

CHAPTER I

INTRODUCTION

1.1 Background of the Study

Zakat is a part of the wealth spent by a Muslim from the results of business obtained in a halal way, which not only provides benefits in the form of relatively large amounts of money but can also be easily achieved through certain skills or expertise¹. By fulfilling the obligation of zakat, a Muslim's life can be more blessed, and the wealth obtained will be clean and useful, so that it can be used in a better and productive way.²

Essentially, zakat has two dimensions of worship function, namely as individual worship of Allah SWT and as a form of social worship towards others. Through zakat, a wealth distribution mechanism is created, which flows from individuals who have more to those who lack, thereby reducing social and economic disparities in society. Zakat as an integral part of Islamic teachings has been widely known by Muslims, especially in the form of zakat fitrah and zakat mal. However, there are still many who do not fully understand the depth and obligation of zakat as part of the sharia.³

Zakat mal (property) is one type of zakat that is very relevant in the context of economic development, by the demands of Islamic law. The great potential of zakat mal, if managed properly, can contribute significantly to the improvement of the economy of a region or society. However, even though the potential of zakat mal is very large, the reality is that Muslims generally know and pay zakat fitrah more, while the understanding and awareness of the

¹ Ismail Muhammad Syah, dengan jurnal *'Filsafat Zakat'*, (1999), 40

² M. Quraish Shihab, *Wawasan Islam: Mengenal dan Memahami Islam secara Universal*, (Jakarta: Mizan, 2002), 159.

³ M. Quraish Shihab, *Wawasan Islam: Mengenal dan Memahami Islam secara Universal*, (Jakarta: Mizan, 2002), 159.

obligation of zakat on the property is still very limited, especially among individuals who have fulfilled the requirements of sharia, such as nishab and haul.

Overall, the main goal of zakat management is to improve efficiency in the collection and distribution of zakat, as well as to maximize the benefits of zakat in realizing social welfare and poverty alleviation. For these goals to be achieved, it is important for zakat institutions to ensure that the distribution of zakat, infaq, and alms is carried out in a targeted and transparent manner, as well as optimize the management of zakat funds so that they can have a significant impact on the welfare of the people⁴. In this case, zakat is not only a religious obligation, but also a strategic instrument in an effort to achieve more equitable and sustainable social welfare.

The principle of zakat implementation is based on the words of Allah SWT in surah at-Taubah verse 60:

إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَرَمِينَ
وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Meaning: *"Indeed, zakat is only for the poor, the poor, the amil zakat, whose hearts are softened (converts), to (liberate) the servants of the sahaya, to (liberate) those who are in debt, for the way of Allah and for those who are on the way, as an obligation from Allah, Allah is omniscient, all-wise."* (Q.S At-Taubah (9): 60).⁵

In Indonesia itself, it is recognized that there are two zakat management organizations, namely the Amil Zakat Agency (BAZ) and the Amil Zakat Institute (LAZ). The amil zakat agency is a zakat management organization formed by the government while the amil zakat institution is a zakat management organization that

⁴ S. A. Al-Qardawi, *Fiqh Zakat: Kajian Kontemporer tentang Hukum Zakat dan Peranannya dalam Pembangunan Sosial Ekonomi*, (Jakarta: Pustaka Al-Kautsar, 2001), 145.

⁵ QS. At Taubah : Verse 60

is fully formed by the community and confirmed by the government. These two organizations have the same function, namely collecting zakat, starting from receiving, recording, and distributing zakat to the mustahik.⁶

Amil is a person who is appointed to collect zakat, keep it, distribute it to the entitled and do the bookkeeping. This group is entitled to a maximum of one eighth or 12.5 percent (12.5%) of the zakat share, with the note that these zakat officers do indeed perform the duties of the amil as well as most of the time or all for the task. If it is only at the end of the month of Ramadan and usually only for the collection of zakat fitrah, then these officers should not get a share of zakat one eighth, but only for administrative purposes or consumption that they need.⁷

Public trust in amil zakat institutions, such as Lazismu DIY, is currently facing significant challenges. One of the main problems faced is the lack of transparency in the management of zakat funds. The 2023 national survey shows that the lack of clarity in the management of zakat funds is the main factor that causes a decrease in the level of public trust in the amil zakat institution (National Amil Zakat Agency, 2023). The community is worried that the collected zakat funds are not channeled appropriately, either for personal interests or irrelevant programs. This concern was exacerbated by the revelation of a number of cases of misappropriation of zakat funds that occurred in several amil zakat institutions.⁸

This condition is very unfortunate considering the great potential of zakat in overcoming social and economic problems.

