



UUM
Universiti Utara Malaysia



LZLNK
LEMBAGA ZAKAT NEGERI KEDAH

ZAWED 2022

PROCEEDING

**Strengthening Social Finance
Institutions for Sustainability of
Ummah's Economic Development**

2ND **TRIBE LEGACY SARAWAK CAMPAIGN**

**INTERNATIONAL CONFERENCE
ON ZAKAT, TAX, WAQF AND
ECONOMIC DEVELOPMENT 2022
(ZAWED 2022)**

27-28 DECEMBER 2022
TUESDAY - WEDNESDAY
HOTEL IMPERIAL, MIRI SARAWAK

ORGANISED BY:



Institut Penyelidikan dan Inovasi Zakat (IPIZ)

INSTITUTE OF ZAKAT RESEARCH AND INNOVATION

Universiti Utara Malaysia



ACKNOWLEDGEMENT

Bismillahirrahmanirrahim

Assalamualaikum Warahmatullahi Wabarakatuh and Salam Sejahtera

Firstly, I would like to express my gratitude to Allah (the Most Gracious and Most Merciful), for it is under His auspices that we have come together to the 2nd International Conference on Zakat, Tax, Waqf and Economic Development (ZAWED) 2022. On behalf of Institut Penyelidikan dan Inovasi Zakat (IPIZ) UUM, I would like to express my deepest appreciation to Lembaga Zakat Negeri Kedah (LZNK) for being the co-organizer in this event. as co-organizer of this conference. My gratitude also goes to the keynote speaker, guest speakers, forum panelists, paper presenters, participants, and delegates for their willingness to share their experiences and knowledge, and thus, helping towards ensuring a meaningful meeting of minds.

Previously, the 1st ZAWED was held in December 2019 in Langkawi, Kedah. IPIZ, as the organizer, has moved forward to organize the 2nd ZAWED, in Miri Sarawak these two days, the 27th and 28th December 2022. This conference, which is held here, in Miri, Sarawak hopes to give the opportunity to our participants, to visit the beautiful and interesting places in Miri and experience the rich local culture that Sarawak can offer. For this, we would like to express our sincere appreciation to our main sponsor, Sarawak Convention Bureau.

This conference has attracted the attention of academicians and practitioners who are with us today in-person to share their research findings and their practices related to zakat, tax and waqf as well as the related economic development programs as currently practiced in various parts of the world. Themed 'Strengthening Social Finance Institutions for the Sustainability of Ummah's Economic Development', the conference's objectives amongst others are firstly, to establish a networking between academicians and practitioners in the field of Zakat, Tax, Waqf and Economic Development. Secondly, to provide a platform for researchers in the field to share their research findings, latest developments as well as their views and experiences in the related fields in Zakat and Islamic Social Finance.

For this conference, ZAWED 2022, we have received more than 190 registrations including paper presenters and participants with diverse representation of international and local scholars and as well as panel speakers from industry practitioners. It is our hope that this conference can be a good platform for intellectual discourse and deliberations on the highlighted theme. Having this discourse throughout these two days, can help us to analyze the current issues covering a spectrum of sub-themes which also include among others: Zakat Management, Economics Development, Strategic Planning of Islamic Institutions, Zakat Economy, and Social Finance, Waqf and Baitulmal Management, Halal Industry Management & Wasiyyah, Hibah and Estate Planning.

I believe that knowledge sharing programs like in this conference should be held regularly to fulfil our obligations towards promoting the synergy in developing of ummah.

I am indeed honored to see many academia and practitioners come together to share their perspectives and I hope this conference will continue to promote industry-academia collaborations in the area of Islamic social finance. Indeed, I am convinced that this kind of smart partnership may benefit all parties and I hope this conference will help to address disparities in Islamic Social Finance especially in Zakat and Waqf. At the same time, I am positive that this conference will offer great networking opportunities and become the starting point for more collaborative efforts between UUM and the industry in the future culminating with effective knowledge transfer among participants.

In closing, I would once again, like to express my heartfelt thanks to all the invited speakers, forum panelist, presenters, participants, and delegates for your kind support in making this conference a successful event. I would also like to acknowledge the committee members for their tireless efforts in turning this conference into a reality. I pray to Allah S.W.T so that we will constantly be under HIS guidance and protection to pursue the efforts in contributing towards the development of the ummah in general. Aamiin, In shaa Allah.

I wish everyone a successful and productive conference ahead!

WabillahiTaufik WalHidayah, Wassalamualaikum Warahmatullahi Wabarakatuh.



**Assoc. Prof. Dr. Selamah
Maamor**

Director

2nd International Conference on Zakat, Tax, Waqf
and Economic Development (ZAWED) 2022

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KUTIPAN ZAKAT PERTANIAN DI NEGERI KEDAH DARUL AMAN: KAJIAN ANALISIS TARHADAP FAKTOR KEMEROSOTAN DAN CADANGAN PENINGKATAN KUTIPAN

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Abstrak

Di Malaysia, hasil pertanian yang wajib dikeluarkan zakat ialah yang berbentuk makanan asasi (*qut al-balad*) dan mengenyangkan bagi sesebuah negeri. Pengertian inilah yang diguna pakai oleh kebanyakan pusat pungutan zakat negeri-negeri di Malaysia seperti Kedah (Lembaga Zakat Negeri Kedah), Selangor (Lembaga Zakat Selangor), Melaka (Pusat Zakat Melaka), Pahang (Pusat Kutipan Zakat Pahang) dan lain-lain. Dalam konteks Malaysia adalah dimaklumi bahawa makanan asasi masyarakatnya adalah beras ataupun padi. Oleh sebab itu, zakat tanaman adalah diwajibkan ke atas padi apabila telah sempurna syarat-syaratnya yang tertentu. Kajian ini menganalisis asas pelaksanaan zakat pertanian (padi) di negeri Kedah Darul Aman berdasarkan undang-undang Kedah Tua seperti yang terkandung di dalam fasa 3 Tembera Seri Paduka Tuan (1667 M), undang-undang pentadbiran Negeri Kedah pada ketika itu dan Enakmen Zakat Kedah yang berkuatkuasa sebelum merdeka iaitu pada tahun 1955. Artikel juga menganalisis kaedah kutipan zakat padi yang dilaksanakan pada masa dahulu dan kini di negeri Kedah Darul Aman, kemerosotan kutipan zakat pertanian serata cadangan-cadangan untuk meningkatkan kutipan zakat pertanian di Kedah Darul Aman.

Kata Kunci: Kutipan, zakat pertanian, kemerosotan, peningkatan, Kedah

Abstract

The agricultural produces that is obliged to issue zakat in Malaysia is on staple food of a particular region that has met the nisab (minimal value). This definition is practised by most of the zakat collection centers in Malaysia such as Kedah (Kedah Zakat Institute), Selangor (Selangor Zakat Institution), Melaka (Malacca Zakat Collection Center), Pahang (Pahang Zakat Collection Center) and others. In the Malaysian context it is understood that the basic or staple food of the community is rice or paddy. Therefore, zakat of plants is required on paddy when it has fullfill the specific conditions. The study analyzes the basis of the implementation of agricultural zakat (rice) in the state of Kedah Darul Aman under the Old Kedah law as contained in the phase 3 of Tembera Seri Paduka Tuan (1667M), the Kedah administrative law at that time and the Kedah Zakat Enactment which was in force before independence in 1955. The study also analyzed the implementation of the agricultural zakat (rice) based on the Kedah State Zakat Board Enactment 2015 and rulings (fatwa) during the Fatwa Committee of Kedah Darul Aman, the factors that led to decline of agricultural zakat as well as suggestions to improve and increase the agricultural zakat in the state of Kedah.

Keywords: Zakat collection, agricultural zakat, increasing, Kedah

PENDAHULUAN

Negeri Kedah dan Perlis adalah terkenal dengan kawasan tanaman padi sehinggakan digelar jelapang padi negara. Kawasan yang diuruskan oleh Lembaga Kemajuan Pertanian Muda (MADA) ini adalah seluas 130,282 hektar dimana 100,685 hektar adalah kawasan pabel padi. Keluasan pabel padi ini merangkumi dua (2) buah negeri iaitu Negeri Kedah (82,968 hektar) dan Negeri Perlis (17,717 hektar). Keluasan pabel tanaman padi Kawasan Muda mewakili 35.13% daripada keluasan pabel padi negara (<http://www.mada.gov.my/orang-awam>, 2.11.2019). Bagi memastikan perjalanan pengurusan dan pentadbiran MADA berjalan dengan lancar, MADA dibahagikan kepada empat (4) wilayah iaitu, Wilayah I (Perlis), Wilayah II (Jitra), Wilayah III (Pendang) dan Wilayah IV (Kota Sarang Semut). Maklumat terperinci keluasan kawasan MADA adalah seperti berikut:

Keluasan Tanaman Padi Mengikut Wilayah MADA

WILAYAH MADA	KELUASAN MENGIKUT WILAYAH MADA (HEKTAR)
	KELUASAN TERKINI MADA
Wilayah I (Perlis)	20,073
JUMLAH NEGERI PERLIS	20,073
Wilayah II (Jitra)	32,595
Wilayah III (Pendang)	22,681
Wilayah IV (Kota Sarang Semut)	25,336
JUMLAH NEGERI KEDAH	80,612
MADA	100,685

Sumber: <http://www.mada.gov.my/orang-awam/keluasan-tanaman-padi/> 2.11.2019

Dalam perbendaharaan fiqh Islam, perbincangan berkaitan zakat pertanian dibahagikan kepada dua bahagian iaitu zakat buah-buahan dan zakat tanaman. Sebagai contoh dalam kitab *al-Muhazzab*, perbincangan tentang zakat buah-buahan (*zakat al-thimar*) didahulukan daripada perbincangan tentang zakat *al-zuru'* (tanaman) (al-Syirazi, 1959). Walaupun perbincangannya terpisah, namun kedua-duanya meliputi zakat pertanian yang dimaksudkan. Perbendaharaan fiqh juga tidak membincangkan secara spesifik pengertian zakat tanaman, namun ia boleh disimpulkan sebagai mengeluarkan kadar yang tertentu daripada hasil tanaman yang tertentu yang mencukupi syarat-syarat yang tertentu untuk diberikan kepada golongan tertentu seperti yang telah ditetapkan oleh syarak.

Jadual di bawah merumuskan jenis-jenis tanaman yang dikenakan zakat oleh negeri-negeri di Malaysia berdasarkan enakmen dan undang-undang zakat negeri-negeri berkenaan :

Negeri	Jenis Tanaman yang dikenakan zakat
Kelantan	Padi dan tanaman-tanaman lain
Terengganu	Padi, jagung dan makanan asas lain
Pulau Pinang	Biji-bijian seperti padi dan jagung serta buah-buahan iaitu kurma dan kismis

Perak	Padi, gandum dan sekoi.
Johor	Padi, gandum, kacang hijau dan kacang soya
Melaka	Padi, gandum, jagung, kacang hijau dan kacang soya
Pahang	Padi
Selangor	Padi
Kedah	Padi
Perlis	Padi

Rajah 1: Jenis tanaman yang Dikenakan Zakat Tanaman dalam Enakmen Negeri-negeri di Malaysia

Berdasarkan jadual di atas, adalah jelas menyatakan bahawa padi merupakan jenis tanaman utama yang wajib dikenakan zakat di setiap negeri di Malaysia.

METODOLOGI

Kajian ini sepenuhnya menggunakan metodologi kualitatif yang menekankan pembinaan makna, pemahaman konsep atau simbol dan istilah atau penerangan terperinci tentang sesuatu kejadian, objek atau proses (Tuckman, B.W.,1999). Sesuai dengan metod yang digunakan, kajian ini mengaplikasikan dua teknik pengumpulan data iaitu kaedah penyelidikan perpustakaan dan juga penyelidikan lapangan yang berdasarkan metod temubual. Penyelidik menemubual pihak-pihak yang terlibat secara langsung dengan kutipan zakat padi iaitu pegawai zakat di daerah-daerah yang terpilih dan pesawah-pesawah di daerah tersebut. Daerah-daerah yang terlibat dalam kajian ini adalah Kota Setar, Kubang Pasu, Yan, Kuala Muda dan Langkawi.

KAJIAN LITERATUR

Legaliti Zakat Pertanian Di Kedah

Pengurusan zakat di negeri Kedah adalah tertakluk di bawah peraturan-peraturan zakat yang sudah wujud sejak dahulu lagi. Berdasarkan catatan sejarah, Kedah merupakan negeri yang tertua di Malaysia yang mempunyai sistem pengurusan zakat secara perundangan. Sebahagian sumber menyatakan perundangan zakat di negeri Kedah telah wujud sejak 3 abad dahulu. Perkara ini dinyatakan di dalam fasa 3 Tembera Seri Paduka Tuan (1667 M) iaitu undang-undang pentadbiran Negeri Kedah pada ketika itu. Pada tahun 1667 M, Sultan Dhiauddin Mukarram Shah I, Sultan Negeri Kedah yang ke 15 telah menitahkan supaya Dato Seri Paduka Tuan bersama Tuan Syekh Alauddin dan semua pendeta supaya menulis sebuah undang-undang pentadbiran Negeri Kedah. Undang-undang ini ditulis bagi tujuan rujukan Panglima Negeri, Kweng (Penghulu/Ketua Kampung) dan Sambang (Mata-mata) dalam menjalankan tugas mentadbir Negeri Kedah Darul Aman. Undang-undang ini telah memainkan peranan penting dalam menstruktur penyelarasan zakat di Negeri Kedah (Zakaria, Mohd Faisal dan Hafizah, 2019).

Petikan teks asal fasal tiga Tembera Seri Paduka Tuan menyatakan:

“Barang siapa berbuat bendang atau huma, maka hendaklah kerasi suroh keluarkan zakat; saperti benar hisab-nya yang diperoleh-nya itu, suroh keluarkan sa-puloh emas zakat-nya itu. Apa-bila tiada mahu mereka itu saperti hisab itu, menurut saperti hukum Allah Taala”.

Berdasarkan teks asal ini, Sultan Negeri Kedah ketika itu menggunakan sepenuhnya kuasa yang ada pada *ulil amri* (pemerintah) untuk mengarahkan agar rakyat negeri Kedah supaya mengeluarkan zakat. Sekiranya mereka enggan, kuasa diberikan kepada penghulu (*kweng*) untuk mengambil tindakan tegas terhadap mereka bertujuan untuk memberi pengajaran kepada orang lain.

Selain daripada rekod yang terdapat pada Tembera Seri Paduka Tuan (1667M), terdapat juga undang-undang zakat Kedah versi Ku Din Ku Meh yang ditulis pada 1625-1651 Masehi ketika zaman pemerintahan Sultan Rijaluddin Muhammad Shah yang memerintah Kedah daripada tahun 1625-1651, sultan Kedah yang ke 13. Terdapat undang-undang khusus berkaitan zakat pertanian yang diperincikan dalam Fasal Undang-undang Kedah Versi Ku Din Ku Meh; 30/101/4-6.

“dan memberi fitrah sekaliannya suruh hantar kemasjid dan apakala selesai kerja bendang sudah ambillah padi suruh keluarkan zakatnya hantar kemasjid serahkan pada pegawai masjid, hendaklah pegawai masjid buat tempat terima ambil taruh padi itu jangan bagi rosak binasa...”

Berdasarkan sumber yang dinyatakan ini, sejarah perundangan zakat pertanian di negeri Kedah dianggarkan telah ditulis dan dipraktikkan hampir 352 Tahun (Tembera Seri Paduka Tuan) oleh *ulil amri* yang dititahkan oleh Sultan Kedah yang memerintah ketika itu. Rang undang-undang dan enakmen khusus berkaitan zakat ini membantu pentadbiran diterajui Sultan Kedah ketika itu dalam memperkasakan pengurusan zakat.

Struktur undang-undang ini diteruskan untuk menguruskan zakat di negeri Kedah. Dalam konteks undang-undang moden, Kedah mempunyai satu set undang-undang khusus yang disebut sebagai Enakmen Zakat Kedah 1955 yang menubuhkan jawatan kuasa zakat bagi mentadbir dan menjaga urusan zakat. Enakmen ini digubal oleh Dewan Undangan Negeri (DUN) Negeri Kedah sebelum diperkenan oleh KDYMM Sultan Kedah untuk diwartakan sebagai enakmen (Anwarul Yaqin, 2007). Beberapa pindaan telah dibuat melalui enakmen ini pada tahun 1962 dan 1982. Ia merupakan satu-satunya enakmen berkaitan *zakat* yang paling lama berkuatkuasa sebelum merdeka sehinggalah dimansuhkan dan digantikan dengan Enakmen Lembaga Zakat Kedah Darul Aman 2015 yang telah diluluskan di Dewan Undangan Negeri Kedah Darul Aman pada 20 Ogos 2015 bersamaan 5 Dzulkaedah 1436H dan diterbitkan dalam Warta Kerajaan pada 3 Disember 2015 (Muhammad Hafiz, Alias dan Che Thalbi, 2017).

Undang-undang dan fasal yang khusus tentang zakat pertanian (padi) di Kedah boleh dilihat dalam Fasal 13, Seksyen 9, Undang-undang zakat yang menyatakan:

“Tiap-tiap penanam padi atau pemilik padi hendaklah membayar zakat atas kadar 10% daripada perolehan kasar padinya bagi satu musim kecuali jika perolehan kasar bagi sesuatu musim yang didapati oleh seorang itu kurang daripada 1300.449 kilogram @ 2 kunca.2 nalih.6 gantang.1 cupak.2 kepul” (Undang-undang Zakat (Kedah), 1374 (1955), Pindaan 6/1983)

Peraturan 13 di dalam undang-undang lain menyebut hal yang sama:

“Tiap-tiap penanam padi atau pemilik padi hendaklah mem-bayar zakat atas kadar 10% daripada perolehan kasar padinya bagi satu musim kecuali jika jumlah perolehan kasar bagi sesuatu musim yang didapati oleh seseorang itu kurang daripada 1,300.449-kilogram atau 2 kunca, 2 nalih, 6 gantang, 1 cupak, 2 kepul” (Peraturan-peraturan Zakat (Kedah), 1982)

Adalah jelas di sini bahawa negeri Kedah telah sekian lama mempunyai undang-undang berkaitan zakat pertanian, itu sejak 350 tahun yang lalu. Secara logiknya, kewujudan undang-undang yang khusus ini akan memberikan implikasi yang positif terhadap proses pembayaran zakat pertanian dan seterusnya mempertingkatkan perolehan kutipan zakat oleh LZNK

Fatwa-Fatwa Zakat Pertanian Di Kedah

Di Kedah, terdapat dua fatwa yang dikeluarkan berkaitan zakat tanaman (padi). Fatwa pertama hanya menyebut kadar zakat tanaman adalah 10 peratus manakala fatwa kedua menyebut kadar zakat tanaman adalah 5 peratus, 7.5 peratus dan 10 peratus dengan menjelaskan jenis pengairan yang digunakan sama ada air hujan, pam atau kedua-duanya. Petikan fatwa tersebut seperti berikut:

“Kadar zakat yang wajib di atas petani-petani yang menggunakan air terusan yang kena dibayar seperti kadar yang ditetapkan oleh kerajaan sekarang ini ialah satu persepuluh (1/10).” (Himpunan Fatwa (1), Negeri Kedah Darul Aman, t.t, h.55)

Fatwa kedua menghuraikan dengan lebih terperinci kadar zakat padi di Kedah dengan menegaskan seperti berikut:

- i. *“Hukum mengeluarkan zakat padi yang subur hidup dengan air hujan semata-mata adalah zakatnya satu persepuluh”*
- ii. *“Jika pokok padi itu hidup dengan diairi (dijirus) seperti menggunakan pam dengan perbelanjaan yang banyak, maka adalah zakatnya setengah daripada se per sepuluh (nisf al ‘usyr)”*.
- iii. *Tanaman itu hidup dengan kedua-duanya maka diiktibarkan masa hidup tanaman itu dan suburnya, sekiranya adalah masa hidup tanaman itu dan suburnya, sekiranya adalah masa bertanam padi itu hingga mendapat perolehan selama lapan bulan, empat bulan daripadanya menggunakan air hujan dan empat bulan pula dimasukkan air dua kali dengan*

menggunakan pam dan sebagainya, maka wajiblah dikeluarkan zakat 3/4 daripada 1/10.”
(Himpunan Fatwa (1), Negeri Kedah Darul Aman, t.t, h.62).

Selain itu, terdapat satu lagi fatwa Jabatan Mufti Negeri Kedah berkaitan penolakan kos tanaman zakat padi Kedah yang berdasarkan kepada Projek Penanaman Padi Secara Berkelompok. Fatwa ini dikeluarkan dengan mengambil kira keadaan para petani yang berada dalam golongan berpendapatan rendah yang sekiranya kutipan zakat padi seperti biasa dikekalkan (pandangan mazhab Shafie yang mengenakan zakat atas semua perolehan asal tanpa mengambil kira perbelanjaan dan kos menghasilkan tanaman) akan menjadi bebanan yang berat kepada petani. Fatwa tersebut menyatakan :

*“Zakat dikira berdasarkan perolehan bersih padi setelah ditolak segala hutang perbelanjaan yang ditanggung oleh petani semasa mengusahakan pertanian pada tiap-tiap musim. Kaedah ini dilakukan dengan bertaklid kepada mazhab *Abi Hanifah* yang mensyaratkan harta yang wajib dizakatkan itu iaitu harta yang bersih dari hutang dan dari keperluan asas pemiliknya umpama nafkah, rumah kediaman dan pakaian dan umpama alat perkakas kerja dan kenderaan. Ini akan meringankan beban yang dipikul oleh petani dan mereka akan mengeluarkan zakat dengan penuh kerelaan dan kutipan zakat akan menjadi bertambah mudah. (Himpunan Fatwa (2) Negeri Kedah Darul Aman, t.t, h.8-9)*

Pembaharuan dalam proses dan prosedur pengeluaran fatwa serta perkembangan hukum telah mengubah senario pengeluaran fatwa termasuk fatwa yang berkaitan zakat pertanian seperti fatwa di atas. Fatwa-fatwa tersebut dilihat mengalami anjakan dan perubahan bagi tujuan penyesuaian dan memenuhi kemaslahatan masyarakat Islam dan menolak kemudaratan. Perkembangan hukum itu ialah daripada bersandarkan pandangan mazhab Syafii kepada pandangan mazhab-mazhab yang lain serta pandangan ulama kontemporari. Senario ini menggambarkan ruang yang lebih luas diberikan untuk mengambil kira pandangan dan ijtihad daripada mazhab ASWJ yang lain, dan tidak hanya terikat kepada mazhab Syafie di dalam pengeluaran keputusan fatwa zakat di Malaysia.

Kutipan Zakat Pertanian (Padi) Di Kedah

kepada statistik kutipan pada tahun 2008 hingga 2015 didapati berlaku peningkatan setiap tahun namun pada tahun 2012, kutipan zakat didapati menurun sebanyak RM1.1 juta. (Hafizah, Azizi dan Ram, 2017). Kutipan zakat pertanian adalah lebih kecil berbanding jumlah kutipan zakat-zakat lain di Malaysia. Sebagai contoh, walaupun hasil pengeluaran padi di Negeri Kedah adalah yang tertinggi di Malaysia, namun jumlah kutipan zakat pertaniannya hanya menyumbang 3.8% daripada jumlah keseluruhan (Nor Laili & Masanita, 2015).

Laporan dari Lembaga Zakat Negeri Kedah (LZNK) mengesahkan hanya menerima 1.045 peratus sahaja daripada jumlah keseluruhan kutipan zakat pertanian (padi) membabitkan nilai RM38 juta semusim. Jumlah itu dikira terlalu kecil berbanding purata RM5.5 juta yang dibayar kira-kira 3,000 pesawah sepanjang tahun, iaitu membabitkan dua musim penanaman (Berita

harian, 23 Mei 2016). Sebagai contoh, zakat padi bagi daerah Yan sepatutnya adalah RM3.4juta bagi keluasan 10,025.25 hektar padi, namun jumlah kutipan zakat padi bagi tahun 2012 hanya RM907,000 dan menunjukkan perbezaan ketara daripada sasaran kutipan yang sebenar.(Sinar Harian, 16 Disember 2012).

Rajah di bawah menunjukkan jumlah kutipan zakat pertanian bagi setiap daerah di negeri Kedah darul Aman dari tahun 2014 hingga 2018.

	2014	2015	2016	2017	2018
Kota Setar	1,205,257.46	1,018,709.77	1,032,483.94	785,428.85	795,800.71
Kubang Pasu	1,381,096.65	1,257,912.10	1,382,014.47	1,161,008.30	955,487.50
Yan	1,159,481.41	1,062,243.84	1,155,991.75	984,502.62	787,366.37
Pendang	441,116.00	359,864.10	427,073.00	330,156.40	360,381.70
Kuala Muda	493,661.80	445,926.80	516,704.05	395,531.35	382,071.50
Kulim	74,828.70	62,876.90	74,489.00	68,106.20	43,678.70
Langkawi	191,144.00	140,489.40	159,102.50	106,232.00	36,108.00
Padang Terap	121,284.90	112,686.10	119,209.40	102,563.60	87,799.70
Pokok Sena	-	71,749.00	203,557.00	169,950.00	201,693.00
Baling	22,005.00	19,167.00	17,175.00	13,050.00	10,565.00
Sik	6,317.00	6,120.00	3,580.00	7,867.00	3,570.00
Bandar Baharu	51,615.30	42,068.80	21,827.00	29,801.00	16,115.55
Head Quarters	51,924.53	50,655.67	49,796.22	55,627.30	79,584.55
Total	5,199,731.95	4,650,469.48	5,163,003.33	4,209,824.62	3,760,222.28

Rajah 2: Data kutipan zakat padi daerah-daerah di Kedah 2014-2018

Rajah di atas menunjukkan berlakunya kemerosotan dari segi kutipan zakat padi di setiap daerah negeri Kedah yang seterusnya menyumbang kepada kemerosotan di peringkat negeri. Kajian-kajian lepas juga menyatakan yang kutipan zakat pertanian di Kedah adalah tidak selari dengan keluasan tanah pertaniannya (sawah padi). Jumlah kutipan zakat pertanian di Kedah hanya menyumbang 3.8% daripada jumlah keseluruhan kutipan zakat (Nor Laili & Masanita, 2015).

DAPATAN KAJIAN

Berdasarkan temu bual penyelidik dengan pihak Lembaga Zakat Negeri Kedah, Pejabat Zakat Daerah dan pesawah-pesawah, dirumuskan faktor-faktor yang menyumbang kepada kemerosotan kutipan zakat padi di negeri Kedah Darul Aman adalah dirumuskan seperti berikut:

- i. Agihan sendiri kepada golongan fakir dan miskin di kawasan tempat tinggal petani tanpa membayarnya kepada saluran rasmi iaitu amil yang dilantik.
- ii. Kurang kesedaran dalam kalangan petani yang muda khususnya tentang kewajipan membayar zakat pertanian.
- iii. Hasil tanaman padi yang berkurangan kerana faktor-faktor seperti penyakit padi, serangan serangga, petani yang sudah berumur dan sebagainya.
- iv. Kekurangan ilmu tentang zakat padi khususnya tentang kewajipannya dan nisab zakat padi dan pengiraannya.
- v. Amil zakat yang tidak mesra petani dan kewujudan ejen zakat yang mengutip zakat untuk tujuan-tujuan tertentu seperti pembinaan sekolah, membantu anak yatim dan sebagainya.
- vi. Sewaan tanah pertanian (sawah) yang menimbulkan isu penyewa tidak membayar zakat padi (dalam mazhab Shafie, zakat dikenakan kepada penyewa) dan isu menyewa tanah sawah kepada bukan Islam yang sudah tentunya tidak membayar zakat.
- vii. Faktor-faktor sampingan seperti:
 - i) Tanah pertanian (sawah) yang dibangunkan menjadi kawasan perindustrian dan perumahan.
 - ii) Isu metod kiraan zakat berdasarkan kaedah B (di LZNK) yang menyebabkan ramai petani tidak layak membayar zakat padi kerana tidak cukup nisabnya (ditolak kos-kos tanaman seperti sewaan, membajak, meracun, baja, menuai dan sebagainya).
Isu-isu yang dinyatakan di atas menyumbang kepada kemerosotan kutipan zakat pertanian di negeri Kedah.

CADANGAN-CADANGAN UNTUK MENINGKATKAN KUTIPAN ZAKAT PERTANIAN DI KEDAH

Berdasarkan informasi-informasi yang diberikan oleh pihak informan (pegawai-pegawai zakat dan petani di daerah yang berkaitan), penyelidik dapat merumuskan terdapat empat cadangan penambahbaikan yang dicadangkan oleh informan untuk meningkatkan kutipan pembayaran zakat pertanian kepada LZNK khususnya iaitu:

- i. Ejen kutipan
- ii. Promosi
- iii. Insentif
- iv. Bancian

Ejen kutipan zakat pertanian (lantikan amil/penolong amil)

Salah satu golongan yang disebutkan di dalam lapan golongan asnaf zakat adalah para amil (petugas-petugas zakat). Golongan amil berhak untuk menerima zakat sebagai galakan atau motivasi ke arah gerak kerja yang lebih amanah dan profesional. Pelbagai tafsiran yang diberikan oleh para ulama dalam memberi makna terhadap kalimah “*amil*” yang terdapat di dalam ayat Al-Quran tersebut. Imam As-Syafie juga ada mengulas makna bagi perkataan “*al-amilin ‘alaiha*” dan menyandarkan perkataan tersebut kepada sesiapa yang dilantik oleh pemerintah bagi mengutip dan mengagihkan zakat. Al-Husaini (2010) daripada kalangan ulama Syafiiyyah berpendapat “amil ialah pekerja yang ditugaskan oleh pemerintah untuk mengambil zakat dan diserahkan kepada mereka yang berhak sebagaimana yang diperintahkan oleh Allah SWT”. As-Syaibani seorang fuqaha mazhab Hanbali berkata : “*al-amilin ‘alaiha*” adalah pengutip zakat yang diutus oleh pemerintah untuk mengambil zakat daripada pemiliknya.

Di bawah Enakmen Lembaga Zakat Negeri Kedah 2015, pengurusan zakat di Negeri Kedah diperbadankan dibawah Enakmen 23, Enakmen Lembaga Zakat Kedah Darul Aman. Melalui pembaharuan undang-undang ini, Ke Bawah Duli Yang Maha Mulia Sultan Negeri Kedah memberikan kuasa kepada Lembaga Zakat Negeri Kedah untuk mengutip dan mengagih zakat di dalam negeri Kedah Darul Aman. Lembaga Zakat Negeri Kedah ditadbir oleh seorang Ketua Pegawai Eksekutif yang dipantau oleh ahli Lembaga yang melapor terus kepada Ke Bawah Duli Yang Maha Mulia Sultan Negeri Kedah (Zakaria, Faisal & Hafizah, 2019). Enakmen LZNK 2015 di bawah Peraturan-peraturan Pelantikan Ejen Kutipan (Perkara 19 (1) (i) memberi kuasa penuh kepada LZNK (Ketua Eksekutif) untuk melantik ejen zakat termasuklah perlantikan amil zakat di negeri Kedah Darul Aman.

Berdasarkan temu bual yang dijalankan, pihak responden mencadangkan agar pihak LZNK melantik ketua unit Pertubuhan Peladang Kawasan (PPK) sebagai amil/penolong amil zakat. Tindakan ini perlu untuk meningkatkan kutipan zakat pertanian di Kedah. Kebanyakan responden pada dasarnya bersetuju dengan cadangan ini kerana ia akan memberi lebih banyak pilihan kepada para petani untuk membayar zakat padi mereka. Mereka yang selesa untuk membayar zakat kepada imam kariah (amil) boleh pergi ke masjid manakala bagi mereka yang tidak selesa berurusan di masjid boleh membayar zakat kepada ketua unit PPK yang dilantik secara sah. kebanyakan petani berpandangan bahawa ketua unit PPK harus dilantik sebagai amil/penolong amil zakat pertanian kerana alasan yang dikemukakan di atas seperti prestasi yang baik, mengetahui data-data hasil padi petani, mempunyai hubungan yang langsung dan mesra dengan petani serta berupaya mengingatkan petani tentang kewajipan berzakat dan membayarnya kepada amil yang dilantik. Untuk makluman, sehingga kini, sebanyak 45,500

orang peladang telah menjadi ahli PPK di semua 27 buah PPK yang berada di bawah pengurusan dan kawalselia MADA (http://www.mada.gov.my/?page_id=2941/14.4.2020).

Promosi

Promosi bermaksud proses, kaedah atau cara, untuk memberitahu, menyedarkan, memujuk dan mempengaruhi pengguna untuk membeli sesuatu barangan atau perkhidmatan. Ia adalah salah satu metod yang berkesan untuk memastikan orang ramai dan masyarakat mengetahui tentang produk kita. Sama halnya juga dalam isu zakat, LZNK perlu memperbaiki cara promosi untuk memastikan maklumat berkenaan zakat pertanian khususnya sampai kepada para petani. Seperti yang kita tahu bahawa latar belakang pembayar zakat pertanian (petani) tidak sama dengan pembayar zakat yang lain. Disebabkan beberapa kekangan para petani seperti umur, tahap pendidikan, waktu bekerja, tempat tinggal dan sebagainya, maka beberapa perubahan mesti dilakukan oleh LZNK.

Para informan juga berpandangan bahawa terdapat sebahagian daripada petani yang mempunyai pengetahuan dan informasi yang terhad berkenaan dengan zakat. LZNK tidak boleh mengabaikan peranan promosi dalam perancangan kutipan zakat. Ini disokong oleh beberapa pandangan informan seperti berikut:

"Pejabat zakat perlu memastikan maklumat zakat sampai kepada para petani. Mereka boleh menggunakan media arus perdana seperti televisyen radio dan lain-lain sebagai platform untuk mempromosikan zakat pertanian".

"Institusi formal mesti mempromosikan kepada orang ramai supaya mereka dapat mengatasi salah faham di kalangan masyarakat berhubung dana zakat dan pada masa yang sama akan mendorong mereka membayar zakat".

Para informan turut membangkitkan isu promosi berkaitan zakat khususnya zakat pertanian yang tidak sampai secara menyeluruh kepada para petani. Berdasarkan temu bual di atas beberapa informan mencadangkan beberapa kaedah promosi seperti menggunakan media arus perdana (television dan radio), pengedaran risalah (pamphlet zakat), iklan-iklan zakat di tempat-tempat strategik seperti berhampiran sawah padi dan pintu masuk kampung. Promosi ini akan memberikan impak positif kepada para petani tentang kewajipan berzakat, menambahkan pengetahuan mereka tentang zakat dari aspek nisab dan cara bayaran serta mengurangkan salah faham dan persepsi yang tidak benar tentang zakat dan LZNK. Hasil temu bual dengan pengkaji zakat padi di Kedah, iaitu Prof Madya Dr Mohammad Azam Hussain¹ yang turut membangkitkan isu yang sama iaitu hebahan tentang kewajipan membayar zakat tidak sampai kepada semua petani dan tidak memadai sekadar hebahan kepada masjid-masjid sahaja.

Penyelidik juga telah menemu bual Ketua Bahagian Dakwah dan Penyelidikan, LZNK² tentang aktiviti dakwah dan penerangan (promosi) yang dilakukan oleh unit beliau kepada para petani.

¹ Temu bual bersama PM Dr Mohammad Azam Hussain , COLGIS UUM 12.3.2020

² Temu bual bersama Ust Abd Hadi b Abd Majid, Ketua Bahagian dakwah dan penyelidikan LZNK, 10.2.2020

Beliau menyatakan bahawa banyak aktiviti-aktiviti dakwah dan promosi yang telah dilakukan secara khusus kepada golongan petani untuk meningkatkan kesedaran, kefahaman, penghayatan dan seterusnya mendorong mereka untuk membayar zakat tanaman mereka. Menurut beliau aktiviti-aktiviti tersebut dapat dibahagikan kepada tiga metode iaitu:

i. Kaunter

Pihak LZNK mengadakan kaunter (*booth*), menyediakan khidmat lori dan van kaunter bergerak di pasar tani, karnival dan masjid. Selain itu kaunter juga disediakan apabila pihak LZNK turun untuk memberikan taklimat berkaitan zakat padi kepada petani di pusat PPK MADA.

ii. Ceramah

Pihak LZNK turut mengadakan promosi dalam bentuk ceramah kepada golongan sasaran iaitu petani. Ceramah-ceramah dilakukan dalam bentuk forum, khutbah Jumaat dan tazkirah di masjid dan surau-surau. Ia akan diperluaskan kepada golongan sasaran sebenar iaitu petani yang kebanyakannya berada di kawasan kampung-kampung dan luar bandar.

iii. Iklan

Selain itu, promosi dan dakwah zakat juga dilakukan dalam bentuk kempen. Ia dilaksanakan melalui peringatan daripada Tuan Imam kariah sebelum khutbah jumaat dan penyediaan teks khutbah berkaitan kewajipan zakat padi. Kempen juga turut dijalankan melalui *flyers* dan pamflet zakat padi yang dilekatkan di semua masjid-masjid berkaitan hukum dan kaedah pengiraan zakat padi serta cara pembayaran yang boleh dijelaskan melalui ejen masjid. Banner juga turut dipamerkan di setiap masjid berkaitan iklan perlantikan amil zakat dan maklumat-maklumat berkaitan zakat dari segi kutipan dan juga agihan. Menurut beliau lagi, LZNK turut bekerjasama dengan Kedah FM untuk segmen “Zakat di Hati” yang ke udara sebulan dua kali yang membincang dan mempromosikan zakat di negeri Kedah. Isu yang ditimbulkan oleh pihak responden tentang kurangnya iklan dan promosi zakat berkemungkinan timbul akibat kurangnya interaksi petani yang terlibat dengan masjid dan surau yang boleh dianggap sumber maklumat dan informasi tentang zakat dari pihak LZNK.

iv. Pemberian Insentif dan Galakan

Kaedah memberi insentif (sesuatu galakan) adalah antara cara terbaik untuk menyelesaikan masalah agihan sendiri seperti yang telah dibincangkan sebelum ini. Agihan sendiri menimbulkan masalah kepada LZNK untuk mengutip zakat dari petani. Insentif bermaksud hadiah daripada seseorang untuk memberi motivasi atau menggalakkan orang lain melakukan sesuatu. Berdasarkan sesi temubual yang telah dijalankan, terdapat beberapa orang informan yang bersetuju dengan cadangan ini. Mereka menyokong pemberian insentif kepada petani dan percaya ia akan menarik lebih ramai petani untuk membayar zakat secara terus kepada LZNK. Informan memberikan respon berikut sebagai antara strategi untuk meningkatkan kutipan zakat padi:

"Memberi insentif kepada petani untuk menyelesaikan masalah agihan sendiri kepada asnaf. Ada beberapa insentif yang dapat diberikan seperti memberi kesempatan kepada petani untuk

memilih penerima zakat mereka sendiri (asnaf), hadiah atau cenderamata kepada petani yang membayar zakat dengan jumlah penilaian yang betul".

"Institusi formal harus memberikan penghargaan kepada para petani dengan memberi mereka peluang untuk mengagih kembali zakat mereka kepada asnaf. Sebagai contoh, petani membayar zakat penuh (8/8) ke institusi formal maka setengah dari jumlah tersebut (4/8) akan kembali kepada petani dalam bentuk produk pengedaran, mereka bebas memilih orang yang tepat untuk menerima".

