



## The Urgency Of Zakat In Sharia Economic Law: A Philosophical Review

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**Abstract:** *Zakat* is the third pillar of Islam which contains the divine dimension (*dimensi illahiyah*) as well as the human dimension (*dimensi insaniyah*). The divine dimension refers to the vertical relationship between the servant and God where *zakat* is an order from Allah that must be fulfilled by every servant. Meanwhile, the human dimension emanates from the horizontal relationship between human beings within which *zakat* has wide social implications to bridge inequality, injustice and poverty. This study aims to further comprehend the philosophical basis of *zakat* in part of sharia economic law. This study is a library research that uses a theoretical approach by utilizing relevant literature sources. Thus, this study aims to show that philosophy is the basic foundation for determining the orientation and direction of an economic system based on Islamic sharia principles. This study also concludes that the philosophical aspects of *zakat* are manifested in the functionalization of *zakat* which, in addition to being a means of purifying the soul and property from kufr and miserliness, can also be a means to foster a sense of sympathy and social sensitivity among human beings.

**Keywords:** *Sharia Economic Law, Philosophical Foundation, Zakat*

**Abstrak:** *Zakat* merupakan rukun Islam ketiga yang mengandung dimensi *illahiyah* sekaligus juga dimensi *insaniyah*. Dimensi ilahiyah merujuk pada hubungan vertikal antara hamba dengan Tuhan-nya dimana *zakat* merupakan perintah Allah yang wajib ditunaikan oleh setiap hambanya. Sedangkan dimensi *insaniyah* terpancar dari hubungan horizotal antar-sesama manusia dimana *zakat* berimplikasi sosial untuk menjembatani ketimpangan, ketidakadilan, dan kemiskinan. Studi ini bertujuan untuk memahami lebih jauh landasan filosofis ihwal kedudukan *zakat* dalam hukum ekonomi syariah. Studi ini merupakan studi kepustakaan (*library research*) yang menggunakan pendekatan teoritis dengan memanfaatkan sumber-sumber literatur yang relevan. Dengan demikian, studi ini hendak menunjukkan bahwa falsafah merupakan pondasi dasar untuk menentukan orientasi dan arah sistem ekonomi yang berlandaskan prinsip-prinsip syariah Islam. Selain itu, studi ini juga menyimpulkan bahwa aspek filosofis *zakat* termanifestasi dari fungsionalisasi *zakat* yang selain dapat menjadi sarana penyucian jiwa dan harta dari sifat kufur dan kikir, juga dapat menjadi medium untuk menumbuhkan rasa simpati dan kepekaan sosial antar-sesama manusia.

**Kata kunci:** *Hukum Ekonomi Syariah, Landasan Filosofis, Zakat*

## ▪ Introduction

Islam is a religion that prioritizes the welfare of people. All aspects of lives, starting from giving the name of a child to the matter of defecating, have been regulated in Islam in such a rigid way. Regarding this Islamic concern, Syafi'i Antonio even mentioned that Islam is a way of life.<sup>1</sup> In Islam, there are five pillars which become the core of Islam itself. Beginning with the creed (*syhadat*), prayer, *zakat*, fasting and ending with pilgrimage to Mecca (for those who can afford it). Those must be carried out by a Muslim. *Zakat*, for instance, must be paid because it is an order from Allah. However, the actual purpose of *zakat* has implications that are not only a divine thing (*ilahiyah*), but also a mundane aspect (*duniawi*). This is because *zakat* is part of *amaliyah ijtima'iyah* worship which has played an important and strategic role both in terms of Islamic doctrine and in terms of the economic development of the ummah.

The philosophical foundation of *zakat* has actually been contained in the Qur'an and as-Sunnah as the embodiment of proof of a servant's gratitude to Allah SWT for all the blessings people have received. The Qur'an has confirmed that *zakat* can indeed help people who are weak and improve their standard of living. When *zakat* is performed properly, it will be able to improve

the quality of faith, cleanse and purify the soul, and bring blessings to the owned assets. In addition, the strategic role of *zakat* can also be pursued as a potential source of funds used to advance the welfare of the people and to be able to increase social economic equity.