⁶ Badan Amil Zakat Nasional (BAZNAS), *Laporan Tahunan Pengelolaan Zakat dan Pemberdayaan Umat*, (Jakarta: BAZNAS, 2023), 35.

⁷ Baznas RI, "Sejarah Baznas", <https://baznaspemalang.or.id/sejarah-baznas> diakses pada tanggal 10 Oktober 2024

⁸ Badan Amil Zakat Nasional. (2023). *Laporan Survei Kepercayaan Masyarakat terhadap Lembaga Amil Zakat Tahun 2023*. Jakarta: BAZNAS.

The potential of zakat funds in Indonesia is estimated to reach hundreds of trillions of rupiah per year, but it has not been managed optimally. If managed properly, zakat funds have the potential to become a very significant source of funding for various community empowerment programs, such as education, health, and the development of micro, small, and medium enterprises (UMKM).⁹

Lazismu DIY, as one of the major amil zakat institutions in Yogyakarta, has an important role in managing and distributing zakat funds. However, the challenges faced do not only come from external factors, but also from the internal institutions themselves. One of the issues that needs to be evaluated is the system of distribution of amil rights which has been regulated through the decision of the Sharia Council. Although this system is designed to ensure fair distribution, periodic evaluations are still necessary to maintain fairness and transparency in the distribution of amil rights. In addition, Lazismu DIY needs to increase socialization to the public about the importance of zakat and a transparent and accountable mechanism for managing zakat funds.¹⁰

In the research written by Herianto, it was determined that according to the finding of the study, in practice, the ziswaf volunteers consider themselves as amil zakat and receive ujah of 10% of the funds collected. However, the results of the study show that they do not meet the criteria for amil zakat according to fiqh. Instead, the volunteers are given a wage with a combination of ujah ijarah and ujah jualah systems, which aims to reward their hard work and maintain enthusiasm in achieving the target funds that have been set.¹¹

Then a study written by Franky Gantara and Arif Rijal

⁹ Baznas. (2024). *Potensi Dana Zakat di Indonesia: Analisis dan Rekomendasi*. Jakarta: Baznas.

¹⁰ Lazismu DIY, *Laporan Tahunan Pengelolaan Zakat dan Pemberdayaan Umat*, (Yogyakarta: Lazismu DIY, 2023), 45.

¹¹ Herianto, *Status Amil Zakat & Upah Relawan Ziswaf Panitia Ramadhan Yayasan Ponpes Hidayatullah Balikpapan*, Sekolah Tinggi Ilmu Syari'ah Hidayatullah Balikpapan, <https://ejournal.stishid.ac.id/article/>.

Anshori, Based on the results of the study that combines primary data from interviews and observations as well as secondary data from various references, it can be concluded that the practice of amil wages in Baznas Bandung City has fulfilled the provisions listed in Law Number 13 of 2003 concerning Manpower. However, when viewed from the perspective of Islamic law, there is a gap between these practices and sharia principles related to zakat management. This shows the complexity in harmonizing state regulations with religious values in the context of zakat management¹². Then BAZNAS RI has ensured that the management of zakat fitrah is carried out in accordance with the provisions of Islamic law, with attention to the right and timely distribution to mustahik. Although it is not explicitly stated, this careful management reflects the importance of the role of amil zakat in ensuring that the obligation of zakat fitrah is carried out properly.¹³

Based on the results of research conducted by Herianto, it was found that the volunteers were given wages with a combination of *ujrah ijarah* and *ujrah jualah* systems, which aimed to reward their hard work and maintain enthusiasm in achieving the target funds that had been set. On the other hand, research by Franky Gantara and Arif Rijal Anshori shows that the practice of amil wages in Baznas Bandung City is in accordance with the provisions of Law Number 13 of 2003 concerning Manpower, but there is a gap when viewed from the perspective of Islamic law. This indicates that there is an imbalance between state regulations and sharia principles in the

