

Law of The Productive Testicles

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ABSTRACT

The role of zakat as *ijtima'iyah* Aaliyah worship in Islam focuses on two main functions of zakat, namely cleansing property and souls and being a community fund to reduce poverty. Zakat mal and zakat fitrah were discussed, with emphasis on the need for a productive zakat approach as a long-term solution. The research aims to understand the concept of productive zakat from the perspective of Yusuf Al-Qardhawi and Imam Nawawi, including an understanding of the main purpose of productive zakat in alleviating poverty and improving *mustahik* welfare. This research uses a documentary-descriptive approach method with literature study, where written data is analyzed based on context. The results showed that the distribution of productive zakat according to Yusuf Al-Qardhawi played an important role in developing the *mustahiq* economy. The majority of scholars support the concept of productive zakat as a strategy to improve the economic life of *Mustahiq*. The conclusion of this study underscores the urgency of productive zakat in the context of Islamic teachings and the welfare of the *Ummah*. The empowerment of *Mustahiq* through training and skill development is the main focus to increase the effectiveness of productive zakat. Although there is no specific reference in the Qur'an or hadith regarding productive zakat, the allocation of zakat clearly stated in surah At-Tawbah verse 60 provides a basis for the distribution of zakat that supports the economic improvement of Muslims.

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1. Introduction

Zakat, as one of the pillars of Islam, has a central position in the teachings of Islam. This *ijtima'iyah* maliyah worship includes not only religious dimensions, but also economic, financial, and social dimensions. In the Islamic perspective, zakat has two main functions. First, zakat plays a role in cleansing human property and soul so that it is always in a state of *fitnah*. Second, zakat becomes a source of public funds for social interests, to reduce poverty.

Traditionally, zakat mal and zakat fitrah are consumptive and used to meet daily needs, including the needs of making and clothing. Despite providing short-term assistance, this approach

has proven less effective sustainably. Mustahik mustahik. Moreover, consumptive zakat funds only provide temporary solutions, without having a significant positive impact in the long run.

Therefore, the concept of productive zakat emerged as a form of more effective utilization of zakat. Productive zakat, as a new strategy, not only provides financial assistance to Mustahik but also focuses on developing business capital. By providing business capital, it is hoped that Mustahik can be independent and improve its economic level.

In this context, Imam Nawawi and Yusuf Al-Qardhawi emphasized that the distribution of zakat needs to be focused on poverty alleviation by providing a portion of zakat that can get mustahik out of the valley of poverty towards a decent standard of living. Thus, a productive zakat approach is considered an adequate solution to achieve this goal.

This research uses a documentary-descriptive approach by reviewing written data through literature studies. The focus of this research is the productive distribution of zakat according to Yusuf Al-Qardhawi's view. The concept of productive zakat includes empowering mustahik, especially the poor, through training that improves skills and management of zakat funds as business capital. In addition, this study also discusses the implementation of productive zakat in Indonesia, which has a majority Muslim population and is regulated by Law Number 23 of 2011 concerning Zakat Management (Isaksen & Andersson, 2002).

In developing the theme of productive zakat, this study also details two models of productive zakat distribution identified in the literature, namely distribution through the provision of business capital in turns and distribution through the development of social and economic projects. These models are based on the views of Imam Nawawi, Yusuf Al-Qardhawi, as well as Law No. 23 of 2011 and MUI Fatwa No. 4 of 2003.

The research aims to understand the concept of productive zakat from the perspective of Yusuf Al-Qardhawi and Imam Nawawi, including an understanding of the main objectives of productive zakat in alleviating poverty and improving mustahik welfare, to analyze the implementation of productive zakat in Indonesia, a country with a majority Muslim population, as well as explore the impacts and challenges associated with its implementation and based on the understanding gained, this study aims to provide recommendations to stakeholders, especially zakat institutions and the government, to improve the effectiveness of zakat management in improving the welfare of Muslims, especially mustahik. This research is expected to contribute to further understanding of productive zakat, as well as provide recommendations for more effective zakat management in improving the welfare of Muslims, especially mustahik. In line with the values of Islamic teachings, productive zakat is expected to have a more sustainable positive impact in overcoming poverty and achieving community welfare.

2. Materials and Methods

This type of research is library research. A literature study is a type of research conducted by collecting data from literature such as books, journals, research reports, and other data sources. The choice of this type of research is because researchers want to study productive zakat in the work of Yusuf Al-Qardhawi so that the necessary data can only be obtained from literature and other supporting documents.