The Qur'an has made a parable about the purpose of *zakat* through which Allah reminds rich people to pay *zakat* as their sustenance as a form of their obedience to Allah, as well as a form of their caring for others, particularly for the poor. Therefore, the purpose of *zakat* is concluded in two words, namely *tathir* (cleaning) and *tazkiyah* (purifying) both of which contain the word of God in the Qur'an. Both include all forms of cleansing and purification both material in the form of wealth and spiritual which includes one's personality and soul. In this context, *zakat* has a philosophical aspect in which it can function as a means of purifying the soul and being miserly as well as educating to give (*infaq*). Apart from being a manifestation of gratitude for God's blessings, *zakat* is also a means of treating the soul from excessive love of the world, developing inner wealth, growing sympathy and empathy, and purifying the soul.

## ▪ Discussion and Research Results

### 1. Philosophy of Zakat in Sharia Economic Law

It should be explained that the word "philosophical" here means the results of thoughts that are not fixed and open

<sup>1</sup> Syafi'i, A. (2001). Bank Syariah dari teori ke praktik. *Jakarta: Gema Insani*.  
Zalikha, S. (2016). Pendistribusian Zakat Produktif dalam Perspektif Islam. *Jurnal Ilmiah Islam Futura*, 15(2), 304–319.

to be examined and studied further.<sup>2</sup> Meanwhile, in *the Big Indonesian Dictionary* it is stated that *zakat* is a certain amount of assets that must be issued by Muslims and given to those who are proper to receive it (the poor and so on) according to the provisions set by the sharia.<sup>3</sup> Etymologically, the word *zakat* comes from the word "*zaka*" which is part of *isim masdar* which means holy, grows, blesses, praises and develops.<sup>4</sup> Then, in the terminology, *zakat* gives out a portion of property on the basis of Allah SWT's order as an obligatory for giving to those who have been determined according to the conditions determined by Islamic law.<sup>5</sup> In this respect, *zakat* implies clean (*thaharah*), growth and blessings.

In language term, the meaning of *zakat* comes from the word *zaka-yazku-sakah*. The basic word *zakat*, therefore, means blessing, growing, clean, good, and increasing. With this meaning, people who have issued *zakat* are expected to have a clean and pure mind and soul, as Allah SWT said in the Qur'an letter of At-Taubah verse 103.<sup>6</sup> Meanwhile, in terms of *zakat* is a number of assets that have to be issued by Muslims to

be given to groups that have been determined.

*Zakat* is the fourth pillar of Islam and has an important element in upholding Islamic law. The law of *zakat* is obligatory for each Muslim who has fulfilled certain conditions. *Zakat* also has the same fundamental position as prayer, fasting and others. This has been regulated in detail by the Qur'an and Sunnah. In the context of Indonesian law, the management of *zakat* has also been regulated in the law. Based on this view, it is worth to noting that the philosophical perspective on *zakat* in this context is the basics contained in the words of Allah SWT (al-Qur'an) and the sayings or deeds of the Prophet Muhammad SAW.

## 2. The Classification of Zakat: *Zakat Fitrah*

*Zakat fitrah* is *zakat* for the soul. It is obligatory *zakat* for every Muslim, both children and adults, both free people and slaves, and both men and women in the amount of *1 sha* or 2.176 kg of rice (or rounded up to 2.5) or 3.5 liters of rice. The basis of this division is in accordance with the Hadith Bukhari.<sup>7</sup>

The time for paying *zakat fitrah* is divided into 2 times. *The first*, the limited time, namely the obligation to pay *zakat fitrah* which is marked by the setting of the sun at the end of the month of Ramadhan until the Eid al-Fitr prayer. *The second*, the generous time, that it

<sup>2</sup> Badruzaman, B. (2016). Aspek-Aspek Filosofis Zakat Dalam Al-Qur'an dan As-Sunnah. *ASAS*, 8(1).

<sup>3</sup> 6 Tim Penyusun Kamus Pusat Pembinaan, Kamus Besar Bahasa Indonesia (Jakarta: Balai Pustaka, 1989), h. 1569.

<sup>4</sup> Mardani, Fiqh Ekonomi Syariah (Jakarta: Prenada, 2013), h. 345,

<sup>5</sup> Muhammad Rifai, Ilmu Fiqih Islam Lengkap (Semarang: Karya Toha Putra, 1978), h. 346.

