



FIQH OF ZAKAT FITRAH

The Views of Madzhab Fiqh
(Hanafi, Syafi'i, Hambali & Maliki)

FOCUSES ON ZAKAT FITRAH
BY USING MONEY

Wahyu Abdul Jafar, M.HI

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Mega Press

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ISBN : 978-623-88110-3-8
No. IKAPI : No.435/JBA/2022
Editor : Vina ‘ Alimah
Cover Design : Muhammad Zaky
Setting Layout : Vina ‘ Alimah

Published and printed by CV. MEGA PRESS NUSANTARA
First Printing, June 2022

Editor's Address:

Janatipark III Housing Complex, Copernicus Cluster Block
D-07, Cibeusi, Jatinangor, Sumedang Regency, West Java,
45363

Website : www.megapress.co.id

Email: admin@megapress.co.id

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FOREWARD

The writing of this book is intended to provide knowledge about the fiqh of zakat fitrah, which in Islam teaches its adherents to have a sense of concern for the poor by helping or lightening the burden of their lives. This book is expected to provide general instructions and teaching materials, so that the mindset can facilitate Muslims in helping the poor, and Islam stipulates the existence of zakat, infaq, and shadaqah shari'ah. In addition, the writing of this book can provide information about the views and basics according to Ulama regarding zakat fitrah.

I would like to thank the various parties who have participated in the preparation and improvement of this book, so that it can be published and accepted by all parties. Hopefully, this book will be useful for readers and writers in particular.

Jatinangor, Juni 2022

Writer

CONTENTS

FOREWARD	iv
CONTENTS.....	v
CHAPTER I INTRODUCTION	1
A. Background Of The Problem.....	1
B. Formulation Of The Problem	2
C. Research Purposes	3
D. Benefits of Research Results	3
E. Previous Research Studies.....	3
F. Theoretical Framework.....	4
G. Research Methods	4
H. Systematics Discussion	6
CHAPTER II ZAKAT FITRAH.....	7
A. Definition of Zakat Fitrah	7
B. Legal Basis Of Zakat Fitrah	7
C. Conditions For Compulsory Zakat Fitrah.....	9
D. Legal Conditions For Zakat Fitrah	11
E. Kinds Of Zakat Fitrah.....	12
F. Time Zakat Fitrah	13
G. People Who Are Entitled To Receive Zakat Fitrah	15
H. The Wisdom of Zakat Fitrah	16
CHAPTER III PROFILE OF MADZHAB FIQH	19
A. Hanafi Madzhab	19
B. Shafi'i Madzhab.....	20
C. Hanbali Madzhab	21

D. Maliki Madzhab	25
CHAPTER IV THE VIEWS OF THE FOUR MADZHABS FIQH	31
A. The Hanafi Madzhab's View Focuses On Zakat Fitrah by Using Money	31
B. View of the Shafi'i Madzhab Focuses On Zakat Fitrah by Using Money	33
C. View Of The Hanbali Madzhab's Focuses on Zakat Fitrah by Using Money	35
D. View Of The Maliki Madzhab's Focuses On Zakat Fitrah by Using Money	36
E. A Comparison For The Views Of Madzhabs Fiqh (Hanafi, Syafi'i, Hambali & Maliki) Focuses On Zakat Fitrah....	38
CHAPTER IV CLOSING	41
A. Conclusion	41
B. Suggestions	42
BIBLIOGRAPHY.....	43
AUTHOR'S PROFILE.....	46

CHAPTER I INTRODUCTION

A. Background Of The Problem

Islam teaches its adherents to have concern for the poor by helping, assisting, and easing the burden of their lives. This act is one of the obligations that must be carried out, says Allah SWT:

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

Meaning: "And help each other in goodness and piety and do not help each other in sin and enmity" (Surah Al-Maidah: 2).¹

To make it easier for Muslims to help the poor, Islam stipulates the existence of shari'a zakat, infaq, and shadaqah. In Islamic history, the concept of zakat has proven to lighten the burden of the poor and be a milestone in alleviating poverty and poverty.

One form of zakat that can provide relief and pleasure for the poor is zakat fitrah². This is in line with the Hadith of the Prophet SAW:

أَغْنُوهُمْ عَنِ الطَّوَافِ هَذَا الْيَوْمِ

Meaning: "Enrich them (the poor) from going around this day." (HR. Imam Malik)³

In the Hadith, the Prophet Muhammad SAW ordered the Muslims to pay zakat fitrah, whose purpose was so that on Eid al-Fitr, the poor people did not go around begging. The

¹Religion RI, *Al-Qur'an and The translation*, h. 106

²As we know that on every Eid al-Fitr, every Muslim, male or female, big or small, independent or slave, is required to pay zakat fitrah as much as 3.5 liters or one shadari of filling food according to each place (country). . SAFITRI, Idah Umdah. *The Problems of Zakat Fitrah* . **Tazkiya** , [SI], v. 19, n. 01, p. 21, june 2018. ISSN 1411-7886

³Imam Malik, *al-Muwatho*, Maktabah Syamilah Version 13 G, Keyword , Juz2, p. 150

scholars explain that there are many pearls of wisdom in the shariah of zakat fitrah, but the essential wisdom is to share happiness with those who are less fortunate on a happy day (holiday) by giving the most needed item in life, namely food.

Therefore, the food used as zakat fitrah was standardized with the food used, which was the most dominant in society. However, the requirement for zakat fitrah to use food ingredients sometimes causes several problems of its own; for example, in that area, it is complicated to find the most dominant food ingredients, so it creates an initiative among the community to replace zakat fitrah not using food ingredients but using Money that is equivalent to the food ingredients.

Another reason is that the use of Money in paying zakat fitrah is seen by the community as more accessible and more practical, so many of them pay zakat fitrah using Money equivalent to the price of food ingredients usually used for tithing.

This makes the author interested in conducting an in-depth study of the law of paying zakat fitrah using Money equivalent to basic foodstuffs that can be used for zakat.

B. Formulation Of The Problem

Departing from the thoughts that have been described by the author, before diving into a longer description, the author needs to formulate a problem formulation that is the basis for this research. The author, in this case, will present the formulation of the problem in the form of questions as follows:

1. What are the views of the Ulama of the Four Madzhabs (Hanafi, Shafi'I, Hambali, and Maliki Madzhabs) regarding zakat fitrah using Money?
2. What is the basis of the views of the Ulama of the Four Madzhabs (Hanafi, Shafi'I, Hambali, and Maliki Madzhabs) regarding zakat fitrah using Money?

C. Research Purposes

In connection with the problems that have been stated above, the writing of this research is expected to have the following objectives:

1. To examine and know clearly how the views of the Ulama of the Four Madzhabs (Hanafi, Shafi'I, Hambali, and Maliki Madzhabs) regarding zakat fitrah use Money.
2. To examine and know the basis of the views of the Ulama of the Four Madzhab (Hanafi, Shafi'I, Hambali, and Maliki Madzhabs) regarding zakat fitrah using Money.

D. Benefits of Research Results

This research is expected and sought by the author to have the following benefits and uses:

1. Facilitate the Muslim community in understanding the rules or procedures for paying zakat fitrah using Money in the four Madzhabs of thought (Hanafi, Shafi'I, Hambali, and Maliki Madzhabs).
2. As materials and materials To add and develop the library treasures, especially about zakat fitrah using Money.
3. To be used as material for further research

E. Previous Research Studies

Following this research that has been done about zakat fitrah:

1. Putri Rahmatilah, wrote a thesis with the title "Islamic law perspective on the distribution of zakat fitrah equally in the Baiturrahman musholla, Bergan hamlet, Wijirejo village, Pandak sub-district, Bantul district, Yogyakarta". The findings obtained from this study are that the distribution of zakat fitrah evenly in the Baiturrahman Mosque, Hamlet of Bergan RT 05 Wijirejo Village, Pandak District, Bantul Regency, Yogyakarta is not following the provisions of Islamic law (Surat At-Taubah verse 60) because there is no clarity on who zakat fitrah. It is given, and the management is less careful in distributing zakat.

2. Agus Khanif, wrote a thesis entitled "Islamic law review on mustahiq zakat fitrah (case study in Banaran Grabag village, Magelang)". The findings obtained in this study are the determination of *mustahiq* zakat Fitrah; what happened in the village of Banaran Grabag Magelang is not allowed in Islamic law because it is contrary to the syara argument; this is because the determination of mustahiq zakat nature by grouping it into three groups, namely, the upper, middle, and lower classes.

From the data above, it can be seen that the research that the author conducted is different from the studies above because the research that the author did was directed to zakat fitrah using Money in four Madzhabs, while the two studies above were directed to *mustahiq* zakat.

F. Theoretical Framework

In this study, the author uses the theory of Zakat Fitrah, which includes:

1. Definition of Zakat Fitrah
2. Legal Basis of Zakat Fitrah
3. Conditions for Compulsory Zakat Fitrah
4. Legal conditions for Zakat Fitrah
5. Kinds of Zakat Fitrah
6. Zakat Fitrah Time
7. People who are entitled to receive zakat fitrah
8. The Wisdom of Zakat Fitrah

G. Research Methods

1. Types of research

This study uses the *Library Research research model*, whose data are taken from books and books related to this research.