This research uses a documentation-descriptive approach because the source of data and discussion of research in library research studies is in the form of descriptions of words where the

written data will be studied based on the context, Descriptive-documentation research is a method that seeks to describe and interpret objects according to what they are with documentary analysis, namely by analyzing documentation data from books, journals, research reports and others Etc

3. Result and Discussion

Zakat is the aliyah ijtima'iyah worship in Islam and has two main functions, namely cleansing human property and soul and being a community fund to reduce poverty. Zakat mal is the zakat of wealth, while zakat fitrah is the zakat of the body that every Muslim cash in Ramadan. Productive zakat is a form of utilizing zakat to improve the mustahiq economy. The distribution is productive and invested as business capital, with the aim that Mustahiq can be independent and get out of poverty. Zakat recipients need to return business capital as a strategy to educate them to work hard. Law Number 23 of 2011 regulates zakat in Indonesia, and BAZNAS was formed to manage it. Zakat should be given to those who are entitled according to Islamic law, such as the poor, poor, and others. Productive zakat has benefits, such as improving the economy of underprivileged communities. Although there is no specific verse or hadith about productive zakat, the principle of its distribution can be found in the Quran. PZU (Pusat Zakat Umat) seeks to provide benefits by implementing socio-economic development programs. The implementation of productive zakat is still common and not much in Indonesia. Productive zakat in Islamic sharia is zakat that is distributed as capital for productive efforts and long-term interests of mustahiq. The distribution of productive zakat can be through the provision of business capital or social and economic projects. The implementation process needs to pay attention to Mustahiq criteria and get guidance from Amil Zakat. The purpose of productive zakat is to help people with economic difficulties and empower them in the long term through PZU's vision. Zakat is expected to turn mustahiq into muzakki, to achieve empowerment and equity of zakat.

The purpose of productive zakat carried out is a good thing, namely helping people who are struggling in economic terms as well as a form of taqarrub Allah. As well as in PZU's vision, namely "Saving People's Zakat and Saving People in Zakat"

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَمَا تُقَدِّمُوا لِأَنفُسِكُمْ مِنْ خَيْرٍ تَجِدُوهُ عِنْدَ اللَّهِ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

It means: "Establish prayers and pay zakat. All the good you do for yourself you will get (the reward) in the sight of Allah. Verily, Allah sees what you do." (QS. Al-Baqarah: 110).

The main purpose of zakat is to eradicate poverty, in the hope of turning those zakat recipients (mustahiq) into zakat payers (muzakki), so that the empowerment and distribution of zakat become more meaningful. The distribution of zakat consumptively needs to be reviewed and reconsidered proportionally. Consumptive distribution of zakat may still be necessary, but not all zakat assets are Collected from the agencies that were spent. This means that other parts are managed and distributed as investments, to provide capital to Mustahik, and then with these investments, they can open businesses and gradually they will have adequate economic capabilities. Such efforts, however, require courage in renewing Community understanding, especially those who are entrusted with the mandate as mails to socialize with the community and apply it. In addition, AMIL institutions in their

management and distribution need to be supported by management effectiveness, professionalism, and accountability its management.

Zakat according to language is the root word (mashdar) of zaka which means blessing, growing, fertile, holy, and good.¹¹ In the big dictionary the definition of zakat is a certain amount of property that must be issued to people of the Muslim faith and given to those who are entitled to receive it, according to the provisions set by Shara'. The word productive is to bring a lot of results. Productive zakat is zakat funds given to a person or group of people to be used as working capital. According to Rofiq, there are 2 kinds of zakat distribution, namely:

1. Distribution/distribution in consumptive form to meet short-term needs.
2. Distribution in the form of funds for productive activities (Rafiq, 2004).

Zakat productivity is currently limited to mall zakat, while zakat fitrah productivity has not been accommodated by BAZ and LAZ. Economic empowerment of people through mall zakat is common in Indonesia, where BAZ and LAZ manage mall zakat productively not to be consumptive. This prevents the mustahik from immediately receiving zakat assets, which can result in the use of zakat running out without residue. To overcome the consumptive nature of zakat mal, professional zakat management is needed so that the results are beneficial for mustahik and can even change their position to muzak.

Zakat fitrah is an obligation for Muslims who can after observing Ramadan fasting. Although generally considered consumptive, it must be distributed before Eid prayers and ends on that day, a hadith from the Prophet's companion Ibn Umar reads "The Holy Prophetsa obliges zakat fitri and said, "Satisfy their needs (the poor from begging) on that day" (HR. Daruqutni). The hadith underlines the importance of meeting the needs of the poor on that day. The general postulate on the development of zakat shows that productive management of zakat can be done, this postulate can be found in the hadith of the Holy Prophetsa which reads: "From Salim bin Abdullah bin Umar from his father that the Holy Apostle (saw) once gave alms to Umar, but Umar refused saying: give this alms to people who are more in need than me. Then the Prophet replied: take it and develop it (be productive) or give it to others. Verily the treasure that comes to you and you have no ambition and do not ask for it, then take it. And when the treasure does not come to you, then do not follow your passions. In the above hadith, the apostle says that developing the meaning is.

