



Amil Zakat Operational Fund In Indonesia

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Abstract

This article aims to identify the use of amil rights funds obtained from the results of collecting zakat for one year to interpret QS. at-Taubah (9): 60 and related hadiths, further linked to KMA No. 606 of 2020 and MUI Fatwa No. 8 of 2011. Researchers used qualitative research methods with a normative juridical approach. Researchers used observation and literature study techniques on several interpretation books and hadiths at the data collection stage. They were then analyzed using interactive analysis models in data reduction, data presentation, and inference and verification. This research concluded that the maximum of amil zakat's rights is one-eighth of the set fund for one year, like the opinions of Mujahid and Syafi'i, then adopted into KMA No. 606 of 2020. As for the MUI Fatwa number 8 of 2011, according to the researcher, it is an ijtihad effort to overcome casualty in several locations managing amil zakat funds.

Keywords: Operational Funds; Amil Zakat; QS. at-Taubah: 60; KMA No. 606 of 2020; MUI Fatwa No. 8 of 2011

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1. Introduction

Zakat is one of the foundations of the Islamic religion, as mentioned in the hadith. Its existence is essential because it is one of the pillars of Islam ([Al-Bukhari, 1998: 25](#)). The word al-zakāt is specifically mentioned 28 times in the Qur'an, apart from using the phrase ṣadaqāh in several verses ([Al-Baqi, 1945: 406](#)). In some of these verses, the mention of zakat is often accompanied by prayer, as if explaining how important it is to perform it as important as establishing prayer ([Riwayati et al., 2018: 77](#)).

In Indonesia, the National Amil Zakat Agency (BAZNAS) is the only organization tasked with managing zakat established by the government ([Anwar et al., 2019: 131](#); [Yunus et al., 2018: 135](#)). The statutory regulations that form the legal basis for establishing Baznas are Law no. 23 of 2011 concerning Management of Zakat Article 5 (Law of the Republic of Indonesia No. 23 of 2011 concerning Management of Zakat, 2011). Still, in this regulation, BAZNAS has the task of collecting,

distributing, and utilizing zakat according to its primary function in the form of planning, implementing, and controlling, up to the stages of reporting and accountability for the implementation of zakat management (Nurhasanah, 2021: 307).

In practice, amil zakat has the right to use zakat funds to a maximum of one-eighth or twelve-and-a-half percent of zakat funds for one year, as per the rules KMA No. 606 of 2020. As for the facts that occur in the field, researchers found a surplus/deficit of amil funds in several Zakat Fund Change Reports, even though at Central BAZNAS, West Java Province, Depok City, and Tasikmalaya City in 2020 and 2021.

Referring to table 1, the researcher found that each report's surplus/deficit value was minus. Namely, the use of amil funds was more significant than the receipt of amil funds. Therefore, by looking at the Fund Change Reports, the operational funds for amil, according to researchers in several Baznas locations, needed to be considered insufficient. This researcher's opinion is corroborated by MUI Fatwa No. 8 of 2011. The rules explain that if amil zakat needs more funds for the operation, they can take the additional funds from Fīsabīlillāh funds within reasonable limits. It seems to be an option if one day there is a shortage of funds in amil zakat's operations. (*Fatwa DSN-MUI Nomor 8 Tahun 2011 Tentang Amil Zakat, 2011*).

The researcher found the research that discusses amil zakat. One of them is regarding the policy analysis of the allocation of amil rights funds according to a sharia perspective and its implementation in zakat management organizations. This research's results show that the policies governing amil zakat's sources of operational funds must refer to religious rules. The aim is that policies can fulfill the amil and another zakat recipient's rights. In addition, the results of this study also explain that there is no solid argument for limiting the amil rights to one-eighth or twelve and a half percent of the zakat collected. Suppose there is a need for more operational funding that supports the performance of amil in their duties. In that case, amil can take it from donations, endowments, grants, and investments made by institutions with due observance of religious rules (Anwar et al., 2019: 146-7).

