

## ZAKAT AND WAQF AS AN ECONOMIC DEVELOPMENT

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### Abstract

*The public financial sector is experiencing quite dynamic developments from time to time. Its development is also influenced by the character of the system of government that occurs at a certain time. Since the time of the Prophet (s) until now, the dynamics of the public financial sector has undergone a definite change due to the different facts faced by each time. In its development there are fixed and some are changing. This study is use literature review method, literature review is a study conducted by researchers by collecting a number of books, magazines related to problems and research purposes. Develop a sense of social responsibility in people who have excess wealth. This study found that Zakat is a mandatory provision in the economic system so that in its implementation is carried out through official or legal institutions. Waqf recipients from the community are done in an easy way, among others through mobile banking, Short Message Service and waqf kiosks. In Malaysia to develop waqf assets, investments are made through Malaysian sukuk and capital market instruments issued by the Securities Commission in February 2001.*

**Keywords:** Zakat, Waqf, Financial Public

### 1. INTRODUCTION

The public financial sector is experiencing quite dynamic developments from time to time. The development of this sector is very closely related to government policy in managing the economy of its people. Its development is also influenced by the character of the system of government that occurs at a certain time. Since the time of the Prophet (s) until now, the dynamics of the public financial sector has changed definitively due to the different facts faced by each of them (Dahlan: 2008). In its development there are fixed and some are changing.

Zakat and waqf are Islamic social funds that serve as effective tools for the public financial sector and poverty alleviation. Waqf practices can distribute wealth and generally help the socioeconomic development of muslim communities. Waqf is an important institution in the framework of Islamic social. Waqf refers to property donated by the Muslim community to charity. Waqf is unique because its characteristics are permanent, irrevocable and irrevocable (Hasan and Sulaiman, 2016; Ghazali et al., 2019).

The growing research body has confirmed that the unique function of Zakat is the provision of social services and the advancement of impartial wealth circulation to protect those who are vulnerable to risk; also important as a mechanism for poverty alleviation

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in Muslim communities (Ahmad et al., 2017; Ibrahim and Ghazali, 2014). The system achieved enviable success throughout the golden era of Islamic history. During the reign of Caliph Umar Ibn Abdul Aziz for example, the results of Zakat succeeded in eradicating the absolute poverty of society (Ahmed, 2004).

Public finances in the context of sharia become an integral part of human life in making peace, especially the relationship of the state with its people, which will be accounted for before Allah s.w.t, because in Islam does not only study about worship alone or spiritual relationships but in Islam examines all aspects of human life both in small and besal. But the reality for now is that public financial management is not in accordance with sharia guidance. Therefore, it is necessary to examine how to manage public finances in an Islamic economic perspective.

Today, as the times evolve, the Islamic financial system is reformed. Nevertheless, the technical mechanism of islamic public finance management that is built must instill principles that are in accordance with Islamic objectives both in terms of acceptance and expenditure. Therefore, this paper will discuss the principles of Islamic public finance based on the history of Islamic public finances in the past to be drawn to the present based on the values implied in it, and how the role of zakat and waqaf as a source of state financial management.

## **2. LITERATURE STUDY**

Islamic public finance is finance that is managed for the benefit of the community, either managed individually, collectively or managed by the government. Islamic public finances cover two things, namely the revenue and expenditure sectors.

From the historical review of Islamic public acceptance can be shown the variety of forms of public funding sources, both predetermined by the current government such as *kharaj*, *khums*, *jizyah* and so on. From the various forms of public acceptance instruments, it can be analyzed economically the basic principles of public funding at the beginning of Islam can be seen in the following table.