The alms we receive if they exceed our basic needs should be productive so that they become developed and more useful. Imam Nawawi in al-Majmu" Syarah al-Muhazzab also highlights that a person who can develop his profession can obtain tools from the proceeds of zakat, changing his condition from mustahik to muzakki. This includes purchasing tools according to the job, such as for merchants, bakers, or builders. If a fakir is unable to work, then zakat can be given to meet lifelong needs, such as the purchase of a house building or enough to live a year, according to the opinion of various scholars.

Laws and regulations in Indonesia, especially Law Number 23 of 2011, support the management of zakat for public welfare. Article 3 of the Law stipulates that zakat management aims to improve the effectiveness and efficiency of services, as well as increase the benefits of zakat to achieve community welfare and overcome poverty. The government facilitates the creation of economical, sharia, and responsible zakat management for zakat managers, zakat obligators, and zakat recipients. The history of zakat in Indonesia records that conventional zakat management is

carried out through direct handover from the obligatory zakat to the recipient of zakat, creating a simple, fast, and direct process.

Law Number 23 of 2011 concerning zakat management states that earning zakat fitrah aims to empower the economy of the people by building the economic potential of the community. Zakat Fitrah has benefits that can improve the economy of the people. The zakat fitrah productivity approach, which was not directly given to mustahak and was not spent at the time, is a breakthrough. Although obstacles and difficulties may be faced due to people's consumptive assumptions on zakat fitrah, the author of this paper seeks laws related to Economic Empowerment of Ummah through Productivity of Zakat Fitrah, involving a review of jurisprudence on zakat productivity, economic empowerment of Ummah through zakat fitrah productivity, and providing examples of zakat fitrah productivity.

Etymologically in the Oxford Advanced Learner's Dictionary of Current English productive comes from English "productive" which means able to produce (bring forward) (Hornby, 1980); (Waite, 2012). that is, it can develop, it can make progress or it can produce development and progress. In general, being productive means producing a lot of work or goods (Hawkins, 1996). Being productive also means a lot earns, and giving a lot of results. Judging from the terminology according to Asrifin An-Nakhrawie productive zakat is zakat that can later produce something, zakat that provides profitable results and will continue to grow (An-Nakhrawie, 2011). According to Asnaini, productive zakat is a zakat gift that can make the recipients produce something continuously, with the zakat assets they have received. In other words, productive zakat is zakat where the wealth or zakat funds given to mustahik are not spent but developed and used to help their business so that with this effort they can meet the needs of life continuously (Mukaddis & Abdullah, 2019). Productive zakat emphasizes effective methods of delivering zakat funds with sharia objectives, ensuring appropriate giving, as well as productive and versatile benefits by sharia principles. Analogously, like giving hooks to underprivileged fishermen, productive zakat does not directly provide consumptive results but ensures productive use of funds to provide sustainable benefits to zakat recipients. Productive zakat practices can be in the form of working capital, money, livestock, or other forms that support job creation. Productive zakat is the opposite of consumptive zakat. Consumptive zakat is a type of zakat given to the weak in the form of goods for daily consumption purposes, such as food or cash. Consumptive zakat is stagnant and runs out instantly, has no growth potential, in contrast to productive zakat which has efforts to develop zakat assets and can develop.

Productive zakat not only provides financial assistance but also involves training so that a person is active in seeking wealth to meet the needs of life. Conversely, consumptive zakat tends to provide learning dependence on the help of others, which can reduce motivation to try. Although the idea of using zakat productively as an effort to help the poor has not been fully accepted by some Muslims, especially among the rich. The majority of them are more likely to give zakat in cash, without considering whether zakat assets can be distributed consumptively or productively. Contemporary scholars focus more on discussing the permissibility and prohibitions in producing zakat.