Table 1. Fund Change Reports for the years ended 31 December 2021 and 2020 expressed in rupiah units

(Source: LPD Central BAZNAS, West Java Province, Depok City, and Tasikmalaya City)

No	BAZNAS	Acceptance of Amil Funds		Use of Amil Funds		Surplus/deficit	
		2021	2020	2021	2020	2021	2020
1	Central BAZNAS	86.805.511.101	69.835.682.994	100.925.547.362	68.308.527.515	(14.120.036.261)	1.527.155.479
2	West Java Province	9.131.090.816	6.523.388.120	10.143.165.196	5.441.703.467	(1.012.074.380)	1.081.684.652
3	Depok City	2.133.472.215	2.135.073.194	2.225.880.551	2.364.137.384	(92.408.336)	(229.064.190)
4	Tasikmalaya City	1.123.834.511	804.528.699	1.167.019.371	1.057.210.471	(41.184.860)	(252.681.772)

This research explains the amount of amil rights funds that can be used in its operations, especially in improving the welfare of amil. The researcher conducted the case study on three locations of amil zakat institutions. The researcher found that Sharia Supervisory Board has different opinions on policies in each area of zakat institutions.

Based on the problems in the field and some previous related research, the researcher is interested in further studying the amyl rights of as much as one-eighth or twelve and a half percent of zakat funds for one year. The researcher will present the opinions of classical to modern

commentators on the right to amil zakat in QS. 9: 60, and the hadith literature related to amil rights, then linked to KMA No. 606 of 2020 and MUI Fatwa No. 8 of 2011.

2. Literature Review

Other field research related to amil zakat is a comparative study of the criteria for amil zakat, its rights, and obligations at the National Amil Zakat Institution (LAZNAS) in Indonesia. The researcher in this article tries to describe the supporting and inhibiting factors in the distribution of ZIS in Jombang Regency, such as the legal basis from the Qur'an and Hadith, laws and regulations, local government structural support, guaranteed funds from the APBD, management systems, and networks of cooperation with other institutions related to ZIS implementation ([Hakim, 2020: 95-6](#); [Nurhasanah, 2021: 308](#)).

3. Methodology

This article is qualitative research with a normative juridical approach. The type of research used by researchers is literature and field studies. The researcher collected data from the results of the annual report of the amil zakat agency in the Depok, Tasikmalaya, and Central areas. Other data the researcher collects from the interpreters' interpretation of QS. At-Taubah (9): 60, hadiths relating to amyl rights, KMA RI No. 606 of 2020, and MUI Fatwa No. 8 of 2011. At the data collection stage, researchers used observation techniques and literature studies. As for the data analysis stage, the researcher used interactive analysis techniques consisting of the research data reduction, presentation, conclusion, and verification stages. ([Miles & Huberman, 1994: 11-2](#)).

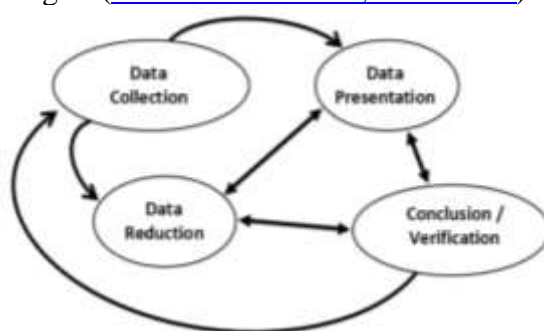


Figure 1. Components of Data Analysis with Interactive Analytics

4. Results And Discussion

Definition of Zakat

Zakat in language means something issued by someone to purify his wealth with it ([Ma'luf, 1956: 303](#)). Zakat is worship explained explicitly in the Koran and hadith directly along with its ([Febriadi & Kurniawan, 2022: 229](#); [Hakim, 2020: 2](#)). Muslims give some of their property owned within voluntarily to eight groups who are entitled to receive it ([Purwadani & Ridlwan, 2022: 75](#)).

Zakat is a social, humanitarian activity that has a positive impact on the people's economy, bridging between the rich and the poor ([Anwar et al., 2019: 132](#)). Therefore, zakat includes two aspects that are close to each other and related, namely social, and economic factors ([Rezeki et al., 2022: 596](#)).