**Table 1. State Revenue and Expenditure in Islam**

<b>No.</b>	<b>Source of Acceptance</b>	<b>Key Characteristics</b>
1	Zakat	<ul style="list-style-type: none"><li>a. It is a direct obligation of Allah (Qur'an)</li><li>b. Zakat payers are special muslim individuals, able materially and exceeding one nisab.</li><li>c. Charged for the stock of wealth or profit, not on working capital.</li><li>d. The higher the zakat rate is influenced by the higher the role of human management to nature, the smaller the zakat rate and the high rate is proportional.</li><li>e. Collected periodically according to the period</li></ul>

- of acquisition or harvest.
- 2     *Ushr*
- a. It is an obligation imposed by the government to traders aimed at increasing trade.
  - b. Ushr payments are the trade of Muslims and non-Muslims.
  - c. Charged on trading volume.
  - d. The amount of tariff is influenced by the tariff collected by trading partners, the ability to pay (not for small traders, 200 dirhams), the amount of services provided by the government (dzimmi tariff is greater because it requires higher security guarantees).
  - e. Temporary, when unfair trade occurs (tariffs are reduced to increase fair trade).
- 3     *Kharaj*
- a. It is an obligation imposed by the government as a state land user or fai'.
  - b. The high tariff depends on the higher conditions: soil quality and more bail soil type, lower production method/HR role, production value (max 50%).
  - c. Collected permanently periodically.
- 4     *Jizyah*
- a. It is an obligation imposed by the government as compensation for the protection of life, property, worship and military responsibility.
  - b. Collected from non-Muslims *dzimmi* living in the Islamic state.
  - c. The high rate is influenced by the material ability to pay *jizyah*, can be paid individually or collectively.
  - d. d. Permanently collected, unless *dzimmi* converts to Islam, it is subject to obligation as Muslim.
- 5     *Ghanimah*
- a. It is a property obtained by force through war.
  - b. Intended primarily for war financing and army welfare (80%)
  - c. Some 20% is allocated to *sabilillah*, as is the zakat rate imposed on the property of rikaz findings.

- 6 *Fai'*
- a. Is a treasure obtained from non Muslims peacefully or non-war
  - b. The principle is the utilization of idle property.
  - c. Owned by the original owner if he is alive or converted to Islam, and becomes state property if the original owner dies or remains a non-Muslim.
  - d. Some income can be categorized as *fai'*, such as *jizyah*, tribute, customs, fine *kharaj*, *amwal fadhila*, and so on.
- 7 *Charity*
- a. It is a property that is voluntarily handed over by a Muslim to another person or an Islamic ummah or State.
  - b. There is no provision concerning the amount  
depending on the will of the almsgiver.
- 8 *Wakaf*
- a. It is a property that is voluntarily handed over by a Muslim for the purpose of benefiting the Muslim ummah.
  - b. Devoted to assets that have long-term benefits.
  - c. There is no provision on the magnitude, depending on the will of waqif.
- 9 *Nawaib*
- a. Is a levy imposed by the government on a particular person for the purposes of a particular State, for example for the defense of the state.
  - b. Voting is conducted purposively, for emergency purposes (war).
  - c. It applies to rich people only.
- 10 *Amwal Fadhila*
- It is an asset that is obtained because no one has either left his owner or without an heir.
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Regarding Islamic public acceptance can be shown the variety of forms of public funding sources, both that have been determined by the government at that time such as *zakat*, *kharaj*, *khums*, *jizyah*, *ushur* and so on. From the various forms of public acceptance instruments, it can be analyzed economically the basic principles of public

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funding at the beginning of Islam can be seen in the following table:

From Muslims	From Non-Muslim	From Other Sources
1. Zakat	1. <i>Jizyah</i>	1. <i>Ghanimah</i>
2. Ushur	2. <i>Kharaj</i>	2. Fai"
3. Zakat Fitrah	3. <i>Ushur</i>	3. Ransom
4. Waqf		4. Gifts from other leaders and other countries
5. <i>Amwal Fadhla</i>		5. Loans from race
6. <i>Nawaib</i>		Muslim and non-muslim
7. Charity		
8. <i>Khums</i>		

In general, there are *Syar'iyah* rules that limit the state's revenue policy. *Kahf* argues that there are at least three procedures performed by the modern Islamic government in its fiscal income policy assuming that the government agrees with the tax levy (apart from the ikhtilaf ulama on taxes), among others:

1. *Syar'iyah* rules relating to the policy of zakat levy

The government has no right to change the provisions of zakat as determined by Islamic teachings. However, the government can make changes in the structure of property that must be paid by sticking to the *nashs*.

2. The rules of *syar'iyah* relate to the proceeds of income derived from government assets.

Income from general government assets in the form of investment in government assets managed either by the government or the public. Income from community assets according to the rule that people are united in having water, fire and salt. This rule in the modern context is the public facilities needed by the general public. Thus the rule used in this case is the rule of *maslahah*.