Contemporary jurisprudence scholars who are rather strict in prohibiting productive zakat are, Abdullah Ulwan, Muhammad A'ta al-Sayyid, and Muhammad Taqiyyuddin Usmani Although previous scholars did not mention a specific discussion of productive zakat in their works, in practice of distributing zakat there are indications that point to the ability to utilize zakat productively, where previous scholars allowed giving zakat to poor people in the form of work tools which is by the

person's profession, which can be used as capital for them to work and pursue their business, so that the results can meet their needs in the long term, not just for a moment. Among the scholars who think so is Imam Muyiddin Nawawi who in his book explains "If a fakir his habit is to work, then for him to buy something to fulfill his work or buy tools that are suitable for his work. A merchant, baker, or builder is given zakat according to their profession, tailors, carpenters, laundromats and so on who are workers are given to them zakat can buy work tools that suit their work, If a fakir is unable to work, and cannot do a deed, in the form of trade and other types of work, then zakat is given for his lifetime according to general measures, Imam Mutawalli thought that he bought a house that could meet his needs, Imam Baghawi, Imam Ghazali and so on from the people of Khurasan thought that zakat was given to him for a year's sufficiency." (Al-Nawawi, 2007)

In the current context, Imam Muyiddin Nawawi's opinion above states that the distribution of zakat is divided into two, namely productive and consumptive distribution, it's just that Imam Nawawi limits the distribution of zakat productively, namely only to poor, poor people who can work but they do not have capital to support their profession. From here it increasingly appears the urgency of productive zakat, people who usually work but do not have the capital to buy the tools they need at work, can be given zakat in the form of capital to buy equipment. While the consumptive zakat according to Imam Nawawi is given to the poor, who already cannot work due to age, if forced to work it will have harmful effects on themselves such as illness or even death. In this case, scholars give three options to people who cannot afford to work. Zakat is given his whole life according to general measures or bought a house building that can meet his needs, or given to him zakat for a year's living sufficiency.

In contrast to Imam Nawawi's statement above, Imam Abu Ishaq al-Shirazi provides limitations in the utilization of productive zakat. This means that although Imam Abu Ishaq allows productive use of zakat, certain conditions must be met before the zakat is productive. Imam Abu Ishaq al-Shirazi's statement reads: "It is not permissible for emails as well as rulers (governments) to utilize zakat which is an act of fardhu before reaching the person who is entitled to receive it, because these fakirs are all rushed (people who are good at utilizing their zakat), nor can they control the zakat, thus they cannot utilize zakat property before obtaining permission from them". (Muttaqin, 2019)

Imam Abu Ishaq al-Shirazi's statement above is not much different from Imam Nawawi's both allow productive utilization of zakat, it's just that Imam Abu Ishaq is rather strict in this matter, he gives conditions so that the zakat property is not productive first before getting

permission from mustahik zakat. It is undeniable that there are in the midst of Islamic society who are good at utilizing zakat assets which is his right, it's just that maybe he does not have the capital to meet the needs of his work. With the Zakat treasure, he can use it himself. In addition, according to the author, asking permission to utilize zakat is natural, considering that zakat assets are their right. So they are more entitled to the zakat treasure. Another thing with all balādah is people who cannot utilize the zakat treasure so that when they receive zakat, the zakat will just run out. Against such groups amils and the government have the right to utilize their zakat productively for their survival, provided that either the amil or the government should be transparent in utilizing the zakat productively so that the ahlu balādah has confidence in amil zakat and the government.

The contemporary scholar who allows the utilization of productive zakat is Shaykh Yusuf al-Qardhawi. He stated that the Islamic State may build factories, companies, universities, and so on, then make them the property of the poor wholly or partially. Thus the business owned can generate

profits and can finance all their needs. However, they should not be given the right to sell or transfer their property rights to others so that they resemble waqf property for them (Waluyo, 2021). The basic needs approach aims to know the basic needs of the community (poor faqir), as well as to know what the background of poverty is. If the poor man has sewing skills then he is given a sewing machine, if his skills are driving a rickshaw, the poor faqir is given a rickshaw. So in this case, motivating the poor is also something very basic, so that they want to try and not just wait for the helping hand of the rich. If the cause of poverty is the scarcity of jobs, then jobs must be provided for them. If the cause is the absence of business capital even though you have entrepreneurship, then provide funds for the stall or basket business and others. If the culprit of poverty or poverty is ignorance, then create an educational fund or scholarship for them. With this approach the solution to the problem of poverty is not incidental, but changes and corrects the most basic causes of poverty, ignorance, laziness, weakness, backwardness, underdevelopment, and other forms contained in the compound word *duaafa-fukoro-masakin* (Saefuddin, Agama, Mohamad, Malik, & Muchtarom, 2020). Didin Hafidhuddin, former Chairman

BAZNAS strongly recommends the payment of zakat not just consumptive, this can be seen from its statement: Because zakat is a right for *mustahiq*, it serves to help, help and build them, especially the poor towards a better and more prosperous life, so that they can meet their needs properly. Not just meeting consumptive needs that are momentary, but providing sufficiency and welfare, by eliminating or minimizing the causes of their lives to become poor and suffering (Hafidhuddin, 1998).