2. Research data

In this study, there are several sources of data used by researchers as reference material, including:

a. Primary data

The primary data in this study are the Qur'an and its translation published by the Ministry of Religion of the Republic of Indonesia, the Kitab Al-Muwatho by Imam Malik, the Kitab Hasyiyah al-Bajuri by Sekh Ibrohim al-Bajuri, the Kitab Shohih Bukhori, the Book of Sunan Abu Daud by Imam Abu Daud, Hafid Syihabuddin's Ibanatul Ahkam, Abdurrohman's Ad-Darul Manshur, Hanafiyah Ulema's Fathul Qodir, Nisobu Riyah fi takhriji ahadisihidayah Books, Masail Fiqhiyah Series Books (About Fasting) Make Fasting More Beautiful and Healthy, published by the Institute Study and Bahtsul Masa'il PP. Salafiyah, Zakat Research Book by M. Masykur Khoir

b. Secondary Data

Secondary data in this study is secondary data that is indirectly related to the object of this research and is considered very supportive.

3. Data collection technique

In this study, the authors use documentation techniques. The author collects data by researching books, records, and archives about a problem related to the things studied by the author. The author chooses the documentation technique because the research study conducted by the author is a literature review, so the author feels it is enough to use documentation techniques without using other techniques.

4. Technique Data analysis

After the data needed by the researcher has been collected, the researcher moves to the next stage, which is to analyze the data so that it is more proportional to the ability of the researcher. At the same time, the method used in analyzing the existing data is using descriptive analysis.

H. Systematics Discussion

To make this series of research systematic, the authors arrange the systematic discussion of this research into four chapters as follows:

Chapter I: Introduction

This first chapter contains the background of the problem, problem formulation, research objectives, research scope, benefits and uses of research results, theoretical studies, research methods, and systematic discussion.

Chapter II: Theoretical Foundations

The discussion in this chapter will contain the definition of zakat fitrah, the legal basis for zakat fitrah, requirements for compulsory zakat fitrah, legal requirements for zakat fitrah, types of zakat fitrah, time for zakat fitrah, people who are entitled to receive zakat fitrah, and wisdom of zakat fitrah.

Chapter III: Data and Discussion

This chapter will discuss the views of scholars from the Hanafi, Syafi'iyah, Hanabilah, and Malikiyah groups regarding zakat fitrah using Money. This chapter will also discuss the basis and reasons underlying the opinions of these four Madzhabs of thought on the issue of zakat fitrah using Money.

Chapter IV: Closing

This chapter is the final part of this research containing conclusions and suggestions.

CHAPTER II ZAKAT FITRAH

A. Definition of Zakat Fitrah

Zakat, according to language, means cleaning and growing. Meanwhile, according to Islam, zakat means a certain level of wealth given to people entitled to receive it with several conditions as a staple food.

It is called zakat fitrah because it is obligatory after breaking the fast. Zakat is obligatory as far as fasting during Ramadan. According to Imam Waqi" in the book Fathul Muin," zakat fitrah for fasting during Ramadan is like prostrating *sahwi* to prayer. As the lack of prayer. This saying is strengthened by a valid hadith which says that zakat fitrah can cleanse the fasting person from melt (useless actions) and vile words.⁴

Zakat fitrah or body zakat, zakat *ru'us* or shodaqoh fitrah is zakat that must be issued to every Muslim who can afford it because he meets some of the months of Ramadan and the month of Shawwal. Zakat fitrah is specifically prescribed for the Ummah of Muhammad, and it is mandatory on the two days before Eid al-Fitr in the second year of the Hijrah.⁵

B. Legal Basis Of Zakat Fitrah

Many scholars think that the law of zakat fitrah is obligatory. The following are the arguments that are used as legal footing by the majority of scholars, including:

عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: (فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفِطْرِ،
صَاعًا مِنْ تَمْرٍ، أَوْ صَاعًا مِنْ شَعِيرٍ: عَلَى الْعَبْدِ وَالْحُرِّ، وَالذَّكَرِ، وَالْأُنْثَى، وَالصَّغِيرِ، وَالْكَبِيرِ،
مِنَ الْمُسْلِمِينَ، وَأَمَرَ بِهَا أَنْ تُؤَدَّى قَبْلَ خُرُوجِ النَّاسِ إِلَى الصَّلَاةِ) مُتَّفَقٌ عَلَيْهِ

⁴Safitri, Idah Umdah. *The Problems of Zakat Fitrah* . *Tazkiya* , [SI], v. 19, n. 01, p. 22-23, June 2018. ISSN 1411-7886

⁵Seh Ibrahim al-Bajuri, *Hasyiyah Al-Bajuri* , (Jedda: al-Haromain), Volume 2, p.278

Meaning: *From Ibn Umar Radliyallaahu 'anhu that the Prophet sallallaahu 'alaihi wa Sallam required zakat fitrah of one sho' of dates or one sho' sya'ir on a servant, free person, male and female, big or small from Muslims ; and he ordered that it should be removed before people went out to pray. (HR. Bukhari-Muslim)*⁶

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: (فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفِطْرِ: طَهْرَةً لِلصَّائِمِ مِنَ اللُّغْوِ، وَالرَّفَثِ، وَطُعْمَةً لِلْمَسَاكِينِ، فَمَنْ آدَاهَا قَبْلَ الصَّلَاةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ آدَاهَا بَعْدَ الصَّلَاةِ فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ.) رَوَاهُ أَبُو دَاوُدَ، وَابْنُ مَاجَةَ، وَصَحَّحَهُ الْحَاكِمُ

Meaning: *From Ibn Abbas Radliyallaahu 'anhu that the Prophet sallallaahu 'alaihi wa Sallam required zakat fitrah as a cleanser for people who fast from useless and dirty words and as food for the poor. So whoever pays it out before prayer becomes zakat that is accepted, and whoever pays it out after prayer becomes an ordinary charity. (History of Abu Dawud and Ibn Majah. Sahih Hadith, according to Hakim)*⁷

وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: (كُنَّا نُعْطِيهَا فِي زَمَانِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَاعًا مِنْ طَعَامٍ، أَوْ صَاعًا مِنْ تَمْرٍ، أَوْ صَاعًا مِنْ شَعِيرٍ، أَوْ صَاعًا مِنْ زَبِيبٍ.) مُتَّفَقٌ عَلَيْهِ وَفِي رِوَايَةٍ: (أَوْ صَاعًا مِنْ أَقِطٍ) قَالَ أَبُو سَعِيدٍ: أَمَّا أَنَا فَلَا أَزَالُ أُخْرِجُهُ كَمَا كُنْتُ أُخْرِجُهُ فِي زَمَنِ رَسُولِ اللَّهِ وَلَا بِأَبِي دَاوُدَ: (لَا أُخْرِجُ أَبَدًا إِلَّا صَاعًا)

Meaning: *Abu Said Al-Khudry Radliyallaahu 'anhu said: At the time of the Prophet sallallaahu 'alaihi wa Sallam we always issued zakat fitrah one sho' of food, or one sho' dates, or one sho' sya'ir, or one sho' dry wine. Muttafaq Alaihi. In another narration: Or one sho' of dry milk. Abu Said said: I still pay zakat fitrah as I did at the Prophet sallallaahu 'alaihi wa Sallam. In the narration of Abu Dawud: I will not spend except one sho' forever.*⁸

⁶Imam Bukhari, *Shohih Bukhori*, Maktabah Syamilah Version 13 G, Keyword رَاةَ الْفِطْرِ, vol 2, p. 547

⁷Imam Abu Daud, *Sunan Abi Daud*, Maktabah Syamilah Version 13 G, Keyword لِلصَّائِمِ, Volume 5, p. 151

⁸Al-Hafid Syihabuddin, *Ibanatul Ahkam*, (Lebanon: Darul Fikr, 2004), Volume 2, p. 251

وَلَا بِنِ عَدِيٍّ [مِنْ وَجْهِ آخَرَ] وَالْدَّارِقُطْنِيَّ بِإِسْنَادٍ ضَعِيفٍ: (اغْتَوْهُمْ عَنِ الطَّوَافِ فِي هَذَا الْيَوْمِ)
(

*According to the narration of Ibn Adiy and Daruquthni with a weak chain: "Prevent them from going around (to beg) today."*⁹

صَوْمُ رَمَضَانَ مُعْلَقٌ بَيْنَ السَّمَاءِ وَالْأَرْضِ لَا يَرْفَعُ إِلَّا بِزَكَاةِ الْفِطْرِ

Meaning: *Ramadan fasting is suspended between the heavens and the earth; the fast is not lifted except zakat fitrah.* (HR. Abu Hafs bin Syahin)¹⁰

أَدْوَا عَنْ كُلِّ حَرٍّ وَعَبْدٍ صَغِيرٍ أَوْ كَبِيرٍ نِصْفَ صَاعٍ مِنْ بُرٍّ أَوْ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ رَوَاهُ ثَعْلَبَةُ بْنُ صُعَيْرٍ الْعَدَوِيُّ أَوْ صُعَيْرُ الْعَدْرِيُّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

Meaning: *pay zakat fitrah on each person who gives charity, enslaved people, small children, or adults, as much as half a Sho' of wheat (white wheat) or one Sho' of dates, or one Sho' of red wheat.* (Narrated by Tsa'labah bin Shu'airin al-'udawayyu)¹¹

C. Conditions For Compulsory Zakat Fitrah

A person is obligated to pay zakat fitrah, either for himself or for those whose livelihood is borne, with the following conditions:

1. Islam

Zakat fitrah is not obligatory for unbelievers because zakat fitrah is cleaning or purifying, while disbelievers are not included in it. This explanation is seen in terms of itself. As for Muslims who are dependents, the disbelievers are obliged to pay zakat on them, and it is sufficient if he spends it without intention. This is for the original infidel. As for an

⁹Imam Malik, *al-Muwatho*, Maktabah Syamilah Version 13 G, Keyword , Volume2, p. 150

¹⁰Abdurrohman, *Ad-Darul Mansur*, Maktabah Syamilah Version 13 G, Keyword لَقِيَ السَّمَاءِ , Volume 2, p. 57

¹¹_____, *Nisobu Riyah fi takhriji ahadisihidayah*, Maktabah Syamilah Version 13 G, Keyword لَ , Volume 4, p. 313

apostate, when he returns to Islam, zakat fitrah is obligatory for him; it is not obligatory if he has not converted to Islam.¹²

2. Found the sun setting at the end of the month of Ramadan. That is still finding the perfect time for the sun to set and also meeting part of the month of Ramadan.¹³

Zakat fitrah is obligatory for people who die after sunset because they have met these two parts. However, if he dies before sunset, then it is not obligatory. Meanwhile, babies born after sunset are not obliged to pay zakat fitrah because they do not meet these two parts. However, if born before sunset, the baby must pay zakat.

