPZ)

LAZ was established with the initial goal of being a zakat management organization (OPZ). LAZ in this group like: LAZ Rumah Zakat Indonesia; LAZ Dompot Dhuafa; LAZ Rumah Orphan Arrohman. The reason for establishing this LAZ, as a form of community participation (*civil society*) relates to the management of a more professional ZIS fund.

The division based on the reasons or history of establishment of LAZ will determine the pattern of zakat fund management, as follows:

**Table 2. Description of Amil Zakat Institution Based on the Reason of Its Establishment**

	Based	Mosque-based community organizations	Based company	Based OPZ
Patterns of Collection Zakat	Muzaki comes primarily from the mosque's congregation Civil society	-Muzaki comes primarily from member organizations -Community-Wide	Muzaki comes primarily from zakat / employees management - Civil society	Muzaki comes primarily from community wide

pattern Empowerment Zakat	- Intended for congregation on the mosque's - the public	- Reserved for members of community organizations - community-wide	- Intended for employees who need - Civil society	Intended for mustahik derived from the wider community
Relationship patterns Consumer	Synchronized with the program that has been created by DKM Masjid, delivery information with printed, electronic, etc.	Aligned with mass organizations such as baksos, pengajian, delivery of information with print media, electronic, etc.	Aligned with policies company such as rules  that apply to all employees, the delivery of information with  print, electronic, etc.	- Activities are made in accordance with the needs / demand muzaki - Sampling of information through various media that can be accessed by the community
Pola Creation Program	- Combined with the mosque ministry program, - Adjusted to the needs mustahik around the mosque	Combined with the program kemasayarakatan / social organizations, then according to the needs mustahik -	Combined with CSR program corporate  - Adapted to the mustahik needs of the target LAZ	Designed according to the needs of muzaki / mustahik usually based on ripe research

Source: Sri Fadilah (2012)

Furthermore, to see the management of zakat conducted by LAZ in Indonesia can be seen from the following:

### **Organizational Structure Amil Zakat Institution**

Basically the design of the organizational structure and personnel structure for LAZ is not regulated by the Minister <sup>10</sup> of Religious Affairs of the Republic of Indonesia, respectively LAZ with due regard to various applicable regulations. However, the shape of the organization structure of each LAZ will depend on the development and needs of the LAZ. Based on research data, there is an LAZ organizational structure, still simple and very complex.

Viewing the tasks and functions of the Zakat Management Organization, it is clear that the Zakat Management Organization is one of many non-profit organizations. Accordingly, the Zakat Management Organization has the same characteristics as other non-profit organizations, namely:

- a) Resources, whether in the form of funds or goods derived from donors where the donor entrusts their donation to OPZ in the hope of obtaining the results they expect.
- b) Produce various services in the form of community service and do not seek profit from the service.
- c) OPZ ownership is not the same as a business organization. OPZ is not a private or a group property, but belongs to the ummah because its resources come from society. If OPZ is liquidated, then the institution's wealth should not be shared with the founders.

There are 4 (four) types of funds in the organization of zakat management, as follows:<sup>113</sup>

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<sup>113</sup>Hertanto Widodo and Teten Kusniawan, *Accounting and Financial Management for Zakah Management Organizations*, (Jakarta: Institute of Management Zakat, 2001), p. 8

### 1) Zakat Fund

Fund that there are two funds derived from zakat fitrah and zakat mal. If associated with accounting there is zakat given by muzakki to OPZ without any specific request with demand.

### 2) Infaq Funds / Alms

In OPZ infak and alms funds are considered the same in the interest of accounting ie infak / alms given donors to OPZ and with certain conditions.

### 3) Waqf Fund

It is an act of impeding or restraining *tasaruf* (do) to something that benefits are given to certain parties with the aim of doing good.

### 4) Management Fund

Is a zakat rights fund used to finance OPZ operations. Which derives from zakat funds' amil rights, certain parts of infaq / alms funds and other sources that do not conflict with sharia principles.

As a public institution that manages public funds BAZ and LAZ must have good accounting and financial management and generate benefits for the organization. BAZ and LAZ are required to be open to the public because the funds being managed are funds from the community as payers will be more easily made with accurate and precise.

According to Hafidhuddin that zakat must be managed by amil (institution) professional, trustworthy, responsible, memiliki adequate knowledge about zakat, have enough time to manage it.

The steps that can be done in order to accelerate development process of zakat in Indonesia, among others:<sup>114</sup>

- a) Optimization of socialization of zakat.

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<sup>114</sup>Didin Hatifuddin, *The Power of Zakat: Zakat Management Comparative Study of Southeast Asia*, (Malang: UIN-Malang Press, 2008), p. 97

- b) Building the image of zakat institutions that are trustworthy and professional,
- c) Building human resources (HR) that diap struggling in building zakat in Indonesia.
- d) Improving and improving the regulatory tool on zakat in Indonesia.
- e) Establish *a mustahicdatabase* and *muzakki* nationally so as to know its national dispersion maps;
- f) Create standardization of BAZ and LAZ working mechanisms as performance parameters of both institutions;
- g) Strengthensynergy *ta'awun* among zakat institutions.
- h) Establish an independent and professional national zakat system.

According to the Act, Zakat Management Organization (OPZ) whose legality is recognized by the government, especially the Directorate General of Taxation is 19 (Nineteen) as follows.

**Table 3: Zakat Management Organization**

No.	Name of Institution
1.	National Amil Zakat Agency
2.	Dompel Dhuafa
3.	YBM BRI
4.	Lazis Nahdlatul Ulama
5.	Lazis Muhammadiyah
6.	Baitul Maal Hidayatullah
7.	LAZ Board of Da'wah Islam Indonesia
8.	PKPU
9.	LAZ Baitl Maal Muamalat
10.	Zakat House



11.	Lazis Peramina
12.	Laznas Bank Syariah Mandiri
13.	Lazis IPHI
14.	Lazis Darut Tauhid
15.	Al Falah Social Fund Foundation
16.	BAMUIS BNI
17.	Lazis Takaful
18.	LAZ Persis
19.	BMT Association of Indonesian Muslim Scholars

Source: Data Forum Zakat

### 3. The problem of OPZ in Indonesia

The Management of zakat in Indonesia to date has not provided optimal results. The collection and funding of zakat funds is still not able to give a significant influence for the realization of community welfare. In fact, the legality of zakat has been overshadowed by a strong regulation of Law No. 23 of 2011 on the Management of Zakah on the amendment of Law no. 38. 1999.

There are various obstacles and constraints faced by OPZ in Indonesia to raise funds from the society that not only comes from the internal factors of the institutions but also external factors that affect the small trust of the public to OPZ. Here are some of the obstacles experienced by OPZ, namely:

- a. Limited knowledge of society about zakat worship
- b. Zakat Conceptions

There are several problems that have been successfully inventoried from previous research in terms of zakat management in Indonesia so that implications are not maximal management processes, collection and distribution of zakat. Sudewo, for example, describes things that are generally a problem in maximal zakat collection: regulation and *political will* are less supportive, *muzakki* distrust of the existing zakat management institutions both private and

especially the government, to the internal problems of zakat management organizations themselves, such as less accountable, *lack of transparency*, and managerial issues.<sup>115</sup>

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<sup>115</sup>Irman Firmansyah and Wawan Sukmana, Analysis of Zakat Problematics in BAZNAS Kota Tasikmalaya: (Analytic Network Process Method Approach (ANP)), *Journal of Accounting and Finance Research*, Vol. 2 No. 2 Year 2014, p. 392-406

## Chapter 3: Zakat Management Optimization (OPZ) for Social Welfare

### 1. Zakat in Realizing Social Balance

The zakat order is closely related to maintaining social balance, which ultimately creates the welfare of society. The Word of Allah SWT, clearly affirms this: as a warning to avoid the *oddness* and *deny religion* "Do you know those who deny religion? It is the one who humiliates orphans, does not advocate the members of the poor"<sup>116</sup> "And they ask thee what they spend. Say: "Which is more than a necessity."<sup>117</sup> "Be forgiving, and all men do good, and turn away from fools."<sup>118</sup> These commands illustrate that Islam is very encouraging people to care for others.