The statements of scholars, Islamic jurists, scholars, Kiyais, and so on that the author has mentioned above that tend to advocate productive management of zakat are based on Qur'anic passages and hadiths both *ā"m* and *Khās* both *mujmal* and *mubayyan*. Among the passages that are used as guidelines in advocating productive zakat management are found in surah al-Tawbah: 103:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿١٠٣﴾

"Take zakat from some of their possessions, with it you cleanse and purify them and pray for them. Verily your prayer (becomes) peace of soul for them. and Allah hears and knows."

In addition to the passage derived from the Qur'an, productive management of zakat can be found in the hadith of the Holy Prophetsa which reads "From Salim bin Abdullah bin Umar from his father that the Holy Apostle once gave

alms to Umar, but Umar refused, saying: Give this alms to those who are more in need than me. Then the Prophet replied: take it and develop it (be productive) or give it to others. Verily the treasure that comes to you and you have no ambition and do not ask for it, then take it. And when the treasure does not come unto you, then do not follow your passions." (Muttaqin, 2019); (Wahyuni, 2017).

The Prophet in the hadith encouraged to produce alms that exceed basic needs, to provide greater benefits. The productivity of zakat fitrah can be done by honest and responsible zakat managers, by fulfilling several conditions. First, managers must be honest and expert in managing zakat fitrah. Second, the management of zakat fitrah must be supervised by the mosque *naziran* body as part of the supervision. Third, before carrying out zakat fitrah productivity, the manager must ensure the approval of *mustahak* zakat to manage his zakat with the development to which he is entitled. If the *mustahak* does not agree, zakat should be given directly to the *mustahak*.

According to some economists, empowerment in the economic field is an effort to build power (society) by encouraging, motivating, and raising awareness of its economic potential and striving to develop it. Community empowerment is the basic element that enables a society to survive. In a dynamic sense, that is, developing oneself

and achieving progress. Community empowerment is the source of what is known as National Resilience (Mubyarto, 2000).

In addition, according to Suharto, empowerment refers to the ability of people, especially vulnerable and weak groups so that they have the strength or ability to (a) meet the basic needs they have freedom in the sense of not only being free to express opinions, but also free from hunger, free from ignorance, and free from pain, (b) reaching productive resources that allow them to increase their income and obtain goods; and services they need (c) participate in the development process and decisions that affect their lives (Suharto, 2009).

Economic empowerment of the Ummah through the productivity of zakat fitrah is an effort to improve the social and economic status of Muslim communities from poverty. It involves building the independence of the ummah by raising awareness of their economic potential. Increasing the ability to generate added value involves improving access to resources, technology, markets, and demand. The essence is to manage zakat fitrah productively, allocating it to businesses that can provide sustainable productive results, so that the benefits can be enjoyed by mustahak for a long time. The purpose of this zakat fitrah productivity is to build the independence of the people in the economic field and free them from the grasp of poverty, and the most important thing is the economic empowerment of the people through the productivity of zakat fitrah in the long term is to be able to change the state of zakat mustahak into muzak.

In the Qur'an one of the functions of zakat is to help people with low economic conditions. Zakat is used for social interests and economic equality which is expected to cut the economic gap between the rich and poor (M. Qurai Shihab, 2005: 458-459). According to al-Jaziri, there are three wisdom of zakat with social nuances, namely: First, Zakat can be a solace for the poor and poor. Second, Zakat can create benefits for Muslims. Third, Zakat can be a means of distributing wealth fairly from the rich to the poor. So that these treasures are not only controlled and enjoyed by the rich. This is by the word of Allah Almighty in surah al-Dzariyat verse 19:

﴿ فِي أَمْوَالِهِمْ حَقٌّ لِّلسَّائِلِ وَالْمَحْرُومِ ﴾

Meaning: On their property, there is a right for the poor who ask and those who do not ask.

This zakat function divides the distribution and utilization of zakat funds into two types, namely the distribution of zakat that is consumptive and the distribution of zakat that is productive (productive zakat). Productive zakat is used as an effort to improve the welfare of Mustahiq for a long period. Productive Zakat can be interpreted as productive utilization of zakat. So that later, the funds or zakat assets collected will be used for productive things, such as being developed and used as mustahiq zakat capital to create a new business. So that later the mustahiq zakat can fulfill their lives continuously which will later lead to a change in the status of the mustahiq zakat to muzakky zakat (Asnaini, 2008: 64).