Dari pernyataan di atas, penyelidik dapat menyimpulkan beberapa jenis insentif yang dapat diberikan kepada para petani yang konsisten membayar zakat tanaman mereka kepada LZNK. LZNK mestilah memberi insentif kepada petani untuk menggalakkan mereka membayar zakat. Amalan seperti ini telah digunakan untuk jenis-jenis zakat yang lain seperti zakat pendapatan dan zakat perniagaan di mana zakat itu akan dikembalikan kepada pembayar jika jumlah zakat mencapai had tertentu yang ditentukan oleh LZNK. Pembayar diberi peluang untuk memilih penerima mereka sendiri untuk menerima zakat. Sama seperti petani, LZNK sepatutnya memberi insentif kepada mereka apabila mereka secara konsisten membayar zakat pertanian. \

Kesimpulan daripada temu bual di atas, terdapat beberapa insentif yang boleh diberikan kepada petani iaitu:

i. Memberi peluang kepada petani memilih asnaf

LZNK boleh memberi peluang kepada petani yang membayar zakat padi secara konsisten kepada amil yang dilantik untuk memilih asnaf mereka sendiri. Para petani boleh mencadangkan senarai nama asnaf (fakir dan miskin terutamanya) yang mereka mahu membantu di kampung atau di kawasan tempat tinggal mereka. LZNK mungkin boleh menyediakan beberapa produk agihan yang bersesuaian supaya mereka boleh memilihnya seperti baucer, kit makanan, barang-barang keperluan asasi dan produk-produk bantuan lain yang berkaitan.

ii. Memberi hadiah kepada petani

LZNK juga dicadangkan agar memperuntukan sedikit bajet untuk menarik petani membayar zakat kepada mereka. Hadiah boleh menjadi satu tanda penghargaan kepada petani daripada pihak LZNK. LZNK boleh menyediakan cenderamata atau cabutan bertuah kepada mereka. Hadiah yang diberikan mestilah sesuai dengan "*nature*" pesawah seperti jentera, racun, baja dan juga hadiah-hadiah lain yang berkaitan supaya mereka dapat menggunakannya. Umum mengetahui bahawa kebanyakan petani tidak berasal dari keluarga yang berada, maka pendekatan ini sekurang-kurangnya dapat mendorong dan menjadi motivasi kepada mereka untuk membayar zakat kepada LZNK. Walaupun kita tahu bahawa zakat adalah tanggungjawab mereka tetapi memberi hadiah sebagai penghargaan merupakan tindakan yang wajar dan tidak bertentangan dengan ajaran Islam sebagai satu galakan.

iii. Bancian

Amalan bancian oleh para amil mesti dipergiatkan kembali oleh LZNK seperti yang tercatat dalam enakmen zakat (lama). Dalam Enakmen Zakat Kedah, jelas dinyatakan bahawa setiap amil yang dilantik ditugaskan untuk membuat bancian terhadap setiap petani yang mengusahakan sawah padi mereka pada setiap musim ianya diusahakan. Sebelum padi dituai, para amil akan pergi sekali lagi menemui petani untuk mengikuti perkembangan tanaman padi yang sedang diusahakan sama ada menghadapi apa-apa masalah yang boleh menjejaskan hasil tanaman padi mereka. Setelah di kenal pasti, para amil akan melihat sama ada bancian yang telah dilakukan itu telah sampai atau menepati taksiran yang dilakukan sebelum daripada itu. Apabila padi telah dituai, barulah para amil akan melakukan kutipan zakat tersebut (Alias dan Mohammad Azam, 2017). Amalan banci dapat membantu amil untuk menjangka hasil kutipan zakat pada musim yang berikutnya.

Walaupun amalan ini telah terhenti untuk tempoh yang lama kerana beberapa sebab seperti keperluan jumlah amil yang ramai, kemahiran para amil, tidak mendapat kerja sama amil atau tidak mendapat bayaran atau upah yang sepatutnya³, tetapi amalan ini mampu memberikan impak kepada pembayaran zakat padi dalam kalangan petani.

Berdasarkan temu bual yang dijalankan, penyelidik dapat menyimpulkan terdapat tiga maklumat penting yang mesti dikumpulkan /dibanci oleh para amil iaitu:

a) Jumlah zakat pertanian

Para amil mesti mendapatkan maklumat yang tepat tentang keluasan tanah sawah padi yang dimiliki oleh para petani agar mereka dapat memberikan jumlah anggaran zakat kepada para petani. Pada masa yang sama, maklumat ini dapat dimanfaatkan oleh LZNK untuk mengetahui saiz dan keluasan sebenar sawah padi di negeri ini dan seterusnya dapat menggunakannya untuk membuat anggaran kutipan zakat pertanian pada setiap musim.

b) Senarai fakir dan miskin (asnaf) yang tinggal di sekitar petani

LZNK (menerusi para amil) juga mesti berusaha untuk mendapatkan maklumat tentang golongan fakir dan miskin yang tinggal di sekitar tempat tinggal para petani. Maklumat ini adalah penting agar LZNK boleh mengambil tindakan yang sewajarnya untuk membantu golongan ini. Antara sebab mengapa petani membuat agihan sendiri kepada asnaf adalah kerana wujudnya golongan fakir dan miskin di sekeliling mereka yang tidak mendapat bantuan daripada LZNK. Dengan ini, secara tak langsung akan menggalakkan para petani membayar zakat sepenuhnya kepada amil kerana mereka dapat melihat golongan fakir dan miskin di sekeliling mereka telah mendapat bantuan yang sepatutnya dari LZNK.

c) Senarai penyewa sawah padi

LZNK juga dicadangkan untuk mengumpulkan maklumat penyewa sawah yang dimiliki oleh petani Muslim. Dengan maklumat ini, LZNK boleh mendekati penyewa sawah berkenaan untuk membayar zakat dan menasihati pemilik untuk menyewakan sawah padi mereka kepada

³ Temu bual dengan Ust Abd Hadi b Abd Majid, Ketua Bhg Dakwah dan penyelidikan LZNK (10.2.2020)

petani Muslim daripada menyewakannya kepada petani bukan Islam. Isu penyewaan tanah pertanian juga menjadi perbincangan dalam kalangan ulamak fiqh dari aspek siapa yang perlu mengeluarkan zakat hasil tanaman, pemilik tanah atau penyewa?

Secara asasnya di dalam persoalan ini terdapat dua pandangan yang utama;

i. Mazhab Hanafi: Imam Abu Hanifah berpendapat zakat hanya dikenakan ke atas pemilik tanah (al-Kasani, 2003). Ini adalah kerana zakat pertanian (*'usyr*) diwajibkan ke atas tanah yang mengeluarkan hasil bukannya ke atas bijian ataupun hasil pertanian (al-Sarakhsi, 1978). Alasan lain adalah kerana *'usyr* dikenakan ke atas manfaat dari tanah, dan manfaat dari tanah itu sebenarnya diserahkan kepada penyewa dalam bentuk bayaran sewa, dan sewa adalah ganti kepada manfaat yang diperoleh dari tanah. Oleh kerana itu zakat dikenakan ke atas pemilik tanah, berasaskan kaedah hukum perkara yang menggantikan mengambil hukum perkara yang digantikan (al-Sarakhsi, 1978).

ii. Pendapat jumhur (Mazhab Maliki, Shafii dan Hanbali): Jumhur ulama pula berpendapat bahawa zakat hanya dikenakan ke atas penyewa, oleh kerana zakat diwajibkan ke atas hasil tanaman bukan tanah yang mengeluarkan hasil tanaman itu (Ibn Rusyd, 2009).

Asas perbezaan pendapat dua golongan tersebut adalah penentuan sama ada zakat tanaman itu merupakan hak tanah ataupun hak hasil tanaman, tetapi tidak ada yang berpendapat bahawa ia merupakan hak keduanya. Sedangkan ia adalah hak keduanya (iaitu hak tanah dan hak hasil tanaman) (Ibn Rusyd, 2009).

Penjelasan yang dikemukakan oleh Ibn Rusyd tersebut juga mempunyai asasnya. Oleh kerana itu, adalah wajar sekiranya zakat dikenakan ke atas penyewa dan tuan tanah. Kaedah ini akan dapat meningkatkan hasil kutipan zakat di Malaysia dalam rangka mempertingkatkan ekonomi umat Islam. Al-Qaradawi juga bersetuju dengan pendapat Ibn Rusyd ini, iaitu zakat pertanian diwajibkan ke atas tanah dan ke atas hasil pertanian, bukan ke atas salah satu daripada dua perkara tersebut. Ini bermakna pemilik tanah dan penyewa hendaklah mengeluarkan zakat pertanian (al-Qaradawi, 1994).

Amalan yang sedang dilaksanakan oleh LZNK dalam isu di atas ialah berdasarkan kepada pandangan jumhur ulamak iaitu zakat hanya dikenakan ke atas penyewa⁴, manakala pemilik tanah sawah terlepas dari membayar zakat. Berdasarkan temu bual dan pemerhatian, didapati dalam isu tanah bendang sewaan ini, pihak penyewa tidak membayar zakat tanaman mereka atas alasan mereka hanya menyewa tanah tersebut dari pemilik sebenar. Oleh itu, penyelidik mencadangkan agar pihak LZNK membuat penyelidikan yang lebih lanjut pandangan yang dikemukakan oleh Ibnu Rusyd yang disokong oleh oleh al-Qaradawi yang mengenakan zakat kepada kedua-dua pihak iaitu pemilik tanah dan penyewa sebagai meraikan hak tanah dan hak hasil tanaman. Kajian tersebut mestilah mencakupi semua aspek seperti kaedah bayaran zakat, pengiraan dan sebagainya agar masalah semua pihak dapat dijaga dan keadilan dapat ditegakkan.

⁴ Temu bual dengan Ust Abd Hadi b Abd Majid, Ketua Bhg Dakwah dan Penyelidikan LZNK (10.2.2020)

iv. Undang-undang

Mengeluarkan zakat adalah suatu kewajiban yang berlandaskan kepada perintah Allah s.w.t yang terkandung dalam al-Quran dan juga hadis-hadis Nabi s.a.w. Seandainya seseorang Islam yang tinggal di negara Islam dan mengingkari kefarduannya, maka dia menjadi kafir dan murtad. Sekiranya keingkaran itu berlaku akibat kejahilannya seperti baru memeluk Islam atau sebaliknya, maka dia hendaklah **Penguatkuasaan** diberitahu mengenai kewajiban zakat dan tidak dihukum kafir atas sebab tersebut (al-Syirazi, 1994). Pada tahun 1955 bersamaan 1374H, Enakmen *Zakat* Kedah 1955 (No 4) telah diperkenalkan dan merupakan undang-undang *zakat* di negeri Kedah. Beberapa pindaan telah dibuat melalui enakmen ini pada tahun 1962 dan 1982. Ia merupakan satu-satunya enakmen berkaitan *zakat* yang paling lama berkuatkuasa sebelum merdeka sehinggalah dimansuhkan dan digantikan dengan Enakmen Lembaga Zakat Kedah Darul Aman 2015 yang telah diluluskan di Dewan Undangan Negeri Kedah Darul Aman pada 20 Ogos 2015 bersamaan 5 Dzulkaedah 1436H dan diterbitkan dalam Warta Kerajaan pada 3 Disember 2015. Berdasarkan Seksyen 53 (1), Enakmen Zakat Kedah 1955 (No 4) yang disebut sebagai enakmen terdahulu telah dimansuhkan.

Berdasarkan sejarah, seorang petani pernah didakwa dan dihukum penjara sebanyak tiga kali kerana kegagalan membayar *zakat* padi (Mohammad Azam Hussain dan Zuryati Mohamed Yusoff, 2005). Ahmad Hidayat (2005) juga menegaskan bahawa sebanyak 36 kes berkaitan kesalahan-kesalahan *zakat* berlaku di Kedah antara 1965 hingga 1966. Ini menunjukkan bahawa undang-undang *zakat* di Kedah telah dikuatkuasa dengan baik. Mengikut seksyen 9 Enakmen Zakat Kedah 1955, Jawatankuasa Zakat mempunyai kuasa untuk membuat dan mengadakan peraturan-peraturan yang perlu dari semasa ke semasa berkaitan dengan pentadbiran *zakat* di negeri Kedah (Hafiz, Alias dan Che Thalbi, 2017).

Kesalahan-kesalahan berkaitan zakat dinyatakan melalui Seksyen 15 (i), Peraturan-peraturan Zakat 1982 seperti kenyataan palsu berkaitan zakat, keengganan membayar zakat atau membayar zakat sepenuhnya, membayar zakat kepada bukan amil, tidak ditauliahkan sebagai amil, menghasut untuk tidak membayar zakat dan menjual atau memindah milik padi sebagai alasan untuk tidak membayar zakat. Hukuman tersebut hanya dikhususkan pada kegagalan membayar zakat padi iaitu denda RM500.00 atau penjara tidak lebih enam bulan.

Dalam temu bual dengan seorang pengkaji zakat di Kedah⁵, beliau mencadangkan agar pihak LZNK perlu menguatkuasakan undang-undang dan peruntukan yang ada dalam enakmen untuk meningkatkan kutipan zakat yang semakin merosot khususnya zakat pertanian. Namun begitu, beliau menegaskan, langkah ini (penguatkuasaan undang-undang) dilaksanakan setelah usaha-usaha lain seperti dakwah zakat, promosi yang pelbagai dan sebagainya sampai kepada masyarakat petani secara keseluruhannya di Kedah.

Amalan sekarang ialah pihak LZNK lebih mengutamakan metode dakwah berbanding metode hukum dalam menguatkuasakan hal-hal berkaitan pentadbiran dan pengurusan zakat (Hafiz *et. al.*, 2015). Malahan Enakmen Kesalahan Jenayah Syariah Kedah 2014 turut tidak

⁵ Temu bual dengan PM Dr Muhammad Azam b Hussain, COLGIS, UUM (14.1.2020)

memperuntukkan satu kesalahan khusus berkaitan zakat mahupun zakat fitrah (Hafiz dan Siti Nabilah, 2016). Dalam temubual yang dijalankan dengan Ketua Bahagian Dakwah dan Penyelidikan LZNK⁶, beliau turut menyatakan tiada penguatkuasaan undang-undang (menghukum) ke atas petani yang tidak atau enggan membayar zakat kerana pihak LZNK lebih menekankan usaha dakwah dan kesedaran. Menurut beliau lagi, walaupun LZNK masih menumpukan kepada aspek dakwah zakat berbanding penguatkuasaan undang-undang, namun beliau tidak menolak kepentingan undang-undang untuk meningkatkan kutipan zakat khususnya zakat pertanian. Usaha-usaha sedang dilakukan oleh pihak LZNK ke arah penguatkuasaan undang-undang dengan memantapkan beberapa aspek seperti prosedur, *SOP*, kefahaman dan sebagainya.

PENUTUP

Kajian ini merumuskan, terdapat beberapa cadangan dan penambahbaikan untuk meningkat kutipan zakat pertanian di Kedah yang diringkaskan seperti berikut:

- i. ejen kutipan zakat padi (amil atau penolong amil) dari kalangan ketua unit Pertubuhan Peladang Kawasan (PPK) yang mempunyai hubungan secara langsung dengan petani dan mereka lebih mesra dengannya.
- ii. Promosi dan dakwah yang menyeluruh kepada para petani melalui saluran-saluran seperti media perdana (radio dan tv), risalah ke kampung-kampung, iklan-iklan zakat di kawasan penanaman padi. Promosi juga hendaklah dipelbagai tempat dan tidak hanya dilakukan di masjid sahaja.
- iii. Menyediakan insentif dan ganjaran dalam bentuk-bentuk yang bersesuaian dengan petani yang konsisten membayar zakat padi kepada LZNK. Dicadangkan insentif berbentuk peralatan pertanian, barangan keperluan keluarga dan sebagainya seperti yang diberikan kepada pembayar-pembayar zakat pendapatan.
- iv. Menggerakkan kembali sistem bancian yang dilakukan oleh amil sebelum ini. Amalan ini terhenti atas sebab-sebab yang tidak dapat dipastikan. Cadangan bancian dilakukan merangkumi aspek jumlah zakat, senarai fakir miskin di kawasan petani dan juga senarai penyewa tanah sawah.
- v. Penguatkuasaan undang-undang kepada petani yang engkar atau sengaja tidak mahu membayar zakat. Tindakan ini berdasarkan kepada peruntukan yang ada dalam Enakmen Zakat Kedah 2015.

Membayar zakat adalah kewajipan apabila cukup syarat-syaratnya. Namun begitu, tidak dinafikan bahawa manusia seringkali perlu kepada peringatan dan bimbingan. Oleh itu, adalah diharapkan usaha-usaha yang gigih dan padu serta bersungguh-sungguh dilakukan oleh pihak-pihak yang terlibat agar dakwah, promosi dan informasi tentang zakat tanaman khususnya

⁶ Temu bual dengan Ust Abd Hadi Abd Majid, Ketua Bhg Dakwah dan Penyelidikan LZNK (10.2.2020)

sampai kepada golongan petani. Para petani juga hendaklah berusaha memahami dan mengamalkan suruhan dan kewajipan berzakat melalui berbagai-bagai saluran yang telah disediakan oleh pihak LZNK. Moga-moga dengan usaha-usaha yang sedang dijalankan oleh pihak LZNK dan juga cadangan-cadangan yang dikemukakan oleh kajian ini dapat membantu untuk meningkatkan lagi kutipan zakat pertanian (padi) dalam kalangan petani di negeri Kedah Darul Aman.

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AGIHAN BANTUAN ZAKAT PENDIDIKAN SEMASA PANDEMIK COVID 19: KAJIAN DI LEMBAGA ZAKAT NEGERI KEDAH

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Abstrak

Pendidikan dalam Islam sangat penting kerana ayat al-Quran pertama kali diturunkan kepada Nabi Muhammad SAW adalah surah al-'Alaq ayat satu hingga lima. Proses untuk mencapai pendidikan yang baik memerlukan dana kewangan yang tinggi dan tidak semua orang yang mampu, terutamanya golongan asnaf fakir dan miskin. Kemiskinan harta yang digabungkan dengan kemiskinan jiwa sangat merbahaya kerana dapat mendorong individu tersebut cepat putus asa dan hidup dalam kekecewaan. Zakat sebagai instrumen yang sifatnya menjamin keadilan sosial dalam masyarakat boleh memainkan peranan yang aktif dan efisien membantu golongan yang miskin. Kertas kerja ini bertujuan untuk mengenalpasti peranan Lembaga Zakat Negeri Kedah (LZNK) dalam membantu pembangunan pendidikan negeri Kedah semasa pandemik Covid-19. Metodologi kualitatif dilakukan dengan menemu bual informan yang berkaitan dengan isu yang dikaji dan meneliti dokumen-dokumen yang relevan dengan kajian. Jumlah agihan yang besar disalurkan kepada bidang pendidikan melalui pelbagai program seperti bantuan sara hidup guru dan pelajar agama, bantuan komputer riba, telefon pintar dan data internet. Pelajar-pelajar yang menerima bantuan dapat menjalani proses pembelajaran dengan selesa kerana pelajar perlu belajar dari rumah semasa berlakunya pandemik ini. Ini membuktikan bahawa peranan LZNK sangat besar dan signifikan terutama dalam memperkasakan pendidikan anak-anak asnaf yang akan mengubah kehidupan keluarga mereka di masa akan datang.

Kata kunci: Agihan, zakat pendidikan, pandemik Covid-19, Lembaga Zakat Negeri Kedah (LZNK)

PENGENALAN

Kepentingan ilmu pengetahuan dan pendidikan yang sempurna serta sama rata kepada semua lapisan masyarakat sangat ditekankan di dalam Islam. Di dalam al-Quran terdapat banyak ayat yang menekankan kepentingan aspek pendidikan dalam pembinaan tamadun manusia. Selain itu, Rasulullah SAW juga amat mementingkan pendidikan, baginda telah mengadakan kelas mempelajari Islam di rumah Arqam bin Abi al-Arqam (Hamim Hafiddin, 2015) serta baginda

meletakkan syarat bagi tawanan Badar yang hendak dilepaskan hendaklah mengajar anak-anak orang Islam mengenal huruf, membaca dan menulis (Hamizul Abdul Hamid (2017).

Menurut Haron Daud (1995), Za'aba menyatakan ilmu dan pendidikan mempunyai kaitan dengan kemiskinan jiwa. Kemiskinan jiwa ini boleh merosakkan kehidupan manusia, kerana manusia akan terdedah melakukan hal-hal yang dilarang oleh agama dan undang-undang negara. Disamping itu, masyarakat yang miskin ilmu dan pendidikan ini juga mempunyai hubungan dengan kemiskinan harta. Masyarakat yang keadaan ekonominya tidak stabil atau relatifnya miskin tidak mampu memberikan pendidikan yang sempurna kepada anak-anak mereka dan tidak berupaya membina kehidupan yang lebih baik. Hal ini bertambah parah apabila kemiskinan harta ditambah dengan kemiskinan jiwa akan mendorong individu berkenaan untuk menggadaikan maruah diri dan akidah demi sesuap nasi (Hamizul Abdul Hamid, 2017).

Di sinilah pendidikan memainkan peranan yang sangat penting dalam pembentukan tamadun manusia dan pembangunan sosial negara. Jika hal berkaitan pendidikan dan ilmu pengetahuan diabaikan, ia akan memberi impak negatif kepada pembangunan sesebuah negara. Zakat juga dianggap sebagai indikator untuk menentukan kesejahteraan rakyat. Ini kerana formula terbaik dalam memastikan ekonomi negara mapan adalah dengan memastikan ekonomi negara meningkat dan ini secara langsung memberi kesan dalam peningkatan jumlah zakat. Melalui pelaksanaan zakat di Malaysia, rakyat yang berada di dalam kategori penerima zakat dapat dibantu dengan sebaiknya.

Oleh itu, institusi zakat sebagai institusi kewangan Islam perlu terus giat memainkan peranan dalam menyalurkan bantuan dana zakat pendidikan kepada golongan asnaf dan memastikan tiada golongan asnaf fakir dan miskin yang tercicir dalam mendapatkan peluang pendidikan pada semua peringkat. Sehubungan dengan itu, Lembaga Zakat Negeri Kedah (LZNK) telah mengagihkan sebanyak RM 25.1 juta bagi bantuan pendidikan semasa berlakunya pandemik Covid-19. Ini kerana bantuan pendidikan amat penting dalam membantu asnaf fakir dan miskin untuk mengubah kehidupan mereka dan mengeluarkan golongan ini daripada kelompok kemiskinan dan berjaya seperti orang lain.

METODOLOGI

Kajian ini menggunakan metodologi kualitatif yang menekankan pembinaan makna, pemahaman konsep atau simbol dan istilah atau penerangan terperinci tentang sesuatu kejadian, objek atau proses (Tuckman,1999). Menurut Strauss & Corbin (1998), kajian kualitatif ialah sebarang kajian yang menghasilkan keputusan bukan dengan cara prosedur statistik atau cara kuantitatif yang lain. Ia boleh merujuk kepada kajian berkenaan dengan kehidupan seseorang, cerita, tingkahlaku dan juga tentang fungsi organisasi atau perhubungan interaksi. Sesuai dengan metode yang digunakan, kajian ini mengaplikasikan dua teknik pengumpulan data iaitu metode perpustakaan dan juga penyelidikan lapangan yang berdasarkan metode temubual. Metode perpustakaan digunakan oleh penyelidik untuk mengumpul sebanyak mungkin data dan maklumat dalam bentuk tesis, buku, artikel, jurnal,

majalah dan kajian ilmiah yang lain berkaitan dengan bidang kajian. Metode temubual digunakan oleh penyelidik untuk menemubual pihak-pihak yang terlibat secara langsung dengan agihan zakat pendidikan di Lembaga Zakat Negeri Kedah.

LEMBAGA ZAKAT NEGERI KEDAH

Di Malaysia, urusan berkaitan kutipan dan pengagihan zakat adalah tertakluk kepada kuasa negeri. Di Kedah, Lembaga Zakat Negeri Kedah telah ditubuhkan bagi mengurus hal ehwal berkaitan zakat. LZNK ini merupakan kesinambungan daripada Zakat Kedah. Berdasarkan tarikh Notis Memberi Nasihat Ketentuan Yang Bersangkutan dengan perkara zakat, tarikh penubuhan Zakat Kedah adalah pada 19 Jamadil Akhir 1355 bersamaan dengan 5 September 1936. Notis tersebut dikeluarkan oleh Pejabat Syeikhul Islam melalui Majmaul Syeikhul Islam yang ditubuhkan secara rasmi pada tahun 1936 bagi menggantikan jawatan Syeikhul Islam yang bermula pada tahun 1901 (LZNK, 2022).

Hebahan berkaitan dengan hal ehwal zakat adalah antara perkara utama yang diberi tumpuan oleh Majmaul Syeikhul Islam adalah perkara berkaitan dengan pengurusan zakat. Perhimpunan Riyal Zakat dan Sedekah Orang-orang Islam di Negeri Kedah mencatatkan sebaran zakat secara rasmi dibuat kepada rakyat Negeri Kedah ialah pada tahun 1355 H bersamaan 1936 M.

Dalam memastikan matlamat dan fungsi penubuhan LZNK berada pada landasan yang betul, visi dan misi LZNK menjadi panduan supaya pentadbiran kutipan dan agihan zakat terus berkembang dengan pesat sekaligus membantu asnaf di negeri Kedah ini untuk keluar daripada kepompong kemiskinan. Visi LZNK adalah menjadi sebuah agensi pengurusan yang unggul bertaraf dunia. Misi LZNK pula adalah bagi mengurus dan meningkatkan operasi kutipan dan agihan zakat di negeri Kedah dengan telus, efisien dan berkualiti bagi menaik taraf sosioekonomi umat Islam (LZNK, 2022).

Antara objektif LZNK adalah untuk memperkasakan urus tadbir zakat, mengoptimumkan kutipan zakat, membangunkan sosioekonomi masyarakat dan meningkatkan kesedaran masyarakat berkaitan zakat (LZNK, 2022). Antara fokus LZNK adalah menangani masalah kemiskinan golongan asnaf fakir dan miskin.

BANTUAN ZAKAT PENDIDIKAN DI LZNK

LZNK telah memainkan peranan yang proaktif dalam membantu asnaf melalui pelbagai bantuan pendidikan. Jumlah agihan yang besar telah disalurkan kepada pembangunan pendidikan melalui pelbagai program. Antara bantuan yang diberikan ialah Bantuan Yuran Penuh Penuntut Miskin Sekolah Agama Nidzomi, Dermasiswa melanjutkan pelajaran ke IPT tempatan dan luar negara, Bantuan Institusi Pondok dan bantuan-bantuan lain.

Tiga golongan asnaf yang terlibat dalam bantuan pendidikan LZNK ialah asnaf fakir, asnaf miskin dan asnaf *fi-sabilillah*. Tafsiran asnaf tersebut adalah berdasarkan Enakmen Agama Islam Negeri Kedah seperti berikut:

Asnaf fakir

Adalah orang tiada harta pendapatan yang mencukupi untuknya dan keperluannya. Tidak mempunyai keluarga untuk mencukupkan nafkahnya seperti makanan, pakaian dan tempat tinggal. Contohnya ia memerlukan RM10 sehari tetapi hanya mampu RM3 sahaja.

Asnaf Miskin

Mempunyai kemampuan usaha untuk mendapatkan keperluan hidupnya tetapi tidak mencukupi sepenuhnya. Sebagai contoh seseorang miskin memerlukan RM10 tetapi hanya memperolehi RM8.

Asnaf Fi-Sabilillah

Fi-sabilillah ialah perjuangan, usaha dan aktiviti yang bertujuan untuk menegakkan dan mempertahankan agama Allah.

PANDEMIK COVID-19

Pandemik *Corona Virus Disease 2019* (Covid-19) telah menjadi satu fenomena yang mencipta pelbagai krisis di abad ini. Ia adalah penyakit berjangkit yang berpunca daripada virus *corona* yang baru ditemui. Kes pertama yang dilaporkan adalah pada Disember 2019 di Wuhan, China. Covid-19 menyerang manusia dalam cara yang berbeza. Simptom-simptom virus ini adalah seperti demam, batuk kering dan keletihan. Simptom serius adalah seperti sukar bernafas atau nafas pendek, sakit dada atau rasa tertekan di bahagian dada dan pergerakan yang terhad. Bagi warga emas, kanak-kanak dan pengidap penyakit kritikal seperti masalah jantung, diabetes, masalah pernafasan yang kronik, dan kanser adalah berisiko tinggi untuk terkena jangkitan. (UPM,2020)

Perintah Kawalan Pergerakan (PKP) yang telah dilaksanakan semenjak Fasa 1 oleh kerajaan Malaysia pada 18 Mac 2020 yang lalu sehingga kini telah menyebabkan pelbagai sektor ekonomi mahupun pendidikan terjejas dan tidak dapat beroperasi seperti biasa. PKP yang telah dilaksanakan itu telah memberikan implikasi terhadap penutupan institusi pendidikan seperti sekolah dan universiti demi membendung penularan wabak Covid-19 daripada terus menular dalam kalangan masyarakat sehingga akhirnya mampu menjangkiti mereka (Azman,2021)

Aktiviti pembelajaran bukanlah suatu yang mudah untuk diteruskan dalam keadaan pandemik. Demi memastikan proses PdP dapat diteruskan agar para pelajar tidak ketinggalan mendapat pendidikan, maka Pengajaran dan Pembelajaran di Rumah (PdPR) diwujudkan. PdPR ialah pengajaran dan Pembelajaran (PdP) yang dilaksanakan di rumah atau pusat komuniti atau di mana-mana lokasi yang bersesuaian (Forum Murabbi,2021).

Aktiviti pembelajaran bukanlah suatu yang mudah untuk diteruskan dalam keadaan pandemik. Tambahan pula, pelajar perlu belajar dari rumah dan perlu sediakan peralatan elektronik seperti laptop, telefon pintar, wifi atau rangkaian internet yang laju untuk meneruskan pembelajaran secara dalam talian. Bagi mereka yang mampu penyediaan peralatan sebegini tidak menjadi masalah, namun tidak bagi mereka yang tinggal di kawasan pendalaman dan menghadapi masalah kewangan yang mendesakkan kehidupan seharian mereka. Kesannya, masyarakat tidak mendapat pendidikan yang sewajarnya seperti mereka yang lain (Nurhaziqah, Khazri & Adawiyah, 2021)

BANTUAN PENDIDIKAN LZNK SEMASA PANDEMIK COVID-19

LZNK turut memainkan peranan penting dalam merangka program kepada anak-anak asnaf serta institusi-institusi yang terjejas akibat pandemik Covid-19. Kesan dari pandemik ini, semua sesi pembelajaran dijalankan secara atas talian. Namun demikian kebanyakan pelajar yang terdiri daripada keluarga asnaf tidak mampu untuk membeli peralatan pembelajaran seperti laptop, telefon pintar, data internet dan sebagainya. Berikut merupakan bantuan-bantuan yang diberikan oleh LZNK kepada golongan asnaf yang terjejas bagi meringankan beban mereka.

Jadual 1. Bantuan Pendidikan Semasa Pandemi COVID-19

Bil	Projek	Jenis Bantuan	Jumlah Penerima	Jumlah Bantuan (RM)
BANTUAN SARA HIDUP KEPADA PENERIMA				
1)	Bantuan sekaligus (Covid-19) kepada Guru Sekolah Agama	Guru dan Kakitangan Sekolah Rendah Agama, Sekolah Menengah Agama, Maahad Tahfiz dan Pondok	2,790 Orang	RM 1,674,000.00
2)	Bantuan sekaligus (Covid-19) kepada Pelajar Luar Negara	Pelajar Kedah yang terkandas di Luar Negara	787 Orang	RM 393,500.00
3)	Bantuan Makanan kepada Pelajar Pondok dan Maahad Tahfiz	Pelajar Pondok, Tahfiz yang terkandas	55 Buah Sekolah	RM 82,860.00
JUMLAH AGIHAN				RM 2,150,360.00

Sumber: Bahagian Pendidikan LZNK (2021)

Jadual 1 menunjukkan bantuan zakat pendidikan dalam bentuk kewangan yang telah diagihkan oleh LZNK semasa pandemik Covid 19. Bantuan sekaligus kepada guru-guru sekolah agama melibatkan seramai 2790 orang guru dengan kos berjumlah RM1,674,000 manakala bantuan kepada pelajar luar negara melibatkan seramai 787 orang dengan kos berjumlah RM 393,500. Seterusnya bantuan makanan kepada peajar Pondok dan Maahad Tahfiz yang terjejas dengan Covid-19 melibatkan 55 buah sekolah dengan bantuan berjumlah RM 82,860. Jumlah keseluruhan bantuan adalah RM 2,150,360.

Jadual 2: Bantuan Pendidikan untuk Pengajaran dan Pembelajaran di Rumah (PdPR)

Bil	Projek	Jenis Bantuan	Penerima	Jumlah Penerima	Jumlah Bantuan (RM)
BANTUAN PERALATAN DIGITAL (KEGUNAAN PdPR)					
1)	Bantuan Peralatan Digital (Komputer riba dan Peralatan PdPR)	Set PdPR kegunaan Guru (Laptop, Microphone, Light LED Lamp)	Sekolah Rendah Agama, Sekolah Menengah Agama, Maahad Tahfiz dan Pondok yang berdaftar dengan Jabatan Agama Islam Negeri Kedah	187 Buah Sekolah	RM 561,000.00
2)	Telefon Pintar melalui Jabatan Pendidikan Negeri Kedah	Telefon Pintar	Sekolah-sekolah di bawah JPN	692 Buah (SK, SMK, SJK, SMJK)	RM 21,705,396.00
3)	Bantuan Telefon Pintar dan Data Internet	Telefon Bimbit dan Data Internet	Pelajar Asnaf di Sekolah Lembaga Zakat Negeri Kedah	298 Orang	RM 158,380.00
4)	Bantuan Telefon Pintar bersama TNB Kedah	Telefon Pintar sahaja	Pelajar Fakir dan Miskin terpilih di 5 Daerah (Baling, Sik, Pendang, Padang Terap dan Langkawi)	50 Orang	RM 24,500.00
JUMLAH AGIHAN					RM 22,449,276.00

Sumber: Bahagian Pendidikan LZNK (2021)

Untuk melancarkan proses Pengajaran dan Pembelajaran di Rumah (PdPR) , LZNK telah memperuntukkan bantuan sebanyak RM 22,449,276 kepada pelajar-pelajar dan sekolah-sekolah yang terpilih. Untuk pembelian set (PdPR) untuk kegunaan guru-guru Sekolah Rendah dan Menengah Agama, Pondok-pondok dan Maahad Tahfiz yang berdaftar dengan Jabatan Agama Islam Kedah sebanyak RM 56, 000. Bantuan ini disalurkan kepada 187 buah sekolah di seluruh negeri Kedah.

Selain itu LZNK turut menyumbang bantuan telefon pintar untuk kegunaan pelajar-pelajar yang memerlukan melalui Jabatan Pendidikan Negeri Kedah. Bantuan ini melibatkan 692 buah sekolah melibatkan bantuan berjumlah RM 21,705,396. LZNK turut memberi bantuan telefon pintar dan data internet kepada 298 orang pelajar-pelajar di Sekolah Zakat Kedah yang majoriti adalah golongan asnaf fakir dan miskin. Bantuan telefon pintar juga diberikan kepada 50 orang pelajar fakir dan miskin di daerah Baling, Sik, Pendang, Padang Terap dan Langkawi melibatkan bantuan berjumlah RM 24,500.

KESIMPULAN

Lembaga Zakat Negeri Kedah telah menyalurkan agihan yang besar terhadap bidang pendidikan semasa pandemik Covid-19 bagi mengelakkan keciciran pelajaran di kalangan pelajar-pelajar yang kurang berkemampuan. Ini membuktikan bahawa peranan LZNK sangat besar dan signifikan terutama dalam memperkasakan pendidikan anak-anak asnaf. Usaha ini akan membuatkan prestasi LZNK semakin penting dan semakin diyakini oleh masyarakat dari aspek tadbir urus korporat seterusnya dapat meningkatkan lagi kutipan dan agihan zakat di masa akan datang.

Kebanyakan pelajar yang menerima bantuan semasa pandemik Covid-19 dapat menjalani proses pembelajaran dengan selesa kerana pelajar perlu belajar dari rumah dan memerlukan peralatan elektronik seperti laptop, telefon pintar dan rangkaian internet yang laju untuk meneruskan pembelajaran secara dalam talian. Pemberian bantuan ini juga menunjukkan LZNK telah memainkan peranan yang proaktif dalam menangani isu pendidikan semasa pandemik ini.

PENGHARGAAN

Penulis merakamkan penghargaan kepada Universiti Utara Malaysia dan Lembaga Zakat Negeri Kedah kerana membiayai penyelidikan ini menerusi Geran IPIZ. Kertas Kerja ini adalah sebahagian daripada hasil penyelidikan bertajuk 'Keberkesanan Agihan zakat Dalam Pembangunan Pendidikan Dalam Kalangan Asnaf di Kedah' di bawah Dana Geran IPIZ, Universiti Utara Malaysia, Kod S/O 14121.

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DEVELOPMENT OF AMIL ZAKAT'S FINANCIAL INFORMATION SYSTEM

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Abstract

Sharia economic activities have been developing rapidly since the 1998 reform era, including the development of sharia philanthropic institutions such as the Amil Zakat Institute. The Amil Zakat Institutes are present in almost every province and district throughout Indonesia where the majority of the population is muslim. However, its existence is still not supported by an adequate financial system. Most zakat amil still use a manual financial system. This makes it difficult to get accurate finances in a short time. Many Amil Zakat Institutions still use an MS Excel-based financial system, which is not yet fully integrated. This study proposes an online application-based development, where the amil zakat institution can manage finances in a more effective and efficient way. Amil zakat institutions can obtain reports in a shorter time, faster and more accurately and can be accessed from anywhere. In the end this system can help service to donors and mustahik in a better way.

Keywords: Development, amil zakat's financial information system, application, online

INTRODUCTION

The end of the New Order era which curbed ideological activities was marked by the rapid development of thought and religious movements, including sharia economics. Sharia economy is growing rapidly in the midst of the Islamic majority of the Indonesian people who expect alternative economic activities based on Islam. Economic institutions emerged as economic pillars supporting the sharia economy, sharia banks emerged to capture sharia financing opportunities, followed by the emergence of the Amil Zakat Institution which manages one of the mandatory aspects of Islam, namely paying zakat, as well as infaq and alms and other forms of Islamic economic transactions.

Amil zakat before the reform era was only an informal institution attached to mosques, which were mostly active before the Eid al-Fitr holiday when zakat fitrah had to be issued, or informal institutions attached to Islamic foundations of the same nature as those that appear in mosques. At the beginning of the reform era, the growing awareness of paying zakat on Muslims who did not just pay zakat fitrah gave rise to formal zakat institutions that tried to accommodate this need. In this early era, the amil zakat institutions were mostly managed by non-governmental institutions. Then the government was quick to respond in providing a legal basis for the existence of amil zakat by issuing Law NUMBER 38 OF 1999 concerning the management of zakat. This law provides a strong legal basis for zakat management by UPZ.

To support the financial management of the Amil Zakat Agency, accounting records are needed to help provide reliable financial reporting of the Amil Zakat Agency. Good accounting generally follows standard guidelines issued by professional institutions. However, the published accounting standards are usually also made based on practice in the field. Therefore, the new zakat accounting standard was published for the first time in 2009 SAK no 109 (IAI, 2009) following other institutions that have emerged and developed for a longer time such as Islamic banking SAK number 59 in 2002, and the presentation of 2007 Islamic financial statements.

With the development of the age of the zakat amil body which is relatively young, the development of zakat accounting still has shortcomings in presenting financial reports that can represent the amil zakat body as a whole. Among these problems, the researcher wants to investigate further the activities and services provided by the amil zakat are recorded and presented by the amil zakat institution.

With the variety of activities carried out by amil zakat, this activity report requires its own accounting treatment, as management accounting in manufacturing companies. But unfortunately, the existing accounting treatment carried out by amil zakat does not include how the accounting for activities and services should be carried out. Therefore, we are interested in looking further into the accounting of activities and services for amil zakat.

This research will support the achievement of Jambi University's vision and mission through the implementation of the second and fifth missions, namely the development of science and the implementation of creative and innovative research. The development of science is carried out especially in the development of accounting activities and services, while the implementation of creative research is carried out by proposing alternative records in the main activities of the Amil Zakat Institution.

Considering the enormous service needs, as well as the role of the application in providing support so that donors gain confidence that the amil zakat institution that manages zakat infaq and shadaqah funds can be trusted. Our research seeks to develop a web-based amil zakat information system. The application of amil zakat as the output of this research can provide financial reporting services that can be operated by administrators who have limited accounting knowledge. This information system can be accessed anywhere and immediately provides instant reports, both overall financial reports and the receipt and allocation of managed funds. From the above background, we formulate the problem: how to realize a web-based amil zakat application for amil zakat institutions in Indonesia.

LITERATURE REVIEW

Zakat

Zakat is one of the expenses of a Muslim. The expenditure of a Muslim is divided into 3 types, namely zakat, infaq and shodaqah. All three were issued by Muslims in showing their faith that he was a believing Muslim. By its nature, zakat is obligatory to follow the provisions governing the basis of what income must be paid for zakat, how much is it. For whom zakat is issued and when to issue it. Zakat also has provisions regarding who can collect zakat. Provisions regarding zakat are regulated by the Qur'an and Sunnah, as well as the opinions of scholars. Meanwhile, the provisions regarding amil are formally regulated by the laws and regulations in force in Indonesia.

Zakat is obligatory based on the commandments of the Qur'an. In the letter At-Tawbah: 103, the function of zakat as an instrument of wealth purification. The obligation of zakat is also emphasized in the hadith, where zakat is a pillar in the pillars of Islam, or something that must exist so that a person has the right to be called a Muslim. The scholars also emphasized the obligation of zakat, among them Thabrani narrated from Ali Karamallahu wajhah, in the books of Al-Ausath and As-Shoghir, that the Prophet Muhammad emphasized that Allah has obligated zakat for the rich so that they can expand their poor.

Zakat becomes obligatory on a person when he fulfils the following conditions: 1) Muslim 2) Perfectly Owned 3) Sufficient Nisab 4) Enough Haul 5) Halal assets. A Muslim is a person who believes only Allah is his god, and believes that Muhammad is the Messenger of Allah and he pronounces this shahadah. Perfect property means that the assets that are issued for zakat are assets that are fully owned, not assets that are entrusted to him or disputed assets. Nisab is sufficient to require a minimum amount of property owned, this requirement indicates that zakat is only issued by people who have sufficient assets. Simply haul means that the property has been held by someone for at least a year. Just haul shows economic stability when zakat is calculated, meaning that only people who are not under economic pressure will issue zakat. Zakat also requires that only zakat is issued from lawful assets, not from unlawful assets, this provision requires a Muslim to only seek income from lawful sources.