3. Independent

Zakat fitrah is not obligatory for the enslaved person himself but is the duty of his master. Likewise (not obligatory) on a wife, zakat if she is a woman is very, then the one who is obliged to pay zakat on her is her master. If she is not a wife with very high status, then the obligation of zakat is on her. Zakat fitrah is also not obligatory on a slave of mukatab because his ownership is considered weak. Therefore, he is not obligated to pay zakat fitrah in living matters for his relatives. Also, because of his freedom, zakat fitrah is not charged on his sayyid.¹⁴

4. Have a "more" ratio ¹⁵than their basic needs.¹⁶

He has an excess of staple food for himself and his family members on the eve of Eid and during Eid. So that it is not obligatory to issue zakat fitrah for people who do not have excess staple food for themselves and their family members

¹² Sihabuddin Ahmad bin Hajar Al-Haitami, *minhajul qawim*, (Indonesian: Haramain, tt), 103

¹³ Sheikh Ibrahim Al-Bajuri, Al-bajuri Ala Ibn Qasim, (Surabaya: Nurul Huda, tt), 278

¹⁴ Abdul Hiyadh, Translation of Fathul Mu'in 2, (Surabaya: Al-Hidayah, tt), 21-22

¹⁵What is meant by "more" in zakat fitrah is defined as having more food or material than what is needed at night and during the day of Eid al-Fitr. Either for his own needs or those who must be supported. Therefore, the standard does not cover property that is a basic need, such as a suitable place to live, household utensils and others.

¹⁶Wahbah Az-Zuhaili, *Al-Fiqhul Islam wa Adilatuhu*, (Lebanon: Darul Fiqr, 1989), Volume 2, p. 903

on the eve of Eid and during the holidays because living for themselves and their family members on that day is very important. Moreover, if there is excess after that, then according to the agreement of the scholars, it is obligatory to pay zakat fitrah on behalf of himself and those who are his dependents.¹⁷ As for the assets that he needs to use daily, such as a house to live in, necessary household utensils, cloth for daily clothing, books that need to be read, and so on, they are not counted, meaning these items.¹⁸

People who do not fulfill the above requirements are not required to issue zakat fitrah. While the obligatory conditions for people who give zakat are:

1. Islam
2. Meet the time *required* to issue zakat fitrah, namely to meet some of the months of Ramadan and the month of Shawwal.¹⁹

D. Legal Conditions For Zakat Fitrah

Zakat issued by the owner of the property, whether the zakat is livestock, plants, merchandise, or zakat fitrah, is valid if it meets two conditions:

1. Intention

The owner of the property or the representative, when preparing zakat, giving zakat, or the time lag between, have intended zakat. At the time of intention is not required to determine/intend the assets to be zakah. Examples of intention words:

هَذَا زَكَاةُ مَالِي , هَذَا صَدَقَةٌ مَفْرُوضَةٌ , هَذَا زَكَاةُ مَالِي الْمَفْرُوضَةُ

If there is doubt about the intention after zakat has been given to the group entitled to receive it, then the law remains valid. Meanwhile, if zakat has been given, but has not been

¹⁷ Abdul Aziz Muhammad Azam, *Fiqh of worship*. (Jakarta: Earth Literacy, 2010), 397.

¹⁸ Ainilayali and Syarifatul Marwiyah, *Distribution of Zakat Fitrah Perspective of Imam Syafi'I*, *Mabahits Journal*, Vol 1, No. 1, Year 2020, p.60

¹⁹Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p. 78

intended, then the law is invalid, or in other words, the owner is obliged to reissue zakat. Moreover, the status of the initial zakat without intention is *shodaqoh*.

2. It is given to people who are entitled to receive zakat

For those who are obliged to pay zakat or those who are obliged to pay zakat, if zakat will be given by the owner or his representative (not through an imam or amil), the owner is required first to examine the people who will be given zakat, whether they are people who are entitled to receive zakat or not. Because if zakat is given to people who are not entitled to receive it, then the law is not valid; therefore, the owner is obliged to reissue zakat.

For zakat fitrah, the main thing is given to relatives who are not obliged to provide for it, starting from those with *mahrom* ties (e.g., uncles, aunts), and so on for those without *mahrom* relations (e.g., uncles/aunts' children).²⁰

E. Kinds Of Zakat Fitrah

Zakat fitrah, when viewed from the intention of the perpetrator (the person who pays zakat fitrah), is divided into three types:

1. Zakat for himself

If zakat fitrah on behalf of himself (zakat performer)

2. Zakat for people whose nature is borne

If zakat is in the name of another person, whose nature is the responsibility of the zakat actor, then the one who does the intention is the zakat actor without having to get permission from the person who is giving zakat, like a husband paying zakat on behalf of his wife, young children, poor parents and so on.

Moreover, if the "fitrah person" is the responsibility of the zakat actor, he issues zakat fitrah on his behalf and with his

²⁰Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p. 83

property, then the law is valid, even though he does not get permission from the zakat actor (fitrah bearer). For example, a wealthy wife pays zakat for herself.

3. Zakat for people whose nature is not covered

If zakat is in the name of another person, whose nature is not the responsibility of the zakat agent, then the zakat and the intention of the zakat agent are considered valid if they have received permission from the person who was given the zakat. Such as a zakat actor issuing zakat on behalf of his adult child (except if he is in a disabled condition or studying religion), relatives, subordinates, or other people whose nature is not the responsibility of the zakat actor.

If you do not get permission from the person who is being given zakat, then the zakat and the intentions of the zakat actor are not valid; aka cannot abort the natural obligations of the person who is being given zakat. Therefore, the person given zakat is obliged to pay zakat fitrah himself.

The time for the intention of zakat fitrah can be done when separating the staple foods used for zakat when giving zakat to people who are entitled to receive it, or the time between separating zakat and giving zakat to the poor.²¹

F. Time Zakat Fitrah

People who meet (still alive) in part of the month of Ramadan and the month of Shawwal are obliged to pay zakat fitrah (for themselves) or zakat fitrahi by the person who is obliged to bear their living or by someone else with the permission of the person who is being given zakat.

The time of issuing/ giving zakat fitrah is divided into five, namely:

²¹Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p. 82

1. *Jawaz* time

That is, starting from the beginning of Ramadan until the beginning of the month of Shawwal (compulsory time). This means that zakat fitrah can be given since entering the month of Ramadan, not the time before Ramadan.

2. *Wajib* (Mandatory) time

Wajib (Mandatory) time is from the end of Ramadan (meeting part of the month of Ramadan) to 1 Shawwal (meeting part of the month of Shawwal). Therefore, it is obligatory to pay zakat for a person who dies after maghrib 1 Shawwal, while a baby born after sunset 1 Shawwal is not obliged to pay zakat.

3. *Sunnah* time

That is, after dawn and before the prayer of Eid al-Fitr 1 Shawwal.

4. *Makruh* time

After the Eid prayer until the sun sets on the 1st of Shawwal. Issuing zakat fitrah after the Eid prayer is *makruh* if there is no excuse. Therefore, if the termination is due to an excuse, such as waiting for relatives or people who need it more, then the law is not *makruh*.

5. *Haram* time

That is, after sunset on the 1st of Shawwal. Ending zakat fitrah so that it comes out of 1 Shawwal is haram if there is no excuse. If the termination is due to excuses, such as waiting for people entitled to receive zakat, then the law is not haram. While the status of zakat fitrah issued after one syawal is *qodlo*.²²

²²Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p. 81

G. People Who Are Entitled To Receive Zakat Fitrah

Zakat must be given to people/groups entitled to receive zakat, namely eight groups or *ashnaf*. As the Word of Allah SWT in the letter At-Taubah verse 60:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ
وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Meaning: *Verily, the zakat is only for the needy, the poor, the administrators of zakat, the mu'allaf who are persuaded by their hearts to (liberate) slaves, people who are in debt, for the way of Allah and for they are on their way, as a decree ordained by Allah, and Allah is All-Knowing, All-Wise. (Surat At-Taubah: 60)*²³

Those who are entitled to receive zakat are:

1. poor people are very miserable and do not have the wealth and energy to fulfill their livelihoods.
2. Poor people: people who do not have enough of their livelihood and are deprived.
3. Zakat administrator: a person who is given the task of collecting and distributing zakat.
4. Muallaf: infidels who hope to convert to Islam and new converts to Islam whose faith is still weak.
5. Freeing enslaved people includes releasing Muslims who are held captive by infidels.
6. Debtor: a person who owes a debt for an interest that is not immoral and is unable to pay it. As for the person who owes a debt to maintain the unity of the Muslims, his debt is paid with zakat, even though he can pay it.
7. In the way of Allah (*sabilillah*): That is for the defense of Islam and the Muslims. Among the *mufasirin*, those argue that *fisabilillah* also includes public interests such as establishing Madzhabs, hospitals, and others.