The utilization of zakat funds for productive matters is by the views of Umar bin Khattab which was followed by Shafi'iyah scholars and scholars of the Hambali school. Several criteria must be met for the utilization of zakat funds into productive businesses, including:

1. Have complied with sharia provisions,
2. Generate economic added value for Mustahiq,
3. Mustahiq is domiciled in the working area of the Zakat management institution,
4. Beneficiaries are individuals or groups that meet mustahiq criteria
5. Provide guidance or assistance to Mustahiq originating from Amil Zakat located in the Mustahiq domicile area (Indonesian Contextual Zakat Jurisprudence Writing Team, 2018: 285-286).

The great potential of zakat must be utilized optimally and managed properly. The use of zakat should not be limited to the consumptive aspect, because this approach only provides brief assistance to zakat recipients. Productive zakat is a better alternative because it can encourage the improvement of the standard of living and economy of zakat mustahiq.

The productive application of zakat needs to be based on a solid foundation, including aspects of positive law, Islamic law, and economic research. Although the Qur'an mentions only nine groups entitled to receive zakat, there is no explanation of the use of zakat funds as business capital or other productive forms. Therefore, an in-depth study is needed to ensure the validity and effectiveness of productive zakat management.

Productive zakat must be studied in terms of Islamic law in more depth, to find evidence for the ability of productive zakat in the Qur'an and hadith, as well as the views of scholars regarding the application of productive zakat in the management of funds or zakat assets. This aims to find a perfect concept in the application of the concept of productive zakat so that later productive zakat is legal in the eyes of Islamic law and accordance with the principles of zakat management and economics. This is because there is still confusion about the concept of productive zakat in Islamic law. The most productive zakat is distributed by providing Qardul Hasan loans to Mustahik as working capital. The contract used should not only be in the form of Qardul Hasan which is limited to certain things. Innovations are also needed in the form of the distribution of productive zakat by Islamic law so that it can be applied by modern economic products that will make the utilization of productive zakat more optimal and reach a wider mustahik.

Islamic law has an ideological advantage capable of solving the problems faced by Muslims. This makes Islamic law accept renewal by following the times and the needs of the Ummah. Islamic scholars always open opportunities to reconstruct Islamic laws innovatively by conducting ijihad that can produce fiqh (Islamic law) products (Muhammad, 2019: 51-53). The scholar who intensively researches zakat is Yusuf Al-Qardawi. Yusuf Al-Qardawi is a contemporary scholar who has moderate thoughts and has a bright reputation among international Islamic thinkers, especially in the field of zakat and philosophy. Through his various works, Yusuf Al-Qardawi provides many legal views on zakat, especially productive zakat. In his book entitled Fiqhuz Zakat, Yusuf Al-Qardawi argues that zakat should be given in productive rather than consumptive form. This is so that Mustahiq Zakat can get a continuous impact from the funds or zakat assets received.

From the Islamic perspective, zakat is the right of the poor contained in the wealth of the rich, governed by established laws and regulations, including mishaps, levels, limits, terms, harmony, time, and clear payment methods. Yusuf Qardhawi emphasized that zakat obligations remain proportional even though wealth changes (Yusuf Qardhawi, 2011: 1006). The concept of zakat, in terms of the goals

to be achieved, aims to overcome poverty, sustainably ensure sufficiency for the poor, and empower the economy.

Zakat is considered an instrument capable of overcoming the economic crisis of society. Apart from being a pillar of Islam, zakat has a domino effect in lifting the poverty line, increasing economic growth, and supporting social life. The allocation of zakat to small communities is expected to increase income, consumption, production, and investment, and create jobs. Thus, zakat has a significant role in tackling unemployment and social crises. Zakat also acts as an economic driver that provides capital support to traders and other professions that require capital that cannot be obtained from other sources.

Yusuf Qardhawi, as a contemporary scholar, emphasized the importance of actualizing zakat to remain relevant in realizing societal goals in the modern era. Seeing the economic reality, Qardhawi expanded *ijtihad*, strengthening zakat obligations on all assets including investments, stocks, bonds, and various sources of income that developed (Yusuf Qardhawi, 2011: 144 & 433). His opinion is based on the generality of the *lafadz* about the provision of property in the Qur'an and the hadith of the Prophet which is global. The expansion of this provision, according to Qardhawi, is not ignoring *Nash*, but applying the principle of justice in the teachings of zakat, as a solution to poverty alleviation.

Qardhawi asserted that zakat can only achieve maximum results if it complies with the conditions that have been set. According to him, abandoning the requirement will make the zakat law unable to achieve the results obtained by sincere people who adhere to Sharia principles.

In general, the pattern of productive zakat can be divided into two forms. First, the zakat property was directly handed over to the *mustahik*, who then became their property. In this form, *mustahik* has the freedom to develop the zakat property, both as business capital and as the main work tool. This pattern gained support from Muslim scholars because zakat property had passed ownership from *muzakki* to *mustahik*.