Zakat is issued based on the income and wealth saved by a Muslim. Traditionally, sources of income for which zakat must be issued include: 1) Gold and silver 2) Agricultural Products 3) Livestock 4) Commercial zakat. 5) Zakat Fitrah

Contemporary sharia expert Qaradhawy (2007) adds professional zakat as zakat that appears in the modern world that previously did not exist in classical times.

Amil Zakat Activity Cycle

Hizazi et al (2022) explain that Amil zakat activities consist of 1) team formation, 2) office establishment, 3) service provision, 4) volunteer recruitment, and 5) fundraising. These activities do not have to be sequential or can run simultaneously.

The task of amil zakat has a certain long-term solid process because it is not built for temporary purposes. This process initially begins with team building. This team is legally formed under a

certain organization in Indonesia, be it the Amil Zakat Agency (BAZ) or the Amil Zakat Institution (LAZ) (Law No. 23 of 2011). Then this team will look for a place to live or in other words an office to work in that can be rented or borrowed for the first time.

This team/amil will use various instruments to optimize their ability to raise funds in the form of zakat, infaq shadaqoh, etc. These instruments can range from a simple leaflet, a training center, to a health service or a school that employs a lot of support personnel. The wider their service, the more possibilities to raise more funds from donors. Fadilah et al (2017) explain that empowerment services can consist of two main categories of consumptive or productive services. Health services, schools and social services are consumptive services, while empowerment of micro and small enterprises and community empowerment are part of productive services. Amil zakat can recruit volunteers to assist personnel in collecting funds from donors.

RESEARCH METHOD

Information systems development research methods differ from research methods in other fields, because of the differences in the different research processes. From the point of view of the field of information systems itself, Gasson (1995) distinguishes this research method based on the breadth of the development of information systems. In a narrow sense, the development of information systems can be seen as a technical change. Single problems are seen as well defined, technical solutions are proposed, evaluated, and implemented. However, Klein and Hirschheim (1987) suggest that social change is taking place, where the development of IS is seen as involving much broader social and organizational change.

This study uses the research method of developing information systems in a narrow sense which is more towards technical change. This study follows the Romney and Steinbart (2015) information system development method which divides the stages of information system development into the following stages: system analysis, system design, implementation, use and maintenance.

Types and methods of data collection

Data primer

1. Interview. This is a direct way to get primary data through the actors by directly asking the information they want to collect (Sugiyono, 2008). Interviews will be effective if a list of data requirements has been prepared before meeting with the data source subjects. Interviews are the most effective way to obtain information about what information is most needed by information system users.

2. Observation. Observations are made through direct observation of the process being carried out by the subject of information system actors. This method often takes a long time, because it follows the real process carried out by information system personnel.

Secondary data

The secondary data needed in this study are complementary data that are already publicly available (Indriantoro and Supomo, 2002). Secondary data is obtained through the internet, or information from related parties. Examples of secondary data include data on potential donors using information systems for amil zakat institutions, as well as accounting processes for amil zakat institutions, which can be obtained through accounting books related to amil zakat institutions.

Research Subject

This study used LAZ Yakesma Jakarta and OPSEZI Jambi as research subjects. The use of these 2 subjects is to see the similarities and diversity of the operational characteristics of the amil zakat institution, which will make a web-based application of the amil zakat institution information system. The use of these two amil zakat institutions is also so that this application can become a multi-agency amil zakat application, which can be used by amil zakat institutions throughout Indonesia.

Users of the web-based amil zakat institution information system

Users of this information system consist of:

1. Admin. It is the user who manages the information system of the amil zakat institution. Its main task is to perform system settings. Assess whether the registered treasurer is entitled to perform routine service operations. The admin has the right to add, delete the amil zakat institution and the related treasurer who will manage the amil zakat institution.
2. Treasurer. The treasurer is the official treasurer of a registered amil zakat institution. He has the right to manage the amil zakat institution. The main task of the treasurer is to manage the membership of the amil zakat institution and manage transactions of the amil zakat institution as well as manage the reports of the amil zakat institution. One amil zakat institution is only managed by one treasurer
3. Amil members. Members of the amil zakat institution cannot perform the editing process on the information system of the amil zakat institution. Members can only see the financial status of amil zakat institutions, both individual status and reports of amil zakat institutions as a whole. Members can only view reports from the amil zakat institution where they are registered.
4. Director/chairman. Directors have the same rights as members, which are only able to view individual status and reports from amil zakat institutions. The director can only see the financial status of the amil zakat, both individual status and the report of the amil zakat institution. The principal can only see the report of the amil zakat institution where he is registered.
5. Muzaki/Donors. The intended public user is anyone who has access to the information system of amil zakat institutions who are not yet included in the admin, treasurer or registered amil groups. Public users can be donors who have just shown interest in the amil information system, or the general public. Public users can only access general information on the amil zakat institution information system.

System development method

The stages of system development commonly used are as follows: 1) Planning, 2) Analysis, 3) Design, 4) Implementation, 5) Use. This stage is often also called the waterfall because the flow pattern described is like a waterfall.

DISCUSSION

This section describes the general description of the amil zakat business processes, the outline design of the system using use cases and Entity relationship diagrams (ERD). And the detailed design of the application using flowcharts.

The business process of amil zakat institutions.

Hizazi et al. (2022) provides an explanation of the activity cycle of amil zakat. From this explanation, it can be seen that the entities involved in amil activities are zakat amil (managers), donors (funders) and mustahik (beneficiaries) and volunteers. Other entities involved in financial activities are suppliers (sellers), renters, service providers (third parties, teachers, doctors, nurses, etc.). the structure of amil zakat employees consists of the chairman/director, treasurer, treasurer staff, general employees, and volunteers. Donors consist of individual donors and institutional and government donors. Beneficiaries in the zakat category consist of 8 asnaf or groups of people who are entitled to receive zakat such as the poor, amil, fisabilillah, gharimin, converts, ibn sabil and riqab (slaves). Meanwhile, other categories of beneficiaries other than zakat funds can be added, such as orphans and people who are affected by disasters or other activities.

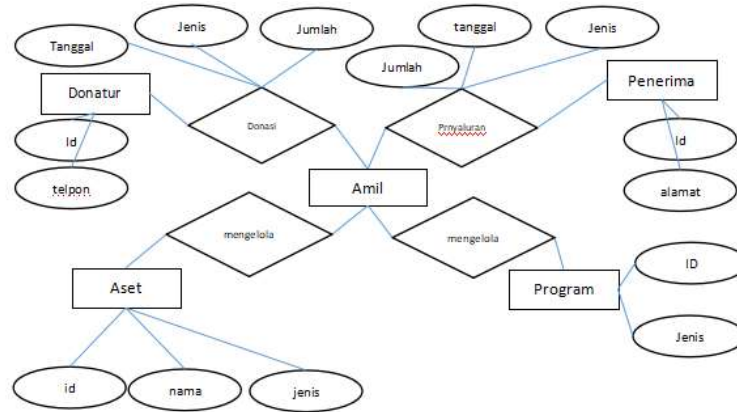
The regular activities of amil zakat consist of collecting funds from donors and distributing them to beneficiaries (mustahik). In supporting this activity, the zakat amil carries out supporting activities in the form of temporal activities or regular activities, these activities are overall managed within the organization's management, starting from planning, allocation, implementation, and control.

Funds can be received directly through personnel/offices or directly transferred to a bank account. For obligatory funds such as zakat amil zakat, they may be able to carry out activities that are reminiscent of donors (muzakki) to pay, either directly or through the media. For voluntary funds such as infaq and humanitarian funds, amil zakat may hold social activities that will attract donors to participate. This asocial activity can be temporary or regular. Temporary activities such as mass circumcision or Friday blessings, regular activities may be duafa clinics or duafa schools. Amil zakat may perform all of these activities or only part of them.

Design of the system in outline

This stage compiles a system design blueprint that can provide the information needed at the analysis stage. This stage contains the flow of the input management process into information and makes a list of inputs that must be done. Modeling can be done using the Unified Modeling language which consists of use case view, design view, implementation view, process view and deployment view.

The design of the financial information system of the amil zakat institution refers to the business process above described using Entity relationship diagrams (ERD) and use cases.



Gambar 4. Entity-relationship Diagram (ERD) Amil Zakat's Financial Information System

Entity relationship diagram of employee savings and loan cooperatives in the picture above explains how entities interact in relationships with each other. It can be seen in the employee savings and loan cooperative above; the main business process of the cooperative is in saving and making loans. A more detailed description of this activity is explained with a table instance chart (TIC). TIC is expected to equalize the perception between system analysts and programmers who write system program codes.

The Unified Modeling Language diagram in the design of Amil Zakat's Financial information system is described in the following Use case.


Use Case Diagram explains the function and operation of the system by explaining who is involved in the system and what are the activities of the actors involved Lili (2021). Beside Use Case staff, Use Case also prepared for operator, staff, director, and donor.

Detailed design of amil zakat application

Output. Main output for this application is Statement of Financial Position and of Statement of Changes in Fund. Other output which are available are Statement of Changes in Zakat, Statement of Changes in Infaq, Statement of Changes in, Dana Amil, etc.

Input design

Following is design of interface of treasure

Bendahara	Transaksi Muzakki Aset Program Logout 
Transaksi Baru LPK LPD LPK Rinci LPD Rinci	

Treasurer, Director, Muzakki have their own interface windows as well.

Prototype of this application can be visited at www.simlaz.net.

CONCLUSION

Based on the description above it can be concluded:

1. Amil zakat in Jambi only use Excel based application to prepare accounting process and provide financial report. This situation leads to inaccurate and delayed reporting.
2. This problem can be solved by providing amil zakat's financial information system
3. Development of amil zakat's financial information system already has final design involving all stakeholders. And the application has finished the main process of providing financial report.

LIMITATIONS

The limitations of the Amil Zakat's Financial Information consist of 1) System has not met the optimal documentation needs. Print menu is not available yet; thus printing job has been taken in indirect way. 2) The system doesn't have proper input control, in this situation, Amil Zakat Institution still need only employee with accounting background, much more training hour required for non-accounting employee.

ACKNOWLEDGEMENTS

This research is funded by LPPM Universitas Jambi under Lintas Disiplin Scheme.

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GRANGER CAUSALITY ANALYSIS ON FACTORS THAT AFFECT THE PERFORMANCE OF AMIL ZAKAT

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Abstract

This study aims to prove the existence of a Granger causality relationship between the performance variables of Amil Zakat and Dana Amil. Using data from amil zakat institutions between 2010 and 2021 from 10 amil zakat institutions in Indonesia, we find Amil Fund has Granger causality effect to Performance, but Performance doesn't have granger causality effect to Amil Funds. The increase in amil funds will increase the total funds collected by the amil zakat institutions in the next period. However, the more total funds collected doesn't mean increasing the amil funds in the next period. We also tested the simultan effect using two stage lease square regression and we find that Amil Fund and Performance have simultan effects, that in the same period Amil Fund has positive effect to Performance and contrariwise, Performance has positive effect to Amil Fund.

Keywords: amil zakat institution, amil fund, amil performance, granger causality, simultan effect.

INTRODUCTION

This research provides evidences using granger analysis that the increase in amil funds will increase the total funds collected by the amil zakat institutions in the next period. However, the more total funds collected doesn't mean increasing the amil funds in the next period. We also find using 2SLS that Amil Fund and Performance have simultan effects, that in the same period Amil Fund has positive effect to performance and vice versa, performance has positive effect to Amil Fund.

Institutional zakat management in Indonesia began to develop after the reformation with the issuance of Law No. 38 concerning zakat management in 1999, which was later replaced by Law No. 23 of 2011. Along with the strengthening of zakat management, research on zakat management developed following the development of the zakat institution itself. So far, research on the performance of the Zakat Management Unit (UPZ) is still very little., this can be seen from the lack of available research, and the limited research methods used.

Our motivation in this study is based on research conducted by hizazi et al (2022), where they used regression and found that amil funds influenced the performance of amil zakat, but had not seen the effect of performance on factors that affected performance. Other research on institutional performance shows that many factors that influence performance actually have a

simultaneous effect where the independent variable affects the dependent and conversely the dependent variable also affects the independent variable (Buck et al., 2008; Vinayagamooth et al., 2015; Cheon et al., 2011; Lundgren and Zhou 2017; Ariefiara and Utama, 2018). The effect of simultaneous causality on the factors that affect this performance applies to both commercial and non-commercial institutions (Cheon et al., 2017; Olaniyi et al., 2017).

Second, the existing research refers more to the efficiency of institutional management (Ahmad & Main, 2014; Muhtadi & Susilowati, 2018; Al-Ayubi & Possumah, 2018; Rustyani & Rosyidi 2018; Risanda et al., 2018). Other performance measures that already exist refer to the macro-level performance measurement of "local government" rather than the performance of the UPZ institution.

This study novelties, to the best of the author's knowledge, is the first to use Granger causality analysis on the influence of amil zakat funds on the performance of amil zakat in the next period, and vice versa the effect of amil zakat performance on amil funds, in the next period. We are also the first of using 2SLS to evaluate simultan effects of Amil Fund dan Performance in the same period and contrariwise the effect of performance to Amil Fund. Research on the performance of amil zakat using regression analysis tools is still very little used. Previous research with OLS regression was conducted by Muhtadi and Susilowati (2018), followed by Hizazi et al. (2022). Meanwhile, in measuring the efficiency of Wahab and Rahim (2013) followed by Al-Parisi (2017) using Tobit regression.

From the background that has been described previously, it is interesting to conduct research on;

- 1) Does the amount of amil zakat funds affect the financial performance of amil zakat institutions?
- 2) Does the financial performance of amil zakat affect the amil zakat funds.
- 3) Does the size of amil zakat affect the financial performance of amil zakat?

LITERATURE REVIEW

Manager (Amil) and Organizational Performance

The influence of managers on organizational performance is an interesting field to observe in both the public and commercial fields. (Brudney et al, 2001; Nicholson-Crotty and O'Toole, 2004; and Buck et al, 2008). Managers have a central role in managing organizational resources both directly and indirectly that will improve organizational performance. Changes related to managers will have an impact on organizational performance, Hill (2005) proves that manager turnover will have a negative impact on organizational performance if managers are recruited from outside the organization, but in the long run it will have a positive effect.

On the other hand, the choice of strategy by managers will affect organizational performance (Boyne and Walker, 2004; Cheon and An, 2016). Organizations that perform poorly are more likely to take on the position of defender than prospective, even though past strategies do not significantly affect performance. Other studies have related how performance is affected by

networks (Meier and O'Toole 2003). This study uses a sample of amil zakat institutions, where managers refer to the term Amil.

Performance of Zakat Institutions

Performance measurement is something that is very important for an institution to see the success of the institution. Commercial institutions have a very good measure of describing this because at least there are performance measures such as earnings and stock returns (Kaplan 2001) that are not owned by non-commercial institutions. Due to this nature, previous research in zakat institutions has mostly used efficiency measures using the Data Enveloping Analysis method which was first formulated by Farel (1957). There is also a study that uses a measure of the production function with Stochastic Frontiers Analysis (SFA) following the Cobb Douglas production function with zakat receipts and distribution as the dependent variable (Risanda et. al., 2018), while Mubtadi and Susilowati (2018) use regression in testing efficiency. with governance as the independent variable.

The performance variable with efficiency uses the ratio of inputs and outputs produced by zakat institutions. The performance variables that have been used in previous studies are as follows: Efficiency Measures: Distribution Efficiency (Mubtadi & Susilowati, 2018; Al-Ayubi et al., 2018; Rustyani & Rosyidi, 2018), technical efficiency (Risanda et. al., 2018; Al-Ayubi et al (2018) and Measures of productivity by Rustyani & Rosyidi (2018).

The number of input and output variables used shows the diversity of efficiency measures used by previous studies. The use of this variable may be subjective with user preference as the main consideration. On the other hand, from the research above Mubtadi and and Susilowati and Risanda et al (2018) also conducted a regression test with the dependent variable Zakat Collection and efficiency but the results were not satisfactory due to methodological limitations where Mubtadi and Susilowati (2018) only used 20 observations and Risanda et al (2018) only used 15 observations whose results might be biased. Hizazi et al. (2022) used the total collection of Zakat, Infaq and shodawoh as a performance measure and found that amil funds had a positive effect on the financial performance of amil zakat.

Amil funds and organizational performance

Due to the lack of research that looks at the relationship between amil funds and organizational performance, the initial reference for performance research is to refer to literacy in commercial organizations or companies.

Jensen and Murphy's (1990) research found that executives get manager incentives tend to choose actions that are in line with shareholder interests." Meanwhile, Tosi et al., (2000) in a meta-analysis of executive salary research, reported that all surveyed studies used salary as a variable to improve organizational performance.

In a specific study of amil zakat, Mubtadi & Susilowati, 2018 proved that amil funds had a positive effect on amil zakat. Hizazi et al., (2022) corroborate this finding with a larger number of samples and observations that amil funds affect the performance of amil zakat.

Size of Amil Zakat

Watt and Zimmermann (1978) in their political cost theory state that large companies are the subject of supervision. The larger the company will have better resources, both material resources and human resources. In this perspective, the bigger the company, the better the company's performance.

Lee (2009) and Pervan and Visic (2012) prove that firm size is positively related to firm performance. This firm size indicates that the larger the firm's assets indicate the firm's ability to earn greater profits. The larger the firm, the higher the ability to manage resources. so that it can improve company performance.

The number of branches owned by the company is an indication of the size of the company. However, the use of the number of branches has not become something that is commonly used in representing the size of the company. The more branches show the business that is growing and the company is growing.

Previous Research

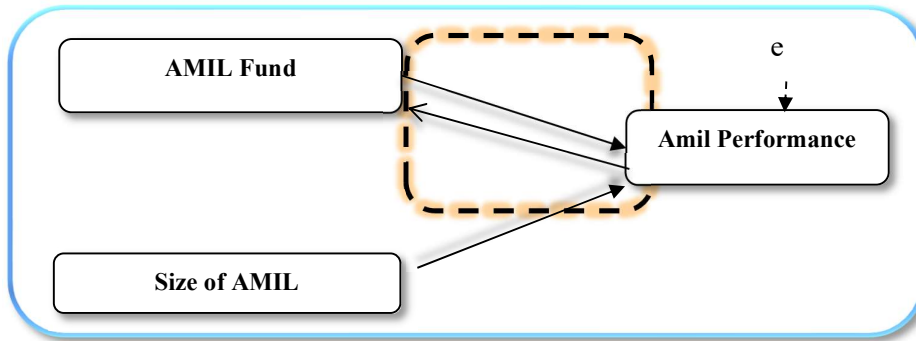
From several performance alternatives from previous research (Ahmad & Main, 2014; Muftadi & Susilowati, 2018; Al-Ayubi & Possumah, 2018; Rustyani & Rosyidi 2018; Risanda et. al., 2018) such as Zakat Collection, Zakat Distribution, Zakat Recipient, Total Assets and Zakat Collection efficiency are alternative main performance measures because they are able to describe the maximum amount of zakat institution efforts in collecting as much zakat as possible. Another alternative is the amount of infaq received, because zakat reflects obligations that must be paid while infaq is voluntary. The higher the infaq value will illustrate the higher public trust in zakat institutions. While the variation in the distribution of zakat, is very dependent on the size of the amount of zakat collected.

Previous research with OLS regression was conducted by Muftadi and Susilowati (2018), followed by Hizazi et al. (2022). Meanwhile, in measuring the efficiency of Wahab and Rahim (2013) followed by Al-Parisi (2017) using Tobit regression.

Research Framework and Model

Rustyani and Rosyidi (2018) explain that the distribution of funds will be influenced by the amount of costs incurred and the amount received by Amil Zakat. While the distribution of funds will be influenced by the amount of Zakat collected by UPZ so that the Zakat collected will also be influenced by the amount of operational costs and the amount received by the amil. In addition to these two factors, Al-Ayubi et al. (2018) Adding the number of volunteers and the number of offices as factors affecting the output of UPZ. The following is a picture of the framework and model of this research:

Figure 1. Research Framework



Legend: dashed line is our main research focus.

Amil zakat performance model:

The basic model for measuring LAZ performance is as follows:

$$\text{Performance}_{it} = \beta_0 + \beta_1 \text{Performance}_{it-1} + \beta_2 \beta_1 \text{AmilFund}_{it-1} + \beta_3 \text{Size}_{it-1} + e \dots\dots\dots (1)$$

$$\text{AmilFund}_{it} = \beta_0 + \beta_1 \text{AmilFund}_{it-1} + \beta_2 \beta_1 \text{Performance}_{it-1} + \beta_3 \text{Size}_{it-1} + e \dots\dots\dots (2)$$

Where:

Performance = Performance Measure, as measured by the total all Amil Institution Collections.

β_0 = Constant

Amil Fund = Distributed or used of Amil funds measured by amil distribution data

Size = Amil Institution size, measured by total asset

i = cross-section/institution i

t = time t

e = error

Based on the literature review, previous research as well as the framework and research model above, the hypotheses of this research are as follows:

H1: Amil Fund has a positive effect on Amil Financial Performance

H2: Amil's Financial Performance has a positive effect on Amil's Fund

alternative tests to see the simultan effect of performance and amil fund are using two stage least square. For this purpose, models to estimate are:

$$\text{Performance}_{it} = \beta_0 + \beta_1 \text{AmilFund}_{it} + \beta_2 \text{Size}_{it} + e \dots\dots\dots (3)$$

$$\text{AmilFund}_{it} = \beta_0 + \beta_1 \text{Performance}_{it} + \beta_2 \text{Size}_{it} + e \dots\dots\dots (4)$$

H3: Amil size has a positive effect on Amil's Financial Performance

H4: Number of Branches has a positive effect on Amil's Financial Performance

RESEARCH METHOD

Then quantitatively testing is carried out using granger causality test and followed by two stage least square regression. Either granger causality test or tow stage least square regression tests run in one time to avoid simultan error, and both tests are executed using E-Views 8. In granger causality test, observation period is next period of independent variables, however in simultan tests using 2SLS, observation periods of dependent and independent variables are the same.

RESULT AND DISCUSSION

Research Samples

In July, 2022, population of Amil Zakat Institution (LAZ) in Indonesia has grown to 27 according to BAZNAS (Badan Amil Zakat Nasional, Indonesia's semi autonomy body who govern BAZ and LAZ in Indonesia). Among this 27 LAZ, we use 10 LAZ as our sample selected on some specific criteria (see table 2) below.

Observations from each sample vary due to availability of data from 2010 to 2021, making our data available in unbalance data panel.

Table 1. Research Sample

No	Criteria	Sample	obs
1	Authorized National LAZ	27	58
2	Not publish financial report in internet	(17)	-
3	Sample for model 1	10	58
3	not available for sample model 2		(3)
4	Observations for model 2		55

Statistic Descriptive

Our descriptive statistics for our models shown as following:

Table 2. Descriptive statistics of the research data are shown in the table below

Variables	Mean	Max	Min	SD	Obs
Performance	97,200	358,000	18,700	82,600	58
AmilFund	13,600	48,400	1,930	12,200	58
Asset	40,000	189,000	7,070	39,000	55

Presented In million Rupiah.

We can see from above table that performance which is measured by total collection of fund has Rp. Rp. 97,200 average value.

Correlation

The correlation table below shows that all variable has significant relation to each other. The similar result from hizazi et al 2022, guided us to evaluate whether there is granger effect from performance to amil fund.

Table 3. Correlation

	Performance		Amil		Size
Performance	1				
	-				
AmilFund	0.902 ***		1		
	0		-		
Size	0.446 ***		0.496 ***		1
	0.003		0.001		-

Observation: 58

Results

We evaluate our test using granger causality test and two stage least square, to see whether performance and Amil Fund has causality effect and whether the effects are simulant. From the table 5 in the first row, we can see that estimation has 46 observation for granger cause of Amil Fund to Performance and 44 for granger cause of Asset to Performance and for granger cause of Asset to Amil Fund.

Granger Causality Tests

Table 5. Pairwise Granger Causality Tests

Sample: 2010 - 2021

Lags: 1

Null Hypothesis:	Obs	F-Stat	Prob.
AMILFUND does not Granger Cause PERFORMANCE	46	0.52525	0.4725
PERFORMANCE does not Granger Cause AMILFUND		9.28662	0.0039
ASSET does not Granger Cause PERFORMANCE	44	0.21755	0.6434
PERFORMANCE does not Granger Cause ASSET		0.28964	0.5934
ASSET does not Granger Cause AMILFUND	44	9.1E-06	0.9976
AMILFUND does not Granger Cause ASSET		1.05563	0.3102

From the result above we can see Amil Fund and Performance do not have bi-directional Granger causality effect. Granger causality effect is only running from Amil Fund to Performance not vice versa. However, Asset vs Performance and Asset vs Amil Fund show equally bi-directional Granger causality effect.

Two Stage Least Square regression

We estimated two stage least square regression to see whether Amil Fund and Performance has simultan effect, the effect of Amil Fund to Performance and vice versa. This regression has to be executed in one run to avoid bias if estimated one by one.

Our results are show in the table 5 Panel A and Panel B below:

Table 5. Panel Two-Stage Least Squares

Panel A: Dependent Variable: **Performance**

Panel B: Dependent Variable: **Amil fund**

Variable	Coefficient	t-Statistic	Prob.	Variable	Coefficient	t-Statistic	Prob.
C	2.37E+10	2.448657	0.0177	C	-	-	0.8293
Asset	0.205135	1.328148	0.1899	Performance	0.124126	12.43360	0.0000
Amil fund	6.028547	12.43360	0.0000	Asset	0.047554	2.206812	0.0318
Adjusted R-squared	0.744507			Adjusted R-squared			
F-statistic	79.67803			F-statistic			
Prob(F-statistic)	0.000000			Prob(F-statistic)			
Instrument specification: C ASSET AMILFUND				Instrument specification: C ASSET PERFORMANCE			

From the table 5 Panel A. we can see Amil Fund has significant positive effect to performance at 1% level of significancy while Asset doesn't have significant effect to performance. While in table 5 panel B. we can see that performance has significant positive effect to Amil Fund at 1% and Asset has positive effect to amil fund at 5% significancy level. We conclude that Amil Fund and Performance has simultaneous Effect.

DISCUSSION

Granger causality test between Amil Fund and Performance

Amil Fund has granger causality effect to performance only in one way. And, Performance does not have granger causality effect to Amil Fund. From this perspective we see that the bigger Amil Fund expensed, the higher performance in the next period. However, the bigger performance would not be followed by higher Amil Fund in the next period.

Amil Fund Consist of Employee Expend and operational Expend, both are Correlated with performance. Employee expend has psychological impact to employee. The increase of salary would increase motivation of employee. At the same time, they probably have feeling that they are more appreciated. This increase creates better mood and followed by improvement of work atmosphere. Thus, they work more productive and eventually increase performance of amil zakat Institution.

Simulant effect between Amil Fund and Performance

Amil Fund has positive effect to Performance and vice versa, Performance has positive effect to Amil Fund. The higher Amil Fund would increase total fund collected by amil zakat institution and the higher Total Fund Collected would rise amil fund distributed by amil zakat institution.

Other than psychological impact of the increasing of amil fund, the rise of amil fund expend would increase operational expense which is may include promotional expenses, advertising expense that has direct impact to total fund collected. Other operational expenses such as equipment, supplies etc. would increase productivity of amil zakat that eventually increase performance of amil zakat.

CONCLUSION

We provide evidences that find Amil Fund has Granger causality effect to Performance, but Performance does not have granger causality effect to Amil Funds. The increase in amil funds will increase the total funds collected by the amil zakat institutions in the next period. However, the more total funds collected does not mean increasing the amil funds in the next period.

We also find Amil Fund and Performance have simultan effects. Amil Fund has positive effect to Performance and Performance has positive effect to Amil Fund. The higher amil fund, the more effort of amil in operation and eventually the higher total fund collected. In other hand the increase of total fund collected will increase the distribution of amil fund.

ACKNOWLEDGEMENTS

This research is funded by PNBPF FEB Universitas Jambi under Penelitian Terapan Scheme.

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THE EFFECT OF PENTAGON FRAUD ON ACADEMIC FRAUD AND THE ROLE OF RELIGIOSITY AS MODERATING EFFECT AT CURRENT ACCOUNTING STUDENT'S ONLINE LEARNING

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Abstract

This paper aim to analyze The Effect of Pentagon Fraud on Academic Fraud and the Role of Religiosity as Effect Moderation at Current Accounting Students Online Learning. Data was used in the form of questionnaire to student of Accounting Study Program at Jambi University. Respondent this study totaled 145 people. This study show that variable opportunities, rationalizations, and capabilities that constitute three part from pentagon fraud can affect pentagon fraud in online learning time this. Whereas two again that is pressure and arrogance no affect the fraud pentagon. Pentagon Fraud affects academic fraud, Religiosity no affect academic fraud, and religiosity also does not can moderating (strengthening) the effect of pentagon fraud on academic fraud in current accounting students online learning.

Keywords: Pentagon Fraud, Academic Fraud, Religiosity

INTRODUCTION

Development technology information moment turns out bring impact in seek and obtain information with fast, communicate with others with easier, save use time, more increase efficient and effectiveness purpose. In the world of education many very utility from utilization technology information, such as; increased quality education, as tool support learning, as means get knowledge and information, and as learning media without know limit.

In new normal because existence Covid-19 pandemic, the use of technology information absolute support the process learning. Besides there is impact positive, to bring impact negative in the field of academic that is fraud academic with use of technology information. Party government through The Ministry has Secrete letter circular no. 4 of 2020 regarding implementation policy education in emergency deployment Corona virus disease (Covid-19), that for cut off eye chain the spread of COVID-19 is carried out learning distance away [2]. All educational process conducted online. Start of the learning process until the assessment process by the Lecturer to student.

University as college is a receptacle for realizing noble character and personality, intelligence intellectual, emotional, and spiritual students high. Education has a great influence to the

enhancement quality but, no all student carries out the educational process with good. A number of from they to do actions that do not appropriate like to do fraud academic for reach score more exams height and for Fulfill hope as student achievement.

Fraud academic could be done by students from background behind education whatever. The fact that student from background behind scholars also do fraud academic no could avoided. Fraud academic done by 67 percent from student undergraduate (McCabe, 1992). If case this studied more further, based on McCabe and Trevino's (1996) study showed that that 70 percent student cheat moment exam and 82 percent student confess cheat on assignment writing. Besides that, there so many type fraud academics involved by students like notes crib, factory paper, cell phone, copy and paste from the Internet, cue hand During exam, copy profession house, etc. (Becker, Conolly, Paula, & Morrison, 2006).

Facts about fraud academic Becomes news bad in the field academic. Education world is the place for add science and building ethics in profession. However, the fact there is fraud academics who can make it worse quality education that causes student Becomes no honest and lacking definition in study because they more like Street shortcut. Unfortunately, the phenomenon this is found in the department business, especially in accounting scope. Confessing student accounting cheat moment studying possibility big will follow behavior this to the place work they because there is high correlation Among cheating in college tall with cheat on the spot work. Problem this could produce less accounting graduate's integrity and quality. In fact, the accounting profession is a profession in need integrity tall for reduce fraud in the world of work that can harmful self themselves and others.

Fraud academic could define as action or effort student fraud for use no way legitimate or no could receive in profession academic whatever (Lambert, Hogan, & Barton, 2003). Fraud academic carried out by students who do not responsible answer for make profit for self they alone with take various action no ethical. Pavela (1978) quoted in Lambert, Hogan, & Barton (2003) states that there is four field general cover dishonesty academic: 1) cheating with use material that is not valid on activity academic anything, like assignments, tests, etc.; 2) counterfeit information, references, or result; 3) plagiarism; and 4) help other students involved in fraud academic.

There are many influencing factors somebody for commit fraud, between other: cheating in field academic. Case this need understanding more carry on about influencing factors student for to do cheating. Albrecht et al. (2012) says that there are three influencing elements somebody for to do fraud in accounting, namely pressures, opportunities, and related rationalizations with triangle fraud theory introduced by Donald Cressey in 1950.

Besides that, Bolin (2004) says that Dishonesty academic influenced by two thing. first one is student ability for rationalize dishonesty academic. Then the second one is academic dishonesty can occur when there is opportunity for to doperverted things. Previous research done by Bolin developed by Becker, Conolly, Paula, and Morrison in 2006.

In study this, Becker et al. (2006) added dimensions incentive or normal called pressure, so that a fraud triangle is formed. However, triangle fraud considered no enough for push somebody for to do fraud. For To do scam, someone must have ability for change opportunity Becomes reality. Without the right people and the right skills, fraud possibility big no will happen. Basically, an ability that contains traits personality and abilities play role main in is fraud truly could occur even with presence three element others (Wolfe & Hermanson, 2004).

With consider discussion before, researcher interested for To do study about influence pressure, opportunity, rationalization, and ability to fraud academic. Study this in accordance with study previously conducted by Becker, Conolly, Lent & Morrison (2006), Fitriana & Bridwan (2012), Purnamasari & Irianto (2014), Santoso & Adam (2014), Pangestuti (2017), Murdiansyah, Sudarma & Nurkholis (2017), Nursani & Irianto (2012), Aulia (2016), Zaini, Carolina & Setiawan (2015). In study this, author use pressure, opportunity, rationalization, ability (capability) and arrogance as variable free.

Reason researcher use pressure, opportunity, rationalization, and ability (capability) and arrogance as variable free is for now and prove there is whether or not difference among study this with study before. There is various research that has been conducted for learn fraud academic. Study this conducted by Becker, Conolly, Lent & Morrison (2006), Fitriana & Bridwan (2012), Purnamasari & Irianto (2013), Santoso & Adam (2014), Pangestuti (2017), Murdiansyah, Sudarma & Nurkholis (2017), Nursani & Irianto (2014), Aulia (2016), Zaini, Carolina & Setiawan (2016). Researchers find that there is a number of possible factors could influence academic fraud like incentive (pressure), opportunity, rationalization, ability, greed, need, religiosity, and exposure.

A number of study this produce result that consistent. Based on research conducted by Becker, Conolly, Lent & Morrison (2006), Fitriana & Bridwan (2012), Purnamasari & Irianto (2013), Santoso & Adam (2014), Pangestuti (2017), Murdiansyah, Sudarma & Nurkholis (2017), Aulia (2016), Zaini, Carolina & Setiawan (2016) show that pressure take effect to fraud academic. However, research conducted by Nursani & Irianto (2014) stated that: that pressure no influence student for to do fraud academic.

On the other hand, based on research, there result that no consistent. Research conducted by Becker, Conolly, Lent & Morrison (2006), Fitriana & Baridwan (2012), Purnamasari & Irianto (2013), Santoso & Adam (2014), Pangestuti (2017), Murdiansyah, Sudarma & Nurkholis (2017) states that Opportunity and rationalization take effect to fraud academic. However, Aulia (2016) and Zaini, Carolina & Setiawan (2016) provide results otherwise. That's the result of research show that opportunity and rationalization no take effect to fraud academic. Besides that, based on research conducted Nursani & Irianto (2014) and Aulia (2016) stated that capability take effect to fraud academic. However, the result research conducted by Murdiansyah, Sudarma & Nurkholis (2017) and Zaini, Carolina & Setiawan (2016) shows that capability no take effect to fraud academic.

Based on description background back above so formula problem posed are:

- Is Pressure received, Opportunity gained, Rationalization of Actions, Abilities, and Attitudes Arrogance take effect in the formation of the Fraud Pentagon (Segilima Cheating) on Accounting Students in the Learning Process online?
- Is Accepted pressure take effect against Pentagon Fraud on Accounting Students in the Learning Process online?
- Is Opportunity gained take effect against Pentagon Fraud on Accounting Students in the Learning Process online?
- Is Rationalization will Influential action against Pentagon Fraud on Accounting Students in the Learning Process online?
- Is Ability possessed take effect against Pentagon Fraud on Accounting Students in the Learning Process online?
- Is Attitude Arrogance take effect against Pentagon Fraud on Accounting Students in the Learning Process online?
- Does the Pentagon's Fraud Actions Affect Academic Fraud? (Academic) for Accounting Students in the Learning Process online?
- Is Attitude Owned religiosity effect on Academic Fraud (Cheating Academic) for Accounting Students in the Learning Process online?
- Is Attitude Owned religiosity moderate the effect of the Pentagon's Fraud Actions on Academic Fraud (Fraud Academic) for Accounting Students in the Learning Process online?

BASE THEORY

Theory attribution appear because existence understanding will reaction somebody to happenings around environment them, with knowing reason on the events that occurred. Theory attribution relate Among attitude and characteristics individual, then with see the culprit will could is known attitude or characteristics of the person. So that behavior somebody could predictable in face state or condition certain. User theory attribution could use in look for factor that affect acts of fraud or fraud that occurred.

Beginning there is three factor different that gives contribution to somebody in decide for to do acts of fraud (Singleton, 2017). Third factor there are: Pressure (pressure), opportunity (opportunity), and Rationalization (rationalization). Pressure (pressure) can be categorized as to in three group that is financial pressure, pressure will habit bad, related stress with work (Albrecht, 2011). Almost all (95%) fraud committed because financial pressure, caused by encouragement for achievement reach something with less way good. Fraud actions can be done too if comes the opportunity (opportunity) that appears in front of you eye someone at the time it. Opportunity that could take when fraud is committed risky no big for known by other people or the system.

Theory attribution first discovered by Heider in 1958. Theory attribution assume that people try for determine why do people do what are they do. There is three which stage underlying a process attribution according to Heider (1958) in Purnaditya and Rohman (2015) namely:

Someone must see or observe something behavior, person must believe that behavior that on purpose done, and Someone must determine if they believe that others are forced for To do behavior the or no.

Basically theory attribution state that when individuals observe behavior someone, they try for determine is behavior that caused internally or external (Purnaditya and Rohman, 2015). Internally induced behavior is behavior that is below control personal individual that alone in state aware, like characteristic personality, awareness, and ability. Whereas behavior caused by external is affected behavior from outside, it means individual will forced behave because situation or environment like existence influence social from other people.

Attribution is a process of forming impression. Attribution refers to how people explain reason other people 's behavior or herself alone. Theory Attribution is theory that discusses about reason behavior somebody or self our yourself, which one will be will shape something impression. Impressions are formed will draw conclusion as influencing factors other people 's behavior. According to Robbins and Judge (2008) in Purnaditya and Rohman (2015) determination is behavior caused internally or external influenced by three factor namely:

- Specificity. Specialty it means somebody will perceive behavior other individuals personally different in different situations. If behavior somebody considered normal so will rated as internal attribution. On the other hand, if behavior considered something Thing the outside normal so other individuals who act as observer will give attribution external.²
- Consensus. Consensus it means if everyone has similarity view in respond behavior somebody in same situation. If the consensus high, then including internal attribution. On the other hand, if the consensus low, then including attribution external.
- Consistency. Consistency that is if somebody evaluate the behavior of others with same response from time to time. The more consistent behavior that, people will connect Thing the with internal causes.

If third Thing the fulfilled, then will occur attribution external. But if no then will declared as consequence from state self themselves (internal attribution).

Fraud Triangle Theory

Draft detection related to fraud first known with the fraud triangle which was first presented by Cressey (1953) which explains about reason why do people become potential to do action fraud. There are three component in the emerging fraud triangle by at the same time that can push somebody to do act fraud namely rationalization, pressure, and opportunity. By simple fraud triangle theory scheme can see in Figure 1.

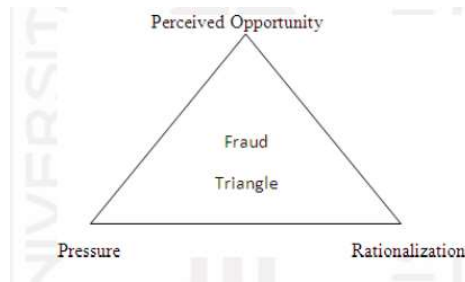


Figure 1. Fraud Triangle

Fraud Triangle elements:

1. Pressure

Pressure is the first step why somebody to do supported cheating existence the pressure that occurs good in profession nor life individual. people do fraud because existence crushing pressure related needs financial in sufficient needs live. This thing considers that needs individual personally more important from needs organization. However according to Cressey (1953) that there is none - financial problems that can resolve with justify all method in life.

2. Opportunity

Opportunity will conduct when find existence something opportunity and someone have access to authority in set and do control that gives him a chance for do cheating.

3. Rationalization

Rationalization is cheating happened because when take decision by aware somebody feel done that it is not wrong where the interests of others are put aside by the perpetrator cheating. Perpetrator fraud always look for justification before to do action cheating.

Fraud Diamond Theory

Wolfe and Hermanson (2004) were the ones who went on and discovered view new about fraud. On their fraud diamond add Thing believed have great influence against fraud, namely capability. Following diamond theory fraud scheme can be seen in Figure 2.