¹² Gantara, F., & Anshori, A. R. (2022). Analisis upah amil zakat di BAZNAS Kota Bandung menurut hukum Islam dan Undang-Undang No. 13 Tahun 2003 tentang ketenagakerjaan. *Jurnal Riset Ekonomi Syariah (JRES)*, (2). <https://journals.unisba.ac.id/index.php/JRES>

¹³ Badan Amil Zakat Nasional (BAZNAS) RI, "BAZNAS RI Tetapkan Zakat Fitrah 2024 Rp45 Ribu sampai Rp55 Ribu," 14 Maret 2024, <https://baznas.go.id/news-show/BAZNAS-RI-Tetapkan-Zakat-Fitrah-2024-Rp45-Ribu-sampai-Rp55-Ribu/2061>.

Dokumentasi: BAZNAS RI/Humas. Diakses pada tanggal 6 Desember 2024

management of zakat funds.¹⁴

Meanwhile, the management of the National Amil Zakat Agency (BAZNAS), including the chairman, vice chairman, and members, receive financial rights or monthly salaries in accordance with Presidential Regulation No. 104/2020, with amounts ranging from IDR 24.02 million to IDR 31.46 million. However, based on MUI Fatwa Number 8 of 2011, amil zakat is only allowed to receive a small part of the zakat funds collected, which is around 12.5% or 1/8 of the total zakat collected.¹⁵

This difference of views shows the importance of further in-depth research on the review of Islamic law on the mechanism for determining the right to wages of amil zakat. With further research, it is hoped that a more comprehensive solution can be found in harmonizing state regulations and sharia principles, so that the management of zakat funds can be carried out fairly, transparently, and in accordance with the provisions of Islamic law. This research is also important to provide clear guidance for zakat institutions in determining the right mechanism in determining the right to pay for amil zakat.

Further research on the review of Islamic law on the mechanism for determining amil zakat wage rights has great potential to be applied in zakat institutions such as Lazismu DIY. As a rapidly growing amil zakat institution in Yogyakarta, Lazismu DIY plays a strategic role in the management of zakat funds collected from the community. With various challenges faced, such as the importance of transparency and accountability in the management of zakat funds, this research can make a significant

¹⁴ Herianto, *Pengelolaan Zakat dan Pengupahan Relawan: Studi Kasus di Lembaga Amil Zakat*, (Yogyakarta: UGM Press, 2022), 88.

¹⁵ Anik Sulistyawati, "Mengemban Amanah Umat, Berapa Gaji Pegawai Lembaga Amil Zakat?", *Espos.id*, 6 Juli 2022, <https://bisnis.espos.id/mengemban-amanah-umat-berapa-gaji-pegawai-lembaga-amil-zakat-1358988>.

contribution in formulating a mechanism for determining amil zakat wage rights in accordance with sharia principles and applicable regulations. This is important to ensure that zakat funds are managed fairly and transparently, as well as in accordance with the provisions of Islamic law.

Lazismu DIY has its characteristics and dynamics that make it a relevant case study in this study. The diversity of divisions in it, such as the fundraising and finance divisions, provides an overview of how zakat funds are collected and managed. The fundraising division goes directly into the field and interacts with the community, while the finance division has a very busy role in calculating and distributing the funds raised. By involving internal parties, such as the Sharia Council and zakat managers, this research can provide deeper insights into the alignment between amil zakat wage policies and Islamic legal principles¹⁶. Based on initial observations at Lazismu DIY, the author found that the existing wage and management mechanism of zakat funds still needs to be further evaluated, both in terms of compliance with state regulations and compliance with Islamic sharia.

Given this context, the author interested to explore further into the Review of Islamic Law on the Mechanism for Determining the Right to Wage Amil Zakat in Lazismu DIY. This research has the potential to provide theoretical contributions and practical solutions that are applicable in improving zakat management, both in terms of fairness in the wage of amil zakat and the effectiveness of distributing zakat funds. Thus, this research will not only provide a better understanding of the zakat mechanism at Lazismu DIY, but also provide recommendations that can increase the transparency and sustainability of zakat management in the zakat institution.

¹⁶ Lazismu DIY, *Laporan Tahunan Pengelolaan Zakat dan Pemberdayaan Umat*, (Yogyakarta: Lazismu DIY, 2023), 60.