The second pattern of productive zakat involves the distribution of zakat assets through *amyl* in the form of business capital, either in the form of debt or profit sharing (*mudharabah*) or *murabahah*. Scholarly views on this pattern are divided, and there are pros and cons from the perspective of Islamic law. The majority of scholars support that productive zakat in the form of business capital and investment is permissible in Islamic law, including the views of Mustafa az-Zarqa, Yusuf al-Qardhawi, Muhammad Uthman Shabir, Abdurrahman al-Hifzhawi, Abd al-Fattah Abu al-Ghuddah, Abd al-Aziz al-Khayyath, Muhammad al-Faruq an-Nabhan, and Muhammad Salih al-Farfur.

Furthermore, Mahathir also narrated the story of a poor man who came to see the Holy Prophetsa to ask for (help), this person in his house there were only two valuable objects, namely cloth and cups/glasses for them to drink, then these two items by the Holy Prophetsa were auctioned, after getting a high enough price, finally the Holy Prophetsa sold the two items and gave them to the *fakir* to bought food and the rest to be developed in the form of selling firewood (Mahadhir & Arifai, 2021). Khalid Abd ar-Razzaq considered that the Holy Prophetsa did not immediately provide temporary solutions, although it was very possible, but the Holy Prophetsa provided education about the development of business capital from very little wealth (Prakash, 2015).

Yusuf Al-Qaradawi advocated the development of the zakat wealth of the poor as a long-term solution. This opinion is supported by the practice of the Prophet's companions, especially Umar ibn Khatthab, who often gave zakat not only to meet basic needs but also to be used productively. Umar even ordered zakat officers to give zakat repeatedly to *mustahik*, even if the amount was large.

The concept of productive zakat not only applies directly but also indirectly, such as the expansion of zakat property by mustahik after it has been given to them. This analogy can also be applied to the development of orphans' property that is being cared for on condition that it is done correctly and professionally.

In terms of benefits, productive zakat makes a major contribution to improving the standard of living of the poor and poor. The establishment of factories, trade centers, or other projects can be a solution to overcome unemployment and create a steady source of income for Mustahik. The distribution of productive zakat helps alleviate poverty, reduce economic inequality, and create new jobs.

Although the majority of scholars support productive zakat, there is criticism from some Muslim scholars regarding the ownership status of zakat assets. The majority of scholars argue that zakat assets should be transferred ownership first to the poor and poor individually before being developed into productive property, by the principle of tamlik ain. This criticism highlights the clarity of ownership status in productive zakat practices.

As for the concern that productive zakat can suffer losses so that the consequences trouble the poor and poor as zakat mustahik, this can be answered that the management of productive zakat must indeed be managed by professional people, and has gone through mature development so that although there is still a possibility of loss, it is a small possibility. To answer the above criticism, in the context of Indonesia, the Indonesian Ulema Council (MUI) has issued a fatwa allowing the use of zakat for business capital. This is stated in Fatwa Number 4 of 2003 concerning the Use of Zakat Funds for istithmār (investment).

Yusuf Qardhawi put forward the concept of productive zakat management that must be fulfilled by the management institution. This concept includes several aspects:

a. Expansion of Zakat Corridor

All assets developed must have mandatory zakat dependents and can be used as investments to overcome poverty. The generality in the nash of the Qur'an and Hadith affirms the right of alms and zakat on every kind of property. Zakat is needed to purify wealth and cover the needs of mustahiq, which is obligatory for rich people who have more wealth. Qiyas (analogy) is used to equate all property that develops with a property that must be zakat.

b. Management of Zakat from Fixed and Non-Permanent Assets

Fixed property, such as crops and livestock, had to be collected and distributed by the leader of a Muslim region. Non-fixed possessions, such as money or merchandise, are also collected and distributed by the leader.

c. Accountable Administration

The success of zakat depends on a trustworthy administration and is managed by professional persons in charge.

The linkage between regulations, laws, and human resources who implement them.

d. Accountable Distribution

Distribution must be done locally before reaching other areas, giving priority to zakat recipients in the immediate environment. Equitable and fair distribution, building trust between givers and recipients of zakat.

e. Work Productivity through Islamic Management

Sincerity towards work productivity is based on Islam. Application of Islamic laws carrying out obligations and avoiding prohibitions. Obligations in Islam are interrelated and affect the lives of individuals and societies. This concept creates a solid foundation for productive zakat management to alleviate poverty and advance Muslim communities.