In the hadith of the Prophet Muhammad said, "Three *munjiyyat* and three *Muhlilat*. "*Munjiyyat* is to be fair when angry and willing, fearing Allah SWT. Both inside and outside, and tawaddu'when rich and poor '. *Muhlilat* was always following *hawanafsu*, bragging in front of others, and persecuting others. "

Zakat encourage Muslims to always avoid *kemubadziran*,<sup>119</sup> miserly<sup>120</sup> and of all'.<sup>121</sup>With these three prohibitions on property, it can be concluded that Islam encourages people to always share and help others, one way is to implement 'zakat'.

Zakat can be called as the first social security law enforced on the Government's assistance to meet the needs of every society (clothing, food, board, education, health and more). In practice at the time of Rasulullah SAW: this guarantee is not just for the Muslims, the guarantee of all the needs of a person and his family.

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<sup>116</sup>QS Al-Ma'un [107]: 1-3.

<sup>117</sup>Surah Al-Baqarah [2]: 219.

<sup>118</sup>Surah Al-Araf [7]: 199.

<sup>119</sup>Spending on property that is not too useful, squandering wealth

<sup>120</sup>Like stash. "Let not the poor who with the wealth which Allah bestowed upon them of His bounty suppose that goodness is good for them. Actually, this is a bad thing for them. The property that they are supposed to be will be overlapped later on the Day of Judgment. To Allah belongs the inheritance in the heavens and the earth. And Allah knows what you do " (QS Al-Imran [3]: 180).

<sup>121</sup>likes to treasure extravagantly.

In Islam, social security through zakat is highly guaranteed in its continuity. Because, the zakat is collected and distributed by the Government and / or institutions designated by the Government. It is the obligation of the rich, not just the heart of the individual and the voluntary charity, but the direct command of the possessor of wealth, namely Allah SWT. And it is given to certain people who have been appointed by Allah SWT. And the kind of property that must be zakat also has its provisions. Zakat is very clear of its rules (klir).

In other words, social security through zakat has a certain source and place of distribution which is fixed and certain. Thus, embarrassment and humiliation and harassment will not appear among the recipients of zakat. Zakat lifts the lives of the weak to a decent life, narrowing the distance between rich and poor.

## **2. Problems of Zakat Management in Indonesia**

Optimization of Zakat Management (here in after abbreviated as *OPZ*) in Indonesia encountered difficulties. Almost all districts in Indonesia face the so-called "uneconomic and socialist culture in tithe". The grip of habits, the low productivity of *amil*, the unprofessional zakat institution, the lack of government support, the traditional management system and mechanisms, and the unclear direction of zakat development, make the potential of large zakat funds unoptimized.

In summary, in general, there are eight difficulties that will be faced in *OPZ*, if zakat is directed to build the welfare of society. Namely (1) knowledge / awareness of zakat is still low, (2) interest *muzaki* paid to institutions remains low, (3) productivity '*amil*' remains low and limited, (4) acceptance zakat institutions is low, (5) *trust* towards institutions low, (6) giving zakat to *mustahiq* small, (7) lack of government support, and (8) coordination between zakat management institution and related institution not yet built. Everything is a difficult unity determined, which must be fixed first and which one should be promoted.

The difficulty is difficult to disentangle, because it is like *avicious circle*, struggling and spinning, so it can not be known where the ends and bases, which

are to take precedence and which ones to go. This vicious circle of troubles is illustrated in the following figure:

**Figure 3.1**  
**The Vicious Circle of Difficulties in Zakah Management in Indonesia**

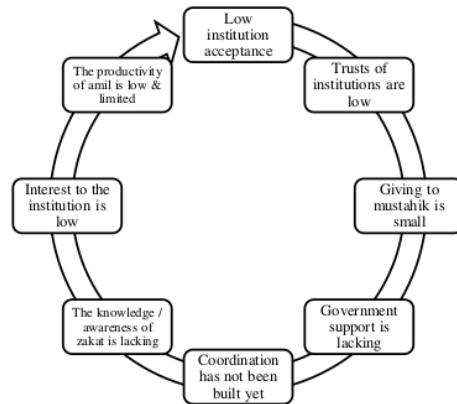


Figure 3.1 illustrates that difficulties in implementing *PEZ* are difficult to separate from one another. Interrelated, choosing one of them may not necessarily solve the problem. To facilitate the understanding of this difficulty, then the problem is formulated into two groups, namely difficulties from economic and social / environmental aspects. Each aspect has indicators that must be observed and developed continuously. The grouping of this aspect aims to illustrate the efforts that can be made to optimize the zakat for the welfare of the community.

*First*, economic difficulties, with indicators (1) acceptance is *BAZNAS* low; (2) giving to small mustahiq; (3) low and limited productivity. *Second*, social / environmental aspects, with indicators: (1) low institutional interest; (2) the *trust* of the institution is low; (3) lack of government support; (4) coordination not yet built; (5) knowledge / public awareness about zakat less property.

Zakat optimization will occur if indicators of economic aspects (*ie*), and social / environmental aspects (*is*) increased.

Indicators of both aspects must be well considered and must be 'reversed', from 'less' to 'increase'. In practice it takes time, because growth is change, and

change is a process. Therefore, it can not be done in a short time. As long as the indicators in these aspects are not resolved, then zakat optimization is considered unsuccessful. An increase in one of the indicators suggests that the growth process is working. To simplify is stated as follows:

That is, the eight indicators above must increase. To facilitate our understanding of these indicators, we will be given the following formulations:

- First : acceptance of *BAZNAS* increasing (DB).
- Second : gift to mustahiq increases (DM).
- Third : the productivity and the number of amil increase (KA).
- Fourth : the knowledge / awareness of tithe increases (PK).
- Fifth : interest in the institution increases (ML).
- Sixth : *trust* in institutions increases (TL).
- Seventh : increased government support (DP).
- Eighth : built coordination (KT).

Can formulated as follows:

$$OPZ = f (ie, is)$$

Where:

$$ie = f (DB, DM, KA)$$

$$is = f (PK, ML, TL, DP, KT)$$

Thus, there are eight indicators to be considered in carrying out *OPZ* in Indonesia. Striving for improvement of these indicators is a joint task, the task of all components of society involved directly or indirectly <sup>17</sup> in the management of *zakat*, not just the task of the *zakat* board. Starting from the components of government, community leaders and local religion, muzakki and mustahiq itself. And that is not less important is the 'service' and 'completeness of infrastructure facilities zakat institutions'.

### 3. The Problem of Zakat Collection Approach in Indonesia

Judging from the types of businesses and occupations that can be subjected to zakat, such as traders, businessmen, farmers, professions, etc., the State of Indonesia has a large enough zakat potential and reliable in realizing the welfare of the community. The collection of zakat in Indonesia is still concentrated on the salaries of civil servants. The collection of funds made is still far from the practice of zakat payment. The giving of money is still voluntary and is not counted according to *nisab* and zakat levels. Giving is more properly referred to as alms / donations only, not zakat. In addition, not all agencies, meaning public servants who are active in the collection of zakat funds. That is, the amount of zakat that can be collected in Indonesia can still be improved.

Moreover, zakat non civil servants (traders, businessmen, doctors, lecturers, officials, and other occupations / professions) have not become the concentration of zakat institutions (BAZNAS). Zakat receipts from non-government employees are still very small, very dependent on awareness *muzakki*. In fact, individual awareness of zakat *muzakki* in Indonesia is still very less. BAZNAS does not have the capacity guaranteed by the Law to go further in forcing *muzakki* to pay its zakat through the agency (BAZNAS). So far, the approach used is still waiting yet to pick up. Socialization activities, appeals, or policies, both government and BAZNAS management, have not been massive. The BAZNAS Institute is still passive, waiting, and accepting only if there are *muzakki* who consciously and voluntarily pay zakat to the institution (coming directly or through account).

With a proactive collection approach (picking up / picking up) it is expected that zakat funds in Indonesia, both from civil servants and non civil servants, can be maximized. Plus the potential of zakat fitrah that is not less magnitude. Therefore, in the collection of zakat, the guidance of calculating zakat is very important. These guidelines can be used by institutions or *muzakki* individual, so that the zakat issued according to *nisab* and actual levels.