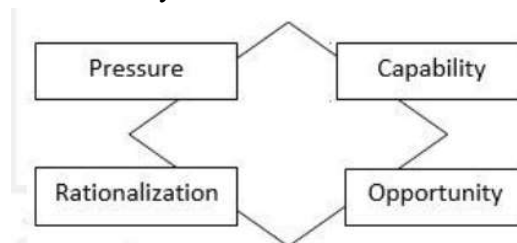


Figure 2 Fraud Diamond (Wolfe and Hermanson, 2004)

As for the elements addition new from the fraud triangle in from the Fraud diamond theory, among others, is Capability, namely: existence Required ability for be the right person in commit fraud.

Fraud Crowe Pentagon

Along with development time, moment this appeared the Pentagon Fraud Crowe. The theory of fraud pentagon develops in accordance with level current fraud perpetrators cleverer and cleverer, so capable knowing in access information from company. Draft Pentagon fraud scheme to inform visualization (Crowe, 2012) can see in Figure 3.



Figure 3 Fraud Pentagon (Crowe, 2012)

This Pentagon Fraud complete and make perfect i Fraud Triangle theory (Cressey 1953) and Fraud Diamond (Wolfe and Hermanson, 2004) presented by Crowe (2012). There is one element newly added that depicts nature perpetrator fraud in the form of Arrogance (greed). Arrogance is attitude feel taller or better and greed in self-someone who thinks consider that policies and procedures no apply for himself. If have nature this can confirmed somebody easy to do act cheating.

Independent variable (X1) in study this is pressure. According to Albrecht et al (2012), the pressure is encouragement, motivation, or desired goal achieved where limited by incompetence for reach it so that cause somebody for to do act cheating.

Variable Pressure this using question items in questionnaire as following:

1. Task very many and difficult lectures push I for to do fraud academics in online lectures.
2. In a number of conditions, I no can get my value want without do cheating on online lectures.
3. Index Achievement is very important for me.
4. parents or the closest people I demand I for have Index Good achievement.
5. Competition score with friend make I to do fraud academics in online lectures

According to Albrecht et al (2012), opportunity is possible situation somebody for to do fraud because considered safe and not detected. Based on measurement that, then outlined question items for measure variable Opportunity in questionnaire as following:

1. Internet technology makes it easy I do fraud like copy paste without mention source in online lectures.

2. With my internet help easier look for key answer in work Duty from online lectures.
3. A number of lecturers no to do supervision with tight at the moment I To docheating in online lectures.
4. Through various videos on Youtube I could get a tutorial for To dofraud in online lectures.
5. I can use disturbance network or signal as an alibi for To dofraud in online lectures.

According to Albrecht et al (2012), rationalization is justification self alone for something wrong action. Variable Rationalization these using question items in questionnaire as following:

1. I do fraudulent academics in online lectures because other people have done it.
2. Friend closest I no like if caught I currently do cheat in online lectures.
3. I am used to it to dofraud academics since I'm in high school.
4. Faculty no give strict sanctions to students who do fraud academics in online lectures.
5. Faculty seldom detect the existence practice fraud academic activities carried out in online lectures.

Ability is something that belongs somebody for could to do Cheating, variable ability this be measured with question following:

1. I can suppress guilt or even no feel guilty after to dofraud academic
2. I can think methods to dofraud academic based on existing opportunities
3. I can insert and use goods electronic moment exam
4. I have a special strategy in to dofraud academic

Crowe (2011) suggests that there are five elements perspective from arrogance, namely:

1. Big ego
2. They consider internal control is not apply for herself
3. Have characteristics behavior bully (attitude likes bullying)
4. Have habit lead by authoritarian
5. Have Fright will lose position or status Indicator used for measure arrogance

Referring to the opinion of Crowe (2011) with choose two indicators for measure variable The arrogance that customized with character student is as following:

1. Big ego the ego (the me) is the only domain related soul with realistic (Feist & Feist, 2016:27). As the only one related soul with the external world, the ego as maker decisions or branch executive from personality human. Healthy personality by psychological dominated by ego. But when somebody have ego too big or too much finally will cause self-arrogance someone.

2. Have Fright lost position or Position status or status is a person 's position in environment. Someone who is arrogant feel the greatest, the most superior and the most powerful than anyone else. Everyone should confess will excellence, greatness and power it has. If there is someone

more great or superior from himself, then he will be attempted for maintain position or its status. Student tend will To dofraud for maintain position or the status it has in the environment academic.

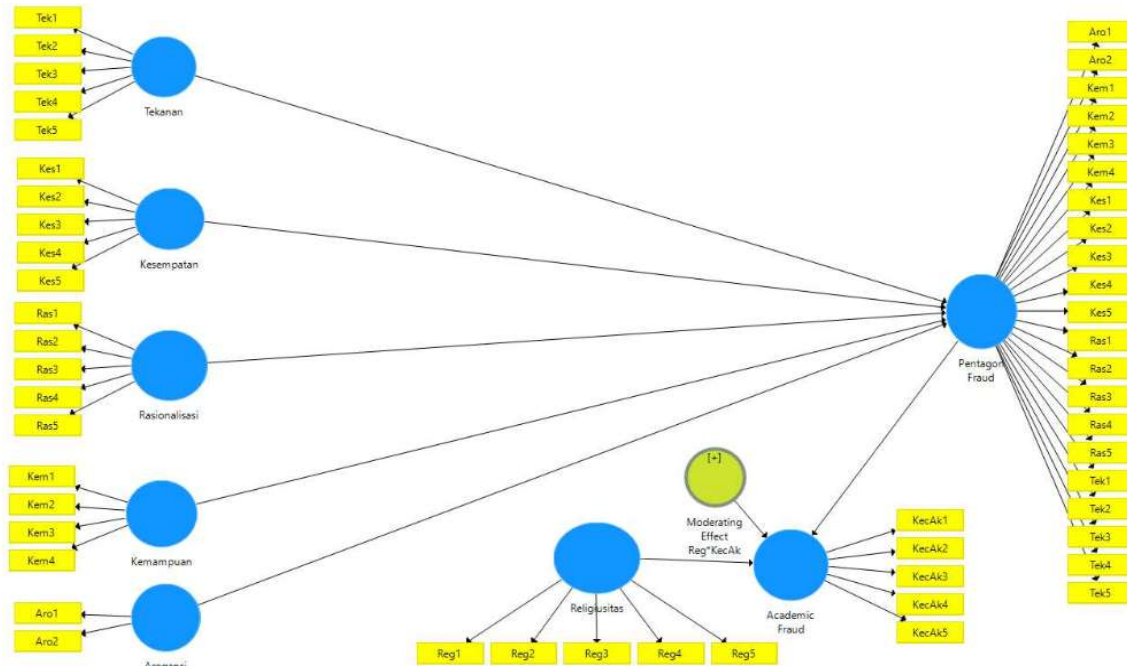
Moderating variable in study this is religiosity. According to Ancok and Suroso (2001), religiosity is meaningful diversity cover various type side or dimension that is not only occur when somebody to doritual behavior (worship), but also other activities driven by supernatural forces. Variable Religiosity this using question items in questionnaire as following:

1. I feel that cheating in online lectures is not in accordance with my religious teaching's belief.
2. I have a sense of regret and guilt after to docheating in online lectures.
3. I feel I will get punishment from Lord consequence from deed cheating on online lectures that have I do.
4. I submit all results profession I to in will Lord without feel need to dofraud in online lectures.
5. I feel with have supplies good religious knowledge so could avoid encouragement to dofraud in online lectures.

Dependent variable is category fraud academic. Fraud Academic shared into five categories that is plagiarism, data falsification, copying task, cheat on time exams, and wrong cooperation. Variable Fraud Academic this using question items in questionnaire as following:

1. I am more often use cell phone as means for To dofraud academic.
2. I tend look for key answer or the solution manual from the internet for work assigned task.
3. I ask help friend I for launch effort I in To dofraud academic.
4. I'm ready help friend I for To dofraud academic.
5. I copy answer Duty friend I if I not yet work task.

RESEARCH MODEL



Hypothesis in study are:

- H₁ : Pressure take effect against the Pentagon Fraud
- H₂ : Opportunity take effect Against Pentagon Fraud
- H₃ : Rationalization take effect Against Pentagon Fraud.
- H₄ : Ability take effect Against Pentagon Fraud.
- H₅ : Arrogance take effect Against Pentagon Fraud.
- H₆ : The Pentagon Fraud has an effect Against Academic Fraud.
- H₇ : Religiosity take effect Against Academic Fraud.
- H₈ : Religiosity moderate The influence of Pentagon Fraud on Academic Fraud.

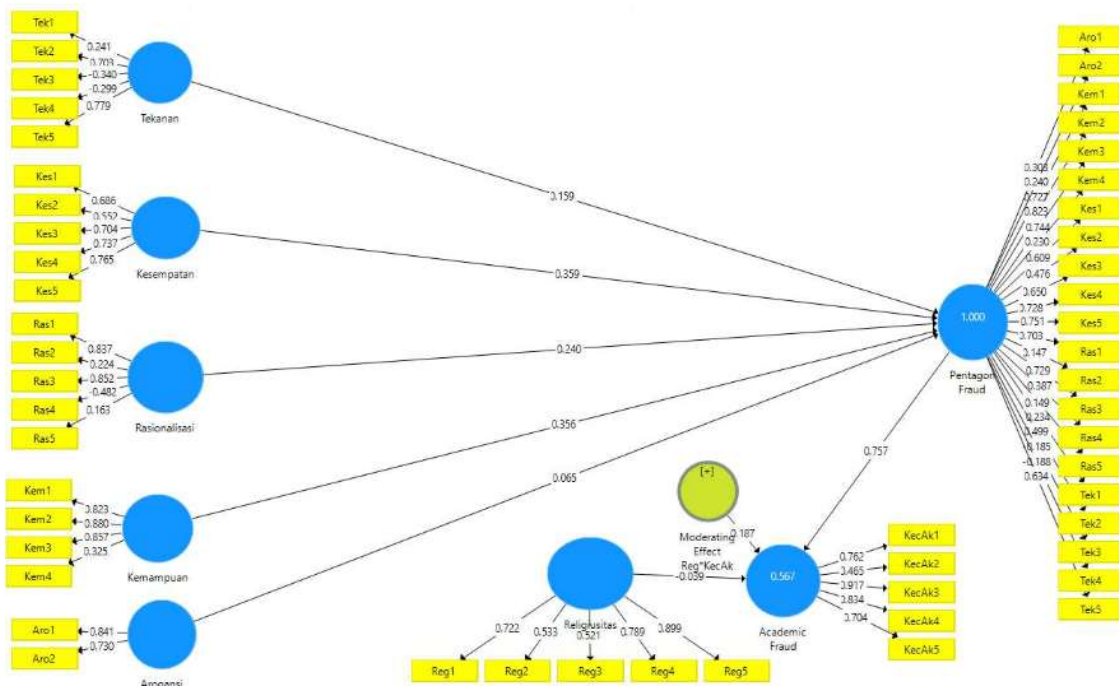
Data collection is carried out by direct with use Questionnaire on the google form linked to the group WhatsApp class eye studying taught in the odd semester 2021/2022. Questionnaire consist of 32 questions. Questionnaire start distributed on Wednesday, December 21, 2021 starting 16.00 and students respond with fill in questionnaire that. Data collected until Thursday, December 22, 2022 at 06.00.

Population study this is accounting students who were cared for in the 2022/2022 Odd Semester. Respondents who answered the google form as many as 145 students. All question answered by complete So that amount sample study is 145.

RESULTS AND DISCUSSION

Based on the data in the google form, obtained 145 answers respondents. Answer the taken in excel form and copy right in the excel program. In Excel, the initial data obtained from google forms. Then prepare sheet work second for edit initial data with delete the column item that becomes question beginning for descriptive like type gender and Force that are not follow processed. While on the top row for list question replaced with abbreviation variable name used.

Next table in excel tidy up how it looks. Then the data in the table copied and stored in the work file new with with csv file format. Data files in csv form then used as data source to be dipilih with SmartPLS. Research data processing conducted with the Smart PLS SEM program. First Calculate Result show results as following:



Outer loading done for test validity indicator study for every variable used researcher. Threshold used limit is 0.7, it means indicator could use if have factor loading value above 0.7. Researcher was done two stages testing, because at the stage testing first there is two indicator that has value below 0.7. Test results could see in Table 1.

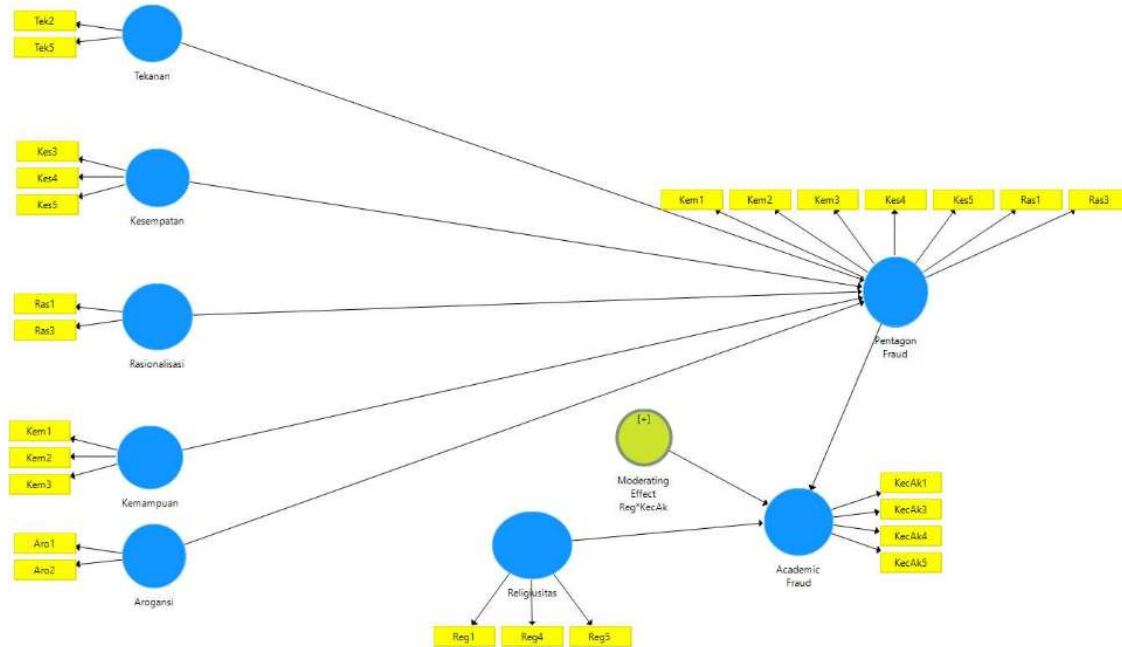
Table 1 (refer Appendix 1)

So, indicator with outer loading value below 0.7 next deleted, namely:

- On the Pentagon Fraud, removed indicators They are Aro1, Aro2, Kem4, Kes1, Kes2, Kes3, Ras2, Ras4, Race5, Tek1, Tek2, Tek3, Tek4, and Tek5.

- On Cheating Academic, removed indicator is KecAk2.
- On Pada Opportunity, removed indicator are Case1 and Case2.
- On Rationalization, removed indicator are Race2, Race4, and Race5.
- On Pressure, the indicator is removed are Tek1, Tek3, and Tek4.
- On Religiosity, thirsty indicators are Reg2, Reg4, and Reg 5.

1. After a number of value indicator his below 0.7 removed, research model as following:



2. Next calculated Return, the result of outer loading as following:

Table 2 (refer Appendix 2)

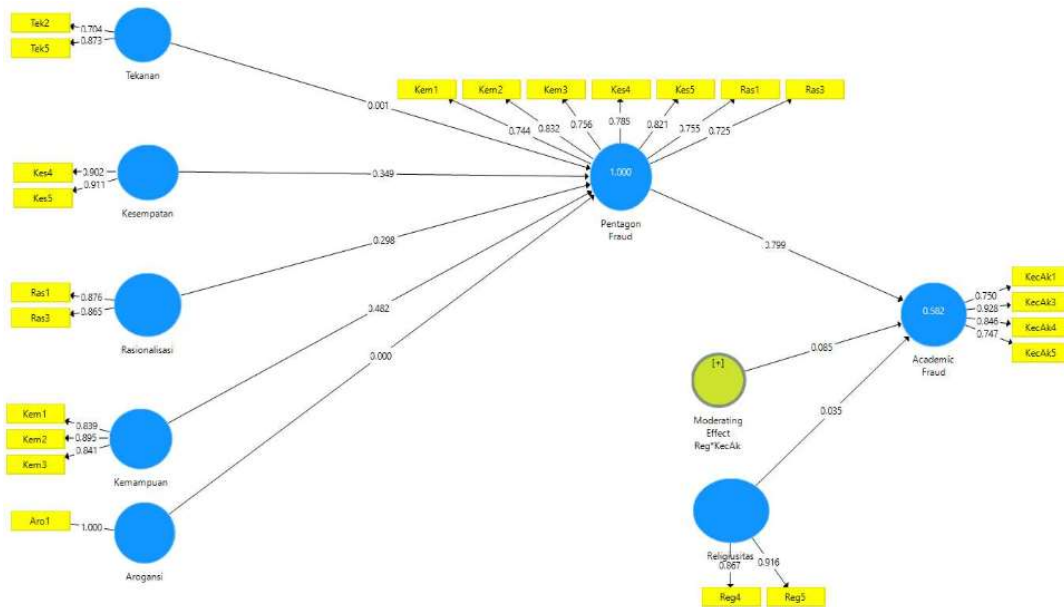
Indicators that are still below 0.7 removed return namely Aro2, Kes3, and Reg1.

3. Next recalculated Return, outer loading as following:

Table 3 (refer Appendix 3)

All indicators already show more outer loading value of 0.7.

4. Research model after all indicators more from 0.7 after recalculated the image is as following:



5. Next, calculate and bootstrapping for see results testing hypothesis. Test results the hypothesis as following:

Table 4

	Original Sample (O)	Sample Mean (M)	Standard Deviation (STDEV)	T Statistics (O/STDEV)	P Values	
Arrogance -> Pentagon Fraud	0	0.001	0.003	0.126	0.9	H5 no received
Abilities -> Pentagon Fraud	0.482	0.479	0.039	12.503	0	H4 accepted
Opportunity -> Pentagon Fraud	0.349	0.348	0.031	11.143	0	H2 accepted
Moderating Effect Reg* KecAk -> Academic Fraud	0.085	0.054	0.141	0.602	0.548	H8 No received
Pentagon Fraud -> Academic Fraud	0.799	0.772	0.097	8,237	0	H7 accepted

Academic Fraud						
Rationalization -> Pentagon Fraud	0.298	0.302	0.042	7.165	0	H3 accepted
Religiosity -> Academic Fraud	0.035	-0.003	0.132	0.264	0.792	H6 no received
Pressure -> Pentagon Fraud	0.001	0	0.003	0.222	0.824	H1 no received

Research results show that:

- Opportunity take effect significant against Pentagon Fraud (H₂ accepted)
- Rationalization take effect significant against Pentagon Fraud (H₃ accepted)
- Ability take effect significant against Pentagon Fraud (H₄ accepted)
- Pentagon Fraud influential significant against Academic Fraud (H₇ accepted)
- Whereas Pressure and Arrogance no take effect significant against Pentagon Fraud (H₁ and H₅ are not accepted).
- Religiosity no take effect against Academic Fraud (H₆ not accepted).
- Religiosity no can strengthen the influence of Pentagon Fraud on Academic Fraud (H₈ not accepted).

This study proved accounting students studied show that the variables of opportunity, rationalization, and ability which are three part of pentagon fraud can affect pentagon fraud in online learning time this. Whereas two again that is pressure and arrogance no affect the fraud pentagon. Pentagon Fraud affects academic fraud on current accounting students online learning time this. Religiosity no influence academic fraud on current accounting students online learning time this. Neither does religiosity can moderating (strengthening) the effect of pentagon fraud on academic fraud in current accounting students online learning time this.

Limitations in this study are:

- Study this give different results if use other indicators that are not used in study this, but can also use for measuring pentagon fraud and religiosity, as well as academic fraud.
- Study can also be more good result if use sample more students a lot.

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APPENDIX 1

Table 1
Result of first outer loading test

	Academic Fraud	Arrogance	Ability	Opportunity	Moderating Effect Reg* KecAk	Pentagon Fraud	Rationalization	Religiosity	Pressure
Aro1		0.879							
Aro2		0.677							
KecAk1	0.75								
KecAk3	0.928								
KecAk4	0.846								
KecAk5	0.746								
Camp1			0.839						
Camp1						0.744			
camp2			0.895						
camp2						0.833			
Camp3			0.841						
Camp3						0.756			
case3				0.568					
case4				0.857					
case4						0.784			
case5				0.887					
case5						0.82			

Pentagon Fraud * Religiosity					0.773				
Race1							0.875		
Race1						0.754			
race3							0.865		
race3						0.726			
Reg1								0.68	
Reg4								0.848	
Reg5								0.911	
Tek2									0.705
Tech5									0.873

APPENDIX 2

Table 2
Result of second outer loading test

	Academic Fraud	Arrogance	Ability	Opportunity	Moderating Effect Reg* KecAk	Pentagon Fraud	Rationalization	Religiosity	Pressure
Aro1		0.879							
Aro2		0.677							
KecAk1	0.75								
KecAk3	0.928								
KecAk4	0.846								
KecAk5	0.746								
Camp1			0.839						
Camp1						0.744			
camp2			0.895						
camp2						0.833			
Camp3			0.841						
Camp3						0.756			
case3				0.568					
case4				0.857					
case4						0.784			
case5				0.887					

case5						0.82			
Pentagon Fraud * Religiosity						0.773			
Race1							0.875		
Race1						0.754			
race3							0.865		
race3						0.726			
Reg1								0.68	
Reg4								0.848	
Reg5								0.911	
Tek2									0.705
Tech5									0.873

APPENDIX 3

Table 3
Result Of Third Outer Loading Test

	Academic Fraud	Arrogance	Ability	Opportunity	Moderating Effect Reg* KecAk	Pentagon Fraud	Rationalization	Religiosity	Pressure
Aro1		1							
KecAk1	0.75								
KecAk3	0.928								
KecAk4	0.846								
KecAk5	0.747								
Camp1			0.839						
Camp1						0.744			
camp2			0.895						
camp2						0.832			
Camp3			0.841						
Camp3						0.756			
case4				0.902					
case4						0.785			
case5				0.911					
case5						0.821			
Pentagon Fraud * Religiosity					0.823				
Race1							0.876		

Race1						0.755			
race3							0.865		
race3						0.725			
Reg4								0.867	
Reg5								0.916	
Tek2									0.704
Tech5									0.873

**A PROPOSAL OF MUDARABAH-CASH WAQF MODEL THROUGH FINTECH
APPLICATION FOR ISLAMIC MICROFINANCING IN MALAYSIA**

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Abstract

The purpose of this paper is to investigate the feasibility, challenges and issues and acceptance of the proposed model of Mudarabah-Cash Waqf Model through Fintech Application for Islamic Microfinancing in Malaysia, in which there is a need for a model to be proposed to limit risks and alleviate poverty among the poor in Malaysia. The study is one of the firsts to propose a model to replace Rabb al-mal in the Islamic Microfinance model with Fintech application and to explore viewpoints from regulatory bodies, institutions and the general public on the overall acceptance of the proposed model. The paper examines 4 samples from Yayasan Wakaf Malaysia (YWM), Amanah Ikhtiar Malaysia (AIM) and recipients through a semi-structured interview consisting of 9 questions which were analyzed through inductive coding analysis. The feasibility of the model is not significant due to certain internal issues, and challenges and issues may arise from different themes and the general acceptance to vary among different institutions. The analysis of both open and close-ended questions reveal that the hypotheses that relate to the research objectives show that Fintech is not positively correlated to cash waqf provider, Fintech is not positively correlated to recipients but Fintech is positively correlated to recipients when cash waqf provider acts as a mediating variable. The paper is limited to an online setting, in which is followed by a time constraint of finding more interviewees to participate in the research and a lack of previous literature which leaves gaps in the research.

Keywords: Cash Waqf, Mudarabah, Fintech, Islamic Microfinance

INTRODUCTION

There is an urgent need to alleviate the economic status of the marginalized communities such as the poor, orphans and disabled persons which should be the main focus of governments and institutions especially in Islamic communities. Therefore, in communities where a lack of awareness on financing avenues such as taking up loans from financial institutions and the dependence on social welfare aid by the government is the norm, it is important that this issue is resolved by giving them independence in utilizing the loans in a less risky manner which should be in line with Shariah ruling, especially for Muslims. Other than that, an ease of obtaining funds in said loans must be able to be realized without any red-herrings such as administrative papers to be filled or being inaccessible to the avenues that could potentially cause a decrease in confidence in Islamic financing products.

A good method to combat the issue above is by introducing Financial Technology (Fintech), which its benefits include implementing a risk-sharing system in Islamic Finance, removes uneven maturity and leverage which can be found in traditional financing methods in banks (Firmansyah & Anwar, 2019). This is through disrupting the technology used in financial services by promoting innovation and security for its users, apart from being affordable, greater mobility and faster pace in doing transactions (Rabbani, Khan & Thalassinis, 2020). By using Fintech as a platform, it helps to promote inclusivity due to the ease of navigation as well as widespread adoption of technology, and in predominantly Muslim communities, Islamic Fintech can also play a role in mitigating issues on transparency and shariah compliance (Firmansyah & Anwar, 2019). Cash Waqf or the disbursement of donation in the form of cash can also help ease unemployment, especially in times of financial crises such as the COVID-19 pandemic where it has achieved positive results of reducing rates of unemployment in many countries (Alamoudi & Othman, 2021). In the proposed model, a collaboration with state religious councils and Fintechs as trustee for the Cash Waqf for the purpose of monitoring the collection, investment and distribution will be presented.

Even though both conventional and Islamic microfinancing aim to help alleviate the economic status of communities, due to the nature of interests and an added surcharge of costs to support their operations and management has led to the true objectives of microfinance which is to lend out to the poor blurred. This is because certain institutions are not able to ensure that poor people receive the necessary funding they need to sustain or simply fall into more debts as they are not able to pay back the original capital that they received. Because of this, not only are they not uplifted from poverty, the effects of these debt-making situations may leave them in a poverty-stricken situation for much longer (GIFR, 2013). Consequently, Islamic Microfinance is still underutilized as it is a fairly new concept which has not been perceived by many institutions. The need for a wider adoption of Islamic microfinance in Malaysia is important as it eliminates usury or riba which is charged as interest and do not benefit the Muslim communities locally (Nawai, 2020).

Another issue that arises is through the lack of awareness of Islamic microfinancing on the importance and benefits it could give to society, and is factored by low market outreach despite a growth in the industry of microfinance. Other factors include the recipients having to deal with strict regulations where easier access to receive funding is concerned lack of supervision for the sustainability of MFIs, issues on governance and management where expertise and innovators are lacking in, poor infrastructure in terms of its legal and regulatory frameworks where they could have been under-developed such as being inaccessible to communities, and lastly, insufficient capacities offered by the institutions locally where more institutions need to be formed and the reach for communities in rural areas is needed to be made an important objective (Azmi & Thaker, 2020).

On the topic of Financial technology (Fintech), the integration of using Fintech in Islamic Finance has long been called for its utilization. Currently, There are many advantages in the application of Fintech, especially when globally, mobile users have been on the rise and Fintech can be easily accessed. One of it is through using Blockchain or Machine Learning to facilitate safer transactions using easy verification and identification for users seeking to use services relating to Islamic Finance, as in this topic which is for recipients of Islamic microfinancing and also for users who donate Cash Waqf for the community in which it helps to promote transparency and efficiency (Rabbani, Khan & Thalassinis, 2020). Other than that, to eliminate red-tape bureaucracy which can be seen through traditional methods of filling in applications, Fintech can also utilize smart contracts which are reliable and do not harm both parties in terms of added risks relating to legitimacy (Rahim et al., 2018).

The research objectives that follow the study are to investigate the feasibility of using Fintech application to replace Rabb al-Mal in the proposed Cash Waqf-Mudarabah model, to examine the challenges and issues of using Fintech application to replace Rabb al-Mal in the proposed Cash Waqf-Mudarabah model and to analyze the level of acceptance of using Fintech application in the proposed Cash Waqf-Mudarabah model which answers the following research questions:

- 1) How is the usage of Fintech application to replace Rabb al-Mal through the proposed Cash Waqf-Mudarabah model feasible?
- 2) What are the challenges and issues of using Fintech application in the proposed Cash Waqf-Mudarabah model?
- 3) What is the level of acceptance through the proposed Cash Waqf- Mudarabah model using Fintech application?

The paper also aims to answer the following hypotheses:

H1: The Fintech provider (Rabb Al-Mal) is positively correlated with recipients (Mudarib)

H2: The Fintech provider (Rabb Al-Mal) is positively correlated with cash waqf provider

H3: The Fintech provider (Rabb Al-Mal) is positively correlated with recipients (mudarib) and the cash waqf provider has a mediating effect on the correlation between the Fintech provider (Rabb Al-Mal) and recipients (mudarib)

Through the proposed Mudarabah-Cash Waqf model, it is essential in the sense that it helps to generate urgent awareness and interest as well as to give ease for recipients through mudarabah (Kunju & Amin, 2019). Therefore, this model proposes by setting up collateral between the Mudarib and Rabb al-Mal with businesses of low operational risks and expenses (Khan et al., 2021). The method to be used is to ensure that the profits between the individuals receiving the capital with the capital provider can be shared equally for purposes of fund reserves and whatnot.

The proposed Mudarabah-Cash Waqf model then combines all the above aspects to form a model on Islamic Microfinancing using Financial Technology (Fintech) for the alleviation of economic status among marginalized communities in Malaysia.

LITERATURE REVIEW

Islamic Microfinance

Microfinance originally started out in the early 1980s when Professor Muhammad Yunus from Bangladesh established the Grameen Bank in which it gives out small loans to everyone regardless of economic status without requiring any sort of collateral (Nawai, 2020). Microfinancing is through giving out loans to individuals who are below the poverty line to ensure that they can generate their own incomes through self-employment to fund for themselves and their families (Alkhan & Hassan, 2021). There are many parties involved in microfinancing such as commercial banks, insurance companies, credit unions, village banks, or through local credit lenders, self-help institutions and non-government organizations (NGO) which give out loans to communities who are poor due to having unsteady unemployment or low credit ratings which make them hard to access normal banking (Nawai,2020).

Islamic microfinance, as opposed to its conventional counterpart, removes elements of usury and interest on its loans in which evidence points out to reducing poverty and enhancing economic statuses, as well as elevating educational and intellectual levels in countries that propose Islamic microfinancing (Alkhan & Hassan, 2021). In ensuring that Islamic microfinance model is a success, there are a few tenets that need to be followed closely which firstly is the belief in the guidance of divinity or a higher being, an absolute removal of interest-based and non-shariah compliant transactions, engaging in risk-sharing products and based on real assets (Mobin & Ahmad, 2017). Other than that, lending given to entrepreneurs or recipients should be morally-based and not for the sole purpose of pure economic activities, as the Prophet Muhammad (pbuh) discouraged the unnecessary taking up of loans. The issue of solving income disparity can then be achieved through this model where the status quo is this financing practice is not widely adopted (Mobin & Ahmad, 2017).

Locally, the existence of Islamic Microfinance is already established through government-linked institutions under a microfinancing scheme proposed by the central bank of Malaysia which is Bank Negara Malaysia. These institutions include Amanah Ikhtiar Malaysia (AIM), TEKUN Nasional, Bank Simpanan Nasional (BSN), Maybank, Bank Rakyat and CIMB Bank (Nawai, 2020). However, these microfinancing institutions (MFIs) have high charges for people who seek assistance from them ranging from a staggering 4% to 20% on top of the loans due to the high costs needed to be borne by the institutions (Nawai, 2020).

Cash Waqf

Cash Waqf or known as Waqf al-Nuqud comes from a contribution of a sum of money or cash by means of pooling the funds to be utilized to segments of community for its usufructs or its advantages such as in healthcare, education, infrastructure, agriculture and other religious infrastructures. It is a form of Waqf popularly made by contributors with little capital where the principal value of cash Waqf must be guaranteed and may be used for investment purposes (Ali & Markom, 2020). In Malaysia, it can be regarded as something that is under non-profit institution that aims to provide wellness and to promote the wellbeing of communities through several developments such as economic and social means (Thaker et al., 2016). The assets that an institution receives to utilize the form of Waqf is aimed to improve living standards among not just Muslims, but among non-Muslims too (Pitchay et al., 2015).

In Malaysia, the management of Waqf is handled by Jabatan Wakaf, Zakat dan Haji (JAWHAR) which is considered a unit to manage the administration of Waqf for the purpose of distribution (Mustofa, Santoso & Rosmalinda, 2020). Through this, a decentralization process has occurred where religious councils in several states in Malaysia, but it is still considered to be at a new level with little awareness on this form of Waqf by the members of the public, having cited that nearly 70% of Malaysian Muslims are in the dark about this form of practice in religious institutions (Nasiri, Noori & Salleh, 2019). One thing that must be made known is that Cash Waqf has a form of liquidity that is beneficial in order for institutions or any individuals that handle Cash Waqf can use it for the purpose of obtaining additional funds to acquire lands for Waqf towards business or agriculture functions (Kahf, 1999).

Despite that, attitude towards Cash Waqf has been noticeably on the rise through the establishment of Malaysia's Waqf Foundation and when institutions introduced schemes that introduce the managing of Waqf through other means, however it is still low in terms of deliberation. It can be seen that Islamic Banks in Malaysia have been actively participating in Cash Waqf due to pressures that were given by stakeholders in order to address this topic further. Because of this, Islamic Banks have not only become Cash Waqf managers but have obtained better business offerings in terms of financing and managing Cash Waqf (Ab Shatar, Hanaysha & Tahir, 2021).

Mudarabah

Mudarabah comes from the word *dharb* that simply means to move another thing to another one based on Muhammad (2005), but the meaning can be based on the contexts that it is said upon as it could also be known as *qirad* in Islamic law texts, or also derived from *muqaradah* which refers to the fair way of distributing the surplus or profit received based on the contribution or capital that has been placed (Sadique, 2009). Mudarabah is a form of mutual agreement between the capital provider (*Rabb al-mal*) and the entrepreneur (*mudarib*) on the notion that profit or sharing occurs between the two parties, only when the event of losses will the capital provider bear it fully. (Khan et al., 2021).

There are different teachings and perspectives of the Mudarabah concept such as in the Maliki school, the scholars placed no restrictions on the number of *rabb al-mal* or the capital provider or the *mudarib* as the entrepreneur within the same contract but must be subjected to agreement with the capital provider. If the *mudarib* acts according to his own and not with approval, he will have to bear the losses and be liable for them as part of an individual action that is unauthorised based on the agreement (Borhan, 2004). There are a few applications of Mudarabah such as in simply partnership, particular partnership, joint stock companies, and hybrid limited partnership, but the current method adopted by Islamic Financial Institutions (IFIs) is the two-tier Mudarabah contract in which the capital provider puts his funds to an agent which is the IFI who acts as an intermediary for the projects conducted (Yustiardi et al., 2020).

Financial Technology (Fintech) in Islamic Finance

Financial Technology or Fintech can be categorized as financial services that are developed using mobile applications and websites which have revolutionized the financial sector ecosystem globally or can be said as a combination of digital innovation and financial services in order to increase the efficiency of products and services in the industry. While Islamic fintech is relatively new, there are many innovations in order to create Shariah-compliant products for Muslim consumers and in this case, it differs from the conventional counterpart due to the requirements of Shariah ruling in the products and services offered. Due to this, Fintech can be regarded as inclusive as it reaches a diverse group of people in order to achieve a better financial inclusion in many settings (Hasan, Hassan & Aliyu, 2020).

Due to Islamic Fintech emerging and becoming more popular, it has helped Islamic Financial Institutions (IFIs) to improve more of their infrastructures to suit the needs for Islamic Fintech and to diversify their product offerings to cater to more Muslims that require a more halal approach to the products (Jamil & Seman, 2019). However, from previous literature on investigating customer retention towards the contribution of Fintech among Islamic banks, it has been found that Fintech based services do not contribute to more customer retention as opposed to crowdfunding services which contradicts with a previous literature done by Aisyah (2018) on whether Fintech improves the dealings and offerings for customer loyalty among Indonesian banks (Baber, 2019).

This form of contradiction is possibly because of the emphasis given in crowdfunding services whereby Shariah compliance is concerned. Through this, business models for crowdfunding have elements of Shariah ruling in which the products that they have are halal, the risks of investments are shared and interests are not charged (Biancone et al., 2019). For this, it has been also emphasized that Fintech applications need to adhere to the same Shariah compliance rulings that prohibit interest in order for customers to gain a higher degree of acceptance towards Fintech, and to allow IFIs to be more transparent in getting a connection between customers and investors from the inception of any project that has been proposed (Biancone and Radwan., 2019).

Research Model of Study

Based on the previous model below, it is a traditional form of microfinancing in which the Rabb al-Mal and Mudarib are both in place, with an exchange of principal and profit/loss sharing occurring. The capital is provided by a Waqf fund through individuals and organizations and the profit earned is then used for distribution as well as defraying costs. There are regulatory bodies that monitor the administration of this model as proposed in the introduction of this research.

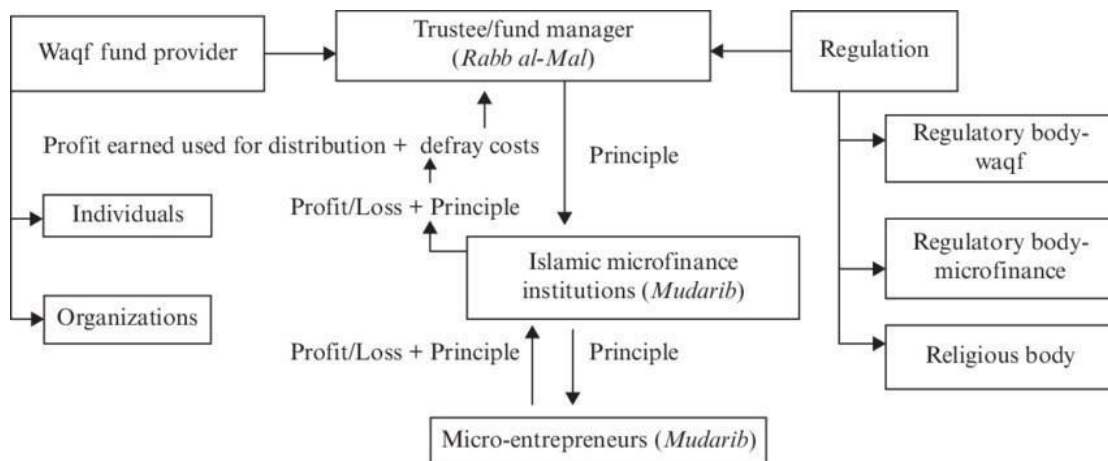


Figure 1: Two-tier mudarabah Waqf business model (Mobin & Ahmad, 2016).

The proposed model below has amendments in which a discounted principal payment is mentioned. Firstly, the trustee or fund manager is replaced entirely with Fintech whereby it will oversee all administration and operational activities. Secondly, the mudarabah concept between the Rabb al-Mal and Mudarib are still in place, but since this model does not focus on the alleviation of economic status of the capital provider, a discounted principal is proposed to the Mudarib. This means that profit/loss sharing still occurs but the principal payment is reduced so as to help the individuals involved to maximize their profits.

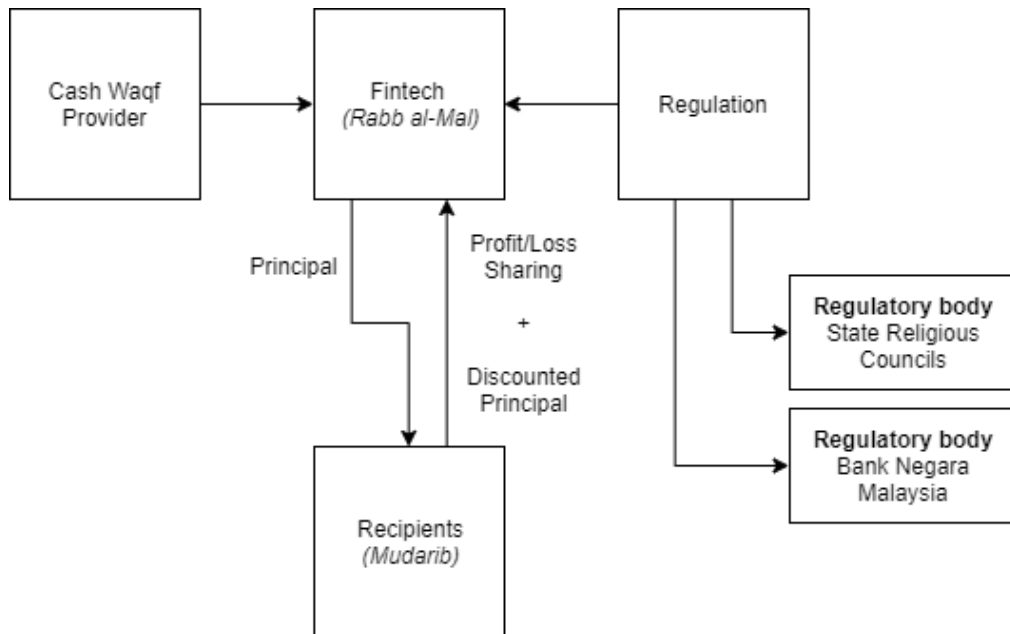


Figure 2: Proposed Model of Mudarabah-Cash Waqf Model using Fintech

The proposed discounted principal and profit-sharing payment use a simple formula of different ratios as in the table below. Note that an initial 50% discount rate is given to the original principal in different scenarios, with ratios of 1:9, 2:8 and 3:7 are given, with the initial being the Fintech in charge of the Waqf fund and the latter being the recipient of the Waqf fund. The payment is tabulated where it is heavily discounted but funds are still available towards the Fintech as the Rabb al-Mal.