This zakat teaching is a teaching with a social dimension, therefore Allah determines the target of zakat distribution strictly in the Qur'an surah al-Tawbah verse 60 concerning those who are entitled to receive it:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَرَمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ
وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٦٠﴾

Meaning: Indeed zakat is only for the poor, the poor, the amil zakat, those who are softened in the heart (converts), for (free) the servants of Yahaya, for (free) those who are in debt, for the way of Allah and for those who are on the way (who need help), as an obligation from Allah. Allah is All-Knowing and All-Wise. (Q.S At Tawbah: 60)

The role of zakat in human life has a very significant effect. Zakat is a mover or motor that has the potential to provide benefits to traders and other professions that require capital that cannot be obtained from other roads. Zakat is a transcendental moral or ethical teaching for taxes and their spending, and in turn also for the state. tax with the concept of ethics or the spirit of zakat is a tax as alms because Allah is mandated to the state for the benefit of all people, especially the weak, whoever they are, regardless of religion, ethnicity, race, or group.

The productive distribution of zakat according to Yusuf Al-Qardhawi is zakat distributed to mustahik to be managed and developed through business behaviors where the property is used as capital to improve the economic level of mustahik. The distribution method consists of two forms: First, the productive distribution of zakat in non-investment form, namely: zakat which is handed over directly to mustahik to be developed, so that the zakat becomes the full property of mustahik. Second, the productive distribution of zakat in the form of investment, namely: zakat is not directly handed over to mustahik.

The productive distribution of zakat is permissible according to the majority of scholars to improve the economic life of the mustahik. However, there are important requirements as proposed by the MUI: Zakat must be channeled to businesses that are permitted by sharia and applicable regulations (al-ṭuruq al-mashua), invested in business fields that are believed to provide benefits based on feasibility studies, these businesses must be fostered and supervised by competent parties, the business must be run by professional and trustworthy institutions/institutions (Amanah), The business capital must receive guarantees from the government and the government must replace it in the event of loss or bankruptcy, there must be no poor people who starve or need costs that cannot be delayed when the zakat assets are invested, the use of zakat funds for business capital that is ta'kakhir, because it is invested, must be limited in time.

The concept of productive zakat aims to improve the economy of Mustahiq, especially the poor, through resource empowerment. This is done by providing training to improve skills, making zakat funds as business capital, and promoting economic independence in various sectors. This concept also

involves the application of taxes as a form of zakat ethics. Taxes are considered as alms to Allah mandated to the state. Taxes are taken from the wealth of the rich and used for the common good, especially for the weak. The distribution of taxes is done fairly by building infrastructure that is their basic need so that they can live a decent life and be free from poverty.

Data from the Indonesian Central Statistics Agency (BPS) in 2021 recorded that the number of poor people reached 26.50 million people or around 9.71% of the total population. Despite the decline compared to 2020 which was hit by the Covid-19 pandemic, poverty remains a major problem in developing countries. Economic inequality, income disparities, education, and access to resources are major causes of poverty, with many people having difficulty meeting basic needs and improving their quality of life.

4. Conclusion

The conclusion of this study underscores the urgency of productive zakat in the context of Islamic teachings and the welfare of the Ummah. The empowerment of Mustahiq through training and skill development is the main focus to increase the effectiveness of productive zakat. Although there is no specific reference in the Qur'an or hadith regarding productive zakat, the allocation of zakat clearly stated in surah At-Tawbah verse 60 provides a basis for the distribution of zakat that supports the economic improvement of Muslims.

Productive zakat is the utilization of zakat given to mustahik to be managed and developed through business practices, where zakat assets are used as capital to improve the economic level of zakat recipients. There are two forms of productive zakat distribution methods: first, non-investment distribution, which is directly handed over to mustahik to develop as their full property; Second, the distribution of investment, which is not directly handed over to mustahik.

The majority of scholars allow the productive distribution of zakat to improve the economic life of Mustahik. However, there are important requirements proposed by MUI, such as zakat must be distributed to businesses that are by sharia and applicable regulations, invested in business fields that are considered profitable based on feasibility studies, must be fostered and supervised by competent parties, run by professional and trustworthy institutions/institutions, business capital must be guaranteed by the government with reimbursement in case of loss, It must not cause hunger or urgent need for the poor when zakat funds are invested, and the use of zakat funds for invested business capital must have a time limit.

Productive zakat has a focus on poverty alleviation. The rights of the poor in the wealth of the rich have been regulated by Allah, including mishaps, levels, limits, conditions, harmony, time, and method of payment. Zakat obligations remain in effect even though wealth fluctuates. The role of zakat is very significant in human life, being a source of capital for various professions, including traders. Zakat also has moral and ethical dimensions and is considered a tax concept related to the benefit of the people, especially the weak, regardless of religion, ethnicity, race, or class.

5. References

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