²³Religion RI, *Al-Qur'an and Translation*, p.196

8. People on a journey who are not immoral experience misery on their way.²⁴

H. The Wisdom of Zakat Fitrah

Among the wisdom of shari'ah zakat fitrah, among others:²⁵

1. Cleanses the soul and perfects the reward of those who have fasted Ramadan by paying zakat fitrah; the value of Ramadan fasting may be reduced due to bad things that a Muslim does becomes perfect. Like the prostration of *sahwi*, which completes the shortcomings in prayer.

In the narrations of Abu Dawud and Ibn Majah, it is stated:

عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: (فَرَضَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ زَكَاةَ الْفِطْرِ؛ طَهْرَةً لِلصَّائِمِ مِنَ اللُّغْوِ، وَالرَّفَثِ، وَطُعْمَةً لِلْمَسَاكِينِ، فَمَنْ آدَاهَا قَبْلَ الصَّلَاةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ آدَاهَا بَعْدَ الصَّلَاةِ فَهِيَ صَدَقَةٌ مِنَ الصَّدَقَاتِ.) رَوَاهُ أَبُو دَاوُدَ، وَابْنُ مَاجَهَ، وَصَحَّحَهُ الْحَاكِمُ

Meaning: *From Ibn Abbas Radliyallaahu 'anhu that the Prophet sallallaahu 'alaihi wa Sallam required zakat fitrah as a cleanser for people who fast from useless and dirty words and as food for the poor. So whoever pays it out before prayer becomes zakat that is accepted, and whoever pays it out after prayer becomes an ordinary charity. (History of Abu Dawud and Ibn Majah.)*²⁶

صَوْمُ رَمَضَانَ مُعَلَّقٌ بَيْنَ السَّمَاءِ وَالأَرْضِ لَا يَرْفَعُ إِلَّا بِزَكَاةِ الْفِطْرِ

Meaning: *Ramadan fasting is suspended between the heavens and the earth; the fast is not lifted except zakat fitrah. (HR. Abu Hafs bin Syahin)*²⁷

²⁴Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p.85

²⁵Maskur Khoir, *Treatise of Zakat*, (Kediri: Duta Karya Mandiri, 2006), Cet.4, p.77

²⁶Imam Abu Daud, *Sunan Abi Daud*, Maktabah Syamilah Version 13 G, Keyword للصَّائِمِ, Volume 5, p. 151

²⁷Abdurrohman, *Ad-Darul Mansur*, Maktabah Syamilah Version 13 G, Keyword لَقِيَ السَّمَاءِ, Volume 2, p. 57

2. make poor people happy

sharing happiness with underprivileged people on happy days (holidays) by giving the most needed items in life, namely food, is one of the lessons of zakat fitrah. This is following the words of the Prophet SAW:

اغْنُوهُمْ عَنِ الطَّوَّافِ فِي هَذَا الْيَوْمِ

According to the narration of Ibn Adiy and Daruquthni with a weak chain: "Prevent them from going around (to beg) today."²⁸

²⁸Imam Malik, *al-Muwatho*, Maktabah Syamilah Version 13 G, Keyword , Volume2, p. 150

CHAPTER III PROFILE OF MADZHAB FIQH

Profile Of Madzhab Fiqh (Hanafi, Syafi'i, Hambali & Maliki)

A. Hanafi Madzhab²⁹

The founders of the Hanafi Madzhab are *Nu'man bin Thabit bin Zautha*. He was born at the companions' time, namely in 80 H = 699 AD. He died in 150 H coincided with the birth of Imam Shafi'i RA. He is better known as Abu Hanifah An Nu'man. Abu Hanifa was a mujtahid who was an expert in worship.

In fiqh, he studied with Hammad bin Abu Sulaiman at the beginning of the second century Hijri and learned a lot from tabi'in scholars, such as Atha bin Abi Rabah and Nafi' Maula Ibn Umar. The Hanafi Madzhab is the ratio of the name of its Imam, Abu Hanifah. So the Hanafi Madzhab is the name of a collection of opinions originating from Imam Abu Hanifa and his students and opinions from their successors as details and extensions of the thoughts they have outlined, all of which are the result of the methods and practices. The ijtiha method of Iraqi scholars (Ahlu Ra'yi). So it is also called the Ahlu Ra'yi Madzhab of the Tabi'it Tabi'in era.

Abu Hanifah consists of seven main points: Al-Kitab, As-Sunnah, Sayings of the Companions, Al-Qiyas, Al-Istihsan, Ijma ', and Uruf. Abu Hanifa's disciples were as follows:

- a) Abu Yusuf bin Ibrahim Al-Ansari (113-183 H)
- b) Zufar bin Hujail bin Qais al-Kufi (110-158 H)
- c) Muhammad bin Hasn bin Farqad as Syaibani (132-189 H)
- d) Hasan bin Ziyad Al-Lu'lu Al-Kufi Maulana Al-Ansari (204 H)

²⁹Adwan, *Madzhab of Fiqh and Its Understanding*, <http://islam.dagdigdug.com>, 20 september 2021

The Hanafi Madzhab began to grow in Kufa (Iraq), then spread to Eastern Islamic countries. Moreover, the Hanafi Madzhab is now the official Madzhab of thought in Egypt, Turkey, Syria, and Lebanon. Moreover, this madzhab is embraced by the majority of the population of Afghanistan, Pakistan, Turkistan, Muslim India, and China.

B. Shafi'i Madzhab³⁰

This Madzhab was built by Al-Imam Muhammad bin Idris Asy Syafi'i, a descendant of Hasyim bin Abdul Muttalib bin Abdi Manaf. He was born in Gaza (Palestine) in 150 H in conjunction with the year of the death of Imam Abu Hanifah, who became the first Madzhab of thought.

Imam Shafi'i's first teacher was Muslim bin Khalid, a Mufti in Mecca. Imam Shafi'i was able to memorize the Qur'an at the age of seven. After he memorized the Qur'an then, he learned the language and syi'ir; then, he studied Hadith and fiqh.

The Shafi'i Madzhab consists of two kinds, based on the time and place he lived. The first is *Qaul Qadim*; namely, the Madzhab formed while living in Iraq. Moreover, the second one is *Qul Jadid*, and the Madzhab was formed when he lived in Egypt and moved from Iraq.

The specialty of Imam Shafi'i compared to Imam Mujtahidin is that he is the cornerstone of the science of Usul Fiqh with his book *Ar Risaalah*. Moreover, his book in fiqh, which is the parent of his Madzhab, is *Al-Um*.

The basics or sources of law used by Imam Shafi'i in maintaining the sharia law are:

- a) Bible.
- b) Sunnah Mutawatirah.

³⁰Adwan, *Madzhab of Fiqh and Its Understanding*, <http://islam.dagdigdug.com>, 20 september 2021

- c) Al-Ijma'.
- d) Sunday News.
- e) Al-Qiyas.
- f) Al-Istishab.

His friends from Iraq include:

- a) Abu Thaur Ibrahim bin Khalid bin Yaman al-Kalabi al-Bagdadi.
- b) Ahmad bin Hanbal became the fourth Imam of the Madhhab.
- c) Hasan bin Muhammad bin Shabah Az Za'farani al-Bagdadi.
- d) Abu Ali Al-Husayn bin Ali Al-Karabisi.
- e) Ahmad bin Yahya bin Abdul Aziz al-Bagdadi.

As for his companions from Egypt:

- a) Yusuf bin Yahya al-Buwaithi al-Misri.
- b) Abu Ibrahim Ismail bin Yahya al-Muzani al-Misri.
- c) Rabi' bin Abdul Jabbar al-Muradi.
- d) Harmalah bin Tahya bin Abdullah Attayib
- e) Yunus bin Abdul A'la Asshodafi al-Misri.
- f) Abu Bakr Muhammad bin Ahmad.

The Shafi'i Madzhab is, until now, adopted by Muslims in Libya, Egypt, Indonesia, Philippines, Malaysia, Somalia, South Arabia, Palestine, Jordan, Lebanon, Syria, Iraq, Hijaz, Pakistan, India, the Indo-China Peninsula, Sunni-Russian, and Yemen.

C. Hanbali Madzhab

The founder of this Madzhab is Imam Ahmad bin Hanbal. His full name is Ahmad Ibn Muhammad Ibn Hanbal ibn Asad ibn Idris ibn Abdullah ibn Hasan al-Syabaniy. He was born in Baghdad in the month of Rabiul Awal 164H/780. ³¹Ahmad bin Hanbal was raised an orphan by his mother because his father died when he was a baby. His mother's name was

³¹Muhammad Jawad Mughniyah, *fiqh of the five schools of thought*, (Jakarta: Lentera Publisher, 2015) p. 28

Syarifah Maimunah bint Abdul Malik ibn Sawadan ibn Hindun al-Syaibaniy. Ahmad ibn Hanbal comes from the descendants of Bani Syaiban, a tribe domiciled in the Arabian peninsula. Since childhood, he has shown a noble character and personality, thus attracting the sympathy of many people. Moreover, since childhood, he has also shown a great interest in science; coincidentally, Baghdad was the center of knowledge. He started by learning to memorize the Qur'an, then studied Arabic, Hadith, the history of the Prophet, and the history of the *sahaba* and the *tabi'in*.³²

To deepen his knowledge, he went to Basra how many times he met with Imam Shafi'i. He also went to study in Yemen and Egypt. His other teachers were Yusuf Al-Hasan bin Ziad, Husyaim, Umair, Ibn Humam, and Ibn Abbas. Imam Ahmad bin Hanbal studied and narrated many hadiths, and he did not take hadiths except those that were *authentic*. Therefore, he finally succeeded in composing the book of Hadith, which is known as *Musnad Ahmad bin Hanbal*. He started teaching when he was 40 years old.³³

Imam Hambali lived in a period filled with slander that said the Koran was a new creature. So the Mu'tazilites emerged. Ahmad bin Abi Duab Al-Mu'tazili was the vizier or minister at the time of Al-Ma'mun who manifested slander. Al-Ma'mun was inclined toward the opinion of the Mu'tazilah, so he forced the scholars and judges to voice the heretical Madzhabs of thought. Most scholars who accept his call because they are helpless are different things from Ahmad bin Hambal; he is reluctant to support this opinion because they still believe that the Koran is the conversation of Allah and the conversation of Allah is one of His attributes. Ibn Hambal was brought before Al-Ma'mun with his hands tied. Then Al-

³²Muhammad Jawad Mughniyah, *al-Fiqh 'ala al-Madzhahib al-Khamsah* , (Jakarta: Lentera Publisher, 2013) p. 115

³³Muhammad Ma'shum Zein, *The Great Stream of Thoughts of the Four Madzhabs* , first printing (Jombang Jatim: Darul Hikmah, 2008), p. 186-188

Ma'mun died and was replaced by Al-Mu'tasim. Al-Mu'tasim held the position of caliph, Ibn Abi Duab was still a ministry, while Ibn Hambal, who was imprisoned or detained, awaited punishment. They persuaded Ibn Hambal, but he remained in his position. He was struck that he fell unconscious several times. They locked Ibn Hambal in prison for two and a half years.