1.2 Formulation of the Problem

Based on the background of the problems described above, the formulation of the problems proposed in this study is:

- 1.1.1 How is the Mechanism for Determining Amil Zakat Wage Rights in Zakat Institutions (Lazizmu DIY)?
- 1.1.2 How the mechanism for determining the right to pay for amil zakat in zakat institutions (Lazizmu DIY) is reviewed from Islamic law?

1.3 Objective of Research

This research has aims and objectives that are based that are aimed at the above foundation, so there are several things that the author wants to achieve, namely:

- 1.1.3 To find out the Mechanism for Determining Amil Zakat Wage Rights in Zakat Institutions (Lazizmu DIY)

1.4 Research Benefit

1.4.1 Theoretical Significance

The results of this research are expected to provide theoretical and conceptual thinking related to science in the field of Sharia Economic Law, especially in knowing the mechanism for determining the right to amil zakat.

1.4.2 Practical Significance

From this study, the researcher hopes to add to the literature insight as knowledge, especially in terms of the mechanism for determining the right to amil zakat. As well as being used as a tool for consideration and additional information in conducting further research.

1.5 Research Methods

1.5.1 Types and Nature of Research

This research is descriptive-qualitative research. The

data obtained is qualitative data developed by descriptive methods. The Descriptive Method is a research method to find an overview of a situation or event, so this method only provides a mere accumulation of basic data. However, descriptive research includes a broader range of research methods than historical and experimental methods. What the researcher does is not only attach a description of the phenomena but also explain the relationships, test hypotheses, make predictions, and get the meaning and implications of a problem to be solved.¹⁷

This research is field research, which is a research activity carried out in a certain community environment, both in institutions, community organizations (social), and government institutions.¹⁸

According to the provided definition, descriptive research aims to accurately depict or clarify events. In this research, the investigator aimed to outline or clarify the interview findings and juxtapose them with the existing literature or published works. The focus of the study that the researcher will investigate is the LAZISMU DIY office.

1.5.2 Data Source

To collect the data and information obtained in this study, the following data sources were used:

1.5.2.1 Primary Data Sources

In qualitative research, primary data sources can be examined more thoroughly using observation methods and interviews. Data collection by observation and interview techniques is the main method as well as the

¹⁷ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*, (Bandung: Alfabeta, 2017), 47-48.

¹⁸ Sugiyono, *Metode Penelitian Kualitatif* (Bandung: Alfabeta, 2016), 12-15.

main characteristic of this qualitative research. The primary data of this study was taken using interviews with managers, at LAZISMU DIY.

1.5.2.2 Secondary Data Sources

Secondary data sources refer to information acquired from official documents like books, magazines, articles and so on¹⁹. Secondary data for this research was obtained from a book by Yusuf Qardhawi titled *al-ibadah fi al-islam*, another by Quraish Shihab titled *Philosophy of Worship in Islam* in the book *Philosophy of Islamic Law, Fiqh Muamalat Kontemporer*, and related studies examining Islamic law on the mechanism of determining the right of *amil zakat*.

1.5.3 Data Collection Techniques

The data collection method is a systematic and standardized procedure for obtaining the data obtained. In data collection, the research methods used by the researcher in this study are:²⁰

1.5.3.1 Observation

Observation is a data collection technique has specific characteristics when compared to interview techniques and questionnaires. If interviews and questionnaires always communicate directly with people, but if observation is not only limited to people, but other natural objects, namely *LazisMu* employees and Research Objects, namely *LazisMu DIY*.

¹⁹ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*, (Bandung: Alfabeta, 2017), 122.

²⁰ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*, (Bandung: Alfabeta, 2017), 135.

Observation is a data collection technique used to multiply data from sources in the form of places, activities, objects or image recordings.²¹

1.5.3.2 Interview

Interview is a data collection technique by conducting a series of interviews or questions and answers with predetermined informants or resource persons. Which interview can be defined as a meeting of two people to exchange information and ideas through questions and answers, so that meaning can be constructed in a certain topic. One of the two acts as an interviewer, which is the one who asks the question and the other becomes the interviewee, which is the one who answers the question.²²

In this study, the researcher used a semi-structured interview method. A semi- structured interview is an interview process that uses interview guidelines derived from topic development and asks questions and uses more flexibility than interviews. The interview was conducted by asking directly to the informant, namely LazisMu employees to dig up and get information related to the data needed. The interview uses interview guidelines, so that the researcher can develop research questions according to the desired information needs.