3. The rules of *syar'iyah* relating to the proceeds of income from taxes.

Basically Islam prohibits the forced collection of muslim people's property. Taxes in the modern economy are the most important and largest income sector on the grounds that taxes are allocated to public goods and serve as redistribution, stabilization, drivers of economic growth. As Muhammad Baqir Ash-Shadr stated, tax is a fiscal obligation that is not only used to meet basic needs, but is intended to overcome poverty and improve the living standards of the poor in order to realize the social balance as aspired by Islam.

Based on the economic analysis of the history of Islamic public expenditure during the Prophet Muhammad and Khulafaur Rasyidin and the rule of fiqh muamalah, in fact the main principle in allocating public funds is the increase of the highest *maslahat*.

Related to state expenditures during the reign of Rasulullah SAW systematically used for certain things and the following will be explained: (Karim, 2010)

### **3. RESEARCH METHODOLOGY**

The research design used is literature review method. The use of this method is related to the Situation of the Covid-19 pandemic which restricts researchers in data retrieval.

Literature review is a study conducted by researchers by collecting a number of books, magazines related to problems and research purposes. This technique is done with the aim to reveal various theories relevant to the problem at hand / researched as reference material in the discussion of research results.

Literature review can be done from several sources such as national and international journals conducted such as by using three databases (BASE, Science Direct, and Neliti) and textbooks or handbooks concerned about the results of food sanitation hygiene research in tourist attractions and related policies.

### **4. RESULT AND DISCUSSION**

#### **4.1 Zakat as an Islamic public financial institution**

One of the efforts and obligations of the state is to regulate the economy with the aim of ensuring its people achieve prosperity. Baqir Ash-Shadr saw that state intervention in economic life was necessary to ensure its alignment with Islamic norms (Chapra, 2001). Therefore, the government plays a role in providing various public goods to encourage development and mutual welfare through its public and fiscal policies.

Zakat is a characteristic of the Islamic economic system, this is because zakat is one of the implementation of the principle of justice in the economic system. Mannan says zakat has six principles:

- a. The principle of belief in religion, meaning that the person who pays zakat is one form of manifestation of belief in religion.
- b. The principle of equality and justice, this is the social purpose of zakat, namely to distribute wealth that God has given more justly and evenly to fellow human beings.
- c. The principle of productivity, meaning that zakat must be paid because certain property has produced a certain product after a certain period of time (Nisab and Haulnya).
- d. The principle of reason, it is rational that zakat that produces wealth should be issued.
- e. The principle of freedom, zakat is only paid by the free person.
- f. The principle of ethics and fairness, namely zakat is not collected arbitrarily.

According to Kahf (1999), the main purpose of zakat is to achieve socioeconomic justice. Zakat is a simple transfer of a part with a certain measure of wealth to be allocated to the poor and poor. Then Muhammad Daud Ali explained that the purpose of zakat is:

- a. Lifting the ranks of the poor.

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- b. Help solve the problems of the gharimin, ibn sabil, and other mustahik.
- c. To build a brotherhood between Muslims and humans in general.
- d. Remove the miserliness of the owners of property.
- e. Remove enviousness for the poor and the needy.
- f. Bridging between the rich and the poor.
- g. Develop a sense of social responsibility in people who have excess wealth.
- h. Educating people to always fulfill their obligations.
- i. A means of income equality to achieve social justice.

As a major component in Islamic public finances as well as fiscal policy in the Islamic economic system. Zakat is a mandatory activity for all Muslims and is an important element in the country's source of income. Zakat is a mandatory provision in the economic system (obligatory zakat system) so that in its implementation is carried out through official or legal institutions. Then the collection, management, and distribution can be on target.

The implications of zakat in a special sense, in this case the economy, namely: First, zakat can meet the needs of people who have shortcomings. Second, zakat can reduce the gap in economic inequality, between the rich and the poor. Third, zakat can indirectly reduce the number of social problems, criminality, and others. Fourth, zakat can maintain the purchasing power of the community in order to maintain the business sector, meaning that with zakat, people's consumption is maintained at a minimum level (can be controlled), so that the economy can run well.