He visited many regions and countries to seek knowledge in his studies, including Siriya, Ijaz, Yemen, Kuffah, and Basrah several times together with Imam al-Shafi'iy. Then studied with Sufyan Ibn 'Uyainah, Ibrahim ibn Sa'ad and Yahya ibn Qathan. He collected 40,000 thousand al-Hadith from that tireless effort in his Musnad book. From this expertise, he was included in the "*Muhadditsin*" group instead of Imam Mujtahid; as commented by Idris al-Haddad, in the book of *I'alah* that Imam Ahmad Ibn Hanbal was a narrator of al-Hadith who had no equal in his time, even he did not can be classified as 'ulama' fiqh experts.³⁴

Furthermore, in fiqh, Imam Ahmad ibn Hanbal studied with Imam Shafi'i and immediately became a loyal follower, never even separated wherever the teacher went except after Imam Shafi'i moved to Egypt. Imam Shafi'iy also learned al-Hadith from him, but after feeling that he could ijtehad himself, Imam Ahmad ibn Hanbal let him go and even formed his madhhab.

In essence, the scholars agree that Imam ibn Hanbal is an expert leader of Al-Hadith, and has never written a book of fiqh directly because all fiqh problems associated with him only come from his fatwas are the answers to questions that have been asked. It was proposed against him, while those who composed it were his followers.

³⁴Juhaya S. Praja, *Comparison of Madzab With New Approaches*, (Bandung: CV Pustaka Setia, 2008), p. 110

Furthermore, Ahmad ibn Hanbal's fiqh is more based on Al-Hadith, in the sense that if it is contained in al-Sahih Hadith, what is taken is only Al-Sahih hadith without regard to the others. Moreover, if a friend's fatwa is found, the friend's fatwa is put into practice. However, if it is found that some of the fatwas of friends and their fatwas are not uniform, then the fatwas chosen are those that are closer to the Qur'an and Al-Hadith.

If the friends differ in a matter, then both are used as evidence; however, if it is found that the Hadith of al-mursal or dla'if, then he prioritizes Al-Hadith over Al-Qiyas. Because of that, Al-Qiyas is not used except in a state of necessity, so he does not like to use fatwas without an *atsar* basis.

As mentioned above, Imam Ahmad ibn Hambal was born and lived in Baghdad, while the city of Baghdad itself was the capital of the Isma'iliyyah caliphate, whose civilization was more advanced than the Hijaz in general. Likewise, the society is very heterogeneous, so all the legal problems that arise in Baghdad are more numerous and more varied than those in Medina or the Hijaz in general.³⁵

In such circumstances, Ahmad ibn Hanbal developed his teachings. Considering that he was known as an expert on Al-Hadith, even during his time as an Imam as-Sunnah, he could easily see the difference in the results of *ijtihad* between Imam Abu Hanifah and Imam ibn Hanbal whom both lived in the same city, only one was included. Al-Hadith group. Because Imam Ahmad ibn Hanbal belongs to the Al-hadith group and does not belong to Ahlu Fiqh, it is clear that As-Sunnah greatly influences him in establishing the law. Because he is a priest of Athaliah, there is also his influence in dealing with various kinds of changes in circumstances which, of course, are far different from the situation at the time of the Prophet

³⁵Juhaya S. Praja, *Comparison of Madzab With New Approaches* , (Bandung: CV Pustaka Setia, 2008), p. 110

Muhammad. which he knows from Al-Hadith, especially those related to Al-Hadith al-siyasah.³⁶

From that factor, Imam ibn Hanbal in responding to socio-political conditions, always uses *mashlahah mursalah* and *istihsan* as the legal basis as long as the text or *qaul al-sahhabat* is not found, as reflected in his very strong thought pattern in adhering to Al-Hadith, even that makes him too afraid to deviate from the provisions of Al-Hadith, as well as al-Atsar, considering his position as ahl Al-Hadith. Things like that were very clear when he faced differences in views among the *tabi'in*, where he did not dare to choose between the opinions determined by them, let alone the opinion of the prophets.

For this reason, the scholars disagreed about the position of Imam Ahmad ibn Hanbal as a scholar who was an expert in the field of *fiqh* because Imam Ahmad ibn Hanbal did not consider the existence of opinions when dealing with differences in *fiqh* issues among the *fuyūhah*, considering his position as ahl al-Hadith, so that he was not included in the al-*fiqh* group, because the basis of his *fiqh* footing was more on al-Hadith.³⁷

D. Maliki Madzhab

The founder of this Madzhab is Imam Malik. Imam Malik is the second of the four imams in Islam in terms of age; he was born 13 years after Abu Hanifa. ³⁸His full name is Abu Abdullah Malik Ibn Anas Ibn Malik Ibn Abi Amir Ibn Amir bin Haris bin Gaiman bin Kutail bin Amr bin Haris al-Asbahial-Humairi. He is the Imam *of Al-Hijrah*. Their ancestors came

³⁶Muhammad Ma'shum Zein, *The Great Stream of Thought of the Four Madzhabs*, ... p. 188-190

³⁷Muhammad Ma'shum Zein, *The Great Stream of Thought of the Four Madzhabs*, ... p. 190-191

³⁸Ahmad Asy-Syurbasi, *History and Biography of 4 Imam Madzhab*, (Jakarta: PT. Bumi Aksara, 1993), cet, II, p. 71

from Bani Tamim bin Murrah of the Quraysh tribe. ³⁹He was born in Medina in 93 H; he comes from the descendants of the Himyar nation, a colony of Yemen.⁴⁰

Imam Malik Ibn Anas was born just before the period of the companions of the Prophet SAW in Medina. ⁴¹Not unlike Abu Hanifah, he was also a scholar of the times; he was born during the Umayyad era right in the reign of Alwalid Abdul Malik (after Umar ibn Abdul Aziz) and died during the time of the Bani Abbas, precisely during the reign of Al-Rasyud (179 H).⁴²

Among the works of Imam Malik is the book Al-Muwatha' ⁴³which was written in 144 H. At the suggestion of the caliph Ja'far Al-Mansyur, according to the researcher, Abu Bakr Al-Abharyatsar Rasulullah SAW, the companions and tabi'in listed in the book al-Muwatha ' totaled 1,720 people.

Imam Malik's opinion can reach us through 2 books, namely al-Muwatha' and Al-Mudawwanah al-Kubro. ²² Kitab al-Muwatha' contains two aspects, namely aspects of Hadith and aspects of fiqh. There is an aspect of Hadith because al-Muwatha' contains many hadiths from the Prophet Muhammad or friends or tabi'in. The Hadith was obtained from 95 people, all of whom were residents of Medina, except

³⁹Shaykh Ahmad Farid, *60 Biography of Salaf Ulama*, (Jakarta: Pustaka al-Kautsar, 2006), Cet. I, p.260

⁴⁰Huzaemah ThidoYanggo, *Introduction to Comparative Madzhab*, (Jakarta; Logos, 1997), cet. I, h. 103

⁴¹Abdur Rahman, *Sharia Codification of Islamic Law*, (Jakarta: Rineka Cipta, 1993), cet. I, p. 44

⁴²Jaih Mubarak, *History and Development of Islamic Law*, (Bandung: Rosdakaarya, 1998), cet. II, p. 79

⁴³Kitab al-Muwatta' is a complete book of composition apart from the book "al-Majmu" by Zaid. The sayings of al-Muwatta' are the easy way provided for worship, it is the greatest book written by Imam Malik. The reason that prompted its compilation was due to the emergence of the opinions of the Iraqi population and irresponsible people, and due to the weakness of memory and history, therefore the guidance for the custodian and copying it is more obvious so that knowledge is not lost or forgotten: Kitab al-Muwatta ' contains the hadiths and opinions of the companions of the Prophet and also the opinions of the tabi'in. See in: Abdul Aziz Dahlan, *Encyclopedia*

for 6 of them: Abu Al-Zubair (Makkah), Humaidal-Ta'wil and Ayyub Al-Sahtiyang (Basrah), Atha' bin Abdullah (Khurasan), Abdul Karim (peninsula), Ibrahim ibn Abi Abiah (Sham).

Meanwhile, what is meant by the aspect of fiqh is that the book of al-Muwatha' is arranged systematically with discussion chapters like a book of fiqh. There are chapters on taharah, prayer, zakat, marriage, and others.²³ Another book written by Imam Malik is the Mudawwanahal-Kubro book, a collection of research containing approximately 1,036 issues of Imam Malik's fatwas collected by As'adbnal-furaid Al-Naisabury who came from Tunis and had been a student of Imam Malik.