If the collection with the power approach of civil servants can be done and the result is helpful, then the familial, recitation and community approach to *muzakki* individual should also be attempted. This phenomenon should encourage Muslims, especially the managers of zakat, to dare to innovate and change the approach of collecting zakat from the passive to the active. Governments, clerics, and community leaders as well as those concerned have an obligation to align the management of zakat with existing needs. What was done by the Prophet and his companions, especially in the time of Umar bin Khattab, shows that the management of zakat is a matter of *ijtihadiah*. That is, it can be adapted to the needs of the times.

It should be the function of the mosque is restored as in the early days of Islam. Where, the mosque is not only as a symbol of worship facilities *mahdhah*, let alone just for prayer only. However, the most important is as a symbol of worship *ghairu mahdhah*, performs educational, economic, social, even political functions. The mosque is the power of Islamic syiar. Therefore, the mosque needs management, management in a broad sense, applying management functions as a professional company.

The public's belief in the "sacred" values of a mosque must be maximized into a force that can be used to transform and create civilization. In the management of zakat, mosques must have their own *mustahiq* data, plan for development and development in social and economic fields, forge partnerships and zakat institutions. Without it, zakat activity is only a mere ritual. People pay zakat just to give up the obligation, without understanding the essential meaning of the zakat *pensyariatan* itself.

Society is very important to be involved in the implementation of Zakat Economic Development. The issue of zakat is a matter of society, not individual. Therefore, improving and optimizing the potential of zakat that can exist starting from the smallest environment. This effort is described as a "joint effort and movement" which the author calls the "*core model*", which is the most core and basic effort in the zakat process, where the collection and distribution of zakat



starts from the smallest neighborhood (kelurahan or desa) from and by the society in the environment, pay attention to the environment by listing the *muzakki* and *mustahiq*, and the potential of zakat that is used fully for the mustahiq interests that exist in the environment.

This approach demands the participation of the village or kelurahan apparatus with the religious leaders and the community in their neighborhood. Therefore, the basis of this approach is a high sense of community concern, working together optimally to optimize the potential. In developing the "*core model*", it can be done with at least three components of the community working together. For example, the components of government *muzakki--mustahiq* or clerics / community leaders *muzakki--mustahiq*. That is, the concept of zakat management with the BAZNAS (which involves the dominant government) or LAZ (which involves ulama / figures predominantly) can be used. Only, either BAZNAS or LAZ should make efforts and movements of zakat by looking at the potential that exists in their environment. Knowing the potential of zakat and *mustahiq* is the main key. The principle of brotherhood and togetherness is greatly emphasized in the implementation of the "*core model*". And this bias starts from 'mosque'.

What is contained in the "*core model*" in principle is as a manifestation of human tasks on earth. Islam asserts that man is God's creation, and the rest of the source of life (*resources*) available is his mandate. Man must be responsible and use all that is given for the sake of worship and get closer to Him. Therefore, man is not absolutely free to use what he has without thinking of other humans in his environment. Humans must be able to coexist and support each other to realize *mutual welfare*, maintain social harmony and eliminate *anomie* with togetherness and brotherhood, not by competition and hostility. On this basis, the "*core model*" can be one of the approaches in the implementation of zakat economic development in Indonesia.

Finally, the implementation of proper management of zakat will reduce poverty and unemployment which is the main problem in economic development

of a region. The great potential of zakat in Indonesia should be pursued by improving the growth indicators of zakat economic development, and by all parties. Implementation of zakat management that is not as recommended will not bring maximum results. Its application is tantamount to wasting the potential of zakat and allowing economic injustice to happen.

In practice, zakat economic developers should be able to: (a) Raise awareness and service to *muzakki*. Do not let *muzakki* not pay zakat for not knowing how to tithe and no trustworthy institution. (b) Improve the function and role of existing religious institutions. Community leaders, clerics and employees *as'amil* zakat can play its role, must dare to take zakat actively from *muzakki* to then distributed to the *mustahiq* according to the provisions. Consciously, zakat granting must awaken <sup>2</sup> social solidarity, reduce social inequality, and in turn reduce the degree of crime in society. (c) Improving the utilization and utilization of zakat. *Amil* zakat must have a database of *muzakki* and *mustahiq*. Therefore, maps *muzakki* and *mustahiq* are needed to optimize the function of zakat in a region. Conducting <sup>2</sup> socialization and coaching to foster the trust of *muzakki* and *mustahiq* towards the institution and '*amil* zakat'. Establish wider and sustainable partnerships / cooperation.

Thus, if BAZNAS is still relied upon by a region in zakat management, the BAZNAS not only functions as a collector and distributor. BAZNAS must be able to cooperate with *muzakki*, able to cultivate the trust of *muzakki*, and show the peace to the people. What is revealed in Asnaini's research<sup>122</sup> supports the so-called Eri<sup>123</sup> that being an *amil* zakat should not be a side task, consuming spare time, but must be serious, done in earnest and *full time*. In the future, zakat management must be implemented transparently, where the upward reporting system (currently being implemented), must be balanced with downward and side reporting (*muzakki*, *mustahiq*, and society in general, and sesame '*amil*') - the way

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<sup>122</sup>Asnaini, Zakat Potential Mapping in Economic Development Effort (Study in Bengkulu Province), *Dissertation*, at Post Graduate Program of UIN Yogyakarta, 2012.

<sup>123</sup>Read: Eri Sudewo, *Zakat Management Leave 15 Traditions Apply 4 Basic Principles*, (Jakarta : IMZ, 2004).

that agrees with the mutual agreement. BAZNAS must be filled with people who are trustworthy and professional, understand zakat and responsible.

#### **4. Optimizing Zakat Management (OPZ) in Indonesia**

##### **a. Manajement of *Fundraising***

Following describes some basic things about the management of zakat management organizations. We then refer to the basic principles of the management of zakat management organizations (OPZ) covering three aspects: (a) institutional aspects, (b) aspects of human resources, and (c) aspects of the management system<sup>124</sup>

###### 1) Institutional Aspects

From the institutional aspect, an OPZ should pay attention to the following factors:

- a) Clear vision and mission. Only with the vision and mission is the activity / activity will be well directed. Do not let the created program tend to 'just for-for money'. Moreover, unconsciously made the program 'poverty preservation',
- b) Position and Nature Institutions are independent, neutral, not politics and not discrimination. That is, this institution has no dependence on certain people or other institutions. Such an institution would be more flexible to provide accountability to the donor community, and
- c) Legality and Organizational Structure. Especially for LAZ, the recommended legal entity is the Foundation registered on notarial deed and the district court. The organizational structure is as narrow as possible and tailored to the needs, so the organization will be agile and efficient.

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<sup>124</sup>Irman Firmansyah and Henry Sukmana, *Ibid.*

## 2) Human Resource Aspects (HR)

HR is the most valuable asset. So the election of who will be amil zakat must be done with caution. For that we need to note the following things:

### a) Changing the Paradigm of Amil Zakat

Once heard the management of zakat, often reflected in our minds is the traditional management, done with the remaining time, his HR part-time, managers can not be paid, and so on. It is time we change our paradigm and way of thinking. Amil zakat is a profession. Consequently he must be professional. For professional, one of them must work full time (full time). For that must be paid properly, so he can devote all his potential to manage the zakat funds properly. Do not let the amil zakat still have to find additional income, which in the end can disrupt his work as amil zakat.

### b) Qualification of Human Resources

If we refer to the time of the Prophet Muhammad, who was elected and appointed as amil zakat are the people of choice. People who have certain qualifications. In general the qualifications that must be possessed by amil zakat are: muslim, amanah, and fikih zakat understand.

## 3) The Management System

OPZ should have a sound management system. The elements to be considered are:

- a) Having a system, procedures and clear rules,
- b) Open Management,
- c) have a work plan (activity plan),
- d) Have 9 Committee Distribution (*lending committee*),
- e) Accounting system and financial management,
- f) Willing to be audited,
- g) Uphold transparency, and

h) Continuous improvement (*continuous improvement*).

Zakat Management Organization is one form of non-profit organization. So there is a special mechanism in its management. One of the key things in a nonprofit organization is the system *fundraising* that is the backbone of an organization. For Getting the most out of *fundraising* requires a strategy and the right approach is a strategy.<sup>39</sup> Therefore the organization's initial step in fundraising must determine the correct direction or strategy for the sake of the next step.