So this is where the importance of the government in encouraging people to pay zakat to the National Zakat Agency or Certain LAZ that has been established in all provinces, districts and sub-districts. This means that by focusing on the collection of zakat, the funds obtained will be easy to distribute. So that the potential of zakat in Indonesia can be managed well and most importantly on target. Thus, zakat seeks to improve the standard of living of the poor and poor to a more decent level of life. Zakat is also a means to bring closer the gap between the rich and the poor (Qardhawi, 1996).

Regarding the fundamental problem called poverty remains the responsibility of the state. According to Islam, in the eradication of poverty, the state must intervene in this issue. In the Qur'an taught the principle of al-ma'un or social responsibility can be realized into state institutions, because otherwise the whole society can be exposed to the predicate "denying religion". The state is actually only tasked with ensuring the implementation of this doctrine, whether by more direct action or encouraging the private and the public themselves to carry out the doctrine.

Islamic thinkers in general tend to place an active role of the state, both in controlling the economy towards more stable development, especially to prevent unemployment, directing the allocation of resources so that a balance can be achieved



between efficiency and broad community participation in business activities and redistribution of people's income and wealth so that there is no shock and social injustice. Poverty is a very complex phenomenon. Thus, poverty is not only a cultural problem, but also a structural problem that concerns how the state makes fiscal policies oriented towards poverty alleviation. Culturally, Islam advocates to foster the role of each individual in improving his quality of life and fostering the process of social togetherness (care) through zakat, infak, alms and other instruments. Islam places the central role of the state in creating a fair and equitable distribution of people's income and wealth and maintaining the stability and sustainability of economic development in the process of progress and equality as well as a facilitator of community empowerment in finding solutions to a more decent standard of living.

#### **4.2 *Waqf as an Islamic Public Financial Institution***

It is understood that public financial institutions play a role in the economic empowerment of the community. In Islamic society, Public Financial Institutions can be seen from several models of Islamic financial instruments that are useful to ensure welfare. Among the Islamic financial system there are mandatory (must be carried out) such as zakat there are also recommended such as infak, shadaqah, and waqf. But in general, the instrument has not really been considered capable of being a public financial institution in order to respond effectively to social problems because of its limited capacity compared to complex social problems.

Of the many public financial institutions that deserve to be in the spotlight more is waqf. Because, waqf as zakat, infak, and other shadaqah, is one of the Islamic financial institutions that aim to be socially religious. The difference, zakat, infak and shadaqah, can instantly be consumed while waqf property is not. Therefore waqf is often referred to as *shadaqah jāriyyah*, meaning shadaqah which continues to flow benefits and is not cut off like a flowing spring.

Historically, waqf has been one of the main instruments for the welfare of the community. The role of waqf to build an established society is seen from the fulfillment of various aspects of people's lives in general. Waqf can be used as a handle of the Muslim community as donors who can facilitate a kind of construction of places of worship, places of stopover of travelers, places of dissemination of knowledge, schools, making scientific works, procurement of clean water, and the needs of the poor. Universally waqf has a large role from the social dimension. That Allah SWT created people with a variety of characters, strengths and abilities.

Surely when interacting will be found those who are rich and poor, stupid and intelligent, strong and weak. In kontek maliyah level (wealth), Allah SWT shows the establishment of a neat, balanced life order, commanding the rich to pay attention to the poor. on the other hand, the intelligent must pay attention to the foolish, as well as the strong pay attention to the weak.

The motivation of the wakaf shown by 'Umar ibn Khathab at the time of the destruction of the land in Khaibar was to contribute to the needs of the community and the welfare of the people. If it is understood from the historical element, when 'Umar



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intends to bershadaqah, he asked for the advice of the Messenger of God. Thus, some rawi stated that 'Umar was the first to perform waqf. This spirit is one of them that grounded the next waqf practice. Ibn 'Umar, who was the manager of the waqf reported that the waqf results in khaibar reached 100 caplings used for the poor, poor, relatives, slaves, volunteers, travelers, guests, and honor managers. While the waqf results from the Prophet SAW as much as 38 kapling, 18 kapling used for the welfare of volunteers fath al-makkah while 18 more kapling for the public benefit.