The mechanism regarding zakat, both in its collection, management, and distribution, has been described in QS. At-Taubah (9): 103,

حُذِّ مِنْ أَمْوَالِهِمْ صَدَقَةٌ تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلَّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ

As for intermediaries in collecting zakat funds and distributing them to zakat recipients, namely amil zakat, as the explanation in the letter QS. At-Taubah (9): 60,

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

Explicitly, QS. 9: 60 describes eight groups who are entitled to receive zakat. If referring to that verse's interpretation, the researcher finds that the leader chose the amil zakat to collect, manage and distribute zakat funds to eight groups entitled to receive zakat ([Al-Zuhaili, 2009: 621](#)).

The person issuing the zakat (Muzakki), Zakat Recipients (Mustahik), and Amil Zakat

Several terms related to zakat are muzakki, mustahik, and amil. Muzakki is a Muslim or legal entity that should pay zakat. As for mustahik, they are groups with the right to receive zakat., as mentioned in QS. 9: 60 ([Undang-Undang Republik Indonesia No. 23 Tahun 2011 Tentang Pengelolaan Zakat, 2011](#)). The government must play an active role in taking zakat directly from muzakki, who have more wealth, to be able to distribute it to mustahik, which in practice is carried out by Baznas and the Amil Zakat Institution (LAZ) ([Solikhan, 2020: 46](#)). Baznas and LAZ, have a role as amil zakat which carries out zakat management, collection, and distribution of zakat, starting from the central, provincial, to regional levels ([Ahmad & Rusdianto, 2018: 109](#); [Fatoni & Fakhruddin, 2021: 124](#)).

Amil zakat is a person or group that seeks to take zakat from those who have excess assets and then give it to mustahik ([Riwayati et al., 2018: 83](#)). a leader appoints Amil to collect zakat from the rich, then distribute it to those who are entitled to receive it ([Al-Qurthubi, 2006: 260](#); [Al-Maraghi, 1946: 142](#)). Amil is considered a collector and treasurer manager. They are given wages or a share of zakat not because of their poverty but because of their work ([Al-'Asqalani, 1986: 428](#); [Al-Bukhari, 1998: 292](#); [Al-Maraghi, 1946: 143](#)). Amil is also one of the groups entitled to receive zakat. Not only from being stated in the Qur'an but also strengthened in law and regulation number 23 of 2011 concerning zakat management ([Undang-Undang Republik Indonesia No. 23 Tahun 2011 Tentang Pengelolaan Zakat, 2011](#)).

Amil Zakat in the View of Muslims Interpreter (Mufasir)

Amil, his role and duties are explained in QS. 9: 60 and 130. Abu Ja'far Muhammad, a classical commentator, also gave his opinion on amil rights ([Al-Thabari, 2001: 516-8](#)),

يُعْطَى الْعَامِلُ عَلَيْهَا عَلَى قَدْرِ عَمَالَتِهِ وَ أَجْرٌ مِثْلِهِ

Amil zakat will get his rights based on what he has done and worked for them. According to Ja'far, Allah SWT neither share an eighth share of an amil only because an amil is part of the eight mustahik zakat groups. Nor does it divide each group equally by one-eighth. However, Allah SWT explains that zakat is given only to mustahik, totaling eight groups. It has become common that amil zakat gets their rights in the form of remunerations as their toil in collecting, managing, and distributing zakat ([Al-Thabari, 2001: 519](#)).

Another interpreter, Abu Abdillah Muhammad al-Qurṭubi, explained that there are three opinions regarding amil rights. First, the opinion of the mujahids and Shafi'i, who argue that an amil can obtain the amount is one-eighth. Second, Ibn Umar, Malik, and Abu Hanifah-their friends, argued that amil gets their remunerations according to their work. The background of this opinion is that amil has surrendered himself to serve the benefit of the poor. The analogy is that a wife performs devotion to her husband, and the husband will provide maintenance for his wife based on her dedication to

him. Therefore, it cannot be limited to one-eighth but based on ability, whether one-eighth or more ([Al-Qurthubi, 2006: 260](#)).