According to the language of *fundraising* means the raising of funds or raising funds. Meanwhile, according to the term *fundraising* is an effort or process of activities in order to collect zakat infaq and shadaqah funds as well as other resources of society both individuals groups of organizations and companies that will be channeled and utilized for mustahik.<sup>125</sup>

*Fundraising* can be interpreted as a gathering activity or raising zakat, infaq and alms funds as well as other sources of society (individuals, groups, organizations and companies), which will be channeled and utilized for *mustahik*.<sup>126</sup>

*Fundraising* is a very important activity for institutions / social organizations in an effort to support the course of the program and the operational wheel so that social institutions / organizations can achieve the goals and objectives that have been outlined.<sup>127</sup> Once important the role of *fundraising* itself can be said as a supporting factor of the institution in financing the program and finance the operational activities of the institution.

*Fundraising* deals with the abilities of individuals, organizations, legal entities to invite and influence others so as to generate awareness and concern

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<sup>125</sup>Directorate of Zakat Empowerment Director General of Islamic Community Guidance Ministry of Religious Affairs Republic of Indonesia 2009, *Management of Zakat Management* (Jakarta: 2009), 65.

<sup>126</sup>Didin Hanifudin and Ahmad Juweni, *Building Zakat Civilizations*, Jakarta: IMZ, 2006, p. 4

<sup>127</sup>Yuli Pujihardi, *Introduction to the Corporate Fundraising Guide: Tips for Success Raising Corporate Social Funds*, Depok City: Piramedia, 2006

for them. In this case the institutions need to establish ethics *fundraising* with reference to the mission of the institution.<sup>128</sup>

*Fundraising* is not synonymous with money alone, so scope broad and deep, because the influence is very meaningful for the existence of an institution. ZIS funds can improve the welfare of the community in order to alleviate poverty and narrow the <sup>15</sup> gap between the rich and the poor. Zakat fund raising may be said to always be the big theme of amil zakat organization. To capture and pursue "zakat balls" they have prepared various work tools complete with tables of zakat calculations.<sup>129</sup>

Activities *Fundraising* have at least 5 (five) main objectives, namely<sup>130</sup>:

- a) Raise funds
- b) Gathering donors
- c) Collecting sympathizers or supporters
- d) Building the image of the institution (*brand image*)
- e) Giving satisfaction to donors

Fundraising should be done in a good way, so that the donors want to donate their property with full sincerity and awareness.<sup>131</sup> Zakat fund collection by receiving or taking from *muzzaki* on the basis of notification from *muzzaki*. Amil zakat can work together with certain banks when property *muzzaki* is in the bank at the request of *muzzaki*.

And amil zakat agencies can receive infak, alms, grants and others. *Muzzaki* does his own calculation of zakat from his possessions, it can be ask for help to the local amil zakat agency. Zakah which has been paid to the amil zakat agency is deducted from the taxable income or income of the taxpayer concerned in accordance with applicable laws and regulations.<sup>132</sup>

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<sup>128</sup>Darwina Widjajanti, *Fundraising Strategic Plan*, Jakarta: Piramedia, 2006, pp.4

<sup>129</sup>Umrotul Khasanah, *Modern Zakah Management Instrument of Economic Empowerment Ummah*, Malang: UIN Maliki Press, 2010, p.176

<sup>130</sup>M. Anwar Sani, *Jurus Compile the fulus of Zakat Based Management Mosque*, Jakarta: PT Gramedia Pustaka Utama, 2010, pp. 25

<sup>131</sup>Muhammad E Ayub, et al, *Mosque Management*, Jakarta: Gema Insani Press, 1996, pp. 63

<sup>132</sup>Ahmad Sutarmadi, *Contemporary Mosque Management*, Jakarta: Publisher Media Nation, 2012, pp.135

Zakat management organizations that are not based on banking, they collect zakat funds by collecting zakat either directly or indirectly from the community. Methods include advertising, opening of zakat receipts counters, visits to recitals, social work, and brochures. Fundraising methods such as putting a tromol or a charity box in public places: restaurants, shops, pharmacies, and receipts from donors still seem to need to be applied to fundraising.

In the collection of funds, cleverness and agility of the board or committee is a very decisive factor. The more nimble the board or committee to process the gaps of funding opportunities, the faster the target is reached.

The mechanism of work within zakate amil organizations is essentially in contact with the application of the principles of leadership, communication, consultation, direction and reporting on the areas of accumulation, distribution, utilization, and zakat development. In fundraising ZIS fundraising, amil is not allowed to take and zakat to pay their wages / salaries, but the zakat fund is a mandate to be distributed to the poor and needy and the people who belong to the person entitled to receive zakat. The amil / officers of the fundraising committee get their wages / salaries through infaq and sadaqoh funds.

Legal basis relating to fundraising contained in the Law RI, among others, RI <sup>5</sup> Law no 23 of 2011 on the management of zakat, described in chapter III of article 24 reads:<sup>133</sup>

- a) <sup>11</sup> Amil Zakat and Amil Zakat Institution obliged to distribute <sup>the</sup> zakat that has been collected to the entitled to receive it in accordance with the provisions of Islamic law / Islamic Shari'a.
- b) Distribution of zakat funds that are efficient, ie <sup>26</sup> for productive enterprises in the context of handling the poor and improving the quality of the ummah.

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<sup>11</sup> <sup>133</sup>Law no. 23 of 2011 on the Management of Zakat

The **article** is just an example that *fundraising* is indeed really regulated in RI Law.

While motivation *fundraising* is as follows:<sup>134</sup>

- a) Ikhlas (lillahi ta'ala) raising funds
- b) Growing commitment to elevate kalimatullah
- c) Caring for the suffering of the people
- d) Conducting the empowerment of the people
- e) Da'wah
- f) Participated as part of achieving "khairu ummah"

The purpose of *fundraising* is as follows:<sup>135</sup>

- a) Collecting Funds

Collecting funds is goal *fundraising* the most fundamental. Included in the sense of funds are goods or services that have material value, this is the first and most important purpose in the management of zakat and this also causes why in the management of zakat *fundraising* must be done. Without *fundraising* activities zakat management institutions will not mean the same once. Even more can be said that activities *fundraising* that do not generate funds at all is *fundraising* that failed despite having other forms of success.

Because in the end if *fundraising* does not generate funds then no resources are generated. If resources are gone, the agency will <sup>6</sup>lose the ability to continue to maintain its program, so that it will eventually die.

- b) Increasing or accumulating *donors*

<sup>6</sup>The second goal of *fundraising* is to collect *donors*. Amil zakat institutions that do *fundraising* must continuously increase the number of *donors*sits. To be able to increase the number of *donors* then there are two ways that can be taken is to add donations from each *donor* or increase the number of *donors* at the time each donor donate funds that remain the

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<sup>134</sup>Sudirman, *Zakat In Whirlwind Modernity*, (Malang: UIN Malang Press, 1997), h. 70

<sup>135</sup>*Ibid.* hl. 70-74



same. Between the two options, adding donors is a relatively easy way of raising donations from each donor. For this reason, *fundraising* from time to time must also be oriented and fully concentrated to continue to increase the number of donors.

c) Improve or build the image of the institution

Conscious or not activities *fundraising* undertaken by non-governmental organizations (NGOs) either directly or indirectly <sup>6</sup> will affect the image of the institution. *Fundraising* is the front guard that conveys information and interacts with the community. The results of this information and interaction will shape the image of the institution in the minds of audiences. This image can be positive and can also be negative. With this image everyone will assess the institution and ultimately show the attitude or behavior on the institution.

If shown is a positive image then support and sympathy will flow by itself to the institution and thus no more difficulty in finding a donor because by itself donation will be given to the institution. Thus also case with trust with good image will very easy to influence society to give donation to institution.

d) Incorporating sympathizers or relations and supporters

Sometimes there is someone or a group of people who have interacted with activities *fundraising* conducted by an Amil zakat Institute or their non-governmental organization has a positive and sympathetic impression on the institution, but at that time they have no ability to giving something to the institution as a donation because of their inability. Such groups then become sympathizers and supporters of the institution even though they do not become *donors*. Such groups should be taken into account in activities *fundraising*.