Table 1. The profit-sharing method combined with discounted principal.

Original Principal	50% Discounted Principal	1:9 profit sharing	2:8 profit sharing	3:7 profit sharing
100	50	60	70	80
200	100	120	140	160
300	150	180	210	240
400	200	240	280	320
500	250	300	350	400

Lastly, the theoretical framework for the entire research paper follows below, with Cash Waqf Provider as the mediating variable for Fintech and recipients:

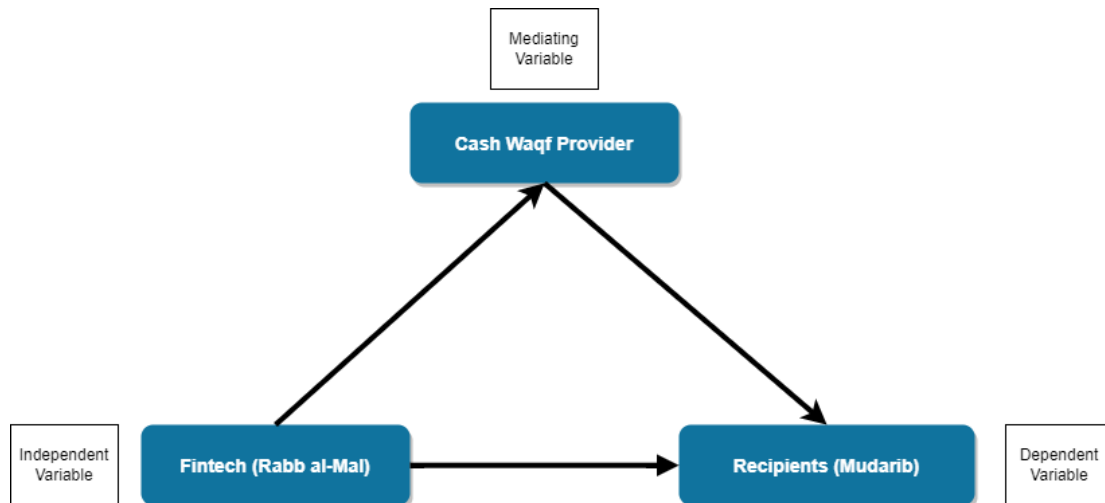


Figure 3: Theoretical Framework

METHODOLOGY

This research is a conceptual study whereby an analysis of abstract concepts are developed into a proposed model. Through inductive reasoning, this research aims to adapt from an existing model and existing theories, in which the construct on microfinance is explored. Qualitative approach is utilized in order to answer the research questions to build up the hypothesis that is desired. The population of the study is obtained from Malaysians but through three different aspects which are then sampled. The sample is taken from regulators especially from Islamic Finance backgrounds, potential service providers for Fintech application and lastly, potential recipients of Cash Waqf-Mudarabah model.

The population and sample were chosen due to this subject matter involving all stakeholders from the regulators up to the people who receive the disbursement of loans for Islamic microfinancing. The samples are taken from a person among Islamic Finance regulators from Yayasan Waqaf Malaysia (YWM), two people from Amanah Ikhtiar Malaysia (AIM) who are service providers providing microfinance services in Malaysia and lastly, a potential recipient for the proposed model from B40 communities. This makes it a total of four people to be interviewed for this research study.

The sampling technique that is used is through non-probability sampling. For this, purposive sampling is used as the researcher's own judgement in selecting the samples. This is because the correct respondents must be chosen beforehand and not just the general public as the proposed model only targets selected stakeholders where there could be a redundancy in approaching people who have no direct interest towards the model.

The data collection procedure for this research is through qualitative study which is a form of primary data. The method for collection is through the interviewing process in which all the samples are interviewed through a semi-structured process individually. This is because a follow-up of questions arise from the structured questions that have been asked to give flexibility and more concise answers regarding the research questions that will be asked on. Furthermore, to test the theories of the proposed model, a secondary data collection procedure is utilized in order to find related journals where the model is adopted from to make amendments and changes.

Table 2. Questions Linked to Objectives.

Questions Linked to Objectives	Questions
How is the usage of Fintech application to replace Rabb al-Mal through the proposed Cash Waqf-Mudarabah model feasible?	Q1 – Q3
What are the challenges and issues of using Fintech application in the proposed Cash Waqf-Mudarabah model?	Q4 – Q5
What is the level of acceptance through the proposed Cash Waqf-Mudarabah model using Fintech application?	Q6 – Q9

The research instrument for this study is by administering interview questions to interviewees containing 14 questions which were divided into four sections namely demographics and the research objectives relating to the study. four sections will be divided for each respondent to answer. A total of 14 questions will be asked to each individual. For Section A, questions on demographics on each respondent are asked to obtain information on their backgrounds. For Section B, questions on the feasibility of Fintech application will be asked to be incorporated in the proposed model. Next, for Section C, the challenges and issues raised will be asked in order to know more on what could be the risks of the implementation of the proposed model. Lastly, for Section D, the questions are asked based on the level of acceptance of the proposed model.

The type of semi-structured interview that will be used is key informant interviewing. This approach in the designing of the interview questions takes into account the position of the interviewees, the roles of the interviewees in the study and their willingness to communicate (Blee & Taylor, 2002). For this study, there are a few open-ended and closed-ended questions, but mostly focusing on the close-ended questions. The questions that have been generated link to the research questions that have been posed as mentioned before. The analysis of the semi-structured interviews is done through transferring the transcription for the searching and extraction of the answers, identifying patterns in the answers and to highlight the importance of the answers which relate to the research questions. Inductive analysis coding is used to develop codes out of themes, where an inductive content analysis was done to find out the themes. A focused coding process is used in which they are categorized and a specific theme is given for each question that has been posed (Blee & Taylor, 2002).

DATA ANALYSIS AND RESULTS

This study shows that the proposed model of using Fintech applications will provide a better solution for recipients and providers alike in terms of having an interactive and easier approach to the model based on Interviewee 3. In line with previous literature, Shaikh (2020) has highlighted that through using Fintech, Islamic Microfinance Institutions use Fintech for better outreach and to achieve cost efficiency where an integration of multiple sources of funding could happen through this, saving cost and time. Interviewee 3 has also backed the fact that with the current COVID-19 pandemic, it is easier for it to be implemented through online services so as to limit physical meetings, something that is needed from the current implementation of Waqf players around Malaysia. Al-Nawayseh (2020) has mentioned the intentions of individuals to use Fintech services is driven by the benefits and not the risks, in which financial institutions are expected to provide strategies, models and services out of this advent.

However, interviewee 2 felt that because of the usual face-to-face meetings among recipients at AIM, even with the application of technological help, the Sahabat is still prone towards meeting each other despite the pandemic. This is possibly because with the use of a new platform than a traditional one and to perform activities and delivery methods, like in the case among Sahabat and Cikgu, could cause an unreadiness in the sudden change and difficulty to access the internet as well as having less satisfaction (Serhan, 2020). Other than that, interviewee 4 has mentioned that to change the current local microfinance provider's system which is by AIM, the mudarabah method is a complicated process which needs another system in place, hence the reason why they stick to the current model that they have which is the Tawarruq model, which is already adopted among other financial institutions, too. Most of the financial institutions in Malaysia including AIM and PUNB are already utilizing the Tawarruq system with profit rates of 0% to 10% per annum which is the sale of an asset to a purchaser by a certain seller on a deferred basis (Nawai, 2021).

“...if we refer back to the philosophy of Malaysian education, they want to produce Malaysians or individuals themselves, especially those who have a good body, good intellect and good emotions. If possible, they want good intellect and emotions. If they enter the field of business, they should update with their communication skills, and when they update with communication skills, they will learn various things.”

As for the feasibility of the model, it is agreed upon by interviewee 1, 3 and 4 that it brings a degree of social, educational or intellectual enhancement among the players of the model when it comes to increasing creativity, such as the adoption of other technology as well as the willingness to learn more when it comes to the adoption of other technology. Other than that, if the model is not proposed by using Fintech, it will bring a lag in the growth of technology and public trust can dissipate as advancements occur. This is in line with previous literature where the usage of Fintech by Islamic Finance players could provide perspectives that are better in terms of financial transaction practices and to promote creativity where Shariah-compliant products are innovated (De Anca, 2019). With the current education of Malaysians, they can incorporate that education in creating a business by using the funds provided to enhance

their intellects and emotions by learning various skills through it including communication skills.

However, from the proposed model, a majority of them disagreed that it could reduce bad debts coming from recipients as firstly, interviewee 2 mentioned that the current model of the microfinance institution which is AIM has already monitored its non-performing loans (NPL) in which the repayment rate is very low already. Another conflicting argument by interviewee 3 is that there is a matter of covering the losses when a recipient defaults or decides not to pay on behalf of their loans. By disbursing the loan, it is better for a certain amount of funds to be set aside and invested so as to reduce the risk of liquidity. The importance of repayment performance is highlighted from previous literature where Bank Rakyat and SME Bank were taken into account because of the high non-performing loans (NPL) performance with 49% and 18% of NPLs are recorded, and it is highlighted that screening approach and improving service are two ways to combat this issue and to alleviate poverty entirely, because repayment is not affected by religiosity or business performance and instead on accountability of recipients (Hassan & Yahya, 2020).

“...But, our problem lies under the instrument. We cannot accept it. We used to be able to accept charity. But recently, Bank Negara did not allow us to receive money from charity. We used to be under the Tax Exempt Act. Now we can not, because we have to pay taxes. We can't have a money-receiving system.”

The proposed model has a lot of different challenges and risks during the process of implementation from both the providers and the recipients which are namely regulatory issues, failure of repayment, unwillingness to adopt technology and lack of infrastructure. Firstly, interviewee 1 and 2 mentioned that there is a matter of regulatory issues for microfinance providers in which AIM is currently bound by certain regulations in which Bank Negara Malaysia does not allow them to accept forms of charity by the public, where in this study, Cash Waqf is obtained by the public. Since AIM is not a financial institution, an instrument of agreement is needed and to be endorsed under a trust act which are limited, and the application of AIM as the Fintech provider will be hard as it already has its line of subsidiaries under a long term contract.

Next, the failure of payment is highlighted by interviewee 3 and 4 as one of the potential issues in which each business may be prone to risks such as failure and mismanagement of funds, and they will end up not paying the debt entirely. The loan collection in rural areas has shown poor performance which has led to NPL to happen, in which Malaysia shows prevalence in the increasing trend of the failure to repay the loans, which affects the performance of the Islamic Microfinance institutions (Hassan & Yahya, 2020). Thirdly, interviewee 4 explicitly states that there is the unwillingness to adopt technology which might come from the recipients themselves, where they would feel that it is unnecessary for them to be taught, especially among the elderly people. The current perception towards scammers and hackers might stir fear in them and they would opt to a more traditional method of financing instead. This is confirmed by previous literature in which there is an unwillingness and reluctance to use technological

infrastructure due to a strong affinity to always have cash in hand, where certain lifestyle and habits may make some people unwilling to participate in financial systems (Ozili, 2018). Lastly, interviewee 2 argues that the lack of infrastructure would prove it harder since the recipients would need a steadier system, coupled by the fact that most of them are small-time business owners in which they do not have the necessary systems to implement due to their small-scale capital. In the banks' perspective, there is a reason why they do not provide to small-scale businesses because the higher regulatory costs and high cost to provide for infrastructure is not suitable to cater to small, unsecured loans which have lower profit margins (Perkins, 2018). This may be the reason why infrastructure is harder to maintain over time, because of its costs.

“We can reduce the risk of our staff being robbed in the middle of the road and accidents. In the past, we had to pay for our staff's traumatic experiences for a week and two weeks off. Right now, it's reduced because there isn't much money.”

Other than that, all interviewees have agreed that this model can minimize the exposure to risks and it is accepted by all respondents because firstly, by utilizing Fintech in the operations of the disbursement of loans, the risk of contracting COVID-19 due to lesser meet up can be done and the meeting frequencies can be reduced. Other than that, with the traditional method of carrying cash, robbery is prone to happen and the cost to pay for the damage will be high, so Fintech solves that problem. Human error can also occur where traditional methods are concerned, but by utilizing Fintech, it can also decrease the amount of fraudulent activities by having an organized system for auditing and monitoring.

On the level of acceptance of using the proposed model, firstly, not all of the interviewees agreed that the model should be proposed to the community because interviewee 2 states that the system of discounted principal is troublesome due to the fact that the current system is already not making enough profits to cover the operations, and that the system will not work out in the community. But, when utilizing Fintech, interviewee 3 mentions that it benefits the community in terms of processing time where they can just approve and sign without any need for traditional methods through using online methods. Fintech through Islamic lending and crowdfunding has been proven to be easier, faster, cheaper and affordable, in which it could replace the traditional medium used because of the processing time and to ensure fast growth (Hassan, Rabbani & Ali, 2020). Other than that, interviewee 4 mentioned that the need for legal and halal rates are also needed by the local community in which the model could greatly help in terms of that. Muslim communities have a correlation with the implementation of the products under Islamic law which requires it to be halal, as Islamic Microfinance providers need to ensure that illegal usury could happen in its operations (Muhammad, 2020).

“It will incur huge costs. In terms of regulation, if we want to invest, we have to register with Bank Negara and the cost to AIM will be greater. In fact, to make a system, and now want to upgrade it will cost RM60 million in this system to a Sahabat and make a collection. If we want to do like before we will use a huge cost to change our Fintech.”

Compared to existing microfinance providers and other financial institutions, there is some agreement compared to others because of the usefulness of the model. However, interviewee2 has mentioned that when looking at the technical side, there will be an incurring of huge costs when implementing this model. The upgrade will be expensive and for the case of AIM, RM60 million will be needed for them to change systems. Other than that, from the regulatory side, they are not bound by the Companies' Act in which other companies can act better as they are not bound by certain regulations imposed onto them. Interviewee 3 also states that the model can also be complicated to be formulated but needs approval from other institutions before it can be utilized.

When it comes to raising financial inclusion among the community, all interviewees agreed that this proposed model would greatly help as many people are already turning to digital marketing and using technological facilities that are readily available to market their products. Other than that, a certain degree of transparency can be obtained with them making sound decisions based on the information such as knowing how much a person could donate and how much distribution the person can get. Also, with the receiving of late annual information, Fintech eliminates that for better decision-making among recipients. Islamic Microfinance's purpose is to fulfill social and financial inclusion in which ethical practice must be prioritized more than profit maximization, which is in line with the model that has been proposed through the discounted principal as well as the usage of Fintech to facilitate the model better (Begum et al., 2019). The following theme of financial inclusion includes transparency, readily available products and sound information related to the concept.

Lastly, when it comes to government's initiatives or by other financial institutions, the proposed model will both get help and not get that much help from them. Firstly, interviewee 3 states that in order to receive help, the current providers need to propose a detailed working paper stating the funds to be received and for what purpose, then it can be approved. Interviewee 4 has proposed that it can also be done through collaboration with other governmental bodies in terms of training and awareness by those institutions to raise understanding towards the proposed model. But, interviewee 1 states that because of the current state of the providers which are affected by political intervention and internal conflicts, the proposed model will not receive any funding by the government. Interviewee 2 has mentioned that also due to the fact that they already have a strong system in place, they do not want to seek initiatives by other institutions.

DISCUSSION

Hypothesis 1: The Fintech provider (Rabb Al- Mal) is positively correlated with recipients (Mudarib).

The study has shown that when it comes to feasibility of the proposed model, it could enhance the social and intellectual of individuals within a society but when it comes to the approach towards the community, it is not feasible to do so because of the complications that may arise through the system that is already in place. This is also added with the fact that the model does not propose a strong strategy to eliminate bad debts because bad debts have already been covered by the current institutions that have been running the Islamic microfinance system in which they are monitoring closely and to ensure that the NPLs do not reach a certain threshold, where it is redundant for this model. Other than that, the issue of repayment is also highlighted because there is a risk where the recipients may not pay the loan entirely, even with the discounted principal. There is also a question of whether the recipients are willing to take up technology which is through using Fintech services in order to participate in the proposed model. Therefore, the hypothesis involving Fintech providers (Rabb al-Mal) does not positively correlate to the recipients (Mudarib) as explained above.

Hypothesis 2: The Fintech provider (Rabb Al-Mal) is positively correlated with cash waqf provider.

The current infrastructure provided makes it hard for the model to be implemented because it requires a system from both the providers and the individuals which needs to be addressed. However, the model does reduce the risks greatly when it comes to human errors and crime, which can serve society better. Also, the proposed model only gets little awareness to be proposed, despite the benefit that it could be proposed which is the transparency of information disseminated through the service provider for the participants and if compared to other models, huge costs will incur on the provider's side and the complications it may arise when proposing a new model on top of the already made model. For Fintech providers (Rabb al-Mal) positively correlating to cash waqf providers, this is not the case as mentioned above, too.

Hypothesis 3: The Fintech provider (Rabb Al-Mal) is positively correlated with recipients (mudarib) and the cash waqf provider has a mediating effect on the correlation between the Fintech provider (Rabb Al-Mal) and recipients (mudarib)

On the challenges and issues, there are certain issues that are highlighted which come from the regulatory issues such as current institutions not having the autonomy to operate as the proposed model asks because they are bound by legalities and the fact that there are many stakeholders that need to be taken into account before it could be implemented. The model does indeed raise financial inclusion among all the recipients and service providers but when it comes to government initiatives, it will receive attention through paperwork and collaboration, but it is up to the service provider to seek initiatives or not. For this hypothesis, the Fintech provider (Rabb al-Mal) is positively correlated with the recipients (mudarib) in which the cash waqf provider has a mediating effect on it.

CONCLUSION

The proposed model on using Fintech for Islamic Microfinancing through a Mudarabah model is central towards alleviating poverty in a certain nation which can be benefitted and enjoyed by many recipients as this is still a growing concern for many people especially when it comes to repayment and keeping in line with Shariah laws. As had been described in previous literature, there are many forms of Islamic Microfinance that are already in use by many service providers including the Tawarruq model by AIM and other models that incorporate other Islamic teachings which are in line with Shariah laws. However, this model seeks to ease the burdens of the recipients and the disbursement with the discounted principal could greatly help the people who are among the poor to be able to repay the amount needed without any harsh repercussions. Therefore, in this study, the research objectives which are to analyze the feasibility of using the proposed model, the challenges and issues that may arise from using the proposed model and the acceptance of the proposed model were all analyzed in the data analysis which were tabulated and a few findings have been formulated.

There are a few limitations based on the data analysis that has been completed. Firstly, because of the situation of the COVID-19 pandemic, the setting up of meetings is limited to only online meetings. Therefore, since face-to-face can provide with more insights especially doing site visits and meeting up with other staff, the information provided is limited strictly to the research questions only. Secondly, the limitations of finding interviewees especially when it involves regulatory bodies must be highlighted. If the time frame of the study is extended, more participants could be found from various backgrounds but since there is a constraint of time, the following could not be done. The interviewees must also be selected from those who are in the technical side of Fintech application since they are well-versed with how much the proposed model could reach the audience, in which the study lacks. Lastly, previous literature is exclusively limited to conventional microfinance and if there is subject matter on Islamic Microfinance, Fintech is very limited and therefore, comparison of material could not be done for the model.

A recommendation is that future researchers need to prepare with follow-up questions that answers all the subsidiary questions such as statistics and current statuses of the organization they are interviewing. For the semi-structured interview process, more time should be allocated using the right softwares to receive the right amount of information needed to answer the objectives. Secondly, the next recommendation is that the study must select and highlight interviewees from the beginning of the study and find more that is relevant to the study and grants should be given in order to approach the potential interviewees that encompass other fields in order to get more viewpoints in regards to the matter. The final recommendation is that the material must be presented in line with other literature that can be relevant, and models need to be developed in accordance with the theories and concepts that highly correlate with Islamic Microfinance through using Fintech in order to achieve the best possible results to propose this model.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)

27-28 December 2022

MAQASID SHARIAH AND SUSTAINABILITY DEVELOPMENT GOALS IN WAQF-BASED HEALTHCARE SYSTEM IN MALAYSIA

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Abstract

The purpose of this study is to examine the driven relation by waqf-based healthcare system toward Maqasid Shariah and Sustainability Development Goals (SDG) in Malaysia. Achieving Maqasid Shariah become necessary as an individual only can live happily with stability, tranquillity and security in society if the five elements of Maqasid Shariah; the protection of religion, self, mind, progeny, and property being achieve. While achieving SDG in healthcare become important as it will ensure all people receive good healthcare services without any difficulty in financial means. Waqf refers to the need of holding and preserving certain property to ensure their expected philanthropy benefits can be utilized. The implementation of waqf is recommended as its benefits are used to support the services for mankind in the name of Allah. This paper introduced the ideal framework for waqf-based healthcare system to be implemented in achieving the elements of Maqasid Shariah and SDG.

Keywords: Waqf, Maqasid Shariah, Sustainability Development Goals, Healthcare Services.

INTRODUCTION

The government introduced the Shared Prosperity Vision 2030 (SPV 2030) in 2019 as an effort to improve the country's development and well-being level. SPV 2030 represents the government's commitment to leading Malaysia to sustainable development through a fair, equitable, and inclusive economic distribution for all income groups, ethnicities, regions, and the supply chain, with the goal of providing a decent standard of living for all citizens by 2030.

The purpose of introducing SPV 2030 in the first place is to emphasise equal wealth distribution and bridge the income gap among citizens within a 10-year period (TEE, 2020). As a result, the three main goals of SPV 2030 are to achieve development for all through a structured economy, to address wealth and income disparities, and to build a united, prosperous, and dignified nation. To ensure this, seven Strategic Thrusts of SPV 2030 have been established

as indicators, with the main focus on sustaining social well-being, regional inclusion, and social capital enhancement.

Furthermore, the Rakyat Health Index is one of the indicators listed in the SPV Thrust. This Index is significant because it will demonstrate how far Malaysia has progressed in its efforts to provide healthcare to its citizens, as well as whether Malaysians can access the health services they require, as stated by Universal Health Coverage (UHC), which stresses that all people should have access to the health services they require, when and where they need them, without financial hardship.

Besides, UHC is also relevant to be associated with one of the goals under Sustainable Development Goals (SDGs) which is good health and well-being. In order to achieve sustainable development, the third SDG goal emphasises good health and well-being. It is critical to promote healthy living and well-being not only to specific groups of people, but to people of all ages and backgrounds. Thus, World Health Organisation (WHO, 2018) reported that in order to achieve SDGs in healthcare services, all people must be assured of receiving healthcare services and not experiencing financial hardship as a result.

Good healthcare services and facilities that are available to all people will also reflect on the achievement of Maqasid Shariah itself. According to Baqutayan and Mahdzir (2018) stated that an individual only can live happily with stability, tranquillity, dignity and security in society if the five element of Maqasid Shariah which is the protection of religion, self, mind, progeny and property being achieve. Thus, having a healthcare sector that offer a good and affordable quality of service also one of the methods that will be able to preserve the element in Maqasid Shariah.

However, due to financial constraints, providing high-quality healthcare services and facilities has become one of the most difficult challenges confronting Malaysia and the rest of the world (Hasan et al., 2022). Hence, the establishment of social-based healthcare institutions is required to ensure that all groups of society have access to proper healthcare services. A social-based healthcare institution is any institution that aims to provide a service that will benefit society's healthcare (Hasan & Ahmad, 2018).

Therefore, the third sector economy appears to be the most appropriate player in dealing with this issue. As waqf is a component of Malaysia's third sector economy, the government should place a special emphasis on waqf-based healthcare system. During the glorious era of Islam, the development of healthcare institutions and the facilities were aided by the waqf fund. Among the earliest hospitals that were developed are Bangkani Hospital in Turkey, Ikhshidid Hospital in Egypt, Ghulam Badr Hospital in Baghdad, and Hospital Marakish in North Africa (Conteh et al., 2020).

Thus, this study aims to suggest the most reasonable framework on healthcare waqf that considered relevant to be implement in order to achieve the element in Maqasid Shariah and Sustainability Development Goals particularly in Malaysia. Finding from this study can be used by the government and waqf institution as hand-in-hand strategies in developing a proper healthcare waqf framework that will benefit all level of society.

LITERATURE REVIEW

Overview of Maqasid Shariah

The word *Maqasid* come from the plural form of the word *qasd* which means purpose, aim and objectives of an action (Kamali, 2008). Hallaq (1997) mentioned that Maqasid al-Shariah represent the higher life-being objectives as stated by the God in the textual injunctions. Muhamad et al. (2015) stated that Maqasid Shariah is divided into three sections. The first is known as *dharuriyyat* (essential), which refers to the things that are considered as the basic needs that every person must fulfil. For example, in order to live, everyone requires proper access to healthcare. It also represents –the objectives and the rationale of the Shariah as it included all aspects of life either in the aspect of political, social, economic, religion and cultural (Dusuki & Bouheraoua, 2011; Mustafa, 2015).

The primary objective of Shariah based on Al-Imam Ghazali view is to promote societies social welfare. This is being completely agreed by the Muslim jurist that the main goal of Maqasid Shariah is to provide the necessity of all humankind and take any possible protection act to ensure it is safe from any destruction affect by protecting five element of Maqasid Shariah; faith, life, intellect, progeny and wealth (Dusuki & Bouheraoua, 2011).

According to Mustafa (2015) highlighted that the rationale behind Maqasid Shariah implementation are not only to provide the benefits for the societies but also to protect it from any inappropriate act that may affect those benefits. Besides, Maqasid Shariah also plays a crucial role in enhancing any improvement that able to create a better condition toward perfect human life in this world. This as mentioned in Quran on the purpose of Prophet Muhammad (pbuh) being send by Allah to this world which is to bring the mercy for all mankind as stated,

*"And We have not sent you, [O Muhammad], except as a mercy for
the whole worlds." (21:107).*

Kamali (2012) stated that the arise of Shariah are not only to remove the hardship but also to eliminate any prejudice so by that the justice among the humankind can be establish. Besides, any act that able to nourish the value of cooperation are strongly recommended by Shariah since it will lead to not only mutual support in the family institution but also at a large scope which is in the society.

Overview of Sustainability Development Goals

Sustainability Development Goals (SDG) is a term coined by the United Nations (UN) to encourage all countries and regions, rich, poor, or middle class, to collaborate in promoting national prosperity and environmental protection. The success of the SDGs is more highly reliant on the collections from the philanthropic sector, as this sector has shown positive participation among the public and private sectors (Abdullah, 2018; Hasan et al., 2022).

The importance of the philanthropic sector in enhancing sustainability goals has been consistently stated. Considering the previously mentioned by Abdullah (2018) that emphasis on the potentiality of philanthropic sector in achieving SDGs through the involvement of waqf. This due to the significance roles play by waqf as Islamic social finance in enhancing Islamic economy particularly in Muslim majority countries.

Furthermore, waqf is a shariah-based voluntary system that is designed to work in accordance with the Maqasid Shariah. Khan (2015) stated that the institution of waqf can serve as a gateway between the mutual goals of the SDGs and the Maqasid Shariah since SDG represents many similarities with the Maqasid Shariah agenda in their effort to benefits people. Thus, in order to achieve the SDGs, particularly in Muslim majority countries such as Malaysia, the role of waqf is extremely crucial, and this can begin with enhancing healthcare waqf implementation.

In fact, a review of the available waqf literature reveals that, long before the SDGs framework was established, waqf had a history of addressing these very social goals in Muslim societies, however because it was not properly managed, societies were unaware of it (Abdullah, 2018; Hasan et al., 2020).

Overview of Waqf Based Healthcare System

Waqf refer to Islamic social finance instrument that categorized as Islamic voluntary payment. Different from zakat which is compulsory payment, waqf is more flexible in terms of donors (waqif) and recipients (beneficiaries). Sulaiman et al. (2019) stated that waqf is a perpetual donation that allows the *waqif* (donor) to receive continuous reward, while the beneficiaries will enjoy continuous benefit. The element of perpetuity on waqf properties will ensure that the donor is able to keep on receiving the reward from Allah as much and as long as the waqf's properties are being used by the beneficiaries. This pleasure from Allah towards those who contribute in waqf is guaranteed as being noted in a *hadith*,

-When sons of Adam die, all their good deeds will stop, except for three things; firstly, the recurring charity, which people continuously use; secondly, their good knowledge, which is benefitted and continuously used by others and, thirdly, the prayers from pious children who always pray for their good. (Sahih Muslim, the Book of Bequests, Number 4005)

According to Hasan and Ahmad (2018), they stated that the beneficiaries who come from unfortunate group of people in society including the non-Muslims that depends on the waqf benefits such as free healthcare treatment will be able to improve their financial planning as the existence of this perpetual waqf benefits will help them to cover all the related costs that they are supposed to pay in order to get the benefits from its services.

In Islamic society, waqf is a powerful social finance tool not only for socioeconomic development but in supporting the healthcare system Razali (2015) in his book stated that the existence of waqf-based healthcare services had already begun during the time of Prophet Muhammad (pbuh). Before the concept of hospital exists, Muslims had already gotten the idea from the history of Khandaq battle that practised the mobile dispensaries treatment. Besides, there were many traditions by the Prophet (pbuh) that show his concern towards healthcare by emphasising the need of leaders to provide better healthcare services for their people. Akrama (2015) indicated that during the Prophet (pbuh)'s lifetime, he was presented a doctor as a gift by the king of Egypt. Prophet Muhammad (pbuh) then requested that the doctor to not only treat him but also all the people who needed treatments without taking any charge. This shows that Islam through their Islamic social finance which is waqf is very concern toward providing better healthcare system by implementing the waqf in healthcare system.

FRAMEWORK

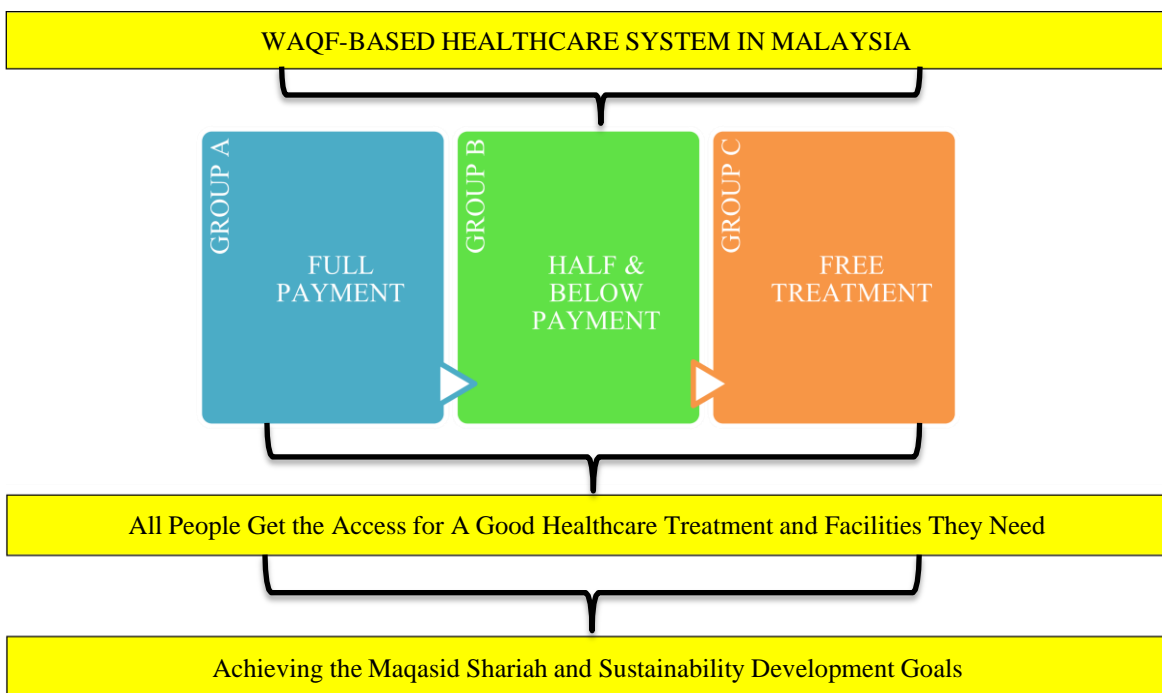


Figure 1: Proposed Framework of Waqf-Based Healthcare System in Malaysia

Based on figure 1 above represented the proposed framework for waqf-based healthcare system that able to be implement in Malaysia. The idea is to make sure that healthcare system in Malaysia able to work effectively in providing treatments for all people by classifying them into three group of patient's segments.

Group A will be represented by Malaysian who come from the group of T20. The T20 group refers to those who can earn a monthly salary and household income of more than RM10,971 in Malaysia. Usually, the T20 group consist of professional members who received the household income in between RM10,971-RM15,040 and they being consider as the rich (MYPT3, 2022). Hence, this framework suggest that the group A patients will be requested to make a full payment for the treatment they receive. This payment is not considered as profit-oriented since it will be used to cover the operational costs and all relatable cost for this healthcare waqf institution.

Furthermore, the group B will be referred to the Malaysian that come from the group of M40. Malaysia's M40 refer to the middle group that enjoys a salary and household income between RM4,851 per month up to RM10,970 per month for the year 2022 (MYPT3, 2022). This group will be requested to pay half and below for the treatment they received in accordance with their ability to pay at that time. The relevant of stating the payment rate at half and below being consider as flexible in facilitating the patients since half of the cost being covered by the waqf fund. As a result, the cost they need to pay through healthcare waqf will be more affordable compared than the charge that they may receive from the private hospital.

Finally, the last group that will receive a free treatment from healthcare waqf is group C which consists of B40 group. B40 is an abbreviation for the word Bottom 40% where it refersto the group of Malaysians who receive a salary and household income of RM4,850 and below per month (iProperty, 2022). Due to the last COVID-19 pandemic, the numbers of B40 in Malaysia have arisen for more than 20% that lead to the increasing numbers of extreme poverty among Malaysians (Jabatan Perangkaan Malaysia, 2021). Thus, the free treatment through the implementation of this waqf-based healthcare system will be very significance in helping those unfortunate people to get a good healthcare access that they need without any financial hardship.

However, it is very crucial to be remind that there is no mandatory payment for the application of waqf based healthcare system. This is because the nature of waqf itself have stated that the used of waqf usufruct should be not burden its beneficiaries in any costs (Hasan & Ahmad, 2018). Hence, the suggested framework above being practices with the concept of voluntary payments which is we encourage those patients from Group A, B and even C to make the payments for the treatment they received but if they refuse to do so, then there will be non-obstacles for them to enjoy the benefits from this system. Besides, waqf institution and government at the same time need to have a proper strategy in dealing with people especially those from the group A and B to support this waqf system by making the payments for every treatment they received. It is very necessary to appraise them that their payment will be consider as waqf contribution which will counted as their good deeds.

CONCLUSION

In conclusion, the implementation of a waqf-based healthcare system in Malaysia is extremely crucial in achieving the health needs of society. This is related to the Maqasid Shariah and the SDGs themselves, which emphasize the importance of protecting humankind in terms of physically and mentally through the good health access for all people. Besides, providing health access for all people will not only lead to the achievement of Maqasid Shariah and SDG itself but also bring to the people wellbeing. This is because, health is an essential indicator in measuring a country's development performance and strongly associated to the people wellbeing (Baqutayan & Mahdzir, 2018; Mahadhir et al., 2021). Thus, in order to ensure that the waqf-based healthcare system in Malaysia can be implemented as suggested in the framework, it will necessitate collaborative strategies not only from the waqf institution but also from other parties such as the government and societies. Only through these well-coordinated strategies can confirm the success and sustainability of this system being implemented in Malaysia and as result it will benefit all Malaysian to enjoy good healthcare access and facilities as they need.

ACKNOWLEDGEMENTS

This study was supported by the Ministry of Higher Education (MoHE) Malaysia for Fundamental Research Grant Scheme (R/FRGS/A0100/00651A/002/2020/00880) led by Dr. Hazriah Hasan of Universiti Malaysia Kelantan.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

**MAGNIFYING THE SOCIO -CULTURAL IMPACT OF ZACAT OF THE
BUSINESS SECTORS ON MORAL GOVERNANCE IN THE BANGSAMORO
HOMELAND**

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Abstract

The study covers the practices and socio-cultural impact of the Zakat of the business sector in the Bangsamoro homeland using phenomenological research design through one on one interview. The study was conducted to the seven (7) informants composed of three (3) imams and four (4) big and small business owners from the Bangsamoro Region for calendar year 2022. Results revealed majority of the informants gave Zakat as a voluntary religious obligation which is part of the pillars of Islam. This practice had been taught by religious leaders and parents. The Zakat given is about 2.5% to 3% of income or earned money to be given to the needy specially the poorest, widowed and orphans. Mostly had been giving their Zakat not in formal organization but they do it voluntary and selects whom they think needed it. The business sectors believed that it helped alleviate poverty to selected beneficiaries but had not impacted widely in the Bangsamoro region since poverty is still very high. Intensification of moral guidance to the Muslims can increase commitment towards Zakat giving which can help improve the situations of the people needing it most.

Keywords: Zakat, Social Development, Cultural Development, Moral Governance

INTRODUCTION

As one of the pillars of Islam, zakat is a form of obligatory charity that has the potential to ease the suffering of millions, It is also a spiritual connection to one's maker to purify your wealth for the will of Allah is to acknowledge that everything we own belongs to Him, and it is for Him that we strive to end poverty and help our brothers and sisters (World Relief, n.d.)

According to the Hanafi madhab, zakat is 2.5% of wealth that has been in one's possession for a lunar year. If wealth amounts to less than a threshold figure, termed the nisab, then no zakat is payable. If wealth amounts to more than the nisab, zakat becomes obligatory (Faruqui, 2019).

A common misconception is that Zakat is a form of tax. However, it is a spiritual obligation which is part of the pillars of Islam. Zakat plays a major role in supporting the poorest in the community through providing them with essential aids and basic needs on life which can alleviate poverty (Ali, et al, 2015).

The Bangsamoro homeland, is widely known to be the home of the richest and poorest Muslim in the Philippines (PSA, 2021). The contrast of the situation motivated the researcher to examine the impact of Zakat in the lives of the poorest communities for it is one of its objectives. Thus, the researcher plans to focus in examining the socio-cultural impact of Zakat of the business sectors as reflective of the values of Muslims and their aspirations to help the poor and how could the Bangsamoro government take part in this cultural practice to be helpful in the pathway of moral governance it is tracking today specially in alleviating poverty as one of the major social issues it is currently battling.

REVIEW OF RELATED LITERATURE

This part is composed of related studies and literature that supports the study.

ZAKAT PRACTICES

The word "Zakat" is derived from the Arabic word "Zakah" which means "cleanliness, purification, increase, growth, righteousness, blessing and praise". Literally, zakat means to grow and to increase, while in Shariah, Zakat is a concept referring to the redistribution of wealth prescribed by God to the deserving category of people. Besides poverty eradication, zakat aims to eliminate greediness among Muslims and encouraging socially oriented behavior (Hossain, 2012).

The practice of giving zakat is part of Islamic belief wherein it originates from the transcript in the Holy Quran. Accordingly, wealth is a favor from Allah and a test of piety (Qur'an 20:131). The one bestowed with wealth is expected to be compassionate towards the poor as an act of worship (Hassan, 2006). This is because the poor has a right on the wealth of the rich; and in their wealth, there is a due share for the beggar and the deprived (Qur'an 51:19). Having been bestowed the custody of wealth, Allah the source of all wealth enjoined the custodians to pay zakah annually, out of the wealth that has reached a specified amount known as nisab, and has stayed one lunar year with the owner (hal) (Ram & Roszainni, 2014; Sonn, 2010).

All over the world, it is becoming increasingly difficult to ignore the role of Zakat Maal in helping the poor. However, Zakat Maal has not been managed optimally by Mosque. Specifically in the study of Hakim, et al (2018) it was mentioned that most of the Mosque in Indonesia are only used for praying (sholat jamaah) and religious speeches (pengajian).

Though, once in a year, the Mosques collect and distribute zakat fitrah that is 2.5 kg of rice. However, this alone cannot help the poor for their daily lives.

Meanwhile, Gambling & Karim (1986) explained that Zakat must be paid to bring the faithful together as human beings. Zakat which is paid by rich people will be very useful for the poor. Therefore, the order to pay Zakat is meant to be carried out by Muslims who are already qualified. Zakat for Muslim not only is an obligation that has to be fulfilled but also it is to be understood as a step to purify the owned assets. As other worship, charity (Zakat) must also be harmonious and mandatory with the requirements.