Third, scholars argue that amil is given wages for his work by the Baitul Mal. Ibn 'Arabi, in this case, argues that the argument for this opinion needs to be stronger. Based on these three opinions, al-Qurthubi explained in his commentary that what is right is the effort to perform ijtihad in giving wages to amil. Because what Allah SWT has described regarding the number of mustahik is the groups, not the number of shares among these groups ([Al-Qurthubi, 2006: 261](#)).

What is explained by al-Qurthubi is in line with what was written by al-Zuhaili in his interpretation ([Al-Zuhaili, 2009: 621-2](#)):

اختلف العلماء في المقدار الذي يأخذونه على ثلاثة أقوال: الأول – قال مجاهد و الشافعي: هو الثمن، فإن زادت أجرتهم على سهمهم، تم لهم من بيت المال. الثاني – قال الحنفية و المالكية: يُعطون قدر عملهم من الأجرة، لأنهم عطّلوا أنفسهم لمصلحة الفقراء، فكانت كفايتهم و كفاية أعوانهم في مال الفقراء، و إذا استغرقت كفايتهم الزكاة، فلا يزيدهم الحنفية على النصف، و يعطون الوسط. الثالث – يُعطون من بيت المال، و هو قول ضعيف الدليل.

Amil zakat gets remunerations from wages for his work. Therefore, there is no need to look at the amil as poor or rich. Likewise, if amil zakat comes from Bani Hasyim, as was the opinion of Imam Malik and Imam Shafi'i. Amil zakat from Bani Hasyim gets the remunerations for their work as amil. In history, the Prophet SAW once sent 'Ali bin Abi Ṭālib to become an amil zakat in Yemen, then appointed several people from Bani Hasyim and caliphs after that ([Al-Zuhaili, 2009: 622](#)).

Meanwhile, according to Imam Hanafi, it is not permissible to give wages to the Bani Hasyim. As the Prophet Muhammad said, it was not lawful for Muhammad's family to receive alms. Because zakat is part of alms, thus it is also not permissible for the Bani Hasyim family to receive a share from the amil ([Al-Naisaburi, 2006: 889](#); [Al-Thabari, 2001: 261](#)).

Apart from that, Fakhrud-dīn in Mafāṭīh al-Ghaib, explains not so much the size of the amil portion ([Umar, 1981: 113](#)):

.... قال مجاهد و الضحاك: يعطون الثمن من الصدقات، و ظاهر اللفظ مع مجاهد إلا أن الشافعي رحمه الله يقول هذا أجرة العمل فيتقدر بقدر العمل،....

Mujahid and Ad-Dhahhak think that those who work to collect and distribute zakat get one-eighth of the zakat portion. At the same time, Shafi'i has a different opinion, where what is meant by amil rights is work rights, so the compensations given for this work according to what he did.

Based on the interpreters' opinions, the researcher found their explanation that the leader appointed amil zakat, like BAZNAS and LAZ in Indonesia. Amil gets remunerations not because the amil is a poor group. Still, they get compensation because of the results obtained from their work as collectors, managers, and distributors of zakat. Amil collected zakat from wealthy Muslims or those considered capable of setting aside a portion of the sustenance Allah SWT entrusted them. This collection of zakat funds has also been implemented regularly through Baznas and LAZ, established by the government at the central, provincial, district/city levels, down to small areas. The routine collection comes from employees who work as ASN.

In the interpreters' explanations, the researcher found a reason that amil zakat gets remunerations according to what they had done. Researchers only found details about the portion size obtained by the amil, except for one-eighth, like Mujahid and Syafi'i's quotes. However, the amount

of one-eighth comes from the number of mustahik groups, which amounts to eight. Because amil is one of the eight mustahik zakat groups, each group will receive one-eighth. Other interpreters think that amil zakat gets remunerations according to what he has done, so that is right of the amil.