<sup>6</sup> Qaradawi, Y. (2011). Hukum zakat. *Jakarta (ID): Litera Antarnusa*.

<sup>7</sup> Mufid, M. (2021). *Filsafat Huku Ekonomi Syariah: Kajian Ontologi, Epistemologi, dan Aksiologi Akad-akad Muamalah Kontemporer*. Prenada Media.

is permissible to prioritize or accelerate the payment of *zakat fitrah* from the required time, namely in the month of Ramadhan. The timing of *zakat* distribution to *mustahik* (groups who properly gain *zakat*) is a profitable time for *zakat* recipients.

Philosophically, the aim of sharia mandates *zakat fitrah* for every Muslim, male and female, free and slave, adult and child starting from sunset and the last day of Ramadhan is to provide material support to *the dhu'afa* (the poor). Thus, *zakat fitrah* is a social guarantee that allows the lower economic class (*mushadik*) to benefit *zakat* assistance from the Muslim community. The spirit of easing the burden on the poor is the main goal of implementing the obligation of *zakat fitrah*.

### 3. The Classification of Zakat: *Zakat Mal*

*Zakat mal* is obligatory *zakat* on the property owned by a person or institution with terms and conditions that have been prescribed by the law. Therefore, assets of value, lawful, and everyone tends to be able to get them, it is obligatory to issue *zakat* on these assets.<sup>8</sup>

The criteria for assets for which *zakat* is obligatory are: *the first*, they have economic value and may be obtained in return; *the second*, everyone tends to like them and need them; *the third*, their use is justified in line with Islamic teachings. The types of *zakat mal* are

in the form of livestock, gold and silver, agriculture, trade, mining products and *zakat rikaz* (materials found in the ground).

*Zakat mal* was developed based on the ijthad of contemporary Islamic jurists. The purpose of *zakat* in modern times has developed in accordance with time. Furthermore, the steps to develop *zakat* objects are an integral part of efforts to maximize the potential of Muslims to contribute to poverty alleviation.

## 4. Contemporary Property Zakat

### a. Zakat of Profession

*Zakat of profession* or income *zakat* is assets issued from the income of a person or profession when such income has reached the calculation rules (*nisab*) of *zakat*. This *zakat* includes the income of employees, doctors, notaries, advocates, and others.<sup>9</sup> Based on the Sharia Economic Law Compilation, *profession zakat* is net income, the *nisab* of which is the same as the *nisab* of gold and silver.<sup>10</sup> In addition, the size of the amount to be paid is also in accordance with the amount that must be issued in *zakat* on gold and silver, which is 2.5% of the income earned each month. The payments can be made monthly if the income has reached the gold *zakat nisab*, or accumulated for a year. However, if the net income has reached the *nisab* for gold *zakat*, 2.5% *zakat* is obligatory.

<sup>9</sup> *Ibid*

<sup>10</sup> Khoiri, N. (2012). *Hukum Perzakatan Di Indonesia (Dilengkapi Fatwa-Fatwa MUI Tentang Zakat Dan UU No 23 Tahun 2011 Tentang Pengelolaan Zakat Indonesia)*. Perdana Publishing.

<sup>8</sup> Sahroni, O., Setiawan, A., Setiawan, A., & Suharsono, M. (2018). *Fikih Zakat Kontemporer*.

## b. Corporate Zakat

The contemporary *Ulama* equate *corporate zakat* with *trade zakat* because from a legal and economic point of view, the corporate's activities are part of trading. The legal basis for *corporate zakat* obligations is the Qur'an such as letters of Al-Baqarah (2) 267 and At-Taubah (9): 103. This basis is then strengthened by certain hadith, for example, the hadith narrated by Al-Bukhari from Anas Bin Malik that Abu Bakr wrote a letter to him containing a message about *zakat* on livestock which contains elements of *syirkah* (cooperation in a business). In this sense, a company as a legal entity is considered as *syahsiyah hukumiyah* or *syahsiyah i'tibariyah*.