When studying, Imam Malik had many teachers. The book "*Tahdzibul Asma wa Lughat*" says Imam Malik studied with 900 sheikhs, 300 of them from the *tabi'in* group and 600 more from the *tabi'ittabi'in* group.⁴⁴ Imam Malik's teachers are the people he chooses, and the choice of the Imam is based on his religious observance, his knowledge of jurisprudence, the way of narrating Hadith, and the conditions of narrating, and they are people who can be trusted. Imam Malik left narrators who were heavily indebted and conciliatory and whose narrations were unknown.

Imam Malik had many students consisting of scholars'. Qodhillyad mentions that more than 1000 famous scholars who became students of Imam Malik, including: Muhammad bin Nuskimal-Auhri, Rabi'ah bin Abdurrahman, Yahya bin Zsaidal-Anshori, Muhammad bin Ajlal, Salim bin Abi Umayah, Muhammad bin Abdurrahman bin Abi Ziab, Abdul Malik bin Juraih, Muhammad bin Ishaq and Sulaiman bin Mahram al-Amasi. Imam Malik is famous for holding firmly to the Sunnah, the practice of the Medina experts, al-Mashalial-

⁴⁴Jaih Mubarak L. Doi, *this is Islamic Sharia*, (Jakarta: Pustaka Panjimas, 1990), cet. I, h. 76

Mursalah, and the opinion of friends (qaulsahabi) if the sanad is valid and al-istihsan.

The sources of Islamic law used by the Maliki Madzhab, as well as other Madzhabs of jurisprudence, are the Qur'an, Sunnah, and ijma' (consensus of scholars). In Maliki's view, if a hadith contradicts the deeds of the *ahlul Madinah* as a tradition, the Hadith is rejected, even though it is a valid hadith. This is different from the opinion of Imam Hanafi that a hadith does not have to have a legal effect or be practised if it is not known in general (*famous*).

The methods and sources of law that characterize the Maliki Madzhab are *'amal ahlul Medina* (the religious practice of the Medina experts). This view is because, at that time, the people of Medina were mostly descended from the companions of the Prophet, and Medina was a place where the Prophet practised a religion that could be imitated from one generation to the next. Therefore, Imam Malik considers the general practice of the people of Medina as an authentic form of Sunnah in the form of deeds, not just words.

To some researchers, the legitimacy of the practice of the residents of Medina is allegedly the perspective of Imam Malik, who sees the tradition of the Medina expert population as a collective law that has legitimacy in the actions of the Prophet and his companions. Imam Malik said that the practice of Medina experts as a source of law was a tradition of the people of Medina, which was considered very close to the time of the Prophet. However, some observers of Islamic law consider this legitimacy because Imam Malik never left Medina, so the authority of Islamic law is very limited to the people of Medina. In addition, the people of Medina are also known as the Hijaz region, which is represented as a homogeneous society, different from Iraqi society. The people of the Hijaz are known as *ahlu Hadith* because hadith scholars dominate them.

In addition to the practice of the people of Medina, Imam Malik also affirmed tradition as a legal stipulation. If the practice of the people of Medina is more a response to the Sunnah of the Prophet, then tradition in law is a source of Islamic law. For Imam Malik, not all traditions follow the spirit of Islamic law. Tradition (*urf*), which is legitimized, is not against sharia values.

Even though the Maliki Madzhab is known as *ahl al-hadith* because it relies heavily on legal issues on the sources of Hadith and the words of friends (*atsar companions*), it has a legal formula if a problem does not have a reference in the Qur'an or the Hadith of the Prophet. The formula is *istislah* (based on benefit). This formula is a way to get out of the textualist understanding of the law. The *istislah* formula sees that all laws must be based on legitimate benefits (*mu'tabarah*). If all laws not explained in the *texts* benefit, the law is legitimate. This view of benefit means to accommodate the purpose of a law that does not have clarity and detail (*tafshil*) in the Qur'an and Sunnah.

Although Imam Malik is known as *amir al-mu'minin fil hadith* (leader of the Muslims in the field of Hadith), some of his fatwas attach great importance to the benefits aspect. Jalaluddin Abdurrahman in *al-Maslahah al-Mursalah wa Makanatuha fi al-Tasyri'* explains that Umar bin Khattab admittedly influences the answer to Imam Malik's legal problems with considerations of benefit. This can be seen from the fatwa not to cut hands for thieves in times of famine. If it refers to the text of the Shari'a, then cutting off the hand must be enforced, but by Umar, the decision was annulled by not punishing the perpetrator.

In this context, Imam Malik sees *maslahah mursalah* as proof of the Shari'a *texts*. The definition of this benefit is that no shari'a argument legalizes a benefit or cancels it. So this area is *ijtihad* (opinion of scholars) about the benefit of the

law. Thus, that legitimate benefit means the perspective of a problem of Islamic law that is not listed. However, on the other hand, it does not conflict with the values and spirit of the Shari'a. Abu Ishaq al-Syatibi, one of the Maliki scholars in the 14th century AD, further defined *maslahat* into three levels, namely the *dharuriyat* (primary), *hajjiat* (secondary), and *tahsiniyat* (tertiary) levels. It is at these three levels that benefits and needs are translated.

An example of this *maslahah* view is the right of the country's leader (*bilad*) to collect taxes from the community. In Islam, the legitimate obligation is *zakat*. Because of the tax issue (*al-kharraj*), no evidence explains or prohibits it based on legitimate benefit, and it is legal to implement. Therefore, the government is allowed to collect taxes so that they are used to benefit the community. Thus, taking the law with *istislah* (assuming there is a benefit) is Maliki Madzhab's way of formulating laws more to adapt to the needs that arise in actual situations.⁴⁵

⁴⁵[https:// talksyariah.com/kolom/ Hukum-islam-mazhab-maliki/](https://talksyariah.com/kolom/Hukum-islam-mazhab-maliki/)

CHAPTER IV THE VIEWS OF THE FOUR MADZHABS FIQH

The Views Of The Four Madzhabs Fiqh Focuses On Zakat Fitrah By Using Money

A. The Hanafi Madzhab's View Focuses On Zakat Fitrah by Using Money

In the book of fathul qodir juz 4, page 224, it is stated that:

صَدَقَةُ الْفِطْرِ وَاجِبَةٌ عَلَى الْحُرِّ الْمُسْلِمِ إِذَا كَانَ مَالِكًا لِمَقْدَارِ النَّصَابِ فَاضِلًا عَنِ مَسْكِنِهِ وَثِيَابِهِ وَأَتَانِهِ وَفَرَسِهِ وَسِلَاحِهِ وَعَبِيدِهِ (أَمَا وَجُوبُهَا فَلِقَوْلِهِ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ فِي خُطْبَتِهِ { أدوا عَنْ كُلِّ حُرٍّ وَعَبْدٍ صَغِيرٍ أَوْ كَبِيرٍ نِصْفَ صَاعٍ مِنْ بُرٍّ أَوْ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ } رَوَاهُ ثَعْلَبَةُ بْنُ صُعَيْرٍ الْعَدَوِيُّ أَوْ صُعَيْرٍ الْعُدْرِيُّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ⁴⁶

From the editorial above, it can be concluded that the Hanafi scholars stated that zakat fitrah is obligatory for a free male Muslim if he has a higher nisob level over where he lives, wears it, and his household utensils, horses, weapons, and enslaved people.

The obligation of zakat fitrah, according to them, is based on the Hadith of the Prophet SAW, when he preached:

أَدُوا عَنْ كُلِّ حُرٍّ وَعَبْدٍ صَغِيرٍ أَوْ كَبِيرٍ نِصْفَ صَاعٍ مِنْ بُرٍّ أَوْ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ رَوَاهُ ثَعْلَبَةُ بْنُ صُعَيْرٍ الْعَدَوِيُّ أَوْ صُعَيْرٍ الْعُدْرِيُّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

Meaning: *pay zakat fitrah on each person who gives charity, enslaved people, small children, or adults, as much as half a Sho' of wheat (white wheat) or one Sho' of dates, or one Sho' of red wheat.* (Narrated by Tsa'labah bin Shu'airin al-'udawayyu)⁴⁷

⁴⁶ _____, *Fathul qodir*, Maktabah Syamilah Version 13 G, Keyword اجنبية لى الحرّ, Volume 4, p. 224

⁴⁷ _____, *Nisobu Riyah fi takhriji ahadisihidayah*, Maktabah Syamilah Version 13 G, Keyword الّ, Volume 4, p. 313

This obligation was also stated by the leading Hanafi cleric Imam Ibn Maudud al-Musholi in his book *Al-Ikhtiyar Li Ta'lilil Mukhtar*

وهي واجبة على الحر المسلم المالك لمقدار النصاب فاضلاً عن حوائجه الأصلية، عن نفسه وأولاده الصغار وعبيده للخدمة ومدبره وأم ولده وإن كانوا كفاراً لا غير، وهي نصف صاع من بر أو دقيقه، أو صاع من شعير أو دقيقه أو تمر أو زبيب، أو قيمة ذلك، والصاع ثمانية أرطال بالعراقي، وتجب بطلوع الفجر من يوم الفطر، فإن قدمها جزاً، وإن أخرها فعليها إخراجها، وإن كان للصغير مال أدى عنه وليه وعن عبده، ويستحب إخراجها يوم الفطر قبل الخروج إلى المصلى

This means: that *zakat fitrah* is obligatory on free male Muslim men who have a higher *nishob* level for their primary personal needs, their minor children, and their slaves, whether they are pure enslaved people who become their treasures, their *mudhabar* slaves, or the slaves of *ummu walad* even though they are infidels. The level of *zakat fitrah* is half a *sho'* of white wheat or its flour, one *sho'* of red wheat or its flour or one *sho'* of dates, or one *sho'* of dry wine or with the *qimah* of the food ingredients mentioned (wheat, both red and white wheat, dates, or dry wine). One *sho'* is eight Iraqi liters. *Zakat fitrah* is obligatory at sunrise on *Eid al-Fitr*, and if it is paid before *Eid al-Fitr*, it is legal, and if it ends from *Eid al-Fitr*, it must be *qadho* (must be paid). Moreover, if the minor child has his property, then his guardian pays the *zakat*, and it is *Sunnah* to pay *zakat fitrah* on *Eid al-Fitr* before going out to the place of prayer.⁴⁸

Imam Ibn Maudud, in the editorial above, in addition to mentioning the obligation of *zakat fitrah*, also added that *zakat fitrah* could be paid with the *qimah* of food ingredients that can be used for *zakat*. He is more flexible in paying *zakat fitrah* because *zakat fitrah* can be paid with food ingredients and *qimah*.