During the reign of caliph Harun al-Rashid. Princess Zubaydah (wife of the caliph) once built a highway from Baghdad in Iraq to Makkah. The road was built to facilitate the journey of pilgrims who want to perform hajj in Makkah. All of the construction costs came from waqf property managed by Zubaydah's daughter. During ottoman rule in Turkey, waqf funds managed to ease state spending, especially to provide educational facilities, urban facilities and other public facilities,

While waqf in Egypt has long been managed, and managed to build and finance lecturers, students and staff of Al-Azhar University (the oldest university in the world). All operational costs of university activities ranging from student fees (all scholarships), faculty, leadership and university development come from waqf assets. In a sense, that waqf is not limited to ritual aspects alone, but reaches the social aspects of humanity and even education and economics.

Kuwait, the Public Waqf Foundation (*al-amânah al-'âmah li al-awqaf*) places self-ification as an instrument of economic and social security. Waqf recipients from the community are done in an easy way, among others through mobile banking, Short Message Service (SMS) and waqf kiosks. It is then managed professionally through several sectors of economic development.

In Malaysia to develop waqf assets, investments were made through Malaysian sukuk and capital market instruments issued by the Securities Commission in February 2001. The issuance of waqf shares was carried out by several states such as Johor, Melaka, and Selangor. This was done according to the decision of *Majma' al-Fiqh al-Islâmî* on 24 November 2005. To ensure the management of waqf money in the country, takaful waqf was formed by Takaful Malaysia Berhad Company which was established in 1997. Takaful company is operated based on the principle of *mudlârabah*. The advantages of investing in sharia financial portfolios are the sum of four portfolios, namely Sharia banking deposits, Sharia bonds and sharia capital markets. The profits will be combined with other portfolio profits then distributed to the poor.

Waqf management also occurs in the secular country of Singapore. With a minority Muslim population (±453,000 people) managed to build waqf treasures innovatively. Through WARESS Investment Pte Ltd has managed to manage and build waqf assets professionally. Among other things, building a 12-storey apartment is worth about US\$62 million. WARESS also managed to build a luxury housing project called The Chancery Residence.

## **5. CONCLUSION**

Zakat is a characteristic of the Islamic economic system, this is because zakat is one of the implementation of the principle of justice in the economic system. Belief in religion, meaning that the person who pays zakat is one form of manifestation of belief in religion. Equalization and justice, this is the social purpose of zakat, namely to distribute wealth that God has given more justly and evenly to fellow human beings. Productivity, meaning that zakat must be paid because certain property has produced a certain product after a certain period of time.

Zakat is a simple transfer of a part with a certain measure of wealth to be allocated to the poor and poor. Zakat is a mandatory activity for all Muslims and is an important element in the country's source of income. Zakat is a mandatory provision in the economic system so that in its implementation is carried out through official or legal institutions. Second, zakat can reduce the gap in economic inequality, between the rich and the poor.

Zakat can indirectly reduce the number of social problems, criminality, and others. zakat can maintain the purchasing power of the community in order to maintain the business sector, meaning that with zakat, people's consumption is maintained at a minimal level, so that the economy can run well. So this is where the importance of the government in encouraging people to pay zakat to the National Zakat Agency or Certain LAZ that has been established in all provinces, districts and sub-districts. This means that by focusing on the collection of zakat, the funds obtained will be easy to distribute.

So that the potential of zakat in Indonesia can be managed well and most importantly on target. Thus, zakat seeks to improve the standard of living of the poor and poor to a more decent level of life. Zakat is also a means to bring closer the gap between the rich and the poor. Thus, poverty is not only a cultural problem, but also a structural problem that concerns how the state makes fiscal policies oriented to poverty alleviation. Culturally, Islam advocates to foster the role of each individual in improving his quality of life and fostering the process of social togetherness through zakat, infak, alms and other instruments.

It is understood that public financial institutions play a role in the economic empowerment of the community. In Islamic society, Public Financial Institutions can be seen from several models of Islamic financial instruments that are useful to ensure welfare. Among the Islamic financial system there are mandatory such as zakat there are also recommendations such as infak, shadaqah, and waqf. But in general, the instrument has not really been considered capable of being a public financial institution in order to respond effectively to social problems because of its limited capacity compared to complex social problems.

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