Most contemporary *Ulama* argue that the model used to calculate *corporate zakat* nowadays is based on the balance sheet, namely current assets minus current liabilities (net asset method). After that, *zakat* is paid in accordance with *commercial zakat*. The corporate's operations can be categorized as a commercial activity, so the *nisab* is 85 grams of gold, with a DSN content of 2.5% reaching a year (*haul*). This is in line with the norms regulated in the following Compilation of Sharia Economic Law:

1). *Trade zakat* includes industrial businesses, hotel businesses, and import-export businesses, contractors, real estate, printing/publishing, and supermarkets.

2). *Zakat taxpayers* on merchandise that have economic value, both movable and immovable goods, are with the following conditions: *first*, reaching the *nisab*, and having a purpose or intention to trade; *second*, the *nisab* for trade goods is equivalent to 85 grams of gold; *third*, the *zakat* that must be paid is 2.5%; *fourth*, the time for paying *zakat* on trading goods is after going through one *haul* except for immovable goods used for trading and the *zakat* is once when selling them, and for agriculture this also applies.

## 5. Distribution and Management of Zakat in Islam

The target of *zakat* funds has been determined by Allah SWT as stated in the letter of At-Taubah (9): 60. Based on the verse, there are eight groups who are proper to receive *zakat*, namely the poor, *zakat* administrators (*amil*), *muallaf* (people who convert to Islam), slaves, debtors (*gharim*), people who are struggling in the cause of Allah (*fisabilillah*) and traveller (*ibnu sabil*).

The mechanism for distributing *zakat* assets to *mustahik* (people entitled to receive *zakat*) can be conducted in two ways:

### a. Consumptive Zakat

The distribution of consumptive *zakat* here can be classified into two ways, namely:<sup>11</sup>

<sup>11</sup> Zalikha, Siti. "Pendistribusian Zakat Produktif Dalam Perspektif Islam." *Jurnal Ilmiah Islam Futura* 15.2 (2016): 304-319.

- 1). Traditional distribution, namely *zakat* is distributed to *mustahik* directly for daily economic needs. For instance, the distribution of *zakat fitrah* in the form of rice and money to the poor in Eid Al-Fitr. This pattern is a short-term program in overcoming the problems of the people.
- 2). The creative distribution of *zakat*, which is manifested in the form of consumption goods used to help the poor in solving the social and economic problems they face. This consumption process takes a different form from the original goods. For example, it is given in the form of scholarships for students. The consumptive *zakat* distribution pattern is directed at: (1) the efforts to fulfill the basic consumption needs of *mustahik*. The realization is not much different from the fulfillment of basic needs for the eight groups; (2) the efforts to fulfill needs related to the level of social and psychological well-being to the distribution of non-food consumptives, even for the needs of *mustahiq*. the example is home renovation as an endeavor to improve social welfare; and (3) the efforts to fulfill needs related to human resource development such as improving the quality of *mustahik* education, in the form of scholarships, training, and non-formal skills.

#### **b. The Productive Zakat**

*Productive zakat* is the distribution of *zakat* funds that are given to

*mustahik* not to be spent, but to be developed and used to help their business so that with such business they can meet their daily needs in a sustainable manner.

According to Yusuf Qaradawi, paying *zakat* is part of social charity in order to help the poor and economically weak people to support their economy, so that they are able to be independent in the future. The existence of *zakat* distribution assistance also becomes a shield for them to maintain their faith. *Zakat* is a formula that is the most powerful and clear to realize the idea of social justice. Therefore, the obligation of *zakat* covers all people and the assets that must be issued are essentially the property of the people.

Furthermore, the distribution of assets through productive *zakat* aims to improve people's living standards by improving the quality of human resources through the provision of education for *mustahik*, which in turn will train them to be economically independent. Regarding productive *zakat* given to the poor, it can be in the form of tools for business, working capital or skills training that can be used as a livelihood to meet their living needs.

#### **6. The Philosophy of Zakat and Maqasid Al-Zakat**

The legal status of *zakat* in Islamic law is closely related to *Maqashid Syariah* because the purpose of giving *zakat* is to fulfill the needs of *mustahik*. The

wisdom and goals of *zakat* philosophically are:

- a. *Zakat* can cleanse the soul of *mukallaf* (subject of *zakat*). With the obligation to pay *zakat*, the root is avoided from miserliness and replaces it with generosity. This is confirmed in the letter of Al-Hasyar (59): 9.
- b. *Zakat* can foster Islamic personality in each *muzzaki* (*zakat* obligatory) because they already have sensitivity and concern for tithing and helping the poor in accordance with the letter of At-Taubah (9): 103.
- c. The obligatory *zakat* assets that have been paid become a blessing and develop and multiply the benefits, as the meaning of "grow" in the economy explained in the letter of As-Saba (34): 9.<sup>12</sup>
- d. *Zakat* also fosters a spirit of investment because assets are stored without being managed and developed, these assets will run out without any wider benefits.