⁴⁸Imam Ibn Maudud al-Musholi, *Al-Ikhtiyar Li Ta'lilil Mukhtar*, Maktabah Syamilah Version 13 G, Keyword اجبة لى الحر, Volume 1, p. 9

In his book of Islamic fiqh, Wahbah az-Zuhaili also states that:

يجوز عند الحنفية أن يعطي عن جميع ذلك القيمة دراهم أو دنانير أو فلوساً أو عروضاً أو ما شاء؛ لأن الواجب في الحقيقة إغناء الفقير، لقوله صلى الله عليه وسلم : «أغنوهم عن المسألة في مثل هذا اليوم» والإغناء يحصل بالقيمة، بل أتم وأوفر وأيسر؛ لأنها أقرب إلى دفع الحاجة، فيتبين أن النص معتل بالإغناء

Meaning: *Hanafiyah believes that it is permissible to pay zakat fitrah using dirhams, dinars, Money, cash, or whatever is desired because what is obligatory according to Hanafiyah is to enrich the poor because the words of the Prophet SAW enrich the poor from begging on this day. Enriching the poor can be achieved with qimah, even that which is perfect, more fulfilling, and more accessible because qimah is closer to fulfilling one's needs. Therefore, it is clear that the text makes "enriching the poor" as ilat.*⁴⁹

From the editorial above, it can be concluded that the Hanafiyah group allows paying zakat fitrah not only using food but also using their qimah because they make *illat* zakat fitrah an *ighna'ul faqir* as contained in the Hadith of the Prophet SAW. Therefore, the qimah of eating can be used as Zakat fitrah can also be included in the scope of the Hadith of the Prophet SAW. They also argue that paying zakat fitrah using qimah equivalent to eating is easier and more efficient than using food.

B. View of the Shafi'i Madzhab Focuses On Zakat Fitrah by Using Money

This is different from the opinion of the Syafi'iyah scholars, and they argue that objects that can be used as zakat fitrah must be in the form of food (not Money), which was used as a staple food for the majority of people in the area. If several

⁴⁹Wahbah Az-Zuhaili, *Al-Fiqhul Islam wa Adilatuhu*, (Lebanon: Darul Fiqr, 1989), Volume 2, p. 909

staple foods are the same for consumption by the area's people, then it is permissible to use one of these types of food.

This can be seen in the book *kifayatul akhyar*

وشرط المخرج أن يكون حباً فلا تجزىء القيمة بلا خلاف، وكذا لا تجزىء الدقيق ولا السويق ولا الخبز لأن الحب يصلح لما لا يصلح له هذه الثلاثة وهو مورد النص فلا يصح إلحاق هذه الأمور بالحب لأنها ليست في معنى الحب فعلى الصحيح وهو أن الواجب غالب قوت البلد لو كانوا يقتاتون أجناساً لا غالب فيها أخرج ما شاء

Meaning: *the condition for something that is used for zakat is that it must be in the form of a hub (grain); therefore, qimah from the Hub cannot be used for zakat, nor can flour (daqiq) or flour derived from wheat (sawiq) or bread be used for tithing. Because grain is different from these three things, Hub (grain) is mauridunnas (ilat law), so these three things cannot be equated with Hub because these three things are not synonymous with Hub (grain). According to a valid opinion, zakat fitrah must be in the form of food (not Money), which was used as a staple food by most people in the area. If several staple foods are the same for consumption by the area's people, then it is permissible to use one of these types of food.*⁵⁰

They also argue that it is permissible to use the type of food that contains the most important content (the most filling) if much food is used as a staple in the area. For example, in the area where wheat and rice are used, it is permissible to pay zakat using wheat because wheat is more filling than rice.

This can be seen in the book of Islamic fiqhu,

ويجزىء الأعلى عن الأدنى، لا العكس، وذلك بزيادة الاقتيات في الأصح لا بالقيمة، فالبر خير من التمر والأرز، والأصح أن الشعير خير من التمر، وأن التمر خير من الزبيب

Meaning: *sufficient (legally used for tithing) food ingredients of better quality than food ingredients of lower*

⁵⁰Taqyuddin Abu Bakar, *Kifayatul Akhyar*, Maktabah Syamilah Version 13 G, Keyword المخرج يكون أ، Volume 1, p. 195

*quality. The benchmark for determining quality is by strength level (iqtiyat), not by qimah (price); therefore, wheat is considered better than dates and rice. According to the most authentic opinion, red wheat is better than dates, while dates are better than dry grapes.*⁵¹

C. View Of The Hanbali Madzhab's Focuses on Zakat Fitrah by Using Money

The Imam Hambali Madzhab of zakat fitrah is obligatory with the sun setting on the eve of Eid al-Fitr for every Muslim who gathers his food and eats his family on Eid and in the evening in a state of excess. ⁵²Hanabilah stipulates that it is obligatory to pay zakat fitrah according to the evidence, namely wheat, dates, grapes, and cheese; if these staple foods are not available, then they can replace every grain and fruit; they are not allowed to pay zakat with staple foods in the form of meat.⁵³

If we oblige the staple food of an area while people have a variety of staple foods, nothing stands out, then people can issue anything, but most importantly, he brings out the best. According to Imam Ahmad's Madzhab of thought, a person may not switch from other types of food, which has a text if the person can do it, it is the same whether the switch is too basic food or not.⁵⁴

According to the third Imam, issuing the price of zakat (not the goods) is not allowed, either on zakat fitrah or another zakat. Imam Ahmad had asked Imam Atha about issuing a few dirhams for zakat fitrah. He replied: I am afraid that it will not be allowed because it is contrary to the Sunnah of the

⁵¹Wahbah Az-Zuhaili, *Al-Fiqhul Islam wa Adilatuhu*, (Lebanon: Darul Fiqr, 1989), Volume 2, p. 910

⁵²Yusuf Qardhawi, *Zakat Law*, (Jakarta: Pt. Litera Pustaka AntarNusa and Mizan, 1986), p. 92

⁵³Wahbah Al-Zuhaili, *Al-Fiqh Al-Islam Adilatuh*, Trans. Abdul Hayyie al-kattani, cet 1 (Jakarta: Gema Insani, 2011), p. 353

⁵⁴Yusuf Qardawi, *Zakat Law*, (Jakarta: Pt. Litera Pustaka AntarNusa and Mizan, 1986), p. 953

Prophet Muhammad. It was stated to him: don't people say that Umar bin Abdul Aziz has taken the price of zakat? Atha said: they left the words of the Messenger of Allah and took someone's opinion? Ibn Umar said: (The Messenger of Allah s.a.w. has obligated zakat fitrah of one bag of dates or one shair of poetry and so on) and Allah SWT said: "Obey Allah and obey His Messenger" (Quran, 4:59). Ibn Umar thought that giving up the price was against the Sunnah of the Prophet Muhammad. This is also the opinion of Imam Malik and Imam Shafi'i.⁵⁵

The Slavi Madzhab also believes that zakat fitrah cannot be canceled unless it is fulfilled with staple food. Whoever gives qimah (price) then it is not sufficient. Imam Abu Dawud said it was said to Imam Ahmad bin Hambal and I heard someone giving a few dirhams (as a price) -in zakat fitrah- Imam Hambali said, "I am afraid that this is not enough because it is different from the Hadith of the Prophet Muhammad SAW.⁵⁶

D. View Of The Maliki Madzhab's Focuses On Zakat Fitrah by Using Money

According to Ibn Rushd, the scholars of *Mutaakhhirin* Malikiyah, and Iraqi experts, zakat fitrah is a sunnah, and some argue that zakat fitrah has been imposed with the obligation of zakat on assets. However, According to most scholars, zakat fitrah is obligatory, the same as zakat on wealth; even Ibn al-Munzir said that the scholars had previously agreed to the obligation of zakat fitrah. According to most scholars, it is obligatory, according to Malik's followers of the Late Period and Iraqi scholars of circumcision. According to some Ulama, nasakh or zakat is erased in

⁵⁵Yusuf Qardawi, Zakat Law, (Jakarta: Pt. Litera Pustaka AntarNusa and Mizan, 1986), p.958

⁵⁶Zakat Fitrah In the Book of Imam Hanbali (On-Line), available at: <http://ponpesalum.com/zakat-fitrah-uang-atau-food-pokok/>

general. The difference is in the presence of hadiths that are understood and different.