Because even if they do not give donations they will try to do and do anything to support the institution and will be fanatical towards the institution. Such groups are generally naturally willing to be promoters or

positive informants about the institution to others. Such groups are indispensable to the institution as an informal informer to the needy. With this group, the institution already has a very profitable information network inactivity *fundraising*.

e) Improving satisfaction *donor*

The fifth goal of *fundraising* is to satisfy the donor of this goal is the highest and valuable objective for the long term even in the implementation of its activities in a day-to-day textual manner. Why satisfy donors is important? Because the donor's satisfaction will affect the value of the donation to be given to the institution. They will donate the funds to the institution repeatedly and even inform the satisfaction of the institution positively to others.

*Fundraising* is not only synonymous with money alone, space the scope is so broad and deep, its influence is very meaningful to the existence and growth of the Institute of Amil zakat (non profit financial institutions). Therefore, it is not so easy to understand the scope of *fundraising*. To understand it first requires understanding of the substance of the *fundraising* .

The basic substance of *fundraising* can be summarized to three things, namely:<sup>136</sup>

a) Donor motivation (muzakki)

That is a series of knowledge values, beliefs and reasons that encourage donors to spend their wealth. In the framework of *fundraising*, the organization of zakat management must continue to do education, socialization, promotion and transfer of information so as to create awareness and needs in the donor community (muzakki) to make a donation of property according to the teachings of Islam.

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<sup>136</sup> Directorate of Zakat Empowerment Director General of Islamic Community Guidance Ministry of Religious Affairs Republic of Indonesia 2009, *Management of Zakat Management* (Jakarta: 2009), 66-67.

b) Program

Namely the community empowerment activities *msutahik* or implementation of the vision and mission of the institution which causes the need for funds from external parties as well as the reasons donors donate. The organizational management of zakat must design a quality program and have a superior value in empowering *mustahik*.

The program must be packaged in such a way that it encourages muzakki to contribute to support and help in improving the value and life of *mustahik*.

c) Strategy of *fundraising*

Strategy that is pattern, form or ways that do an institute in order to raise funds from society. The strategy *fundraising* should be able to provide trust, convenience, pride and benefit to *donor donors* who donate through an Amil Zakat Institute.

The techniques of strategy that can be done by the Amil zakat Institute as follows:<sup>137</sup>

a) Strategy *fundraising* (direct fundraising)

Strategy *fundraising* directis a strategy that uses the techniques or ways that involve the participation of *donors*, direct namely forms of fundraising in which the process of interaction and the power of accommodation to the response of *donors* can immediately (directly) do. If in the *donor* arises the desire to make donations after getting promotions from the fundraiser of the uniform then, immediately can be done easily and all the completeness of the information needed to make donations is available.

The examples of this strategy technique are:

1. Direct mail,
2. Direct advertising
3. Telefundraising

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<sup>137</sup>*Ibid.*, 68-6

4. Live presentation
5. Pay directly
6. Pick up zakat infaq and shadaqah to donor party
7. Sertifikat donation (charitable certification)
8. Infaq box or charity
9. Counter or outlet
10. Transfer via bank account
11. Direct debit every month from donor account
12. Payment via phone banking
13. Payment via ATM
14. Payment via debit card
15. Payment via SMS
16. Payment via internet
17. Cutting profit company
18. Employee salary deduction
19. Teamwork utilization or distribution of zakat infaq and shadaqah funds or other social funds.

b) Strategy *fundraising* indirectly (indirect fundraising)

Strategy *fundraising* indirectis a strategy that menggunakan techniques that do not involve participation of *donors*, direct namely forms of *fundraising* which is not done by providing power directly to the response of accommodation *donors* immediately. This strategy, for example, is done in a way that promotes the formation of a strong institutional image, without being specifically directed to be a donation transaction at that time.

The example of strategy *fundraising* this indirectis

1. Adventorial
2. Image campaign
3. Presentation of both presentations to individuals and presentations to groups

4. Printed items such as poster flyers or flierbrochures
5. Attention example is the display of information
6. Publishing an example is the type of consumer targeted media message book bulletin magazine or newspaper
7. Attention writing example information form the location of time and independent style and cooperation
8. Advertising examples are advertisements in print media of internal electronic media and outdoor media
9. Accessories and gift for example is bolppoint sticker keychain time holder shirt calendar calendar agenda and partly
- 10.Events such as festival and festival charity training seminars or other social activities
- 11.Sales of merchandise
- 12.Sponshorship

All faundraising strategies, whether direct or indirect, must address the following factors:

Target *donors* audience of targeted:

1. The coverage of promotion tools (coverge area)
2. Timeliness accuracy
3. Words, style and image used
4. Costs to be used
5. Power of influence or form of expected response

Generally an amil zakat institution performs both of thesestrategies *fundraising* (direct and indirect). Because both have their own advantage and goals. A strategy is *fundraising* direct needed because without a Direct Strategy, *donors* will find it difficult to donate funds. Where as if all forms of *fundraising are* done directly, it will appear to be rigid, limited to the potential enviroenment of potential *donors* and potentially creating saturation. Both strategies can be used flexibly and all institutions must be good at combining both strategies.

The activities *fundraising* current must be handled very seriously by every Amil zakat institution that relies on the running of programs and institutional operations from public funds. *Fundraising* will greatly influence the advance of the Amilzakat Institute. When the funds collected from the community are running low, the Amilzakat Institute will not be able to help and empower the mustahik. In the advanced stages, if the Amilzakat Institute is not successful in *fundraising*, the existence of the Amilzakat Institute is also in a threatened position.

From the above description can be concluded that *fundraising* has a very important role in the management of zakat funds, especially regarding the things as follows:

a) *Survival* means that:

- 1) Each institution needs funds to finance operational activities. The amount is at a minimal amount for the operation of the institution.
- 2) Without funds the institution will not be able to operate and move normally and optimally even will die.

b) *Expansion And Development* means that:

- 1) The institution needs funds to develop and enlarge the scale of the organization and its programs.
- 2) Funds needed from time to time are demanded to increase.

c) *Reducing Dependency* means that:

- 1) Funding for an institution is very important to strengthen the bargaining position.
- 2) The greater the amount of an institution to raise funds, the stronger the independence of an institution to other parties.

d) *Building A Constituency* that is:

- 1) Fundraising in addition to directly aimed at grabbing funds will also increasingly multiply supporters.
- 2) To enlarge the fund also enlarge the source and the person who members or channel funds.

e) *Creating A Viable And Sustainable Organization*, namely:

- 1) Institutions require large funds in order to prepare themselves to exist in the long run
- 2) Instruments to ensure continuity of an institution's sustainability must be funded in large numbers.

f) *Stages Fundraising*

- 1) Formulation of empowerment programs or utilization of funds that is through the process of service and fundraising publications donors and donations.
- 2) Formulation of strategy and strategy *fundraising* that fund utilization report
- 3) The program proposal is through the evaluation of the program

## **b. Distribution and Empowerment of Zakat**

### **Distribution of Zakat**

In the time of the Prophet Muhammad, the Messenger sent his messengers to various regions to collect zakat. He ordered them to collect zakat from the rich who were in one area and distributed it to the poor who were there.<sup>138</sup> This shows that the principle in the distribution of zakat is to pay attention to the closest to the paying zakat.