In the Philippines Noor & Maruhom (2020) concluded that all the indicators given in the purpose of Zakah, improving the life of the recipients and alleviating poverty helped the poor people. Moreover, it was disclosed that respondents agreed that Zakah is compulsory to Muslims who are financially capable. However, they were undecided whether Zakah to be paid after one year (Hawl) and reached (Nisab), if items for personal use are exempted from Zakah payment; and if Zakah is applicable only on people of the Islamic faith. As to the purpose of Zakah, the respondent agreed that giving Zakah is an act of worship, on the recipients of Zakah, respondents that they give it to the recipients.

ZAKAT AND ALLEVIATION OF POVERTY

The study of Olanipekun, et al (2015) concludes that the institutionalization of zakat as an alternative strategy would provide the foundations for sustainable development and good life (hayat tayibah) since Zakat is seen as a right of the poor and a debt upon the rich in Islam. Both are aware who pays and who receives. To facilitate the willingness of the rich to give the Zakat, several ayahs of the Quran and sayings of the Prophet are stated, wherein there are promises of reward and the consequence of non-payment in the hereafter. Psychologically, therefore the rich are inwardly prepared to alleviate the plight of the poor.

Islam defines poverty based on an individual failure to fulfill any of the five basic human requirements of life that is based on MaqasidSyariah1: i) religion, ii) physical self, iii) knowledge, iv) dignity, and v) wealth (Hassan, 2010). Islam, being a religion of balance, views poverty as social and ideological problems. It is considered as social problem because the effects are felt in the society as a whole. Moreover, it is also an ideological problem as it affects the performance of one's socio-religious obligation towards the community and Islam, and may even lead to kufr. Furthermore, a hadith reported that Prophet Muhammad (pbuh) has sought Allah's refuge from poverty.

According to Akram et al (2014), Islam being the religion of all times has also presented a comprehensive system to alleviate this curse. Their study explores the application of some of these measures in collective way and brought into consideration the Zakat system exercised in Pakistan since 1980. The results show that there is an inverse relationship between poverty and Zakat disbursement both in the short run and long run. The study also investigated the certain flaws in the system operated in Pakistan and suggested the remedies.

The global Muslim community has an essential role to play in addressing the injustice of global poverty through zakat. Zakat is an Islamic faith-based institution and is being underutilized for poverty reduction in many of these poor Muslim countries. Since zakat constitutes one of the pillars of Islam, it is logical to assume that policy makers among Muslims should pay serious attention to it but many countries still did not utilize it as an important effort to resolved poverty (Ali & Hatta, 2014).

Also, Takril & Othman (2020) mentioned that Zakat is an integral economic instrument in the development of the country as it harmonizes the social security by reducing the gap between the higher income earners with lower income earner. The distribution of Zakat funds could help the government to help alleviate poverty.

On the other hand, outlook on Zakat contribution to social and cultural impact point by Noor and Pickup (2017) is a need to develop a formal management system for it. Since Zakat is often channeled informally between individuals a cash payment to an acquaintance in need, for example. Just a quarter of contributions are thought to be channeled through formal certified organizations. But there is growing recognition among Islamic organizations that giving to more intractable issues, such as poverty reduction, can reach more people, thus providing a more sustainable solution. Shifting the public mindset so that zakat is seen as a program needing professional management for positive change, rather than simply charity, will enhance its development impact.

RESEARCH PROBLEMS

In the Philippines, poverty is one of the major problems of the government. The 2020 Census showed that **4,404,288** are Muslims which represented the 16.78% of the overall population of the Mindanao island group, or 4.04% of the entire population of the Philippines (PIA, 2020). And many of them are among the poorest in the country.

The Bangsamoro region is reported to have the poverty incidence rate of 63 percent, making it as one of the poorest regions in the entire country. The irony of this situation on the other hand revealed that in this region also are found the richest Muslims who are living in luxury (Ampatuan, 2021).

The reality that despite a well-crafted government model for poverty alleviation, the state's role in managing charities to alleviate economic deprivation has been minimal. By reason of the state's strict adherence to secularism and constitutional guidelines, the operation of Islamic institutions at the social level is deemed unconstitutional. It is unfortunate that the dynamics of Islamic social financial institutions, i.e. zakat, waqf and sadaqah, are not given emphasis in the economic road map for the reconstruction of the Muslim Mindanao in past.

The issues on the mismanagement of zakat and its role in poverty alleviation within the context of a secular state revealed that zakat fails to eliminate or reduce the poverty of the Muslim minorities in the Philippines (Gamon & Tagoranao, 2018).

The contribution of Zakat of the affluent Muslims could have done something in alleviating the very high poverty rate among the Muslim population. Furthermore, the creation of zakat organizations have been overlooked as an influential partner and source of finance in the past years. Given the said situation, the researcher is motivated to examine the contribution of Zakat in poverty alleviation in the Bangsamoro region. This can be source of information for developing recommendations towards its institutionalization in the poverty alleviation program as part of the moral governance the government implements.

RESEARCH QUESTIONS

This study explored the socio-cultural impact of Zakat in the poorest Muslim communities in giving their Zakat to develop recommendation on how could the Bangsamoro government integrate this cultural practice to be helpful in the pathway of moral governance it is tracking today by providing answers to the following questions:

1. What are the practices of the Muslim business owners in giving their Zakat?
2. How did the Zakat of the business sector affected the social and cultural development of the poorest communities in the Bangsamoro Region?
3. What policy recommendation can be formulated based on the findings of the study towards institutionalization of Zakat in the moral governance of BARMM?

Research Objective

This study aimed to determine the socio-cultural impact of the Zakat of business sector in the Bangsamoro homeland .

In specific, it sought answers to the following objectives:

1. To identify the practices in giving the Zakat of the business sector in the Bangsamor Region.
2. To determine the social and cultural development in the Bangsamoro Region that can be attributed to the Zakat of the business sector.
3. To develop a policy recommendation towards institutionalization of Zakat in the moral governance of BARMM.

Significance of the Study

The study may benefit the following individuals, groups and organizations.

National Government. The findings can be a good source of vital information for the National Government in formulating policies that can strengthen development of poverty alleviation mechanism through institutionalizing Zakat in tax collection.

Local Government Units. The result may generate valuable information that can be integrated in the formulation of poverty alleviation and intensifying moral governance plans to maximize the utilization of Zakat.

Religious leaders may be able to gain insights on intensifying their collaborations with the government in motivating the Muslims to give their Zakat for this can help in improving the lives of the poor .

Muslims. The findings of the study may be a good source of information in understanding to guide the Muslims towards support they can extend in the institutionalization of Zakat that can intensify moral governance.

Future Researchers. The findings may be a source of novel information that can support other endeavors towards promoting and sustaining and peace and development through intensifying the moral governance in the Bangsamoro homeland.

Definition Of Key Terms

Zakat refers to a charity God obligates Muslims to pay yearly on their money and property. Its payment is made to the poor, vulnerable, and deserving as their divinely established right. The Prophet Muhammad, on him be peace, established Zakat as the third of the five pillars that Islam is built on.

Poverty refers to not having enough money to meet basic needs including food, clothing and shelter.

Obligation refers to an act or course of action to which a person is morally or legally bound; a duty or commitment.

Scope And Limitation

The study focused on the practices and socio-cultural impact of the Zakat of the business sector in the Bangsamoro homeland.

The study was limited to the responses of the seven (7) informants composed of three (3) imams and four (4) big and small business owners from the Bangsamoro Region for calendar year 2022.

METHODS

This chapter includes the research design, respondents of the study, setting, measures, procedures and limitations of the study.

Research Framework

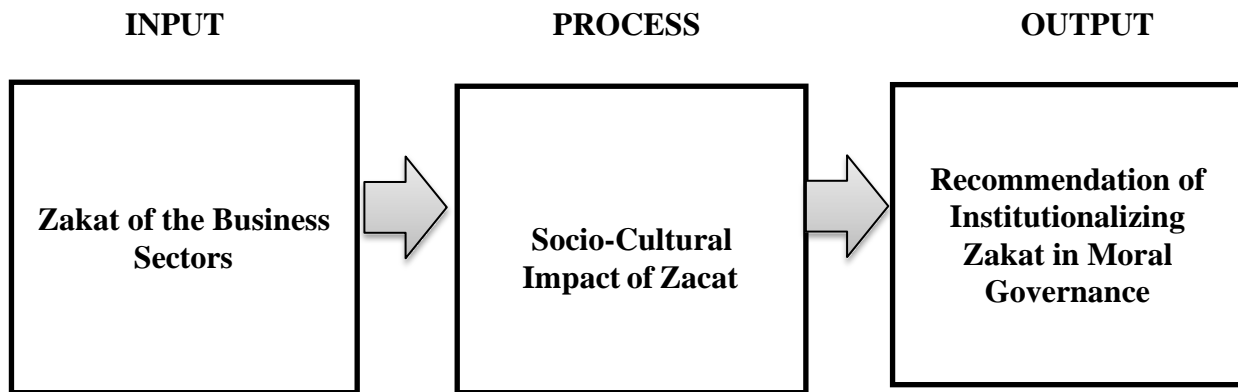


Figure 1. The Research Framework

The diagram in Figure 1 using the Input-Process- Output model illustrates the practices in the giving of Zakat of the business sector inside the first box which is connected to the second box by an arrow describing the socio-cultural impact of Zakat of the business sector. The two boxes are connected by an arrow to the third box that describes the output which can be the recommendation of institutionalizing Zakat in the moral governance indicators of the Bangsamoro government.

Research Design

This study employed the qualitative design specifically the phenomenological method. The method gathered data from people who have personal experiences about the phenomenon being studied. Thus, the in - depth interview was used in data gathering as a way of understanding the phenomenon at hand within a natural setting (Cresswell, 2013). The phenomenon under investigation in this study included the practices of the Muslims in giving their Zakat and its contribution in poverty alleviation.

Measurement Of Variables/Instrumentation

A researcher made interview guide question was used in data gathering. The instrument was validated by panel of experts composed of three members. All members of the validating panel are holders of PhD degree. The instrument was subjected to content validity to check and ensure that all domains and aspects were covered in the interview. It contained open ended questions dealing with practices of the Muslims in giving their Zakat. Probe questions were asked after each main question to extract rich data needed to answer the question as in the statement of the problem.

Data Collection

The data gathered from primary data were coming from the interview while secondary data to support the findings were taken from literatures and studies.

Sampling

The researcher used the purposive sampling technique in selecting the seven (7) participants. This study is a non probability design which is the best choice for phenomenological studies. It is done through selecting the participants based on characteristics of a population and the objective of the study since the ability to answer the question is an essential aspect of selecting the individual (Cresswell, 2013).

Data Collection Procedures

Since all data needed in the study were taken from in – depth interviews with the participants, the interview guide question was subjected to thorough scrutiny and validation procedures as described in the research instrument section. A step by step process was observed as follows:

The initial step will be the formulation of the interview guide questions. Then, it was submitted for the validation approval of the adviser before submission to the validating panel. After validation of the instrument, a letter of request to the participants was sent. Their approval signaled the permission allowing the identified individuals to participate in the study. Upon approval of the request, a letters of consent were also sent to the participants so that orientation and schedules de formulated. Then interviews were scheduled based on their convenient time. Each of the seven interviews was conducted in selected venues where the participants found comfort in expressing their views.

On the average, each one shot interview was conducted for 30 minutes. When substantial data were gathered to answer the questions which hoped to form a description of the phenomenon being explored, the interviews were ended with the reminders to the participants that the transcripts of the interviews be given to them for validation. The interview was conducted face to face.

Techniques of Data Analysis

The study utilized the Collaizi (1978) coding system using the thematic analysis . It is a phenomenological method of data analysis that offers personal insights into how to present an audible decision trail in a phenomenological study and explores issues of rigor and trustworthiness.

This was done by giving coded meanings to the verbatim discussions recorded. The coded meanings become a basis for formulation of dimensions or themes that are reflected by the common answers.

The first step of the data analysis was the familiarization of the researcher on the data gathered through rereading and translating the verbatim data. Significant statements were given interpreted meaning. Interpreted meanings were clustered and clustered themes form emergent themes that are integrated into comprehensive descriptions of the experiences of the phenomenon.

When the steps will be observed and experiences will be properly described, the researcher gets back to the participants and give the transcript as well as the comprehensive description of their experiences for validation and confirmation.

RESULTS

Presented in this chapter are the findings of the study. This section contains the discussion of the participants' answers to the research questions.

The Practices of the Muslim Business Owners in Giving their Zakat

Zakat is one of the pillars in Islam which pertains to the obligatory charity to the needy that has the potential to ease suffering and end poverty (Islamic Relief, 2020).

Theme 1 Voluntary Given to Needy

The common themes that emerged based on the interview revealed Zakat is being given by many business owners voluntarily and are they are the one selecting whom they think needs it. Some of the transcriptions are provided below:

Informant 1 verbalized:

“I give my Zakat annually and I distribute it every Ramadhan (Month of fasting).I usually computed it and gave it to strangers. I gave sack of rice and distribute it to orphans and widows.”

This shows that Muslims are allocating Zakat from their income and based on their capacity. Similarly, Takril & Othman (2020) mentioned that Zakat is an integral economic instrument in the development of the country as it harmonizes the social security by reducing the gap between the higher income earners with lower income earner. The distribution of Zakat funds could help the government to help alleviate poverty.

Theme 2 Collected by Organizations

One of the informant mentioned that there is a revolutionary group that is collecting Zakat in their community. However she is not giving there since she is giving her Zakat on people who she thinks need them most.

Informant 3 shared:

-Doon po sa amin meron nag ga collect sa MILF camp may resibo din yun, kaya lang hindi ako doon nagbibigay dahil pinipili ko kung sion ang mahirap doon ako nagbibigay. (In our place there is revolutionary group that is collecting Zakat but

they give receipts on those who give them Zakat, but I do not give it to them since I just select my beneficiaries))

This means that there were formal means of giving of Zakat that passes through lawful practices of providing records and documentations.

In the same way Lubis, et al (2019) explained that Zakat Institution is the intermediary organizations that has function to help the zakat management process with considering the social implications in the respected area or location. This organization have been essential entity in the collection and distribution process of zakat management effectively and efficiently. It described the process of collection recoding and reporting of where the Zakat were collected and spent.

Theme 3 Amount

According to majority of the informants , they are allocating certain amount that is not fixed from 10,000 to 50,000 annually based on their income. However, one informant mentioned that they compute the 3% of their income. Some of the interview details are presented below:

Informant 2 explained:

“I compute it by multiplying 3% in my overall income. The less amount I was able to give from my business zakat is Php 10,000 and maximum of Php 50,000.00.”

This shows that there are different amounts of Zakat given to the people but they are using a formula to apportion from their income.

The answer corroborates with the article published by Eliash (2022) who cited Ali ibn Abi Talib on his report that -If you have two hundred silver coins and a year has passed, five coins are due for alms. You will owe nothing until you own twenty gold coins. **If** you own twenty gold coins and a year has passed, half of a coin is due for alms. Whatever is extra should be calculated likewise.

Theme 4 Forms of Zakat

The common responses of the informants revealed they either give cash or any kind of goods such as rice or grocery items. This will depend on the need they have seen with their beneficiaries. Some of the discussions are presented below:

Informant 3 verbalized:

“Depende po yung binibigay ko na Zakat mam minsan bigas at grocery minsan din po pera kung yun ang Nakita ko na kailangan.(It will depend on

the needs of the person I have seen sometimes I give rice and groceries or even cash).¹

This proves that Muslims have different ways of sharing their Zakat with selected recipients and depends on their perceived needs of the people they wanted to give their Zakat.

This agrees with Mateen (2021) who cited Sheikh al-Islam Ibn Taymiyyah who said: -Giving items of equivalent value when there is no need and no obvious interest to be served is not allowed... Because if it were made permissible to give items of equivalent value, then the giver may give bad quality items or the evaluation may not be correct. Zakat is intended to help the poor, and the zakat is connected to the amount of wealth one owns and its type. However, with regard to giving items of equivalent value when there is a need for that or an interest to be served thereby, or to achieve fairness, there is nothing wrong with that.¹ (Majmu_ al-Fataawa)

Contribution of Zakat in the Social and Cultural Development of the Poorest Communities in the Bangsamoro Region

There is growing recognition among Islamic organizations that giving to more intractable issues, such as poverty reduction, can reach more people, thus providing a more sustainable solution. However, there is a need for shifting the public mindset so that Zakat is seen as a program needing professional management for positive change, rather than simply charity, will enhance its development impact (Noor & Pickup, 2017).

Theme 1 Social Development

The common answers of informant revealed that the Zakat had helped in some ways to provide assistance to the poorest and needy family. However, the sustainability of this in alleviating poverty is not observed or felt. Some of the discussions are provided below:

Informant 3 shared:

“Kung sa aming Zakat lang malaking tulong sya sa pamilya na napili ko pero as a whole hindi sya mkasolve sa problema ng kahirapan pangmatagalan.” (I have seen that my help to the family is helping them in their needs but it can not sustain for longer support to poverty alleviation of the poor)¹

This implies that there is a short term impact to the social life of the poor who will received the Zakat, but it will not continuously support the need of the poor family for it only is given once a year or in voluntary nature. Zakat is an important system of Islamic ideology that plays active role in social life of Muslim society. The system of Zakat ensures proper distribution of wealth and has wide impact on the entire set up of the society. If Zakat is established as an institution, it will create a collective social security scheme for mutual help/sympathy and the resources can be further utilized for social development (Abdullah & Suhaib, 2011).

In Islam, Zakat is paid to meet certain goals and functions. Islam brings forth zakat as means of a charity tool that can be used on eight types of group of people. Five of them are meant for poverty eradication such as the needy, the poor, the debtors, the slaves and the travelers in need. The remaining three are used for the heads of zakat administrative.

Albeit these eight types of people have been mentioned in the Holy Quran, nevertheless the priority in the use of zakat funds has to be accorded to the alleviation of poverty through assistance to the poor and the needy.

Cultural Development

The common answers the emerged showed that it has been part of their religious obligation as a good Muslim and has been part of their religious belief that it is part of the teachings of Allah. It makes them feel holy and cleanse them from impurity. This serves as a way of worship also. Some of the answers during interview are presented below:

Participant 1 opined:

“ This made me feel like a true Muslim which is doing the will of Allah, this had been our family and religious tradition ever since I am a child and still taught this to my children.”

This answer emphasizes the cultural practices of the Muslims to support and extend help to the poor for this is a teachings from Quran.

For a Muslims to honor their responsibility of giving zakat is considered an act of worship because it is portrayed as a form of offering thanks to God for the means of material well- being one has acquired. This notion is brought up in the Holy Quran which stated that Zakat purifies assets and creates virtue. The benefit entirely is directed to the poor in the Muslim community (Ali. Et al., 2017).

Policy Recommendation can be Formulated based on the findings of the study towards institutionalization of Zakat in the moral governance of BARMM

The major policy recommendation that emerged was the institutionalization of Zakat as part of the moral governance in BARMM governance system by establishing Zakat Institution. This can a means to ensure the directions and objectives of Zakat be sustained towards helping alleviate poverty.

CONCLUSION

Zakat giving to the needy family has been part of all Muslim business owners religious obligatory duty. They give their Zakat based on the selected recipients specifically focused on helping alleviate poverty. This had been part of the socio-cultural way of life of the Bangsamoro business owners. It has been a positive cultural practice of Muslims that also contributes to social needs for it helped in alleviating poverty of the selected families that are recipient of the Zakat. However, its impact in social development was not felt much since documentation of how it alleviated social problems like poverty and basic needs alleviation was not available to support this conclusion.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

**PEMBINAAN INDEKS BAHARU KESEJAHTERAAN KEHIDUPAN
GOLONGAN FAKIR DAN MISKIN DI NEGERI KEDAH**

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Abstrak

Golongan fakir dan miskin sering dikaitkan dengan kemiskinan dan sering terdedah kepada kemudahterancaman. Situasi ini memberi kesan kepada kesejahteraan kehidupan golongan ini. Walaupun indeks kesejahteraan keluarga negara menunjukkan skor yang tinggi, namun indeks ini tidak memberi gambaran sebenar kesejahteraan kehidupan bagi golongan fakir dan miskin. Situasi ini akan menjejaskan pelaksanaan program dan aktiviti kerajaan dalam membasmi kemiskinan. Kajian ini adalah bertujuan untuk membentuk indeks baharu kesejahteraan golongan fakir dan miskin. Kajian inimenumpukan kawasan luar bandar negeri kedah yang meliputi Daerah Kubang Pasu, Sik dan Alor Setar. Seramai 300 orang fakir dan miskin telah dipilih secara rawak berstrata yang melibatkan ketiga-tiga daerah berkenaan. Data dianalisa dengan menggunakan SPSS 25. Secara keseluruhan indeks Kesejahteraan Keluarga Fakir dan Miskin di Negeri Kedah adalah rendah dengan skor di bawah nilai 0.25. Hasil kajian turut mendapati bahawa bagi domain agama adalah tinggi (0.91), domain hubungan keluarga dan perumahan dan persekitaran (pertengahan rendah). Manakala domain ekonomi keluarga, keselamatan, kesihatan, komuniti dan teknologi menunjukkan skor yang rendah dengan nilai di bawah 0.25. Bagi mempertingkatkan kesejahteraan kehidupan golongan fakir dan miskin adalah dicadangkan agar pendekatan pendidikan melalui kemahiran dan latihan perlu dipertingkatkan. Perkara ini adalah penting bagi membentuk daya saing golongan ini dalam mencapai kesejahteraan. Melalui penerapan kemahiran dan latihan yang berterusan, go longan fakir dan miskin mampu mencari sumber alternatif bagi mempertingkatkan kesejahteraan keluarga melalui pelbagai pendapatan tanpa bergantung sepenuhnya kepada sumber pendapatan utama dan bantuan dari Lembaga Zakat Negeri Kedah.

Kata Kunci: Fakir, Miskin, Indeks Kesejahteraan Kehidupan, Negeri Kedah

PENGENALAN

Wawasan Kemakmuran Bersama 2030 bertujuan untuk menjadikan Malaysia sebagai sebuah Negara yang terus menerus membangun secara mampan seiring dengan pengagihan ekonomi yang adil dan inklusif di setiap peringkat kumpulan pendapatan, etnik, wilayah serta rantaian bekalan sehingga mewujudkan rasa keharmonian dan kestabilan di kalangan rakyat. Bagi mencapai hasrat tersebut, pencapaian kesejahteraan di kalangan isi rumah mudah terjejas merupakan antara penentu kepada pencapaian matlamat tersebut. Jika diperhatikan Indeks Kesejahteraan Rakyat Malaysia meningkat sebanyak 1.7% setahun bagi tempoh 2018-2020 berbanding 0.9 peratus pada tahun 2016-2020 (Malaysia, 2018). Situasi ini menggambarkan, kesejahteraan rakyat Malaysia bertambah baik selaras dengan kemajuan ekonomi negara. Walaupun kesejahteraan rakyat dari aspek sosioekonomi menggambarkan prestasi yang baik pada peringkat makro, namun apakah kesejahteraan ini dapat dinikmati diperingkat mikro?. Adakah ianya menggambarkan secara keseluruhan kesejahteraan kehidupan rakyat Malaysia khususnya golongan fakir dan miskin. Ini kerana masih wujud Ketidaksamaan yang masih berterusan dan beberapa isu struktur yang perlu diberi perhatian secara khusus (Malaysia, 2018). Kesejahteraan keluarga merupakan salah satu petunjuk kepada kebahagiaan sesebuah masyarakat. Ia dibincangkan di pelbagai peringkat dengan ukuran dan persepsi yang berbeza. Ia mungkin boleh dilihat dari sudut kebendaan, lokaliti, kejiwaan, kerohanian, keharmonian hubungan dan lain-lain. Terdapat pula kajian yang melihat dalam konteks umum rakyat Malaysia tanpa memfokuskan kepada aspek kekeluargaan secara khusus. Begitupun dalam konteks sebuah negara membangun seperti Malaysia yang mempunyai pola dan gaya kehidupan yang pada asasnya masih bertunjangkan kekeluargaan, masih belum dijumpai satu indikator khusus bagi menilai tahap kesejahteraan (Abdul Wahab et al. 2021).

Secara umum, kesejahteraan kehidupan merangkumi tiga komponen utama iaitu kepuasan hidup, kehadiran kesan positif, dan ketiadaan kesan negatif (Diener, 1994; Lyubomirsky et al., 2005). Kebahagiaan dikaitkan dengan hasil positif di dalam berbagai domain kehidupan, termasuk hubungan kesihatan, prestasi di tempat kerja, dan pendapatan (Lyubomirsky et al., 2005). Lyubomirsky et al. (2005) dan Lee & Lai (2020) turut menyifatkan bahawa kebahagiaan bukan hanya hasil kejayaan tetapi kegembiraan itulah yang membawa kepada hasil yang berjaya. Menurut teori emosi positif yang luas, orang yang mengalami emosi positif lebih cenderung bergerak ke atas di mana perhatian dan pemikiran mereka menjadi lebih luas (Fredrickson, 2004). Lama kelamaan, emosi positif membawa kepada pertumbuhan psikologi dan menghasilkan fungsi yang optimum (Fredrickson, 2004). Oleh itu, kebahagiaan dapat dilihat sebagai sumber penting yang dapat menghasilkan hasil yang lebih positif di masa depan.

Istilah kesejahteraan atau kebahagiaan' telah digunakan dalam pelbagai dimensi . Dalam erti kata yang lain, 'kebahagiaan' digunakan secara bergantian dengan istilah seperti 'kesejahteraan' atau 'kualiti hidup' dan menunjukkan kesejahteraan individu dan sosial. Istilah 'kebahagiaan' juga digunakan secara lebih khusus untuk menghargai penghargaan hidup yang subjektif. Veenhoven (1984) dan Lee & Yoon (2020) mendefinisikan kebahagiaan sebagai sejauh mana seseorang menilai keseluruhan kualiti hidup secara keseluruhan.

Berdasarkan definisi ini, "kebahagiaan" dapat ditafsirkan sebagai sikap terhadap kehidupan seseorang, yang mempunyai kestabilan tersendiri dan yang melibatkan perasaan dan kepercayaan yang berkaitan. Oleh itu, perasaan dan kepercayaan ini dapat dilihat sebagai 'komponen' kebahagiaan.

Veenhoven (2000), Mignamissi & Kuete(2021) turut menjelaskan istilah 'kualiti hidup', 'kesejahteraan' dan 'kebahagiaan' dengan berdasarkan kepada dua bahagian utama iaitu (i). antara 'peluang' hidup dan 'hasil' kehidupan, dan (ii). antara kualiti 'luar' dan 'dalaman'. Beliau turut menjelaskan empat kualiti hidup yang dicapai oleh individu bagi tujuan berikut:

- i. kelangsungan hidup persekitaran (ekologi, sosial, ekonomi, budaya, dan lain-lain),
- ii. kemampuan hidup individu (kesihatan fizikal, kesihatan mental, pengetahuan, kemahiran, seni hidup, dan lain-lain.),
- iii. utiliti objektif hidup (utiliti luaran, kesempurnaan moral), dan
- iv. penghayatan subjektif hidup (penilaian aspek kehidupan, suasana hati yang berlaku, penilaian keseluruhan - afektif dan kognitif).

Kebahagiaan di kalangan isi rumah yang berkaitan dengan kelestarian penghidupan. Apabila hasil kehidupan dicapai, secara langsung kebahagiaan akan berjaya. Secara konseptual, dalam mencapai kesejahteraan di dalam kehidupan mewakili cara, aktiviti, hak, dan pemilikan aset kehidupan dalam mencari sumber pendapatan. Dalam memastikan sumber pendapatan terjamin kemampuan, aset kehidupan (seperti sumber, tuntutan, dan akses) merupakan antara penentu utama dalam memastikan kesejahteraan kehidupan. Pada masa yang sama kemampuan untuk pulih dari tekanan dan kejutan serta mempertahankan kemampuan dan aset kehidupan turut dititiberatkan. Ini bertujuan untuk memberi peluang penghidupan kepada generasi yang akan datang dan secara langsung dapat menyumbang faedah yang bersih untuk kehidupan di dalam tempoh jangka masa yang pendek dan panjang sama ada di peringkat tempatan mahupun global (Chambers & Conway, 1992).

Dalam mencapai kesejahteraan kekeluargaan, goelah longan fakir dan miskin berhadapan dengan cabaran dan kekangan yang akhirnya memberi kesan kepada institusi kekeluargaan. Kebergantungan golongan mudah terjejas kepada satu sumber pendapatan menyebabkan golongan ini amat terkesan apabila berhadapan situasi mudah terjejas. Rancangan Malaysia ke 11, menjelaskan 64.7 peratus isi rumah mudah terjejas adalah bergantung kepada satu punca pendapatan menyebabkan mereka mudah terjejas jika berlaku sebarang kejutan samaadaekonomi, bencana alam dan sebagainya (Malaysia,2015).

Peningkatan Purata Garis Kemiskinan (PGK) daripada RM980 kepada RM2,208 pada tahun 2019 telah mengakibatkan bilangan isi rumah meningkat isi rumah miskin kepada 405,441 isi rumah berbanding 24,700 isi rumah pada 2016 (Jabatan Perangkaan Malaysia, 2020). Tambahan pula penstrukturan semula PGK yang menjelaskan di mana isi rumah yang

mempunyai pendapatan di bawah RM2500 dikategorikan sebagai miskin turut memberi impak kepada institusi kekeluargaan golongan ini. Tambahan pula laporan Purata perbelanjaan bulanan meningkat sebanyak 3.9 peratus setahun daripada RM4,033 (2016) kepada RM4,534 (2019) (Jabatan Perangkaan Malaysia, 2020). Jabatan Perangkaan Malaysia (2020) turut menjelaskan perbelanjaan penggunaan isi rumah di kawasan bandar meningkat pada kadar 3.7 peratus setahun daripada RM4,402 kepada RM4,916. Manakala, di luarbandar juga turut menunjukkan peningkatan perbelanjaan isi rumah pada kadar 3.6 peratus setahun daripada RM2,725 kepada RM3,038 bagi tempoh 2016 hingga 2019.

Situasi ini secara tidak langsung memberi tekanan menjelaskan bahawa golongan mudah terjejas berhadapan dengan tekanan sumber kewangan. Maka tidak hairanlah situasi ini menyumbang kepada keganasan rumah tangga Terdapat enam faktor utama daripada 25 faktor berlakunya keganasan rumah tangga antaranya perselisihan faham iaitu sebanyak 692 kes, panas baran (658 kes), masalah kewangan (327 kes), cemburu (312 kes), penagihan dadah (309 kes) dan campur tangan pihak ketiga (177 kes) (Wan Noor Hayati, 2019).

Tidak keterlaluan dikatakan faktor kemiskinan dan kesusahan hidup menjadi penyumbang utama berlakunya keganasan di dalam rumah tangga. Kemiskinan disebabkan kesempitan wang juga terpaksa dihadapi dalam konteks keganasan rumah tangga. Justeru, kebanyakan pasangan dalam penyelidikan ini terlibat dengan masalah kewangan yang merupakan salah satu keperluan penting bagi menjalani kehidupan seharian yang selesa hingga menyebabkan berlaku keganasan dalam rumah tangga. Pelbagai bentuk tekanan yang dihadapi oleh pasangan telah dikesan. Kebanyakan mereka tidak mempunyai wang yang mencukupi untuk membeli barangan keperluan rumah hingga membawa kepada pertengkaran antara pasangan (Masarah et al. 2020). Perkara ini adalah selari dengan kajian Bullock et al. (2006) mendapati ketidakseimbangan faktor pendapatan yang rendah serta tahap tekanan yang tinggi jelas mempengaruhi tindakan kejam pasangan terhadap mangsa keganasan.

Keadaan ini menjadi lebih terkesan apabila berhadapan dengan situasi mudah terancam seperti pandemik COVID-19. Kajian yang dilakukan oleh Ahmad Zubir & Zaheruddin (2020) mendapati 69.49 peratus golongan mudah terjejas berhadapan dengan situasi harga barangan keperluan asas meningkat. Tempoh PKP 1.0 yang panjang juga turut memberikan tekanan kepada golongan mudah terjejas. Sebanyak 43.84 peratus menyatakan mereka tertekan sepanjang tempoh PKP. Belian panik oleh orang ramai sepanjang tempoh PKP 1.0 turut mengakibatkan bekalan makanan tidak mencukupi di pasaran, di mana 40.10 peratus golongan mudah terjejas menjelaskan bahawa bekalan makanan tidak mencukupi dalam pasaran. Tempoh PKP 1.0 turut mengakibatkan sebanyak 26.44 peratus golongan mudah terjejas terpaksa bertahan lapar ekoran daripada sumber pendapatan golongan mudah terjejas terjejas seramai 37.73 peratus. Pada masa yang sama sebanyak 7.22 peratus golongan mudah terjejas terputus bekalan makanan dan kehilangan pekerjaan sebanyak 12.58 peratus. Dalam memastikan kelangsungan hidup, 42.56 peratus golongan ini kehabisan wang simpanan dan akhirnya terpaksa menahan lapar ekoran daripada bekalan makanan terputus.

Jabatan Perangkaan Malaysia turut melaporkan 52.6 peratus individu sangat terkesan dari segi kewangan ekoran ancaman COVID-19. Sebanyak 69.7 peratus individu yang bekerja kurang dari setahun menjelaskan simpanan mereka hanya dapat bertahan kurang dari sebulan, manakala sebanyak 46.6 peratus individu yang bekerja sendiri kehilangan pekerjaan tempoh PKP 1.0.

Bagi memastikan kelangsungan kehidupan, Ahmad Zubir & Zaheruddin (2020) mendapati hampir keseluruhan golongan mudah terjejas berbelanja wang secara jimat cermat dan mengutamakan barangan keperluan harian sahaja. Pada masa yang sama, seramai 83.31 peratus golongan ini membeli barangan di kedai yang menawarkan harga yang murah. Terdapat juga golongan ini meminjam wang daripada saudara mara atau jiran bagi meneruskan kelangsungan hidup namun bilangannya agak kecil iaitu 3.74 peratus sahaja, Golongan ini juga turut mengurangkan jumlah pengambilan makanan, dan menggunakan wang simpanan untuk membeli bekalan makanan. sepanjang tempoh PKP 1.0. Bagi mengatasi kekurangan bekalan makanan 32.28 peratus golongan rentan diluar bandar mengutip sayur-sayuran di sekeliling kawasan rumah untuk dijadikan bahan makanan. Mencatu makanan turut dijadikan sebagai salah satu strategi berdaya tahan semasa PKP 1.0 dengan peratusan sebanyak 36.61 peratus. Terdapat juga ketua isi rumah membeli bahan makanan secara berhutang namun peratusannya adalah kecil 4.11 peratus. Bagi memastikankelangsungan hidup dan tidak tertekan sepanjang tempoh PKP1.0, terdapat sebahagian kecil golongan ini melibatkan diri atau memulakan perniagaan secara di atas talian. Seramai 26.9 peratus golongan ini menjalankan perniagaan di atas talian. Pada masa yang juga, 9.96peratus golongan mudah terjejas yang hilang sumber pekerjaan turut mencuba pekerjaan baharu sebagai seperti pemandu Grab/E-hailing, Food Panda semasa PKP 1.0.

Tempoh PKP 1.0 juga di dapati bahawa turut menjelaskan bahawa 52.6 peratus individu sangat terkesan dari segi kewangan ekoran ancaman COVID-19. Sebanyak 69.7 peratusindividu yang bekerja kurang dari setahun menjelaskan simpanan mereka hanya dapatbertahan kurang dari sebulan, manakala sebanyak 46.6 peratus individu yang bekerja sendiri kehilangan pekerjaan (Jabatan Perangkaan Malaysia (2020). Secara tidak langsung, aspek kewangan sering kali menjadi punca kritikal yang boleh membawa kepada tekanan hidup dan masalah mental sekiranya gagal ditangani lebih-lebih lagi bagi mereka yang mempunyai tanggungan serta beban hutang yang banyak. Rentetan dari kehilangan pekerjaan semasa pandemik COVID-19 ini, terdapat individu yang membunuhdiri dengan menggantung diri (Hafidzul, 2020).

Pada masa yang sama masalah kelaparan tersembunyi masih wujud terutama di kalangan golongan mudah terjejas. Di Malaysia, dianggarkan seramai 63.1% dan 33.6% golongan mudah terjejas (golongan berpendapatan rendah) berada di bandar dan luar bandar. Komposisi golongan mudah terjejas merentasi sempadan kaum, gender, wilayah dan strata (bandar dan luar bandar) dan pelbagai jenis pekerjaan Golongan ini merupakan golongan mudah terancam apabila berlaku sesuatu di luar jangka. Kajian yang dilakukan oleh Radin Firdaus et al.(2014), menjelaskan lebih 60% petani padi di kawasan pengairan Muda berada dalam keadaan

mudah terancam. Begitu juga dalam kajian Zalilah & Khor (2008) di Sabak Bernam juga mendapati peratusan ketidakselamatan makanan di kalangan isi rumah bandar adalah tinggi iaitu 66.6% berbanding isi rumah luar bandar iaitu 58%. Terdapat dua faktor utama yang menyumbang kepada masalah ini iaitu isi rumah bandar mempunyai pendapatan yang tetap dan tiada pendapatan sampingan serta kos hidup yang tinggi.

Golongan ini juga dilaporkan mempunyai tahap hutang yang tinggi di dalam kelompok mudah terjejas secara langsung mempengaruhi kedudukan kewangan mereka ekoran kecenderungan mereka membuat pinjaman peribadi untuk menampung perbelanjaan harian. Pada tahun 2014, dilaporkan tahap keberhutangan isi rumah yang mempunyai pendapatan RM3,000 sebulan ke bawah adalah sebanyak tujuh kali pendapatan tahunan mereka. Manakala bagi isi rumah berpendapatan RM5,000 sebulan ke bawah tahap keberhutangan adalah antara tiga ke empat kali pendapatan tahunan. Keadaan ini akan memberi kesan bagi menampung perbelanjaan selepas umur persaraan (Unit Perancang Ekonomi, 2016).

Golongan mudah terjejas turut terperangkap dalam skim ansuran mudah yang ditawarkan oleh syarikat yang berkaitan. Setiap bulan sebanyak RM435.00 sebulan bagi membayar ansuran sepanjang tempoh lima hingga sembilan tahun. Faedah yang perlu ditanggung pula sebanyak RM 11,366.00 sehingga selesai pembayaran bagi pembelian barangan tersebut. Jumlah ini tidak termasuk dengan perbelanjaan makanan minuman, perbelanjaan sekolah anak-anak, pengangkutan dan sebagainya. Pinjaman skim ansuran mudah ini secara tidak langsung memberikan kesan kepada kedudukan kewangan isi rumah golongan terjejas. Tujuan berhutang adalah untuk membebaskan diri dari kesempitan hidup (Syahnaz 2009) dan bukannya untuk memperlihatkan tahap keberadaan dan kemewahan kepada masyarakat umum malah akan mengakibatkan gejala perbelanjaan melebihi pendapatan dan pengurusan wang yang kurang bijak dikalangan isi rumah mudah terancam (Othman & Sipon 2014). Menurut kajian mendapati bahawa terdapat isi rumah yang gemar berhutang daripada mengeluarkan wang simpanan sendiri (Hodari et al. 2014).

Bank Negara (2018) turut mendapati rakyat Malaysia memiliki tahap keyakinan yang rendah terhadap pengetahuan kewangan mereka sendiri. Dapatan kajian tersebut turut menjelaskan satu daripada tiga rakyat Malaysia merasakan mereka mempunyai pengetahuan kewangan yang rendah. Kajian ini juga menjelaskan isi rumah yang berpendapatan rendah cenderung untuk memiliki tahap pengetahuan kewangan yang rendah. Pada masa yang sama, 84 peratus rakyat Malaysia mendakwa mereka menyimpan secara tetap hanya untuk jangka masa terdekat, iaitu simpanan tersebut kebiasaannya dikeluarkan pada akhir bulan untuk menampung perbelanjaan harian. Satu daripada lima orang dewasa Malaysia yang bekerja tidak membuat simpanan dalam tempoh enam bulan sebelumnya. Tiga daripada 10 orang dewasa Malaysia yang bekerja perlu meminjam wang untuk membeli barangan keperluan asas (Jaringan Pendidikan Kewangan, 2019). Situasi ini sudah pasti memberi kesan kepada kesejahteraan di dalam institusi keluarga fakir dan miskin. Secara umumnya perkara yang dibincangkan di atas, memberi kesan kesejahteraan kehidupan golongan fakir dan miskin yang sering terdedah dengan pelbagai situasi mudah terancam. Lantaran itu, kertas kerja ini bertujuan untuk

membangun dan menilai kehidupan golongan fakir dan miskin di Negeri Kedah berdasarkan pembangunan indeks baharu kesejahteraan kehidupan khusus bagi golongan ini.