Khatib in his dissertation explained that *zakat* actually has a position to realize the goals of sharia, namely:<sup>13</sup>

- a. *Tathiran li al-amwal* (purifying treasure).
- b. *Tazkiyyatan li al-nufus* (purifying

soul)

- c. *Taklifan bayn qulub al-fuqura wa al-aghniya* (creating a sense of mutual respect between the rich and the poor).
- d. *Tanmiyyatan wa taisiran* (simplifying difficulties of life)
- e. *Iyjaad al-I'timan wa al-aman* (creating a sense of security in social life).

In addition, the wisdom and objectives of *zakat* for *mustahik*, according to khatib, it can be classified into two main objectives, namely:

- a. Economic guarantee (*daman iqtisadi*). *Zakat* for *mustahik* serves as a guarantee of having wisdom and objectives, namely: (1) *zakat* as a guarantee for the poor; (2) *zakat* creates jobs; (3) *zakat* strengthens the faith of the people; (4) *zakat* supports the continuity of children's education; (5) *zakat* is efficient in managing the impact of natural disasters; (6) *zakat* frees the community from the bondage of usury business capital.
- b. The purpose of *zakat* as social security can be understood that *zakat* has great potential in overcoming the impact of social inequality and poverty which can be a threat to the conduciveness of society, the continuity of education for *dhuafa* children, and their health insurance. Therefore, for the poor who do not have expertise in managing finances, *amil zakat* (the State) can allocate *zakat* funds on behalf of *mustahik* in the form of insurance for education, health, accidents, and others.

<sup>12</sup> Sahroni, O., Setiawan, A., Setiawan, A., & Suharsono, M. (2018). *Fikih Zakat Kontemporer*.

<sup>13</sup> Khotib, A. M. (2019). *Rekonstruksi Fikih Zakat dari ibadah menuju Muamalah dalam perspektif Maqasid al Shari'ah* [PhD Thesis]. UIN Sunan Ampel Surabaya. Kurniawati, F. (2017). *Filosofi zakat dalam filantropi Islam*.

*Adzkiya: Jurnal Hukum Dan Ekonomi Syariah*, 5(2), 231–254.

Finally, Jamal al-Din Atiyyah said that *zakat* has two maqashid concerns, namely:<sup>14</sup>

- a. *Zakat* is the guardian of the wealth of Muslims. Wealth here means the property of Muslims. This aims to develop the economy of Muslims and maintain the strength of Muslims.
- b. Fostering an attitude of solidarity, *ta'awun*, and mutual guarantees among Muslims, including between the bourgeoisie (the rich) and the proletariat (the poor).

Thus, the philosophical basis regarding the provision of *zakat* obligations as mentioned above, it can be seen that *zakat* is prescribed because of the interests of fellow human beings to build a society that loves one another. When giving each other, then people will love each other. When this happens, the goal of Islamic economics to build a prosperous society in the world and the hereafter can be achieved. The Indonesian people, who are predominantly Muslim, although currently only about 80% of them will easily collect their *zakat* when they are aware of the philosophical meaning of *zakat* where it is a form of worship that has an impact both in this world and in the hereafter.

#### ▪ Closing

The philosophy of *zakat* obligation is religious belief, equity and justice,

productivity, freedom, and ethics. While the philosophy of *zakat* is as social solidarity and brotherhood. From this philosophy, the essence of *zakat* itself can be seen, namely as something that is very beneficial for all parties. As part of Islamic philosophy, *zakat* has been embodied in Islamic teachings whose rules and provisions have been clearly regulated in the shari'a.

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<sup>14</sup> Mufid, M. (2021). *Filsafat Huku Ekonomi Syariah: Kajian Ontologi, Epistemologi, dan Aksiologi Akad-akad Muamalah Kontemporer*. Prenada Media.



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