In a authentic hadith it is mentioned that a Bedouin asked the Messenger of Allah, *"By Allah who has sent you, does Allah send you to collect the zakat from the rich among us and share it to the poor among us?"* He replied *"Yes ."*

Abu Ubaid narrated from Umar ra that he revealed in his will: *" I will inform the caliph after I have done good to the Bedouin. Because they are the origins of the Arabs and the main supporter of Islam. They should take advantage of their wealth and distribute it to the poor among them. "*The practice of zakat in

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<sup>138</sup>In the Hadith of Mu'adz bin Jabal when he was sent by Rasulullah SAW to Yemen to collect zakat from the rich there and share it to the poor from among them too. Another hadith narrated from the Abu alaydah that he said, *"Once came to us Rasulullah SAW, then he collected the zakat from the rich among us and distributed it to the poor among us. At that time, I was a small orphan. The messenger gave me some of zakat in the form of a female camel. "*

the days of Umar ra In a place zakat is collected and where it is distributed. The zakat collectors returned to Madinah without bringing nothing but their saddle and stick.<sup>139</sup> Ya'la's friend, who had been sent by Umar, as the zakat collector, said, "*We were sent to collect zakah and to go home with our whips.*"

Thus it was described how the distribution of zakat during the time of the Prophet and his companions. This continues in the aftermath of the Companions. As narrated from Amran bin Hashin ra that he was once sent Ziyad bin Abih (a Umayyad ruler) to collect zakat. When he returned, he was asked, "*Where is the treasure you gathered?*" He replied, "*Did you send me to collect the property? I have collected and distributed zakat as did the Messenger of Allah.*"

Abu Ubaid explained that" all the traditions assert that every society is more entitled to the zakat collected in their area until they are adequate. "Their priorities from this other are reinforced by the Prophet's Sunnah which emphasizes neighboring rights. Also because of the proximity of their home from the rich man's house.

Based on the example of the Prophet and the Companions, the distribution of zakat management should be: **First**, directly distributed. Collected zakat is not allowed to be stored but should be distributed immediately. **Second**, it should prioritize the *mustahiq* in the region where zakat is collected. Islam strongly upholds the principle of family and neighbors in distributing zakat. Therefore 'amil zakat really should pay attention to this. Because it may be that *muzakki* individualdo not pay zakat to the institution, because they pay directly to the poor around them. In order not to happen, 'amil zakat is obliged to ensure that if they pay zakat to the institution, their poor neighbors and relatives will be guaranteed part of zakat. **Thirdly**, the principle of zakat distribution ensures the necessity of *mustahiq* living in the area (village / village) where *muzakki* is located. **Fourth**, there are administrators with State (Government) orders. Zakat managers must be legal. They are obliged to collect and distribute zakat and report it to the ruling.

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<sup>139</sup>Said bin al-Musayyab narrated that Umar sent Mu'adz as zakat collector to the Kilab or Bani Sa'ad bin Dzibyan. And immediately he distributed all the zakat there without any left. He returned only with his saddle saddle back.



In case zakat can be distributed out of the territory where zakat is collected. It was agreed that the zakat distributed in zakat area was collected. However, it is also agreed that if a resident of a region (or some of them) no longer needs it because of adequate, or because of the smallest right, while zakat accumulates in abundance, it may share it in other areas in need.<sup>140</sup> In this case, according to the authors it is permissible that BAZNAS manage zakat for the economic empowerment or empowerment of the community. And management is left to the policy at BAZNAS. Sahnun narrated that he said, *"If the Imam is told that in a country there are people who are in need of zakat, he may transfer some of the zakat to the land, because it is more desirable to be prioritized. Remember! A Muslim is another Muslim brother. He can not menzhalimi and abandon his brother. "*

### **Empowerment of Zakat**

Zakat Development is not just a vertical worship, but it is a horizontal meaning of humanity. In zakat *maal* contained equalization and equality factors to tackle poverty and poverty and improve the well-being of society. Therefore, the sources of zakat, *muzakki*, and *mustahiq* are dynamic and expanding.

In the effective zakat utilization, the socioeconomic aspects are very important. As described in sections 2 and 3 above. Zakat funds are not prioritized for communitative, but zakat funds should be productive, compilers, offering two systems of zakat funds using two approaches. *Firstly*, a partial approach, in this case, the utilization of zakat funds directly to the poor and indifferent, this approach looks at the urgent condition of urgent need for help, possibly because of its grave condition, but this is more consumptive. The *second* approach, the structural approach, the approach that has a heavyon the allocation of zakat funds that is productive of *emphasis dhu'afa people* by providing continuous funding aimed at the poor can overcome their poverty, and even hopefully they will be muzakki, no longer mustah , but changed his profession into zakat payer.

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<sup>140</sup>Read: Yusuf Qardhawi, Jurisprudence Zakat ..., p. 798-809

Based on the <sup>8</sup> decision of the Director General of Islamic Guidance Society and Hajj Affairs D / 291 of 2000, there are two forms of empowerment of zakat, namely: First, the distribution of zakat funds can be assistance per second, which helps *mustahiq* to solve or reduce the problem of urgent / emergency (Article 14 verse 3). Secondly, the channeling of zakat funds can be an aid of empowerment that is to assist the *need* to improve their well-being, either individually to group them through continuous programs or activities. (Article 14 paragraph 4). These two forms are described as follows:<sup>141</sup>

a. Empowerment of Zakat Consumption

The funds that can be distributed in this form of empowerment are just zakat funds, not other funds. In the distribution of zakat funds to *mustahiq* there are three properties, namely:

- 1) Be grants (giving) and pay attention to the scale of priority life *mustahiq* in each region.
- 2) Assistance, which is to assist *mustahiq* in resolving or mitigating urgent / emergency issues.
- 3) Be empowering, which is to assist the *Empowerment need* to improve their welfare, both individually and in groups through ongoing programs or activities with revolving funds to provide more recipients of opportunities.

Based on the Law on Zakat Management No. 23 of 2011, zakat is given to the <sup>9</sup> poor, poor, *'amil*, *muallaf*, *riqab*, *gharim*, *fi sabillillah*, and *ibn sabil*. In practice in Indonesia, it can include the most economically inactive people such <sup>31</sup> as orphans, elderly, disabled, people studying, boarding schools, abandoned children, and victims of natural disasters.

The utilization of the zakat collection for *mustahiq* is based on the following requirements:

- 1) The revenue and the study of the truth of the eighth asnaf, ie poor, poor, amal, muallaf, riqab, gharim, sabilillah, and ibnusable;

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<sup>141</sup>Ministry of Religious Affairs, Guidance for the Implementation of Zakat Empowerment, Jakarta: Directorate of Zakat Empowerment, 2007.

- 2) Prioritize most powerless people to meet basic needs economically and desperately need help;
- 3) Putting *mustahiq* in their respective territories.

Zakah funds distributed in the form of consumptives can be distinguished in two properties.

1) Traditional consumptions of Zakat

Zakat are distributed to *mustahiq* directly for daily consumption needs such as the <sup>37</sup> distribution of zakat fitrah in the form of rice and money to the poor of every Idul Fitri in the form of rice and money to the poor of every Idul Fitri or division of penis mos for the needy people because the absence of food or the disaster. This pattern is a short-term program in addressing the problems of the community that can be given in the form of:

- a) Directional food divisions
- b) Giving money for daily necessities
- c) Giving gifts
- d) Giving medicines
- e) Giving money to renting a home
- f) Empowerment

2) Consumptive Creative

Zakat manifested in the form of consumer goods and used to help poor people in addressing the social and economic problems it faces. Such aids include:

- a) Granting scholarships for poor children.
- b) School tools for students.
- c) Help of worship facilities such as sarong, mukena, and tenth.
- d) Farming tools such as hoe for farmers.
- e) Assistance for business means for a sales person such as a sales cart.

b. Productive Zakat Empowerment Zakat

The utilization for a productive business is based on the following requirements:

- 1) When the utilization of zakat has been fulfilled and there are still advantages.
- 2) There are real efforts to be profitable.
- 3) Get written approval from the council.

The distribution / distribution of zakat in this form is austerity assistance through continuous programs or activities with revolving funds. The revolving fund is intended to give a chance *mustahiq* many more can be helped.

Zakat utilization procedures for productive businesses are as follows:

- 1) Conduct feasibility studies.
- 2) Specify the type of productive business.
- 3) Guidance and counseling.
- 4) Doing counseling and counseling.
- 5) Conduct evaluation.
- 6) Make reporting.

There are two forms of empowerment of productive zakat that are conventional productive and productive creative.

#### 1) Productive Conventional

Zakah is given in the form of productive goods, such as:

- a) The provision of goat livestock, dairy cow, or cow to plow the rice field.
- b) Handling of facilities for craftsmen such as carpentry and sewing machines.
- c) Granting of assistance in the form of paddy fields / gardens to be worked on, kiosk / business rental.

#### 2) Productive Creative

Zakah realized in the form of revolving capital or for the capitalization of social projects such as:

- a) Granting business capital to assist or to the development of the small trader's business.
- b) Build schools in poor neighborhoods.