METODOLOGI

Kajian ini akan dijalankan di Negeri Kedah. Pemilihan negeri Kedah sebagai kawasan kajian ekoran negeri Kedah merupakan antara negeri yang mempunyai kadar kemiskinan yang kedua tertinggi iaitu 8.8 peratus selepas Kelantan 12.4 peratus pada tahun 2019 di Semenanjung Malaysia. (Jabatan Perangkaan Malaysia 2020). Kadar kemiskinan kedua yang tertinggi ini memperjelaskan bagaimanakah golongan mudah terancam di negeri ini untuk mencapai kesejahteraan dalam kehidupan. Berdasarkan data e-kasih, sehingga Disember 2020, seramai 6251 orang ketua isi rumah miskin yang meliputi keseluruhan daerah di Negeri Kedah berdaftar dengan e-kasih. Kajian ini telah memilih responden seramai 300 orang susulan perintah kawalan pergerakan yang meliputi tiga daerah utama yang mempunyai bilangan asnaf miskin yang ramai iaitu Alor Setar, Kubang Pasu dan Sik (Rajah 1). Setiap daerah seramai 100 orang dipilih secara rawak sebagai responden.



Rajah 1: Lokasi kajian

Bagi membentuk indeks kesejahteraan keluarga dikalangan asnaf. Gabungan lapan domain dilakukan bagi mendapat nilai indeks secara keseluruhan. Pengukuran nilai indeks ini berdasarkan nilai 0 hingga 1. Nilai indeks yang menghampiri 1 menunjukkan kesejahteraan keluarga dikalangan asnaf adalah tinggi begitulah sebaliknya. Pada masa yang sama juga pencapaian atau skor setiap domain akan turut dilakukan. Melalui skor indeks yang diperolehi akan menentukan kesejahteraan keluarga di kalangan asnaf dan tindakan penambahbaikan boleh dilakukan dengan menumpukan kepada domain yang mempunyai skor yang rendah. Domain ini dibentuk dan diubahsuai berdasarkan kepada domain yang dikemukakan oleh Lembaga Penduduk dan Keluarga Malaysia (2020) iaitu :

- Hubungan kekeluargaan
- Ekonomi Keluarga

- Kesihatan Keluarga
- Keselamatan keluarga
- Agama dan amalan kerohanian
- Keterlibatan di dalam komuniti
- Perumahan dan persekitaran
- Teknologi dan komunikasi

Pembentukan indeks ini adalah penting bagi menentukan sejauhmanakah pencapaian kesejahteraan keluarga golongan fakir dan miskin. Tindakan penambahbaikan akan dilakukan dengan memberi penumpuan khusus kepada domain yang mempunyai skor yang rendah. Secara tidak langsung pembangunan fakir dan miskin dapat dipertingkatkan melalui domain yang terkandung. Hasil indeks ini juga akan membantu kepada pihak pembuat polisi untuk menentukan apakah bentuk intervensi yang diperlukan atau perlu dibuat penambahbaikan ke atas golongan asnaf secara khusus dan tersasar. Pembangunan indeks ini boleh digunakan setiap tahun bagi tujuan pengukuran kesejahteraan keluarga asnaf. Dalam menentukan nilai indeks kesejahteraan keluarga golongan fakir dan miskin berdasarkan kepada pembentukan indeks yang diperkenalkan oleh Mutahara et al. (2016) dan diubah suai bagi disesuaikan dengan kajian.

Bagi tujuan pembentukan nilai indeks kesejahteraan keluarga langkah langkah berikut perlu dipatuhi.

Langkah 1. 2 bentuk nilai setiap indikator yang dipilih akan dilakukan melalui analisa data sekunder dan *focus group* dan temubual dikalangan golongan fakir dan miskin. Di mana, , perubahan di antara nilai sebenar dan nilai standard akan dikira untuk setiap indikator individu di mana ianya menunjukkan perbezaan unit setiap isi rumah.

Di mana, I_n merupakan nilai semasa bagi indicator setiap indikator, I_s nilai standard bagi setiap indikator individu. I_d merupakan peratusan perbezaan unit di antara nilai indikator semasa dan standart setiap individu mudah terjejas.

Langkah 2; Perubahan skala nilai merupakan langkah untuk menentukan skor kesejahteraan dari hasil langkah pada peringkat pertama kerana nilai I_d kebarangkalian nilai alternatif iaitu sama ada positif dan negative. Dimana petunjuk positif menjelaskan kesejahteraan yang dicapai oleh golongan mudah terjejas dan positif menunjukkan ketidaksejahteraan dikalangan golongan mudah terjejas. Dalam proses membangunkan model ini, nilai positif digunakan kerana pada dasarnya model ini mengukur kesejahteraan pada setiap peringkat isi rumah. Peringkat ketidaksejahteraan untuk isi rumah yang sama akan ditentukan secara terus dan mudah dengan menggunakan model ini.

$$|I_d| = \{(I_p - I_s) / (I_p + I_s)\} \times 100 \quad (1)$$

Langkah 3. Kesejahteraan isi rumah untuk setiap aspek kesejahteraan dinilai melalui indeks di bawah. Kesejahteraan isi rumah dalam aspek kesejahteraan di kira dengan menggunakan

skor indikator ($i = 1, 2, \dots, n$) berdasarkan maklum balas isi rumah ke atas aspek kesejahteraan j berdasarkan persamaan berikut

$$SI_j = \left\{ \sum_{i=1}^n X_{ij}/M_j \right\} \times 100 \quad (2)$$

Di mana SI_j merupakan aras kesejahteraan di bawah jth aspek individu, X_{ij} merupakan skor positif bagi aspek indicator ith,

Di mana

Nilai X untuk perbezaan indikator ($i = 1$ hingga n) dikira dengan menjumlah petunjuk indicator positif. N merupakan jumlah indikator sensitif ke atas aspek individu. M_j merupakan jumlah keseluruhan indikator bertindak balas dibawah aspek jth. J merupakan perbezaan aspek kesejahteraan (1-5). Nilai keseluruhan kesejahteraan isi rumah mudah terjejas boleh dikira melalui kombinasi skor kesejahteraan di bawah keseluruhan aspek kesejahteraan. Perbezaan indek kesejahteraan ditunjukkan melalui

$$SI = \sum_{j=1}^N SI_j/N \quad (3)$$

Di mana SI merupakan aras kesejahteraan untuk isi rumah (dalam peratusan). N merupakan jumlah aspek kesejahteraan dalam komposit indeks.

HASIL KAJIAN

Hasil kajian di Jadual 1 menunjukkan responden yang menjawab soal selidik ini adalah di daerah Kubang Pasu dan Sik. Majoritinya iaitu sebanyak 90% tinggal di luar bandar. Purata umur responden dalam kajian ini adalah 51 tahun ke atas (41%) dan majoritinya adalah perempuan (66%) serta berstatus berkahwin (64%). Dari aspek pendidikan, kebanyakannya mempunyai tahap pendidikan tertinggi pada tahap peringkat sekolah rendah iaitu sebanyak 22% serta bekerja sendiri (54%) dan mempunyai pendapatan isi rumah sebulan secara puratanya di bawah RM1,500 (68%).

Jadual 1: Demografi responden

Butiran	Kekerapan	Peratusan
Tempat Tinggal		
Bandar	119	40.1
Luar Bandar	178	59.9
Umur		
Bawah 30 tahun	50	16.8
31 hingga 40 tahun	64	21.6
41 hingga 50 tahun	70	23.6
51 tahun ke atas	113	38.0
Jantina		
Lelaki	127	42.8
Perempuan	170	57.2
Taraf Perkahwinan		
Berkahwin	193	65.0
Bujang	43	14.5
Duda/Ibu Tunggal	61	20.5
Tahap Pendidikan		
Tidak bersekolah	26	8.7
Darjah 6	68	22.9
SRP/LCE/PMR/PT3	35	11.8
SPM/MCE	109	36.7
STPM/Sijil	59	19.9
Pendapatan Isi Rumah		
Bawah RM1,500	199	67.0
RM1,501 – RM3,000	98	33.0

Membentuk Indeks Baharu Kesejahteraan keluarga Fakir dan Miskin

Indeks baharu kesejahteraan keluarga golongan fakir dan miskin diklasifikasikan dengan menggunakan persentil di mana <0.25 diklasifikasikan sebagai rendah/lemah, 0.26-0.50 (pertengahan rendah), 0.51-0.75 (pertengahan tinggi) dan 0.75 ke atas diklasifikasi sebagai tinggi/kuat (Rai, 2008). Indeks baharu kesejahteraan keluarga golongan fakir dan miskin diterjemahkan di dalam Jadual 2 di mana domain agama menunjukkan nilai indeks yang tinggi (0.91- tinggi/kuat). Namun begitu, indeks domain kesejahteraan yang lain iaitu ekonomi keluarga, hubungan kekeluargaan, keselamatan, kesihatan, komuniti dan teknologi menunjukkan skor < 0.25(rendah dan lemah). Hanya indeks domain perumahan dan persekitaran menunjukkan skor pertengahan rendah.

Secara keseluruhan indeks kesejahteraan keluarga bagi fakir dan miskin di negeri kedah adalah 0.31 (pertengahan rendah). Namun demikian sekiranya domain agama tidak di ambil kira, indeks kesejahteraan keluarga bagi golongan ini adalah rendah di bawah skor 0.25. Setiap domain dalam pengukuran kesejahteraan keluarga dikalangan fakir dan miskin perlu dibuat penambahbaikan bagi meningkatkan pencapaian kesejahteraan golongan ini. Walaupun skor kepada pencapaian indeks ini adalah rendah, namun golongan ini merasakan mereka berada dalam kesejahteraan dan bahagia dalam ruang lingkup golongan ini. Namun jika dibandingkan dengan pencapaian erti kesejahteraan sebenar, taraf hidup golongan ini perlu dipertingkatkan lagi.

Jadual 2
Indeks Kesejahteraan Keluarga Fakir dan Miskin di Negeri Kedah

Domain	Rendah (<0.25)	Pertengahan rendah (0.26-0.50)	Pertengahan Tinggi (0.51-0.75)	Tinggi (>0.75)
Agama dan amalan kerohanian	0.91			
Ekonomi Keluarga	0.22			
Hubungan Keluarga	0.27			
Keselamatan Keluarga	0.15			
Kesihatan Keluarga	0.19			
Keterlibatan Komuniti	0.21			
Perumahan dan Persekitaran	0.34			
Teknologi dan komunikasi	0.16			

KESIMPULAN

Berdasarkan kepada kajian yang dijalankan, jelas menunjukkan bahawa golongan fakir miskin di Utara Semenanjung Malaysia mencapai indeks kesejahteraan keluarga pada tahap pertengahan rendah Situasi ini mengakibatkan golongan ini mempunyai perasaan malu , rendah diri atau kurang selesa/terpinggir berada dalam masyarakat. Ini kerana golongan ini masih lagi ketinggalan dalam pelbagai aspek termasuk pendidikan, perumahan, kewangan dan sebagainya. Perasaan rendah diri yang melibatkan maruah diri mengakibatkan golongan ini pasrah dengan kehidupan sekarang. Dengan pegangan agama yang tinggi menjelaskan golongan fakir dan miskin terima dengan ketetapan takdir dari Allah dan tidak mudah berputus asa.

Bagi mempertingkatkan kesejahteraan kehidupan di kalangan fakir miskin secara keseluruhan, jaringan keselamatan sosial bagi golongan ini perlu diperkemaskan lagi. Berdasarkan kepada World Bank, jaringan keselamatan sosial adalah satu mekanisme yang membantu golongan miskin dan rentan untuk mengatasi masalah, krisis dan kejutan yang berdepan dengan mereka, membantu mencari pekerjaan, melabur dalam kesihatan dan pendidikan tanggungan anak-anak mereka dan melindungi populasi menua (aging). Jaringan keselamatan sosial yang baik boleh mengukuhkan pembangunan sumber manusia dan menggalakkan produktiviti, mengurangkan jurang ketaksamaan, meningkatkan ketahanan dan membasmi kitaran ganas kemiskinan inter-generasi dan akhirnya membangunkan ekonomi negara. Jaringan keselamatan sosial adalah juga satu daripada agenda dan matlamat dalam pembangunan lestari World Bank yang ingin dicapai di bawah program 2030 *Agenda for Sustainable Development and the Sustainable Development Goals* bagi semua negara ahlinya, termasuk Malaysia.

Hakikatnya, Lembaga Zakat Negeri Kedah Darul Aman (LZNK) telah mewujudkan pelbagai bantuan kewangan dan bukan-kewangan kepada golongan fakir miskin yang termasuk di antara lapan kategori asnaf dan layak menerima bantuan zakat. Bagaimanapun, bantuan kewangan yang sedia ada perlu dinilai semula mengikut situasi sosio-ekonomi semasa dan peningkatan inflasi negara bagi mempertingkatkan lagi kesejahteraan kehidupan mereka. Penilaian semula bantuan kewangan dan bukan-kewangan perlu mengambilkira latar belakang sosial dan ekonomi golongan fakir miskin. Penilaian semula skim bantuan LZNK bukan hanya perlu mengambilkira aspek profil sosio-ekonomi golongan fakir miskin semata-mata malah perlu mempertimbangkan elemen kesejahteraan kehidupan golongan ini bagi memampakan pendapatan atau meminimumkan impak ke atas pendapatan mereka apabila berlaku kejutan ekonomi, bencana alam atau kematian ketua pencari nafkah. Ini adalah kerana golongan asnaf fakir miskin adalah golongan rentan yang berpendapatan rendah. Penilaian semula skim bantuan itu perlu menumpu kepada peningkatan kadar bantuan sara hidup dan pembinaan keupayaan dan efikasi diri agar boleh menganjukkan pendapatan golongan ini ke tahap yang lebih tinggi dan mengeluarkan mereka daripada perangkap kitaran ganas kemiskinan inter-generasi.

Pendekatan pendidikan melalui kemahiran dan latihan perlu dipertingkatkan kepada golongan fakir dan miskin bagi mereka turut serta dalam pembangunan ekonomi. Perkara ini adalah penting bagi membentuk daya saing golongan ini dalam mencapai kesejahteraan dalam erti kata yang sebenar. Melalui penerapan kemahiran dan latihan yang berterusan, golongan fakir dan miskin mampu mencari sumber alternatif yang kedua bagi mempertingkatkan kesejahteraan keluarga melalui pekerjaan sampingan tanpa bergantung sepenuhnya kepada sumber pendapatan utama dan bantuan dari LZNK. Sokongan dan pemantauan secara berkala adalah diperlukan secara berterusan bagi golongan ini bagi memastikan golongan ini sentiasa berada dalam keadaan keyakinan yang tinggi dalam pembangunan ekonomi isi rumah.

PENGHARGAAN

Penulis merakamkan jutaan terima kasih kepada Lembaga Zakat Negeri Kedah dan Institut Penyelidikan dan Inovasi Zakat (IPIZ), Universiti Utara Malaysia di atas pembiayaan geran penyelidikan ini di bawah kod S/O 21148.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

**MENGUKUR KESEJAHTERAAN ASNAF FAKIR MISKIN BERDASARKAN
INDEKS DHARURIYYAH AL-KHAMS¹**

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ABSTRAK

Kertas kerja ini cuba menjelaskan proses pembangunan Indeks Dharuriyyah Al Khams berpandukan kepada kajian-kajian terdahulu untuk mengukur kesejahteraan hidup golongan asnaf fakir dan miskin. Dalam membangunkan Indeks Dharuriyyah Al Khams, pembinaan item-item yang tepat berdasarkan kepada lima domain utama dan 92 item dalam pembentukan indeks yang diukur dengan menggunakan 1 hingga 7 markat. Item tersebut telah mendapat kesahan (validity) oleh tiga pakar bidang yang telah dilantik bagi menilai item-item tersebut dan ujian kebolehpercayaan (realibility) telah dilakukan bagi menilai item-item indeks dan hasil rintis menunjukkan nilai kebolehpercayaan yang tinggi. Dapatan menunjukkan skor min Indeks Al Dharuriyat Al Khams yang dicatatkan secara keseluruhan adalah 6.16 yang bermakna majoriti responden bersetuju dengan setiap pembolehubah sebagai pengukuran oleh institusi zakat dalam membantu pembinaan sahsiah asnaf bagimemenuhi tuntutan maqasid syariah. Daripada lima domain yang telah dibangunkan, didapati domain memelihara keturunan mencatatkan skor min tertinggi iaitu 6.51. Ini diikuti oleh skor min domain memelihara agama (6.46), nyawa (6.07), akal (6.01) dan harta (5.88). Oleh itu, dengan adanya Indeks Dharuriyyah al Khams yang dibentuk ini dapat membantu pihak institusi zakat untuk menilai sebarang dasar yang boleh dilaksanakan bagi mempertingkatkan taraf kualiti hidup golongan ini secara holistik.

Kata Kunci: Indeks, Dharuriyyah Al-Khams, Asnaf, Fakir Miskin, Maqasid Syariah

¹ Kertas kerja yang dibentangkan di 2nd International Conference on Zakat, Tax, Waqf and Economic Development (ZAWED), 27-28 Disember 2022, Miri Sarawak.

PENGENALAN

Golongan asnaf zakat seperti fakir dan miskin merupakan antara komuniti yang mudah terancam apabila berhadapan dengan sesuatu risiko diluar jangka seperti kemelesetan ekonomi, wabak pandemic, bencana alam dan sebagainya. Ini adalah kerana latar belakang ekonomi golongan fakir dan miskin adalah terdiri daripada golongan berpendapatan rendah dan pada satu ekstrem berada di kategori golongan miskin tegar. Dalam situasi semasa pandemic COVID-19 contohnya, telah memberi impak sangat besar kepada masyarakat dunia termasuklah golongan fakir dan miskin. Pada ketika itu, semua pihak terkesan dalam aspek ekonomi dan kehidupan sosial ekoran pandemik tersebut. Keadaan ini mengakibatkan golongan asnaf fakir dan miskin terperangkap dalam lingkaran ganas kemiskinan yang boleh membawa eksternaliti sosial yang negatif dalam penghidupan golongan ini. Ekoran dari itu, ia akan menjejaskan kesejahteraan hidup golongan asnaf tersebut yang sepatutnya dibantu oleh pihak berautoriti seperti institusi zakat dan Jabatan Kebajikan Masyarakat.

Jika diperhalusi sehingga kini, terdapat kira-kira 2.7 juta isi rumah termasuk fakir dan miskin terkandung dalam kelompok berpendapatan 40 peratus terendah (B40) dengan pendapatan bulanan purata sebanyak RM2,537. Daripada jumlah tersebut sebanyak 56 peratus isi rumah B40 berada di kawasan bandar manakala baki 44 peratus di kawasan luar bandar. Dalam negara mensasarkan negara berpendapatan tinggi menjelang 2020, golongan fakir dan miskin ini tidak wajar dipinggirkan daripada menikmati peluang yang terhasil daripada kemakmuran negara. Seandainya golongan ini terus berada dalam kedudukan sosioekonomi semasa mereka kesannya akan mengakibatkan kos sosial kepada negara melalui pengurangan bilangan tenaga kerja berkemahiran yang diperlukan dan menjejaskan pertumbuhan output negara. Pada masa yang sama, ianya akan menyebabkan ketidakseimbangan bandar yang berterusan dan mengakibatkan pertumbuhan ekonomi di luar bandar dan pinggir bandar terjejas (RMKe-11).

KAJIAN LITERATUR

Kelompok isi rumah fakir dan miskin adalah penting diberi perhatian dalam arus pembangunan negara kerana golongan ini sentiasa dan mudah terdedah kepada kejutan sosioekonomi. Pada masa yang sama keterbatasan kemudahan infrastruktur asas di luar bandar dan pedalaman khususnya turut mengakibatkan ketidakseimbangan peluang ekonomi antara wilayah. Keadaan ini akan mewujudkan perbezaan sosioekonomi di dalam kalangan masyarakat

Kewujudan jurang ini disebabkan oleh faktor pemilikan had kifayah (*Dharuriyat*) yang dimiliki oleh isi rumah fakir dan miskin serta kerbergantungan kepada bantuan zakat mahupun kerajaan. Had kifayah (*Dharuriyat*) yang meliputi:

- i. Makan-minum
- ii. Tempat tinggal- beserta keperluan asas dalam rumah

- ii. Pakaian yang baik
- iii. Pekerjaan (gaji yang masih tidak cukup) serta pemilikan alatan-alatan serta keperluan untuk menyempurnakan pekerjaan tersebut
- iv. Pengangkutan / kenderaan
- v. Sejumlah wang bagi sara hidup harian (dalam keadaan masih tidak mencukupi)
- vi. Kos-kos untuk menampung kehidupan berkeluarga
- v. Keperluan semasa yang boleh membawa seseorang keluar daripada kemiskinan dalam jangka panjang. (Contoh: pendidikan)

Pencapaian had kifayah ini adalah penting bagi menentukan hasil penghidupan yang lestari di kalangan isi rumah fakir dan miskin. Melalui had kifayah isi rumah fakir dan miskin akan menggunakan segala pengetahuan, kemahiran, modal dan sebagainya untuk mempertingkatkan kualiti penghidupan. Perkara ini adalah penting untuk diperhalusi kerana pemilikan aset kehidupan dikalangan isi rumah B40 akan menentukan kemampuan golongan ini untuk melonjakkan purata pendapatan daripada RM2537 (2014) kepada RM5270 (2020) dan pendapatan bulanan penengah daripada RM2,629 pada tahun 2014 kepada RM5,701 pada tahun 2020 sebagaimana disasarkan dalam RMKe-11 (Jabatan Perdana Menteri, 2020).

Pada masa yang sama juga pemilikan had kifayah (dharuriyat al khams) yang mencukupi di kalangan isi rumah fakir dan miskin akan menjadi kayu pengukur kepada kemampuan golongan berhadapan dengan situasi mudah terjejas seperti kejutan ekonomi, bencana alam dan sebagainya (Mahyuddin Abu Bakar et al 2019). Sekiranya golongan ini berhadapan dengan situasi mudah terancam apakah strategi berdaya tahan yang digunakan bagi memastikan mereka tidak terjejas. Soalnya sekarang adakah isi rumah fakir dan miskin mempunyai had kifayah yang mencukupi dan terjamin bagi memastikan kehidupan yang sempurna. Kegagalan isi rumah fakir dan miskin memiliki had kifayah yang mencukupi akan mendorong golongan ini terjebak ke dalam kelompok yang mudah terjejas pada bila-bila masa.

Justeru itu, Pembangunan Indeks Dharuriyyah Al-Khams sebagai pengukuran sahsiah asnaf fakir miskin berdasarkan maqasid syariah perlu dilakukan memandangkan kadar kemiskinan tidak memberi maklumat yang sebenar mengenai penghidupan fakir dan miskin, indeks dharuriyat al khams yang akan dibentuk dapat membantu pihak Pusat Zakat menilai sebarang dasar yang boleh dilaksanakan bagi mempertingkatkan kesejahteraan hidup golongan ini. Pada masa yang sama kekurangan kajian berkaitan bagi menilai kesejahteraan sahsiah fakir dan miskin telah mencetus idea penyelidikan untuk membangunkan indeks ini. Pembentukan indeks ini secara langsung akan membantu pembuat dasar untuk menilai dan merancang usaha-usaha yang bersesuaian bagi meningkatkan sahsiah dalam kalangan asnaf fakir dan miskin.

PEMBENTUKAN DOMAIN DALAM INDEKS DHARURIYYAH AL-KHAMS

Pembangunan indeks menurut Institut Penyelidikan Pembangunan Belia Malaysia (2017) adalah satu instrumen atau penanda aras yang dibentuk bertujuan memantau perkembangan sesuatu perkara atau dasar yang dilakukan oleh sesebuah pihak. Menurut Norazilawati (2015), indeks juga dikategori sebagai standard atau piawaian merupakan satu istilah yang merujuk usaha untuk menjadikan kehidupan lebih mudah dengan pengawalan dan peningkatan kualiti produk dan kecekapan perkhidmatan yang diterima oleh pelanggan. Ia merupakan satu bentuk dokumen yang dibina atau dibangunkan secara bersepakat dan diluluskan oleh badan-badan yang diiktiraf. Indeks yang dibina sama ada untuk kegunaan biasa atau berulang-ulang, penetapan peraturan atau garis panduan dengan tujuan mencapai tahap optimum terhadap sesuatu perintah yang ditetapkan.

Al-Daruriyyah adalah perkara-perkara yang berada pada tahap amat perlu dalam menegakkan kepentingan agama dan kepentingan dunia. Perkara-perkara tersebut amat penting kerana ketiadaannya akan menyebabkan kerosakan amat besar kepada kehidupan manusia di dunia dan akhirat.

Perkara-perkara tersebut adalah;

1) Menjaga agama (*Hifz al-Din*)

Kehidupan manusia mesti dipandu oleh agama sebagai pegangan hidup. Justeru Islam adalah agama Allah Allah S.W.T. yang bertujuan untuk memastikan hidup manusia mengikut landasan yang betul mengikut kehendakNya. Oleh itu perbuatan mengkhianati agama Islam amat dilarang kerana mencemarkan kesucian agama. Perbuatan menghina agama seperti murtad akan dikenakan hukuman yang berat kerana dianggap telah mencemarkan kesucian agama Islam.

Oleh itu, dalam indikator ini memfokuskan aspek kepercayaan kepada agama dan kerohanian seperti ibadat, puasa, membaca al-Quran, zakat, sedekah dan fardu ain. Sebanyak 16 item soalan yang ditanya berkaitan indikator ini.

2) Menjaga jiwa/nyawa (*Hifz al-Nafs*)

Sebagai contoh nyawa adalah hak manusia yang Allah S.W.T. kurniakan. Justeru setiap manusia berhak untuk hidup dan hak hidup itu tidak boleh diceroboh oleh orang lain tanpa sebab yang munasabah. Justeru untuk menjaga nyawa manusia Allah S.W.T. melarang perbuatan membunuh orang lain tanpa sebab yang munasabah bertujuan untuk menjaga nyawa manusia daripada dicabul.

Sebanyak 25 item soalan yang difokuskan dalam indikator ini yang melibatkan perkara berkaitan keperluan asas rumah, kesihatan, rawatan moden dan tradisional serta insurans.

3) Menjaga akal (*Hifz al-aql*)

Menjaga akal juga menjadi salah satu *maqasid al-Syariah* kerana akal adalah kurniaan Allah S.W.T. yang amat besar nilainya. Akal akan memandu manusia menjalani kehidupan berdasarkan panduan agama. Untuk memelihara akal manusia digalakkan menajamkan akal dengan menuntut ilmu. Dalam hal itu syariat melarang perbuatan yang boleh merosakkan fungsi akal seperti meminum minuman yang memabukkan dan seumpamanya.

Bagi indikator ini sebanyak 15 item soalan ditanya kepada asnaf yang berkisarkan kepada ilmu pendidikan, pekerjaan, kemahiran serta bahan-bahan terlarang.

4) Menjaga keturunan (*Hifz al-Nasab*)

Begitu juga dengan perkahwinan akan menyebabkan nafsu manusia dapat disalurkan melalui cara yang diiktiraf oleh Islam. Keturunan amat penting kepada kesinambungan zuriat manusia. Dalam konteks menjaga keturunan pula Islam menetapkan perkahwinan yang sah sebagai kaedah untuk mendapatkan zuriat. Perkahwinan amat penting kerana keturunan yang lahir akan terpelihara kesahan susur galur keturunannya (Al-Zuhaily, 2005; Asmadi, 2003).

Dalam indikator ini sebanyak 15 item yang ditanya kepada asnaf berkaitan dengan penjagaan maruah diri dan keluarga serta pergaulan yang bertepatan dengan tuntutan ajaran Islam.

5) Menjaga harta (*Hifz al-Mal*)

Dalam konteks menjaga harta pula ia bertitik tolak daripada keperluan manusia kepada harta dan sumber untuk menyara hidup. Justeru harta menjadi perkara yang penting dalam kehidupan manusia. Sehubungan dengan itu mencari harta dengan cara yang betul dibenarkan oleh agama. Oleh itu Islam menegah perbuatan mengambil harta seperti mencuri dan sebagainya. Hukuman dikenakan kepada individu yang mengambil harta orang lain dengan cara yang salah.

Aspek indikator ini berkisarkan kepada halal dan haram tentang sumber yang diperolehi. Sebanyak 21 item soalan kemukakan kepada asnaf untuk melihat sejauh mana tentang indikator ini.

Dharuriyyat Al-Khams merangkumi lima perkara asas iaitu menjaga agama, nyawa, akal, harta dan keturunan (maruah). Kelima-lima perkara ini merupakan keperluan asasi yang diperlukan oleh setiap individu. Jika satu daripada lima keperluan ini tidak dipenuhi, kehidupan manusia tidak membawa erti (Hamka Haq, 2007). Tindakan dalam mencabul kelima-lima perkara ini akan dianggap sebagai mafsadah (Mahmood Zuhdi & Paizah, 2004).

Pengabaian perkara asasi juga boleh membawa kehancuran, keruntuhan peribadi dan kelompongangan dalam masyarakat (Mohammed Hashim Kamali, 2010).

Keperluan asas yang dikategorikan sebagai dharuriyyat termasuklah makanan, pakaian, tempat tinggal, pengangkutan dan pendidikan. Kelima-lima elemen tersebut adalah perkara asas yang diperlukan oleh setiap individu bagi memenuhi maksud syarak (Ab Rahman,2017). Makanan dan tempat tinggal menjadi contoh bagi pemeliharaan agama dan nyawa ke atas seseorang individu, manakala pendidikan penting untuk memelihara akal. Begitu juga pakaian dan pengangkutan juga penting dalam memelihara keturunan dan harta (Ab Rahman, 2017) .

Dharuriyyat merupakan keperluan sesuatu masalah yang dihajati sehingga mencapai tahap darurat, di mana satu keadaan yang sangat memerlukan dan mendesak sehingga berada dalam bahaya serta mengancam nyawa seseorang apabila keperluan tersebut tidak tertunai. Dharuriyyat terdiri daripada perkara utama dalam agama yang dikenali sebagai al- daruriyyat al-khamsah, iaitu memelihara agama (ad-din), jiwa (al-nafs), akal (al-`aql), keturunan (al- nasl) dan harta (al-mal) (Izz al-Din _Abd Aziz Ibn _Abd al-Salam, t.th.).

KAEDAH PEMBANGUNAN INDIKATOR INDEKS

Kaedah pembangunan indikator indeks ini berpandukan penandaras daripada konsep Al-Daruriyyah dan kajian-kajian lepas berkaitan dengan pengukuran kemiskinan berasaskan maqasid syariah seperti di Jadual 1. Manakala setiap item soalan diukur melalui skala pengukuran 1 hingga 7 seperti Jadual 1.

Jadual 1: Jumlah Item Soal Selidik dalam Pembangunan Indikator Indeks

Pembentukan Indeks Al Dharuriyat Al Khams Dalam Kalangan Asnaf Fakir Dan Miskin		
Indikator	Jumlah Item	Sumber
Pelihara Agama	16	Mahyuddin Abu Bakar et al 2019). Haron, M. S., & Rahman, R. (2016) Munandar, A. (2018) Rohaizan, N. F. A., Noor, M. A. M., & Wahid, H. (2021) Prinsip Maqasid Syariah
Pelihara Nyawa/Tubuh	25	Mahyuddin Abu Bakar et al 2019). Haron, M. S., & Rahman, R. (2016) Munandar, A. (2018) Rohaizan, N. F. A., Noor, M. A. M., & Wahid, H. (2021)

Prinsip Maqasid Syariah		
Menjaga Harta	21	Mahyuddin Abu Bakar et al 2019). Haron, M. S., & Rahman, R. (2016) Munandar, A. (2018) Rohaizan, N. F. A., Noor, M. A. M., & Wahid, H. (2021) Prinsip Maqasid Syariah
Pelihara Akal	15	Mahyuddin Abu Bakar et al 2019). Haron, M. S., & Rahman, R. (2016) Munandar, A. (2018) Rohaizan, N. F. A., Noor, M. A. M., & Wahid, H. (2021) Prinsip Maqasid Syariah
Menjaga Keturunan dan Maruah	15	Mahyuddin Abu Bakar et al 2019). Haron, M. S., & Rahman, R. (2016) Munandar, A. (2018) Rohaizan, N. F. A., Noor, M. A. M., & Wahid, H. (2021) Prinsip Maqasid Syariah
Jumlah keseluruhan item		92

Skala Likert Tujuh Markat digunakan untuk menentukan tahap persetujuan responden terhadap pembolehubah yang dikaji seperti mana ditunjukkan di Jadual 2.

Jadual 2: Skala Likert Tujuh Markat

Bil	Kenyataan	Skor
1	Sangat Tidak Setuju	1
2	Tidak Setuju	2
3	Sedikit Tidak Setuju	3
4	Tidak Pasti	4
5	Kurang Setuju	5
6	Setuju	6
7	Sangat Setuju	7

KESAHAN DAN KEBOLEHPERCAYAAN

Kaedah ini digunakan untuk menilai item-item soalan yang dibina. Justeru ujian kesahan dan kebolehpercayaan (*validity and realibility*) perlu dilakukan untuk menilai item-item tersebut. Oleh itu, tiga pakar bidang telah dipilih dan dilantik bagi menilai item-item tersebut dalam mendapat kesahan sama ada sesuai, tidak sesuai atau perlu dibuat penambahbaikan item-item yang disenaraikan.

Pada peringkat awal pembinaan instrument, terdapat sebanyak 120 item telah dibina berdasarkan kepada kajian terdahulu. Selepas dinilai oleh pakar bidang, sebanyak 22 item telah digugurkan dan dibuat penambahbaikan sebagaimana saranan oleh pakar bidang. Akhir sekali hanya 92 item sahaja yang disahkan (*validity*).

Selepas ujian kesahan dan penambahbaikan dilakukan, ianya diikuti dengan ujian kebolehpercayaan (*realibility*). Tujuannya adalah untuk mengenalpasti kebolehpercayaan item-item yang dibina sebelum edaran soal selidik sebenar dilakukan. Bagi tujuan tersebut sebanyak 30 orang responden telah dikenalpasti dan terlibat dalam kajian rintis ini. Jadual 3 menunjukkan nilai kebolehpercayaan nilai *Alpha Cronbach* ialah 0.841. Nilai ini menunjukkan kebolehpercayaan item-item dalam soal selidik ini boleh digunakan untuk kajian lapangan. Dalam sesuatu kajian, pekali kebolehpercayaan yang tinggi boleh diterima pakai dalam sesuatu penyelidikan adalah 0.80 dan nilai minimum terendah pekali kebolehpercayaan yang diterima pakai ialah 0.5 (Sidek Mohd Noah & Jamaluddin Ahmad, 2005).

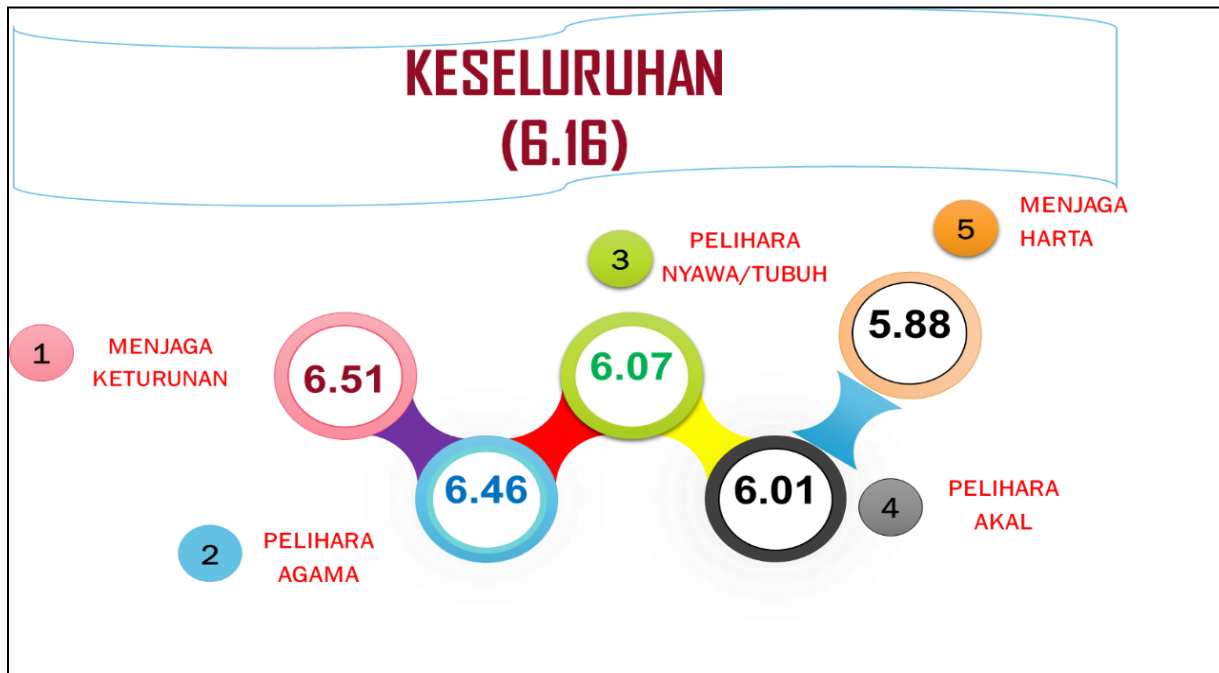
Jadual 3: Ujian Kesahan dan Kebolehpercayaan

Pemboleh ubah	Nilai <i>Alpha Cronbach</i>
Pelihara Agama	.843
Pelihara Nyawa/Tubuh	.843
Menjaga Harta	.817
Pelihara Akal	.817
Menjaga Keturunan Dan Maruah	.825
AL DHARURIYAT AL KHAMS	.841

HASIL KAJIAN DAN PERBINCANGAN

Melalui kajian ini, Rajah 1 menunjukkan skor min Indeks Al Dharuriyat Al Khams yang dicatatkan secara keseluruhan adalah 6.16 pada maksimum skor min skala 7 yang bermakna majoriti responden bersetuju dengan setiap pemboleh ubah sebagai pengukuran oleh institusi zakat dalam membantu pembinaan sahsiah asnaf bagi memenuhi tuntutan maqasid syariah.

Daripada lima indikator yang telah dikenal pasti, didapati indikator Menjaga Keturunan mencatatkan skor min tertinggi iaitu 6.51. Ini diikuti oleh skor min indikator Pelihara Agama (6.46), Pelihara Nyawa/Tubuh (6.07), Pelihara Akal (6.01) dan skor min Menjaga Harta (5.88).



Rajah 1: Min Keseluruhan Indeks Al Dharuriyat Al Khams(n=197)

Oleh itu berdasarkan kepada dapatan kajian sebelum ini dapatlah dibincangkan bahawa dalam menjaga keturunan dan maruah jelas menunjukkan bahawa golongan asnaf amat menitik berat penjagaan maruah diri dan keluarga walaupun mereka berada dalam kemiskinan. Berdasarkan dapatan kajian yang dilakukan jelaskan menunjukkan bahawa memelihara keturunan dan maruah adalah domain yang paling tinggi iaitu nilai skor iaitu 6.51. Dapatan kajian turut menterjemahkan bahawa golongan asnaf amat menitik berat ajaran Islam dalam pendidikan di samping tatasusila dalam pergaulan. Ini bertepatan dengan budaya dalam masyarakat Melayu yang amat mementingkan pemeliharaan maruah sebagaimana pepatah Melayu " biar mati anak jangan mati adat".

Hasil dapatan kajian ini menunjukkan bahawa penerapan maqasid syariah dalam pemeliharaan keturunan dan maruah menunjukkan impak yang amat baik, namun demikian usaha untuk menjaga domain ini perlu diperkukuhkan dari masa ke masa memandangkan cabaran media baharu pada masa kini memungkinkan asnaf dan keluarga mereka terjerumus dalam isu yang boleh menjejaskan maruah dan keturunan mereka.

Bagi domain memelihara agama pula menunjukkan skor kedua tertinggi iaitu 6.46, dimana skor ini menjelaskan bahawa usaha untuk memantapkan aspek kerohanian, pemantauan dari masa ke masa perlu dipertingkatkan oleh pihak yang berkaitan. Pada masa yang sama

usaha untuk meningkatkan ilmu serta pegangan agama dikalangan asnaf perlu ditambahbaik melalui program dan majlis ilmu secara berterusan. Hasil kajian bagi domain ini menunjukkan bahawa 9 peratus atau 17 orang tidak bergantung harap dengan Allah. Ini bertentangan dalil Al-Quran yang menyuruh umat Islam mesti Masukkan dalil. Sekiranya perkara ini tidak diberi perhatian yang sewajarnya, dikhuatiri peratusan ini akan meningkat dan seterusnya akan menjejaskan akidah umat islam.

Pelihara nyawa dan tubuh merupakan domain yang mempunyai skor ketiga tertinggi iaitu 6.07. Nilai skor ini menunjukkan bahawa asnaf agak kurang memberi perhatian kepada aspek penjagaan nyawa dan tubuh. Tahap sosioekonomi yang rendah tidak boleh dijadikan alasan untuk mengabaikan aspek kesihatan dan penjagaan tubuh. Perkara terbukti apabila 18 peratus (37 orang) asnaf dalam kajian ini masih lagi terikat dengan kepercayaan dahulu iaitu mendapatkan rawatan alternatif seperti bomoh, pawang berbanding dengan rawatan moden disediakan oleh pihak kerajaan. Perkara ini dikhuatiri akan membawa perbuatan syirik. Pada masa yang sama, asnaf juga mempunyai kesedaran yang rendah mengenai kesihatan tubuh badan, dimana 39 orang atau 19 peratus dikalangan asnaf merupakanperokok/vape. Adalah amat menyedihkan sekiranya bantuan zakat disalah gunakan bagi tujuan membeli perkara yang tidak berfaedah.