KMA No. 606 of 2020 and MUI Fatwa No. 8 of 2011 concerning Amil Zakat

In the following discussion, the researcher wants to explain the correlation between the opinions of the Muslim interpreter previously and the Decree of the Minister of Religion (KMA) No. 606 of 2020 concerning Sharia Audit Guidelines for Reports on the Implementation of Management of Zakat, Infaq, Alms, and other Religious Social Funds at the National Amil Zakat Agency and Amil Zakat Institutions, as well as MUI Fatwa No. 8 of 2011 concerning Amil Zakat. The regulations in the KMA in Chapter III, point two, letter K explain the restrictions on the use of Amil rights funds. Which may not exceed, or the maximum limit is one-eighth or in the form of a gratuity of 12.5%. The fractional/percentage amount is calculated from the total funds collected in one year ([Keputusan Menteri Agama RI Nomor 606 Tahun 2020 tentang Pedoman Audit Syariah atas Laporan Pelaksanaan Pengelolaan Zakat, Infak, Sedekah dan Dana Sosial Keagamaan Lainnya pada BAZNAS dan LAZ, 2020: 7](#)).

The researchers found the one-eighth magnitude related to amil rights in the commentary book by al-Qurṭubi and the book of interpretation written by al-Zuhaili. The opinions of the scholars cited are those of Mujahid and Shafi'i. Another interpreter's explanation that is of sufficient concern to researchers is the book of interpretation written by Fakhruddīn. He explains in his book that Shafi'i is the one who argues that amil gets remunerations based on what they have done, not on the amount of one-eighth. As for the opinion of the jurists of the four schools of thought, there is no difference of opinion regarding the amount that is part of the amil, as in the explanation of the book "Syarah Bidāyatu al-Mujtahid wa Nihāyatu al-Muqtaṣid" ([Al-Abbadi, 1995: 655](#)),

وأما العامل عليها، فلا خلاف عند الفقهاء أنه إنما يأخذ بقدر عمله

Al-Zuhaili, in his fiqh book, does not explain the differences of opinion between the four schools of jurisprudence ([Al-Zuhaili, 1985: 871](#)):

والذي يعطى للعامل: هو بمثابة الأجرة على العمل، فيعطاه ولو كان غنيا، أما لو اعتبرت زكاة أو صدقة لما حلت للغني.

The amount of amil rights is one-eighth, as written by al-Qurṭubi and al-Zuhaili, in line with KMA No. 606 of 2020. According to researchers, this amount comes from the results, dividing the number of groups of mustahik, which are eight groups. Because amil is one of the eight groups, the rights he gets are one-eighth. Implementing amil zakat operational funds, then use this KMA rule as a reference. However, in some areas, there are still Fund Change Reports where operating costs are higher than the amil rights of the funds collected.

The MUI Fatwa No. 8 of 2011, number 5, can be used as a 'middle way' to overcome problems in the field. Especially for regions where amil zakat operational funds are more significant than the amil rights from the collection funds. The explanation of the fatwa provides room for amil to use the rights of other mustahik groups, namely from the Fīṣabīlillāh group. It provided that the use of the funds is within reasonable limits or from funds originating outside of zakat.

5. Conclusion

The researcher found several opinions of interpreters at the end of this paper, such as al-Ṭabari, Fakhruddīn, and al-Maraghī. They explain that amil zakat gets remunerations according to what they do, without any benchmarks in the form of fractions or percents, as well as in the shāḥīḥ book Bukhari and Muslim. In the books written by the Muslim interpreters al-Qurṭubi and al-Zuhaili, the researcher

found in each of their books in the form of one-eighth wages for amil zakat. The maximum amount of one-eighth of the set fund for one year comes from Mujahid and Syafi'i's opinions in the book of Tafsir al-Munir. According to researchers, KMA No. 606 of 2020 adopted the maximum amount of one-eighth. Meanwhile, the MUI Fatwa number 8 of 2011 is an attempt by ijtihad to overcome problems in several locations. Especially regarding the management of amil zakat funds where operational funds for amil are greater than amil's rights to the funds collected.

Author contribution statement

The first author contributes to explaining and attaching data in the field, the second author and so on assists the first author in analyzing the issues raised.

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