- c) Build health facilities in slum areas.
- d) Building a place of worship.
- e) Build skills education facilities for the poor.

### **c. Controlling of Zakat Management**

Supervision is one of the management functions that need to be pursued in achieving the goals of an effective organization. With the supervision can prevent as early as possible the occurrence of irregularities, waste, fraud, obstacles, errors, failure in achieving the goals and implementation of organizational tasks. To gain a better understanding of supervision, the researcher will examine some of the theories concerned.

Oversight is generally a process of observation of the implementation of all organizational activities to ensure that all work underway is underway with a defined plan.<sup>142</sup> According Manullang supervision is a process to apply what work has been done, assess and if necessary correct, with the intention that the implementation of work in accordance with the original plan. While Hasibuan believes, supervision is the measurement and improvement of the implementation of subordinate work, so that the plans that have been made to achieve corporate objectives can be held.<sup>143</sup>

Robert J. Mockler as quoted by T. Hani Handoko as follows: "Management supervision is a systematic effort to set implementation standards with planning objectives, designing feedback information systems, comparing real activities with predefined standards, determining and measuring distortions, and take necessary corrective actions to ensure that all corporate resources are used in the most effective and efficient way to achieve company objectives."<sup>144</sup>

According to George R. Terry and Leslie W. Rie in his book the basics of management , Controlling is to measure implementation by objectives, determine the causes of deviations and take corrective action when necessary<sup>24</sup>.

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<sup>142</sup>Sondang P Siagian, *Human Resource Management*, Jakarta: Earth Script, 1989, p. 60

<sup>143</sup>Manulang, *Basics of Management*, Yogyakarta: Gajah Mada University Press, 2014, p. 77

<sup>144</sup>T Handoko, *Management*, Yogyakarta: FE UGM, 2010, p. 16

Meanwhile, according to Horold Koontz and Cryrill O'Donnel oversight is the measurement, correction of the implementation of work with the intent to realize the reality or ensure that organizational goals and plans prepared can be / have been well implemented.

From some opinions above, it can be concluded that supervision is a series of activities undertaken by a leader to measure the level of effectiveness and efficiency of personnel work by using certain methods and tools in an effort to achieve predetermined goals. In the event of any deviation or errors in the execution of the duties there shall be immediate corrective action, so that the stated objectives can be achieved in accordance with the established plan.

Supervision is practically differentiated into, ie, initial supervision, ongoing supervision and final supervision.<sup>145</sup>

a. Preliminary

Supervision Initial supervision is supervision carried out since the organization's progress so that deviations can be avoided from the beginning of the activity. This supervision can be carried out since the planning stage, the anticipation of the possibility of problems and designed methods of handling them. Active supervision of this kind will reduce the level of problems that arise in the future.

b. Supervision

Ongoing Supervision is supervision conducted during the supervision progresses. This supervision is a follow up of initial supervision with anticipation preparation in case of errors or irregularities. Given this oversight of error or error will be suppressed. Ongoing supervision may take the form of an interim report or sudden inspection request. This supervision is considered effective in the supervision of financial use. However, abrupt supervision is not always right, let alone done by an incompetent person. Not infrequently a sudden inspection will lead to new problems that were not

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<sup>145</sup>GR Terry, *Basic ...*, p. 55-56

previously predicted. Therefore, it is necessary to consider first before conducting a running inspection capital inspection.

### c. Final Supervision

The final supervision is supervision conducted at the end of the activity. Supervision is usually not active because the deviation findings are only an evaluation material for subsequent activities. To that end, more useful oversight is the initial supervision and supervision of walking because it can directly straighten activities.

In carrying out the supervision of a job there is always a sequence or steps that must be passed in carrying out the task. Similarly, in the implementation of supervisory duties, to facilitate the implementation in realizing the goal must also pass through several phases or sequence of implementation. In the opinion of Sondang P. Siagian, Supervision will run smoothly if the basic process of supervision is known and adhered to, the basic process is:<sup>146</sup>

#### 1) Determination of Standards Work Outcome

Standards work is very important to determine because it is against the standard work result is confronted and tested. Without a set of standards rationally and objectively, the leader will not have any criteria for which the outcome of the work, so can say that the results achieved meet the demands of the plan or not.

#### 2) Measurement of Work Outcomes

It should be emphasized firstly that since supervision is directed to all ongoing activities, it is often not easy to measure the work of the organization's members thoroughly and final. However, through supervision should be able to measure performance results, although temporary. Such temporary measurements are of great importance because they will provide clues to the presence or absence of symptoms of deviation from the established plan.

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<sup>146</sup>Sondang, P Siagian, *Management ...*, p. 66

### 3) Probable Corrections

Although temporary, corrective action against symptoms of deviance, diversion and waste should be taken.

The issue of zakat is not merely an individual's mercy, but a system of social order that is managed by the state through its own apparatus. This apparatus regulates all the issues, ranging from the collection of the obligatory zakat and distribution to those who are entitled. This requires the existence of a supervision in the implementation.

In the context of Indonesia Syariah Supervisory Board (DPS) is an independent body placed by the National Sharia Board (DSN) on Islamic banking and sharia institutions. Members of DPS should consist of experts in the field of Islamic muamalah who also have knowledge in the field of Islamic economics. In the implementation of daily tasks, DPS shall follow the fatwa of DSN which is the highest authority in issuing fatwas regarding the conformity of bank products and services with the provisions and principles of sharia. The main task of DPS is to oversee the business activities of Islamic financial institutions in order not to deviate from the provisions and principles of sharia that has been filed by DSN. The National Sharia Council (DSN) is part of the Indonesian Ulema Council (MUI) which is responsible for developing the application of Sharia values in economic activities in general and the financial sector in particular.

Including zakat institutionamil efforts. In order for DPS and DSN to have an optimal and significant role, there are at least four important things that should be a common concern. First, the determination of the classification of the expertise of the parties who can be appointed DSN or DPS members.

Secondly, it is common knowledge that some DSN members are also consultants at zakat institutions and amil or sharia financial institutions. This will certainly lead to public doubts about the independence of the DSN itself.



Thirdly, zakat institutions and agencies must have DPS in the regions. This is in line with the increasing number of institutions and amil zakat to various provinces, even districts / cities. DSN should support and pay attention to these demands, so that the application of zakat is more assured in the regions.

Fourth, the DPS surveillance model no longer follows the first and second models as described above, but follows a truly active and productive third model. In this supervisory model the DPS is conducted by a shari'ah department at an agency and amil zakat entity. With this model, sharia experts are in full-time duty, supported by technical staff who make zakat supervision tasks that have been outlined by the department ahli sharia. If this model is functionally implemented, then the DPS tasks as desired by the DSN can be realized.<sup>147</sup>

Zakat regulatory arrangements under Act No.23 of 2011.<sup>148</sup>

a. Article 34

(1)The Minister shall conduct guidance and supervision on BAZNAS, Provincial BAZNAS, BAZNAS districts / cities, and LAZ.

(2)The governor and regent / mayor shall conduct guidance and supervision on the provincial BAZNAS, the district / municipality BAZNAS, and LAZ in accordance with their respective authorities.

(3)The guidance as referred to in paragraphs (1) and (2) includes facilitation, socialization and education.

b. Article 35

(1)The public may participate in the guidance and supervision of BAZNAS and LAZ.

(2)The supervision <sup>8</sup> as referred to in sub-article (1) shall be conducted in the form of:

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<sup>147</sup>National Shias Council, *Zakat Management*, Jakarta: ..., 2003, p. 1-6

<sup>148</sup>Act No. 23 of 2011 on Zakah Management

- a. access to information on Zakat Management conducted by BAZNAS and LAZ; and
- b. the delivery of information in case of irregularities in Zakat Management undertaken by BAZNAS and LAZ

In the case of this supervision, the Act states that the supervision of this Zakat Management community can play an active role in overseeing the Zakat Fund Management they have spent on BAZNAS and LAZ through access to information on Zakat Management that has been done by BAZNAS and LAZ.