1.5.3.3 Documentation

The documentation method is to search for data on matters in the form of notes, transcripts, books, newspapers, magazines, inscriptions, meeting minutes,

²¹ Sugiyono, *Metode Penelitian Kualitatif* (Bandung: Alfabeta, 2016), 15-16

²² Ibid.,

banners, agendas and the like.²³

Documentation is used to obtain secondary data, namely by collecting the documents and literature needed related to the Review of Islamic Law on the Mechanism for Determining Amil Zakat Rights in Zakat Institutions (LAZISMU DIY).

1.6 Systematics of Discussion

1. **CHAPTER I. INTRODUCTION.** This first chapter contains the background of the problem that explains the importance of the study of the mechanism for determining the wage rights of amil zakat, especially in Lazismu DIY. In this chapter, the author will also outline the formulation of the problem that is the focus of the research, namely the mechanism for determining the wage rights of amil zakat in Lazismu DIY and how Islamic law reviews the mechanism. The purpose of this study is to analyze the suitability between the management of zakat at Lazismu DIY and the principles of Islamic law. The author will also explain the benefits of this research both for zakat managers, the community, and for the development of science, especially in the field of Islamic law and zakat management. In addition, this chapter also contains a literature review that reviews relevant previous research, the theoretical foundations used in this study, and the research methods applied, namely a qualitative approach with data collection techniques through interviews, observations, and documentation studies. Finally, in the systematics of the discussion, this chapter will provide an overview of the structure of the thesis which will be discussed in detail in the next chapters.

2. **CHAPTER II. THEORETICAL FRAMEWORK.** This second chapter

²³ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*, (Bandung: Alfabeta, 2017), 137.

focuses on relevant theories to understand the mechanism of determining the wage rights of amil zakat according to Islamic law. The author will elaborate on the meaning of zakat and amil zakat in Islam, as well as the role of amil zakat as a manager of zakat funds that must meet sharia principles. This explanation includes the obligations and rights of amil zakat in carrying out their duties, as well as how the wages of amil zakat are regulated in the context of sharia. Furthermore, this chapter will discuss the principles of Islamic law related to the management of zakat, especially in terms of the wage of amil zakat. Here various opinions of scholars regarding the limits of amil zakat wages and how the management of zakat must be carried out fairly and transparently.

3. **CHAPTER III. DISCUSSION RESULTS.** This third chapter will present the results of research that has been carried out at Lazismu DIY, starting with the profile of Lazismu DIY which explains the history, organizational structure, and role in the management of zakat in Yogyakarta. The author will discuss in detail the mechanism for determining the wage rights of amil zakat applied at Lazismu DIY, including the process of collecting and distributing zakat funds, as well as how the rights of amil zakat are divided in accordance with the decision of the Sharia Council. In this discussion, the author will also identify the challenges faced by Lazismu DIY in the management of zakat funds, such as the problems of transparency, accountability, and unclarity in the distribution of amil zakat wage rights. Furthermore, this chapter will explore a review of Islamic law on the mechanism for determining the right to amil zakat wages in Lazismu DIY. The author will analyze whether the mechanism implemented is in accordance with the principles of Islamic law, especially regarding fairness, transparency, and conformity with existing sharia provisions. Through this analysis, the author will show the extent to which the management of zakat in Lazismu

DIY has met the standards expected in Islamic law.

4. **CHAPTER IV. CLOSING.** This last chapter presents the conclusion of the research results that have been discussed in the previous chapters. This conclusion will summarize the main findings regarding the mechanism for determining the wage rights of amil zakat in Lazismu DIY, as well as assess its conformity with the principles of Islamic law and applicable regulations. The author will identify various problems found in the management of zakat, including challenges in the transparency and fairness of amil zakat wages. Based on the results of the analysis, the author will also provide recommendations addressed to related parties, such as zakat managers at Lazismu DIY and other zakat institutions, to improve the mechanism for determining amil zakat wage rights. These recommendations will include measures to improve wage policies and increase accountability in the management of zakat. In addition, the author will provide suggestions for further research that can delve deeper into other aspects of zakat management or expand the scope of research on other zakat institutions. These suggestions are expected to help zakat institutions in improving the quality of zakat management in Indonesia.