Regarding the level and type of zakat fitrah issued by the Shafi'i and Maliki groups, they think that this type of food is not *ta'abbudi* and is not meant for the object itself, so the Muslims must issue zakat fitrah from the staple food of their country. According to one opinion, from staple food. Maliki suggested various possibilities from these; some consider it at the time of issue, but some determine the staple food to be used during most of Ramadan.⁵⁷

Malikiyah thinks that zakat fitrah must be paid from staple foods consumed mainly by a country, from nine types wheat, rice, salat (types of rice), corn, rice, dates, wine, and cheese nine types.⁵⁸ It is not permissible to pay zakat of types other than these types. Likewise, it is not permissible to pay zakat fitrah with one of the nine types if the other is the leading food except for getting something better, like removing wheat instead of rice. Zakat fitrah is issued as much as one *sha'* (four mud). Moreover, one mud is as much full coverage as two medium-sized hands.

In the book of Al-Muatha, Imam Malik stated as follows:

"It has been narrated to me from Malik from Zaid bin Aslam from Iyad bin Abdullah bin Sa'd bin Abu Sarh Al 'Amiri that he heard Abu Sa'id al Khudri say, "We pay zakat fitrah one sha' of food or one sha' of wheat. One sha' of dates, one sha' of cheese, or one sha' of grapes. That is based on the size of the *sha'* of the Prophet sallallaahu 'alaihi wasallam." "It has been narrated to me from Malik from Nafi' that Abdullah bin

⁵⁷Yusuf Qardawi, Zakat Law, (Jakarta: Pt. Litera Pustaka AntarNusa and Mizan, 1986) , p.951

⁵⁸Wahbah Al-Zuhaily, Al-Fiqh Al-Islam Adilatuh, Trans. Abdul Hayyie al-kattani, cet 1 (Jakarta: Gema Insani, 2011), p. 353

'Umar never paid zakat fitrah except for dates and only once gave out in the form of wheat.⁵⁹

E. A Comparison For The Views Of Madzhabs Fiqh (Hanafi, Syafi'I, Hambali & Maliki) Focuses On Zakat Fitrah

Imam Abu Hanifa thinks that zakat fitrah by using Money or by paying the price is legal because, according to the Hanafiyah scholars, actually something obligatory is to suffice for the poor during the holidays while fulfilling it can be in the form of a price because it is more practical and adapted to needs. In terms of paying zakat fitrah, Abu Hanifah explains the permissibility of zakat fitrah with Money in his book *Al-Mabsuth*: "If Money is given from wheat that we have, because what is important is the emergence of wealth and value, and according to Imam Shafii it is not permissible, and there is a fundamental difference in zakat, and Abu Bakr Al-Amasyi Rakhimalluha said the benefits of wheat were because wheat was closer (in accordance) with orders and far from *ikhtilaful Ulama* (Ulama differences), then Abu Jafar said spending Money was better, because it was closer to the interests of people. poor." Abu Hanifa thinks that it is permissible to pay zakat fitrah using Money. Because in essence, the purpose of zakat is to provide sufficient for the poor, where usually mustahiq get more food on holidays, so they have the will to be sold. Meanwhile, if with Money, the mustahiq can use it to buy other things, such as clothes and other needs. Cover the needs of people in need and uphold the common good for religion and the people. According to al-Imam al-Syafi'i, zakat fitrah with Money is not allowed and must pay zakat fitrah with food as in his book "Al-Umm."

Meaning: "And it is not permissible to pay zakat except in grains; neither coarse nor fine flour can be issued in the form

⁵⁹ Abu Ahmad As Sidokare, *Kitab Al Muatha 'Imam Malik Translation*, (Personal Library, 2010), p.356

of prices." Imam Syafi'i said: "A person may issue zakat fitrah from food that is usually eaten daily, namely in the form of *hinthah* (wheat seeds), corn, pedestal, (wheat seeds which contain two seeds and are food for the people of Yemen), *sya'ir* (wheat flour), tamar, korma and *zabib* (dried wine)." Imam Malik thinks that zakat fitrah must be paid from staple foods consumed mainly by a country, from nine types wheat, rice, salat (types of rice), corn, rice, dates, wine, and cheese from these nine types. Other than this and not allowed to pay for other than this food. This is following the command of the Prophet Muhammad in zakat fitrah. Imam Ahmad stated that giving up the price was against the Sunnah of the Prophet Muhammad; this is also the opinion of Imam Shafi'i and Imam Maliki. According to the third Imam, issuing the price of zakat (not the goods) is not allowed, either on zakat fitrah or another zakat, and the law is invalid.

Differences in views between the Hanafi, Shafi'i, Hambali, and Maliki madhhabs are caused by differences in the method of *istinbath*. Imam Abu Hanifa uses the basis of the arguments from the Qur'an, Sunnah and uses logic (Ra'yu). Meanwhile, Imam Syafi'i, Maliki, and Hanbali, in determining the law of paying zakat fitrah, are using the arguments from the Qur'an, Sunnah, and using qiyas. Addition another reason is the difference in interpreting the verses of the Qur'an. Even in interpreting the same verse, they have their interpretations that are different and even contradictory to one another. In explaining the verses of the Qur'an, Imam Shafi'i, Maliki and Hanbali use a lot of Hadith, while Imam Hanafi tends to use Ra'yu (logic).

Imam Shafi'i knew a lot about Hadith because he grew up and studied in Mecca with fiqh experts and hadith experts until he became a grand mufti at the age of 15 and set the law; he used the Sunnah a lot. Meanwhile, Imam Abu Hanifah, in establishing the law, was influenced by legal developments in Kufa (Iraq), which was located far from

Medina (Hijaz), where the Apostle and his companions lived, who always maintained and applied the words of the Apostle and passed on what was known to the next generation (Tabi in). Meanwhile, in Kufa, there is a lack of hadith treasury. Besides that, as a city during Persian culture, Kufa and social conditions have reached a relatively high level of civilization. Therefore, many social problems arise that require legal stipulation. Since this problem had never happened at the time of the Prophet or the Companions and Tabiin, dealing with it requires *ijtihad* or *Ra'yu*. This is what causes the difference in the development of legal thought in Kufa (Iraq) and Medina (Hijaz).

Medina scholars used the Sunnah to solve problems that arose in society. Meanwhile, in Kufa, only a little is known about the Sunnah; besides, there are many falsifications of Hadith, so Abu Hanifah is very selective in accepting Hadith, and because of that, to solve actual problems, he uses much *ra'yu*.⁶⁰

⁶⁰Hery Sugianto, *Analysis of the Opinions of the Four Schools About Zakat Fitrah*, (Tp: Lampung, 2017), pp. 101-105

CHAPTER IV CLOSING

A. Conclusion

From the presentation and discussion of the data above, the following conclusions can be obtained:

First, the Hanafiyah Madzhab argues that zakat fitrah does not have to be in the form of staple food; it is permissible to issue zakat fitrah in qimah or Money. For people devoted to Abu Hanifah in issuing zakat fitrah in the form of Money, the amount must follow the limits of zakat fitrah according to Abu Hanifah. Meanwhile, the Shafi'i, Hambali, and Maliki Madzhabs of opinion argue that objects that can be used as zakat fitrah must be in the form of food (not Money), which was used as a staple food by the majority of people in the area. If several staple foods are the same for consumption by the area's people, then it is permissible to use one of these types of food.

Second, the difference in views between the Hanafi, Shafi'i, Hambali, and Maliki Madzhabs of thought is due to differences in the istinbath method. Imam Abu Hanifa uses the basis of the arguments from the Qur'an, Sunnah and uses logic (Ra'yu). Meanwhile, Imam Syafi'i, Maliki, and Hanbali, in determining the law of paying zakat fitrah, are using the arguments from the Qur'an, Sunnah, and using qiyas. In addition another reason is the difference in interpreting the verses of the Qur'an. Even in interpreting the same verse, they have their interpretations that are different and even contradictory to one another. In explaining the verses of the Qur'an, Imam Shafi'i, Maliki and Hanbali use a lot of Hadith, while Imam Hanafi tends to use Ra'yu (logic).

B. Suggestions

There are several suggestions based on this research, including:

First, people who want to pay zakat fitrah based on certain Madzhabs must consistently follow all the zakat fitrah rules in that Madzhab. People are prohibited from mixing shellfish with the rules in several Madzhabs of thought regarding zakat fitrah.

Second, it is necessary to increase human resources in Islamic religious scholarship so that it is expected to create a legal product that can satisfy and touch the sense of justice for justice seekers.

Third, readers and further researchers are expected to correct and improve the form of other scientific works in order to perfect the scientific work that the author makes.

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AUTHOR'S PROFILE



Wahyu Abdul Jafar was born in a happy family environment to Azis Suprpto and Sumiati. He was born in Kota Bumi, North Lampung, on December 6, 1986. Since childhood, he lived under the care and guidance of his parents until he graduated from high Madzhab. His first formal education was at State Elementary Madzhab 2 Marga Tiga, and he graduated in 1998. Then, I continued at SLTP N 2 Sekampung and graduated in 2011. Further education was taken at Madrasah Aliyah Ma'arif 05 Sekampung, and graduated in 2004.

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FIQH OF ZAKAT FITRAH

This book is a book about the fiqh of zakat fitrah, which in Islam teaches its adherents to have a sense of concern for the poor by helping or lightening the burden of their lives. To make it easier for Muslims to help the poor, Islam stipulates the existence of shari'ah zakat, infaq, and shadaqah.

In Islamic history, the concept of zakat has proven to be able to ease the burden on the poor and has become a milestone in alleviating poverty. One form of zakat that can provide relief and pleasure for the poor is zakat fitrah.

In this book, the scholars explain that there are many pearls of wisdom in the Shari'a of zakat fitrah, but the true wisdom is to share happiness with them by giving them food.

And in this book, you will learn or know clearly how the views and basics according to Ulama regarding zakat fitrah use money. This makes it easier for Muslims to understand the rules and how to pay zakat fitrah.

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