For that Reporting should be presented on time, as it is necessary to make decisions or corrections. Correct goal status reporting is a manager-like tool for taking action quickly, in a timely manner and performed by a responsible officer. Reporting on the status of a target sets accurate information so that it is known whether or not there is any irregularities for corrective action taken. The report on zakat management consists of:

- a. Preparation Report, which is written information containing all activities undertaken prior to the implementation of zakat management commenced, submitted and received no later than 10 days before the start date of the implementation of an activity by the organizing organization.
- b. Implementation Report, which is written information containing all activities carried out during and after the implementation of zakat management, submitted and received no later than 7 days after the end of implementation of a zakat management/extension activity by the organizing organization.<sup>149</sup>

Zakat in Indonesia is very potential. Zakat has implications for creating social justice, social integration and strengthening economic resilience. When looking back historically, zakat has a leading position in fiscal policy and public finance in the early days of Islam. Besides being the most important source of income at that time,

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<sup>149</sup>MoRA, RI, *Zakat Empowerment*, Jakarta: -, 2003, p. 89

zakat is also able to meet the needs of the country. Zakat is also able to influence the economic policy of the Islamic government to improve people's welfare.

Zakat can be directed to the equitable distribution of the economy of society and create a balance of economic circulation of society. The poor will get their rights better in meeting basic needs. Thus, zakat will serve as one of the instruments to alleviate society from poverty, income distribution, and narrow the gap between rich and poor. Because the instrument of zakat is clearly a mechanism of wealth distribution resulting in a circulation of wealth in society, so that also enjoyed by the poor and marginalized.

Seeing the huge potential of zakat developed, of course, the government has been looking for various ways to move and optimize that potential. As quoted in Outlook Zakat 2017 that the Government has realized the potential of this large charity, the Ministry of BAPPENAS has integrated the zakat programs in OPZ into the national program of achieving SDGs (Sustainable Development Goals). In addition, BAPPENAS also incorporated zakat into the Masterplan of Indonesian Islamic Financial Architecture (MAKSI) launched in 2015. Based on MAKSI, BAZNAS is directed as coordinator in the arrangement, collection and distribution of national zakat, with the <sup>14</sup> Ministry of Religious Affairs as regulator and performance supervisor of BAZNAS.

In addition to the above government efforts that have been concerned about the management of zakat, various research results show that the <sup>19</sup> potential of zakat Indonesia is large. The result of research of Language and Culture Center of UIN Syarif Hidayatullah and Ford Foundation (2005) shows, the amount of philanthropic potential (generosity) of Indonesian Muslims reach Rp. 19.3 trillion. Among these potentials, <sup>7</sup> Rp.5.1 trillion in goods and Rp 14.2 trillion in money. The amount of funds amounting to the fund, one third is still derived from zakat fitrah (Rp 6.2 trillion) and the rest of zakat property Rp 13.1 trillion. Meanwhile, Public Interest <sup>7</sup> Research and Advocacy Center (PIRAC) revealed that the potential of zakat in Indonesia reached Rp 9.09 trillion in 2007 this potential increased by Rp 4.64 trillion

compared to 2004 which potentially allegedly Rp 4.45 trillion. While Beik (2007) made an estimate by assuming that the amount of zakat that can be collected is 2.5 percent of the total gross domestic product (GDP) so that the potential of zakat reaches Rp 44.1 trillion.

But the potential of zakat in Indonesia illustrated by the various results of the above study has not been supported by the collection of zakat funds in the field. Zakat funds that have been collected from the community is still far from the real potential. This is demonstrated by actual data on the collection of zakat, infaq, and national alms by the official OPZ of 2015 which only reached Rp 3.7 trillion or less than 1.3 percent of its potential.

Based on Outlook Zakat 2017 results mention that some of the gaps that occur between the potential of zakat with pengimpunannya influenced some things as follows:

1. The low awareness of obligatory zakat (muzakki), the low trust of muzakki against OPZ and the behavior of muzakki which is still short term oriented, decentralized, and interpersonal.
2. Excavated zakat bases are still concentrated in certain types of zakat, such as zakat fitrah and potency.
3. The low incentive for obligatory zakat (muzakki) to pay zakat, especially related to zakat as tax deduction so that zakat obligation is not exposed double burden (Indonesia Economic Outlook 2010).

Some of the disparities mentioned above as well as the results of observations by the authors who see that the interest of the people of Bengkulu in paying zakat to the institution of zakat is still low. Inductively, from the internal side of muzaki, this is at least caused by three main points, namely (Asnaini, 2011):

1. Social worship (zakat) is still treated like an individual worship. Zakah society to meet personal needs or personal satisfaction, not to maximize its use for the mustahik. Fulfillment of psychological needs and sense of security (releasing

obligations) is still very strong in Zakat practices of Bengkulu people. That is, there are deviations of community behavior in the implementation of zakat.

2. Trust (trust) muzaki against the institution of zakat is still low. This shows that the social behavior of non-believers in the developing world also occurs in the implementation of zakat. Beginning with the fear of zakat is not up to the right, affecting the doubt and distrust of the institution of zakat.
3. In giving zakat, muzaki prioritizes its environment (neighbors and relatives). This is to keep the brotherhood and avoid conversation / slander from relatives or neighbors. Paying zakat directly as well as providing compensation, seeking safe, and to eliminate doubts / fears zakatnya not to the right if given through the institution. Thus, the allegation that people have not paid their zakat property becomes irrefutable or can be rejected.

Looking at some of the above, of course, in such conditions, the expected optimum role of zakat instruments for redistribution, allocation and stabilization of the economy is still difficult to be expected. For that needed strategic steps to close the realization and the potential that exists, while optimizing its influence for the national economy.

Strategic steps that can be done to achieve the optimal management of zakat so that its large potential can be in line with the collection of funds, the Organization of Zakat Management (OPZ) has a big role for welfare can be achieved. OPZ in Indonesia, consisting of BAZNAS, Provincial BAZNAS, Regency / Municipal BAZNAS and LAZ has conducted the collection and distribution of zakat with the following details:

Table 4. Collection and Disbursement of Zakah Funds Based OPZ

Agency	Collection		Disbursement		Absorption
	Rp	%	Rp	%	
BAZNAS	92.568.574.079	2,53	77.163.263.785	3,43	61,6%
BAZNAS Provinsi	644.859.329.420	17,65	342.186.614.275	15,20	
BAZNAS Kab/Kota	876.626.483.800	24,00	568.772.590.869	25,26	
LAZ	2.039.218.862.993	55,82	1.263.512.276.616	56,11	
<b>Total</b>	<b>3.653.273.250.292</b>	<b>100</b>	<b>2.251.634.745.545</b>	<b>100</b>	Effective Enough

Source: Statistics Document BAZNAS, 2016

<sup>28</sup> Based on the above data, it can be seen that the percentage of collection is still not optimal. OPZ spread both nationally and locally still need to be optimized to be able to collect zakat funds from muzakki. The traditional way performed by muzakki to directly submit zakat to mustahik must be minimized so that zakat can be managed in institutional manner. If zakat is administered by OPZ, then the mustahik data recorded by OPZ can be used to declare the distribution of zakat.

The purpose of zakat for the welfare of the people can be achieved if there is equal distribution of zakat distribution to the right to receive it. Institutionally, then the distribution can be right on target. This can be seen in the following chart:



Figure 3.2. The Chart of Optimal Zakat Management

To maximize the management of zakat, the role of OPZ is very important to be optimized. Collecting activities can be improved in various ways, including as follows:

1. Ball picking program. This means that the OPZ records and goes directly to muzakki to facilitate in channeling zakat funds to the institution
2. Strengthening cooperation with educational institutions. OPZ can collaborate with educational institutions to collectively collect zakat.
3. Strengthening the technology field to create tools that facilitate muzakki and OPZ in managing zakat.
4. Expanding the area of socialization and education of OPZ to the community especially those in remote areas.
5. OPZ continues to publish financial reports for the transparency of financial data in order to increase public confidence.

Some of the above efforts can be done to optimize the OPZ in managing zakat so that the purpose of zakat in the prosperity of the people can be achieved. If welfare is achieved it means that poverty can be minimized because of the equal distribution of income. Zakat becomes a potential financial instrument in fiscal policy in Indonesia. Thus zakat is not only limited to the realization of worship for a Muslim but also a solution to alleviate poverty and achieve economic prosperity of the national community.

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