Namun demikian, dalam satu perspektif yang berlainan, asnaf dilihat bersetuju untuk mengambil insurans terutama berkaitan dengan nyawa. Perkara ini menjelaskan bahawa kesedaran dikalangan asnaf berhubung perlindungan kesihatan melalui insurans adalahbaik, namun keterbatasan kewangan mengakibatkan golongan ini tidak berpeluang untuk memiliki insurans untuk diri dan keluarga mereka.

Selanjutnya domain memelihara akal berada di kedudukan ke empat dalam daruriyah Alqams, iaitu dengan nilai 6.01. Dari segi maqasid syariah, pemeliharaan akal adalahpenting bagi setiap insan khususnya golongan asnaf. Melalui ilmu mereka boleh keluar dari putaran ganas kemiskinan (Ahmad Zubir et. al ,2018). Justeru pihak yang bertanggungjawab perlu meningkatkan kesedaran, kemahiran dan latihan dalam kalangan fakir yang boleh menjadi nilai tambah dan meningkatkan ekonomi dan pendapatan keluarga. Pada masa yang sama, pelbagai bantuan boleh disalurkan kepada golongan asnaf seperti latihan dan kemahiran bagi golongan asnaf yang masif produktif dalam menjanakan pendapatan isi rumah. Perkara perlu diperhalusi kerana 109 orang (55 peratus) dikalangan asnaf hanya memiliki pendidikan diperingkat sekolah rendah sahaja. Dapatan ini secara tidak langsung menunjukkan keterbatasan golongan ini untuk mendapat kerjaya yang lebih baik dan stabil. Maka tidak dapat dinafikan golongan ini mewarisi kerja turun temurun dan terbelenggu dengan kemiskinan keluarga.

Kerajaan juga perlu menyediakan pendidikan secara formal dan sistematik kepada asnaf memenadang seramai 101 orang (51 peratus) asnaf menyatakan mereka mendapatkan pendidikan formal. Ini menjelaskan bahawa golongan ini menjadi pentas kehidupan sebagai pembelajaran bagi meneruskan kehidupan.

Domain menjaga harta merupakan skor yang paling rendah dalam indeks darurriyah al-khams dengan nilai skor 5.88. Dapatan ini bukan satu perkara yang asing kerana asnaf bukan dikalangan yang mempunyai harta. Perkara ini terbukti apabila 52 orang (26 peratus) dikalangan asnaf tidak berkemampuan untuk membayar sewa rumah apatah lagi untuk memiliki kediaman sendiri. Pada masa yang sama 76 orang (39 peratus) kalangan asnaf tinggal dirumah sewa bersama keluarga. Padahal dalam Islam tempat tinggal adalah salah satu dari tiga perkara asas yang perlu ada dalam kehidupan setiap insan selain daripada makanan dan pakaian. Selain itu golongan ini juga, tidak berkemampuan untuk menyediakan pakaian kepada anak-anak dimana seramai 113 orang (57 peratus) asnaf menjelaskan bahawa mereka menerima bantuan pakaian untuk anak-anak.

Lebih menarik lagi dapatan ini menunjukkan bahawa seramai 118 asnaf (60 peratus) hanya mempunyai sedikit simpanan. Seandainya berlaku insiden diluar jangka akan mengakibatkan golongan ini terbeban dan mengharap bantuan dari pihak ketiga untuk membantu mereka.

CADANGAN DAN KESIMPULAN

Secara umumnya kajian ini cuba menjelaskan kedudukan sebenar kesejahteraan keluarga golongan asnaf yang diukur berdasarkan darurriyah al-khams dalam maqasid syariah. Pengukuran ini boleh diperluaskan bagi mengukur kesejahteraan fakir dan miskin lima domain telah dibincangkan iaitu memelihara agama, akal, nyawa/tubuh, maruah/keturunan dan harta. Untuk itu, indeks ini adalah dicadangkan agar indeks ini diguna pakai untuk mengukur kesejahteraan asnaf diseluruh Malaysia. Namun demikian adalah dicadangkan indeks ini dibuat penambahbaikan setiap tiga tahun sekali untuk memastikan ianya relevan dengan keadaan semasa.

Berdasarkan kepada kupasan secara konseptual terdapat sorotan kajian dapatlah dibincangkan bahawa penandas untuk pembangunan Indeks Dharuriyyah Al Khams terbahagi kepada lima domain iaitu;

1) Memelihara Agama

Kajian mencadangkan agar pihak berautoriti berusaha untuk memperkukuhkan akidah di kalangan asnaf melalui didikan agama yang dilaksanakan secara berkala. Ini bertujuan agar domain pemeliharaan akidah mampu mempertingkatkan aspek akidah asnaf dan menghinadari perbuatan mereka daripada syirik kepada Allah. Kemiskinan bukan alasan untuk golongan ini untuk tidak bergantung harap kepada Allah, kerana ajaran Islam mewajibkan setiap insan meminta pertolongan kepada Allah (Dalil).

Selain itu, pihak berkuasa juga perlu memantau dari masa ke masa membuat pemantauan berkaitan dengan akidah asnaf. Ini kerana akidah merupakan perkara asas yang perlu dijaga, kerana dikhuatiri kemiskinan akan membawa kepada kekufuran dikalangan umat islam khusus golongan yang miskin.

2) Memelihara Nyawa/Tubuh

Penyelidik mencadangkan pihak yang mempunyai autoriti untuk membasmi unsur kepercayaan amalan turut temurun seperti khurafat. Bagi mengelakkan berlakunya amalan syirik dalam kalangan asnaf. Perkara ini disebabkan dapatan menunjukkan bahawa golongan asnaf khususnya masih lagi terbelenggu dan mempercayai kepada bomoh dan pawang.

Selain daripada itu, kesedaran dalam kalangan asnaf perlu dipertingkatkan tentang bahayanya amalan merokok/vape dan usaha ini memerlukan penglibatan serta kerjasama yang berterusan daripada pihak yang berwajib seperti Kementerian Kesihatan Malaysia. Manakala Jabatan Agama Islam dan Jabatan Mufti perlu menghebahkan hokum pengharaman rokok/vape dalam kalangan orang ramai khususnya golongan asnaf. Perkara ini perlu diberi perhatian yang serius kerana ianya mengakibatkan isu kesihatan seperti kanser dan lain-lain. Selain itu ianya juga mengakibat pembaziran wang yang sepatutnya dibelanjakan untuk keperluan isi rumah seperti membeli beras, susu, gula dan lain-lain. Adalah tidak wajar wang sumbangan zakat yang diterima digunakan untuk membeli barangan yang jelas haram hukumnya.

Bagi meningkatkan perlindungan dalam pemeliharaan nyawa dan tubuh, adalah dicadangkan pihak berautoriti khususnya Jabatan mempertimbangkan insurans kelompok kepada setiap asnaf yang menerima bantuan zakat secara bulanan. Mekanisma yang dicadangkan adalah sebanyak RM10 di potong daripada batuan bulanan dari Pejabat Zakat untuk pembiayaan insurans kelompok. Kelak manfaatnya akan dinikmati oleh asnaf dan keluarga apabila mereka berhadapan dengan situasi diluar jangkaan. Secara tidak langsung pihak zakat dapat memindahkan bebanan yang perlu ditanggung kepada pihak insurans.

3) Memelihara Harta

Memandangkan masih ramai lagi golongan asnaf yang tidak mampu memiliki kediaman sendiri, bahkan terdapat di kalangan mereka yang tidak mempunyai kemampuan untuk membayar sewa rumah, adalah dicadangkan pihak Jabatan Zakat amewujudkan kawasan perumahan asnaf zakat bagi asnaf yang tidak mempunyai kemampuan untuk memiliki rumah sendiri. Konsep sewa beli dengan kos yang paling minima boleh dipraktikan dalam pembangunan penempatan perumahan asnaf zakat. Pada masa yang sama konsep perumahan

asnaf zakat perlu mewujudkan peluang pekerjaan dan sosioekonomi dikawasan penempatan berkenaan bagi memastikan kelangsungan hidup golongan ini tanpa bergantung sepenuhnya kepada bantuan zakat.

Pada meningkatkan meingkatkan tabungan dan simpanan, maka aspek pengurusan kewangan peribadi asnaf perlu dipertimbangkan untuk dilaksanakan kepada asnaf. Ini bertujuan untuk memastikan asnaf berupaya menguruskan kewangan peribadi secara betul dan seterusnya dapat meningkatkan tabungan isi rumah. Hal ini penting bagi mengelakkan kebergantungan asnaf terhadap Jabatan Zakat apabila ditimpa sebarang musibah.

4) Memelihara Akal

Dalam memelihara akal, kajian mencadangkan agar pihak yang terlibat seperti Jabatan Kebajikan Masyarakat, Jabatan Zakat, Kolej Komuniti perlu merangka program jangka pendek dan panjang bagi memberi nilai tambah bagi golongan asnaf. Sehubungan dengan itu, pelbagai bentuk latihan, kursus, dan kemahiran yang berterusan perlu dilaksanakan kepada golongan asnaf bagi tujuan menjana ekonomi sekali gus memecah putaran ganas kemiskinan yang diwarisi sejak sekian lama.

Bagi pendidikan anak-anak asnaf pemantauan oleh pihak berautoriti perlu diperkasakan sekurang-kurangnya mereka mendapat pendidikan sehingga peringkat menengah. Ini kerana kebanyakan responden mendapatkan pendidikan asas di peringkat rendah dan pendidikan secara tidak formal. Tidak mustahil terdapat dikalangan anak-anak asnaf yang tercicir alam persekolahan ekoran kemiskinan yang dihadapi oleh keluarga.

5) Memelihara Keturunan/Maruah

Walaupun dapatan kajian menunjukkan tinggi, kajian mencadangkan agar pihak berautoriti sentiasa berusaha untuk menyedarkan asnaf tentang kepentingan menjaga keturunan dan maruah walaupun miskin kerana aspek itu amat penting dalam kehidupan seseorang Islam. Bertentangan dengan adat budaya orang Melayu yang amat mementingkan maruah dan keturunan sebagaimana pepatah melayu menyatakan “ Biar mati anak jangan mati adat”

Oleh itu, pembangunan instrumen ini amat penting dilakukan memandangkan kadar kemiskinan tidak memberi maklumat yang sebenar mengenai penghidupan fakir dan miskin. Ia melibatkan kualiti hidup berdasarkan dharuriyyah dalam Maqasid Syariah. Oleh itu, dua indicator yang digunakan untuk mengukur kelima-lima dimensi dharuriyyah al khams iaitu i) amar maaruf atau menyuruh berbuat baik, ii) nahi munkat atau mencegah kemunkaran. Dengan adanya pembangunan indeks had kifayah (dharuriyat) yang dibentuk

ini dapat membantu pihak Pusat Zakat menilai sebarang dasar yang boleh dilaksanakan bagi mempertingkatkan taraf kualiti hidup golongan ini secara holistik. Oleh itu, pembentukan indeks ini perlulah diperkasakan bagi mengukur kesejahteraan fakir dan miskin dari masa ke semasa dan pengukuran indeks ini perlulah diukur sekurang-kurangnya tiga tahun sekali dan penambahbaikan perlu juga dilakukan jika berlakunya perubahan dasar.

PENGHARGAAN

Kertas kerja ini adalah hasil daripada penyelidikan geran Institut Penyelidikan Dan Inovasi (IPIZ) dan Lembaga Zakat Negeri Kedah (LZNK) Kod S/O:14718

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

PRIORITIZING THE CRITERIA OF ZAKAT KEDAH RECIPIENT USING ENTROPY METHOD

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Abstract

It is essential to establish the profile of zakat recipients since Had Kifayah and Maqasid Shari'ah should serve as the foundation for zakat distribution. The features and circumstances of the applicant that make them eligible for zakat are typically described in the criteria of zakat recipients. In this study, 17 pertinent criteria that can be used to assess a zakatrecipient's eligibility were given priority using a mathematical approach. The Shannon's Entropy was used to determine the relative weight or importance of each criterion. Based on applicant data from 2018 to 2022 received from Lembaga Zakat Negeri Kedah (LZNK), the top four criteria include employment status, clothing budget, and asnaf-funded medical expenses. Electronic gadgets like computers and air conditioners also rank highly. The Kedah community and the zakat institution will benefit from the data gathered through this study. The knowledge of the zakat institution's eligibility requirements can help it choose zakat recipients more quickly. The data can also be utilised to inform the public about the criteria for choosing zakat recipients and the selection process itself.

Keywords: LZNK, Zakat recipient criteria, objective weight, entropy, index

INTRODUCTION

The characteristics of an individual who is eligible to receive Zakat are known as therecipient's criterion. Since the recipient's criterion should be based on Islamic law, namely Had Kifayah and Maqasid Syariah, the identification of the criteria and their relative importance has become one of the most contentious subjects in Zakat research. For Lembaga Zakat Negeri Kedah (LZNK), the criterion of qualified zakat recipient must also be relevantto the socioeconomic structure of Kedah, where the value of the criteria is always susceptible to time and environment-related changes. As a result, the certification procedure has become more

sophisticated due to the need to appropriately represent the socioeconomic status of a region and the alteration of the values of the criteria used to decide who is eligible for Zakat.

Therefore, the purpose of this study is to provide a mathematical method for prioritising the criteria in order to produce a suitable measurement and composition in the process of selecting Zakat applicants eligibility. This study focuses on the process of weighting the criterion, and the Shannon entropy method was used to calculate the weights of the criteria. Shannon introduced this method back in 1984. It is commonly utilised in the decision-making process (Zou, Yi, & Sun, 2006), where this strategy concentrates on the degree of ambiguity of the information (Desa, Jemain, & Kassim, 2015) in order to produce dependable and beneficial findings (Cui, Feng, Jin & Liu, 2018). Typically, this method is employed to measure the dispersion value that can be used to make a judgement (Zhu, Tian & Yan, 2020; Shannon, 1984). If the degree of dispersion is greater, so is the degree of differentiation of the weight, which can aid in deriving more information. The advantage of this strategy is that it eliminates human intervention in the weighting of criteria (Ding, chong, Bao, Xue & Zhang, 2017). In the absence of human intervention, the objectivity of the comprehensive evaluation outcomes is enhanced.

METHODOLOGY

The prioritization of zakat Kedah recipient criteria includes three main steps. The first step is to decide which factors are important for determining a recipient's eligibility for the zakat. The procedure of gathering data for analysis comes next, followed by the process of analysing the data using Shannon's entropy to determine the relative importance of each criterion determined in the first stage.

First, a systematic literature review was used to gather, examine, and analyse the literature and articles on zakat, as well as Had Kifayah, poverty, and Maqasid Shari'ah. The researcher also made use of publications from the Department of Statistics Malaysia (DOSM), which provide data on household spending by district and primary group in Kedah. This report lists the household expenditure items and subgroups with the highest percentages. In order to learn more about the criteria for zakat recipients from their perspective and to uncover material that might not have been covered in the literature, the researcher also spoke with specialists in zakat study and LZNK staff. Then, based on commonalities, all the criteria relevant to identify zakat recipients discovered in the literature, DOSM reports, and thematic analysis (from data interview) were mapped out and integrated. The standards of criteria that can determine a Zakat Kedah recipient's eligibility are offered. In total of 35 criteria have been identified and reported in Haqe, Zulkifli, Mustaffa and Zainal (2021).

The process of gathering data for analysis comes in second. Secondary data is gathered from LZNK, which includes data from 2018 to 2020. The data contains applicants profile which characterised by the 35 criteria identified in step 1. Before the data is used in the next step to calculate the weight of each criterion, the criteria are categorised according to their attributes, which can be either qualitative or quantitative. The criteria are categorised to provide

consistency between the standards used during the process of analysing the data. The parameters are thus grouped into 17 groups and the data of 35 criteria was also average out to produce 17 dataset. The criteria are listed in detail in the section that follows.

The relative importance of each criterion was finally established by analysing the datagathered in the second step using the Shannon's entropy method. Standardizing the data obtained and establishing the weights for each criterion are the two main analysis steps. The process is described as follows.

Data standardization is conducted to remove the anomalies of the measurement units and the data scales (Jalil & Sharif, 2017). Standardized data can be calculated using one of three methods; maximum or minimum value, ideal value, and normalised data value. This study referred to Jemain (2004), which the maximum value approach was used. The formula is as in Equation 1 below.

$$z_{ij} = \frac{x_{ij} - \min_j(x_{ij})}{\max_j(x_{ij}) - \min_j(x_{ij})} \quad [1]$$

where,

z_{ij} – standard observation

x_{ij} – the value of criterion j of each of recipient i

$\max_j(x_{ij})$ – the maximum value of the criteria j

Then, the weighting of the criteria is established following the standardisation of the data into the same format for each criterion. The Shannon's entropy method was used to weight the criteria and the procedure of the method refers to Popovic (2017), Lotfi and Fallahnejad (2010) and Jemain (2004). Equation 2 presents the formula used in the method and as follows.

$$e_j = -\frac{1}{\ln n} \sum (z_{ij}) \ln(z_{ij}) \quad [2]$$

The value of entropy for the j^{th} criterion is represented by the value of e_j . A criterion's entropy value is used to quantify the extent of information fluctuation where the determination decreases as the magnitude of the information variability increases. To calculate the weight of each criterion, entropy values for all criteria is also needed where the values are added together and are represented by the symbol E . The summation is presented by Equation 3:

$$E = \sum_{j=1}^m e_j \quad [3]$$

Finally, the weight for each criterion is calculated and the value of weight for the j^{th} criteria is denoted by w_j and the formula of calculating the value of w_j is given in Equation 4 and as follows.

$$w_j = \frac{1-E_j}{\sum(1-E_j)} \quad [4]$$

FINDING AND DISCUSSION

The description of the results will be based on the pareto ratio, where it is assumed that 20% of the criteria account for 80% of the eligibility of zakat recipients. As a result, the four (4) criteria with the highest weighted value and ranking are chosen as the primary factors that requires the most significant and most urgent operational attention in helping achieve fairness in Zakat distribution. Table 1 lists the weights for the criterion and their rankings. According to Table 1, the top four criteria are electronic tools such as computer and air conditioner, employment status, clothing and medication expenses borne by asnaf with criterion weightages of 0.0832, 0.0790, 0.0737 and 0.0728, respectively.

The management team of LZNK might infer from this finding that, in the digital age, technological tools like computers are valued for educational reasons because they lessen commotion in public areas. Another important consideration is the applicant's employment situation, as unemployed applicants desperately require financial aid to support their families. The requirements also pay attention to asnaf-borne expenses, such as those for clothes and medical care, which are seen as necessary to meet the asnaf's fundamental needs (Mearangani, 2016).

The results of the analysis, however, ignored a number of elements that Maqasid Shari'ah has deemed necessary for human survival, including the kind of property and food and drink. The LZNK management may occasionally think about applying alternative analysis to address this issue. Mustaffa, Zulkifli, Haqe, and Zainal (2022) applied the Best-Worst Method (BWM) analysis, which used the professional opinions of the LZNK employees and Amil as input data in prioritising the criterion. According to their analysis, the top five factors are protection, number of families, food, health status, and marital status. They think that the LZNK employees and Amil's experience, who work closely with Asnaf, have a big influence on the criteria's order of importance.

Table 1. The Weightage and Rank of the Criteria Based on the Entropy Analysis

Criteria	w_j	Rank
Electronic tools	0.0832	1
Employment status	0.0790	2
Clothing	0.0737	3
Medication	0.0728	4
Education	0.0711	5
Protection	0.0658	6
Per capita income	0.0614	7
Transportation	0.0603	8
Other source of income	0.0601	9
Communication tools	0.0575	10
Food and Drinks	0.0570	11
Type of property	0.0513	12
Basic home convenience tools	0.0509	13
Marital status	0.0468	14
Health level	0.0461	15
Number of dependents	0.0317	16
Number of households	0.0312	17
$\sum w=1.0000$		

CONCLUSION

Due of the complexity of the zakat recipient selection process and its connection to Islamic law, it is crucial to have a well-considered strategy for evaluating candidates. The administration of LZNK is urged to implement the weighted criteria based on the results of the multi-criteria evaluation. Despite the fact that some elements appear to be significant in determining who is eligible to get zakat, this study omitted a number of crucial factors, thus another approach, such as using the aggregated weight, may be necessary to enhance the outcome (Mat Kasim, 2018; Desa, Jemain & Kasim, 2015). This research is beneficial to the institution of zakat, the community, and modern literature. The outcomes of this study will assist the zakat institution in speeding the identification of eligible receivers and will give the community with a comprehensive grasp of the zakat selection process.

ACKNOWLEDGMENT

This research has been carried out under IPIZ Grant Scheme (S/O Code: 21032) provided by Institut Penyelidikan dan Inovasi Zakat (IPIZ), UUM.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

**ASSESSING THE EFFICIENCY OF ZAKAT INSTITUTION IN KEDAH USING
DATA ENVELOPMENT ANALYSIS (DEA)**

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Abstract

Zakat is one of the five pillars of Islam where Zakat institutions are the trusted bodies that manage and administrate matters related to zakat in most Muslim countries including Malaysia. However, issues regarding the inefficient management of zakat collection and zakat distribution have been raised continuously by the public. Therefore, zakat institutions need to review and evaluate the extent of their efficiency issues in regulating zakat management over time in order to come up with new ideas and strategies to improve zakat management efficiency. Thus, the objective of this study is to measure the efficiency of zakat distribution in Lembaga Zakat Negeri Kedah (LZNK) by using the Data Envelopment Analysis (DEA) technique. This study analyzes the efficiency of twelve regional zakat centers in Kedah as decision-making units (DMUs) from the year 2018 to 2020. The DMUs were considered efficient if the zakat distribution of the model hit the efficiency score of 100%. There were four inputs and one output variable of the model, which are the zakat staff, zakat payers, zakat expenses, total population and total zakat collected respectively. By using the DEA technique, the results show that PZD which achieved full efficiency in 2018 and 2020 are one PZD while in 2019 there are 4 PZD out of 12 PZD are efficient. In conclusion, the application of the DEA technique demonstrates the efficiency scores and provides insightful comprehension for the zakat distribution management of LZNK.

Keywords: Efficiency, Zakat Distribution, Decision-Making Units (DMUs), Data Envelopment Analysis

INTRODUCTION

Malaysia is recognized as the world's Islamic trusted nation. One of the roles played by the government of Malaysia is assisting the needy and poor Muslims through the implementation of zakat institutions in Malaysia. According to the teaching of Islam, Muslims practice the five pillars of Islam which are the declaration of faith, praying five times a day, paying zakat, fasting during Ramadan and performing Hajj in Makkah. In discussing the scope of zakat, the term zakat means growth and purification while terminologically it means that individuals must spend some portion of their wealth, assets and savings that they are neither a charity nor a tax, but they are obliged to spend in specified ways, on specified activities at a specified time according to the teachings of Al-Quran and Hadith. Thus, zakat is a small portion of surplus wealth owned by rich Muslims when the resources have reached the minimum threshold, Nisaab to be given as alms to needy Muslims to help their life and lower the poverty gap between the poverty and the wealthy in the community. The words of Allah SWT which means:

“Take (Oh Muhammad), from their wealth a charity by which you purify them and cause them to increase and invoke (Allah’s blessings) upon them. Indeed, your invocations are reassurance for them. And Allah is Hearing and Knowing.” (Qur’an 9:103)

According to Zayas (2003), in several schools of thought on Shariah law, the establishment of the institution of zakat as one of the authorities that regulate the operation of zakat is not a prerequisite. Qaradawi (2009) also claims that the government should have the right to collect and distribute zakat under strict conditions that the government does not oppose Islam as the basis of beliefs, enforces Islamic laws under its ruling, and advocates the social framework regarding to Islam. In general, the responsibilities of zakat organizations can be divided into two, which are collecting zakat and distributing zakat. These responsibilities should be performed by the authorized zakat officers that were appointed by the federal and state governments.

Meanwhile, concerns related to the inefficient distribution of zakat have been addressed frequently by the public (Rahman, Alias, & Omar, 2012). In addition, zakat was allegedly said to have not been able to satisfy the needs of the qualified recipients, asnaf (Ghazi, Ahmad, & Wahid, 2013). Wahab & Rahim, (2012) stated that these zakat organizations have been exposed to rigorous public scrutiny and criticism as public service organization that is responsible to stakeholders and the Muslim public at large. Also, many parties dispute the efficiency and efficacy of these organizations in administering zakat matters in their various states, according to a cursory study. Moreover, also stated by Rahman, Alias, & Omar, (2012) that the public has complained that zakat did not reach the targeted group owing to the authority's lack of promotion or the community's lack of understanding and knowledge.

Therefore, the issues related to zakat management have been explored through this study within the Lembaga Zakat Negeri Kedah (LZNK). The main purpose of this study is to investigate the efficiency of the distribution of zakat at LZNK. In this study, the approach of

Data Envelopment Analysis (DEA) technique was implemented to evaluate the efficiency of zakat distribution. This paper begins with the problems and issues faced by LZNK in determining the efficiency of zakat distribution, then followed by a related literature review and the proposed methodology for this issue. Finally, the paper ends with a conclusion and suggestions for future research work.

LITERATURE REVIEW

Malaysia as one of the Muslim countries in the world has established comprehensive conditions regarding the governance and management of zakat under the authority and responsibilities of each state through the State Islamic Religious Councils (SIRCs). Thus, as Malaysia have 13 states and one Federal Territory, 14 councils administrate and manage Islamic matters including the governance of zakat of each state.

Subsequently, before going through the technique used in determining the efficiency of zakat issues, it is important to identify and recognize the meaning of efficiency. In explaining the context of efficiency through the economic theory, it is defined as a term that describes and denotes how well a system works and performs in order to produce and generate the maximum and best-required output from the inputs using accessible and existing technologies (Farrel, 1957). In other words, when it can produce and provide more services and goods, an economic system is evaluated as productive without needing to seek more than the available resources. The assessment of economic efficiency is mainly based on two different methods and techniques which are the non-parametric methods and parametric methods. The DEA technique, developed by Charnes et al. (1978), is a non-parametric approach to determining organizational efficiency (Paço & Pérez, 2013). The frequent approach used is Data Envelopment Analysis (DEA) technique.

The case by Wahab & Rahim (2011) demonstrates the application of the Data Envelopment Analysis (DEA) technique and its ability to model mathematical programming to examine the efficiency of zakat administration in Malaysia from 2003 to 2007. In 2016, Hamzah & Krishnan conducted a study to quantitatively measure the efficiency of zakat collection in Sabah from the year of 2007 until 2015. This study implemented three types of Data Envelopment Analysis (DEA) techniques, which are CCR primal model, CCR dual model, and also slack based model. Meanwhile, Ahmad & Ma'in (2014) also have performed a study which to measure the efficiency of zakat collection and zakat distribution in the Lembaga Zakat Selangor region.

Besides, the use of the DEA techniques was also implemented from the study by Mohammad & Noordin (2016) which stated that to increase the efficiency of zakat distribution and collection of the Majlis Agama Dan Istiadat Melayu Kelantan (MAIK), thus a two-stage linked Data Envelopment Analysis (DEA) technique was performed. This was due to the people's concerns about the efficiency of zakat collection and zakat distribution in Kelantan. Additionally, Wahab & Rahman (2012) stated in the study aimed at determining the

efficiency of zakat institutions in Malaysia. The study applied the Malmquist Productivity Index to measure and estimate the productivity and efficiency of zakat institutions in Malaysia.

In short, the Data Envelopment Analysis (DEA) technique has been applied in various studies and is able to examine and analyze the efficiency of zakat administration which includes zakat distribution.

METHODOLOGY

In this study, the DEA method is proposed to be implemented in some phases of the research framework. The first phase is to define the problem and identify the main issues of the efficiency of zakat related to zakat distribution. Then, primary and secondary data were collected according to the inputs and outputs variables. Next, the proposed DEA model which measures the efficiency of zakat distribution is developed. In the next phase, the model is run. Then, the efficiency of the zakat distribution of models is calculated. The methodology has been simplified as shown in Figure 1:

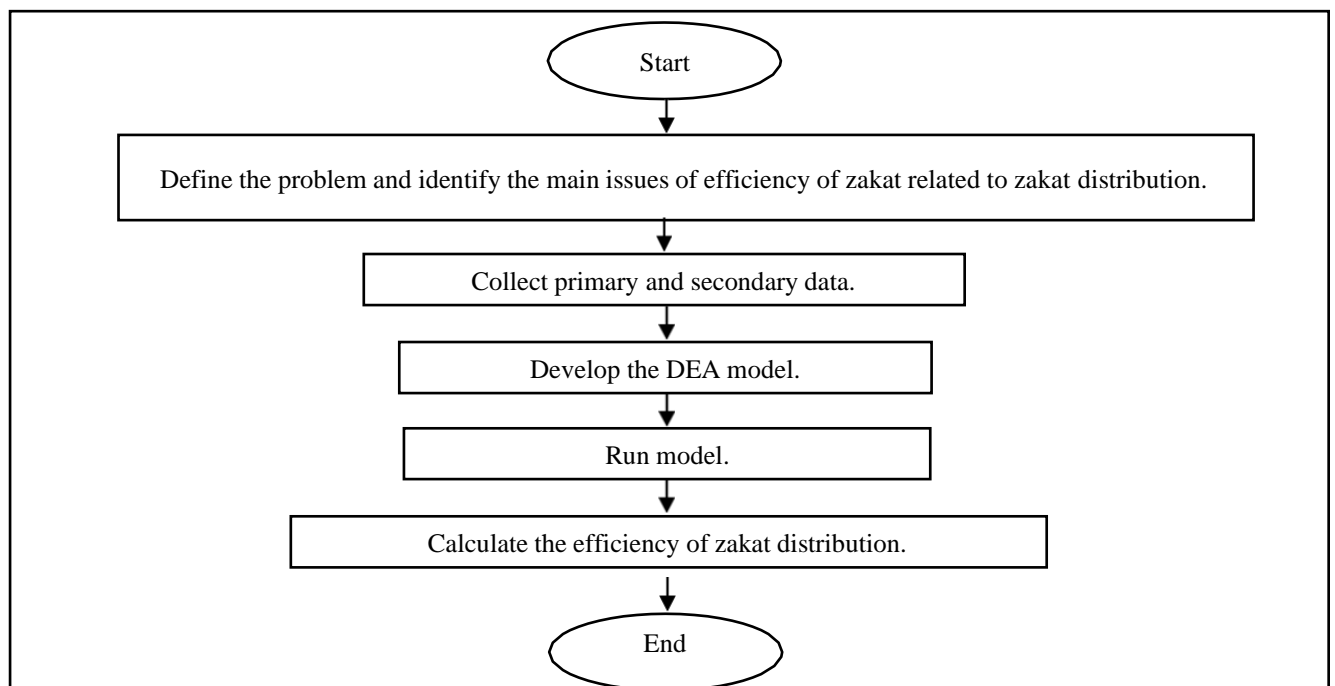


FIGURE 1. The Research Flow Chart

Description of the Study

This study applied the standard CCR DEA model developed by Charnes et al. (1978) to measure the efficiency of zakat distribution in LZNK from 2018 to 2020. For clarity, the following sections will discuss the description of the study, data collection, decision-making

units and description of inputs and outputs variables. The calculation will use Lingo 18.0 to evaluate the zakat distribution.

Data Collection

The data source for this analysis was obtained from the primary sources through the interview sessions with the officers and persons in charge from the Information Technology Department of LZNK. Meanwhile, secondary sources were also used from the published report by the Information Technology Department of LZNK.

Decision-Making Units (DMUs)

In this study, the Decision-Making Units (DMUs) or Units to be Analyzed must be determined to examine the best result for the efficiency of zakat distribution. The unit to be analyzed is one of the state's zakat institutions in Malaysia which is LZNK. For this research, all 12 branches of Pusat Zakat Daerah (PZD) in Kedah were selected due to availability and homogeneity. The availability of the homogenous data is based on the primary data source and secondary data source from this study. The data is called homogeneous because the DMUs have the same function to administrate the zakat processes and they are located in the state of Kedah.

Inputs and Output Variable

Before moving on to the next process in determining the zakat efficiency, the input and output variables need to be identified. This is because identifying input and output variables is the basic requirement and necessity in order to use the DEA approach. Ignoring and underestimating any of the important input and/or output will cause inaccurate efficiency measurement of the zakat distribution. In deciding these input and output variables, a conceptual view of collecting the zakat needs to be identified. The preference of inputs and outputs for the model was determined through the works of literature in zakat distribution on DEA applications. In this research, the data sets consist of the number of staff, number of zakat payers, zakat expenses, population and total zakat collection as input variables. There is one variable for the output, which was the total zakat distribution for measuring the efficiency of zakat distribution. The inputs and outputs variables are shown in Table 1 and Table 2 respectively:

TABLE 1. Input Variables Description

Input Variables	Description
Zakat Staff	Total number of amil zakat who is the person appointed by the K.D.M.M Tuanku Sultan of the state to perform zakat management process including collection and distribution of zakat
Zakat payers	Total number of person who act as the payers of zakat according to the Islamic Shariah
Zakat Expenses	Total cost that is used during the zakat collection process.

Population	Total number of citizens in Kedah
Total zakat collection	Total amount of zakat collected regarding the type of zakat.

TABLE 2. Output Variable Description

Output	Description
Total zakat distribution	Total amount of zakat distributed to the asnaf such as faqir, miskin, muallaf, ar-riqab, al-gharim, fisabilillah and ibnu sabil.

Formulating DEA Model

This is the standard DEA model which is CCR model proposed by (Charnes et al., 1978) for determining the efficiency of DMU k with the assumption of constant returns-to-scale:

$$E_k = \max \frac{\sum_{r=1}^s u_r Y_{rk}}{\sum_{i=1}^m v_i X_{ik}}$$

$$s. \sum_{r=1}^s u_r Y_{rj} / \sum_{i=1}^m v_i X_{ij} \leq 1, \quad j = 1, \dots, n$$

$$u_r, v_i \geq s, \quad r = 1, \dots, s, \quad i = 1, \dots, m$$

where,

E_k - Efficiency score,

X_{ij} - the value of i th input produced by j th DMU,

Y_{rj} - the value of r th output produced by j th DMU,

u_r - weight assigned to the r th output,

v_i - weight assigned to the i th input,

s is a small non-Archimedean number,

The efficiency score E_k should not be less than 1, and $E_k = 1$ means that DMU k is efficient.

ANALYSIS

In methodology section, we have applied CCR DEA model proposed by (Charnes et al., 1978) to analyze the efficiency of zakat distribution in LZNK from 2018 to 2020. The results of applying the CCR DEA model to the data of 12 PZD in Kedah are presented in Table 3 as shown below:

Table 3. Efficiency Score of Zakat distribution in LZNK

No	PZD	2018	2019	2020
1	A	0.5167	0.7545	0.2593
2	B	0.8528	0.8957	0.2681
3	C	0.3244	0.5879	0.2128
4	D	0.8380	0.8077	0.2835
5	E	0.5288	0.7090	0.3376
6	F	0.6295	1.0000	0.3436
7	G	0.2593	0.4313	0.1805
8	H	0.7933	1.0000	0.6209
9	I	0.5352	0.6866	0.2427
10	J	0.6259	1.0000	0.4761
11	K	1.0000	1.0000	1.0000
12	L	0.6161	0.5887	0.4416

Table 3 shows the result of the efficiency score of the zakat distribution within the three years. Although most of them show inefficiency in those three years, there are also a few of the PZD that reach the full efficient score in those three years. It shows that only one PZD reached the full efficiency score of zakat distribution in 2018. Meanwhile, the PZD that reach full efficiency score has increased to 4 PZD in 2019. In 2020, only one PZD have reach a full efficiency score in zakat distribution. For 2018, there is only one PZD that reaches the full efficient score which is PZD K. While, in 2019 there are four PZD that reach the full efficient score which are PZD F, H, J and K. Meanwhile in 2020 states that there is only one PZD that reach the full efficient score which is PZD K.

According to the result obtained, PZD G shows the least efficient score than other PZD in those three years with an efficiency score of 0.1805. Meanwhile, PZD K is the only one that has shown the best efficient score in those three years with a score of 1.000.

CONCLUSIONS

According to the previous studies which discussed the important issues related to the concept, management and implementation of zakat, researchers found that there is still a lack of studies that discuss in depth the efficiency of zakat institution management. For instance, it is discovered that there has been very few previous research on measuring the efficiencies of zakat collection and zakat distribution whether it involves the efficient measurement of zakat by year or region.

Overall, it is suggested that future researchers in collaboration with zakat institutions need to identify in depth the roles and improvements of LZNK to ensure an efficient level of zakat

management reaches an excellent and commendable level. Similarly, a study to determine the extent of the effectiveness of zakat management to ensure the collection and distribution of zakat can be done prudently.

ACKNOWLEDGEMENTS

The authors wish to thank Lembaga Zakat Negeri Kedah (LZNK) and Universiti Utara Malaysia for their help, facilities provided and financial support in Geran IPIZ (S/O Code:14719). The authors would like to thank zakat officer, Puan Noor Afifah Binti Ahmad who provided informative information that greatly assisted the research.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

AN OVERVIEW OF DATA ENVELOPMENT ANALYSIS (DEA) APPROACH IN MEASURING EFFICIENCY OF ZAKAT GOVERNANCE

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Abstract

Efficiency refers to the level of performance that uses the least number of inputs to achieve the highest number of outputs in obtaining the desired result. In most research, Data Envelopment Analysis (DEA) is the main model that is applied to evaluate and measure efficiency. The main aim of this review article is to review DEA models regarding the measurement of efficiency. This paper reviewed and summarized the different models of DEA that have been applied around the world for the measurement of efficiency problems. Consequently, a review of 50 published scholarly papers appearing between 2003 and 2021 has been obtained to achieve a comprehensive review of DEA application in management efficiency. The review is conducted through descriptive research based on document analysis on the obtained articles and literatures. Result of this review paper indicated that DEA showed great promise to be a good evaluative tool for future analysis of management efficiency issues, especially in terms of inputs and outputs of zakat governance that focusing on zakat collections and zakat distributions.

Keywords: Efficiency, Data Envelopment Analysis, Input-Output, Zakat Governance.

INTRODUCTION

In Islam, the fundamental faith of its follower is set by the practice of the five pillars of Islam, which are the declaration of faith, praying five times a day, paying zakat, fasting during Ramadan and performing Hajj in Makkah. In discussing the scope of zakat, the term zakat literally means growth and purification while terminologically it means that individuals must spend some portion of their wealth, assets and savings that they are neither a charity nor a tax, but they are obliged to spend in specified ways, on specified activities at a specified time according to the teachings of Al-Quran and Hadith. Thus, zakat is a small portion of surplus wealth owned by rich Muslims when the resources have reached the minimum threshold,

Nisaab to be given as alms to needy Muslims to help their life and lower the poverty gap between the poverty and the wealthy in the community.

Zakat is a significant tool of Islamic wealth redistribution that routinely collects designated amounts of public money from zakat payers and distribute the money to identified beneficiaries in accordance with the principles of the shari'ah. As zakat is a public money, managing the zakat money professionally by specialized institutions that are connected makes a difference and extends the benefits. Although the establishment of the institution of zakat that regulate the operation of zakat is not a prerequisite in several schools of thought in Shariah law (Zayas, 2003), Malaysia has developed a zakat system through state-centralized institutions. The concept of establishing a zakat institution in a country is also addressed by several researchers for effectively managing the collection and distribution of zakat (Qardawi, 2009; Migdad, 2019).

Past studies also indicate the importance of efficient collection of zakat to ensure socio-economic objectives of zakat are achievable. In the meantime, concerns related to the inefficient collection of zakat have been addressed frequently by the public (Rahman, Alias, & Omar, 2012). In explaining the context of efficiency through the economic theory, it is defined as a term that describes and denotes how well a system works and performs in order to produce and generate the maximum and best required output from the inputs using the accessible and existing technologies (Farrel, 1957). In other words, when it can produce and provide more services and goods, an economic system is evaluated as productive without needing to seek for more than the available resources. In the assessment of economic efficiency, it is mainly based on two different methods and techniques which are the non- parametric methods and parametric methods. The DEA technique, developed by Charnes et al. (1978), is a non-parametric approach to determine organizational efficiency (Paço & Pérez, 2013). The frequent approach used is Data Envelopment Analysis (DEA) method.

The DEA method is used to measure the relative efficiency of a series of multiinput-multioutput Decision-Making Units (DMUs). Over several decades of research, the application of DEA model has been proliferated and the model has been enriched to adapt to different conditions in various fields. This paper attempts to sorting out the literature of DEA applications in various fields and pointing out the possible applications of DEA in measuring the efficiency of zakat governance. About 50 relevant published papers appearing between 2003 and 2021 has been obtained to achieve a comprehensive review of DEA application in management efficiency. The rest of this paper is as follows. Section 2 provides the application of DEA in various fields. Section 3 describes the application of DEA in determining the efficiency of zakat related issues. Finally, the conclusion section concludes the review of DEA in measuring the efficiency of zakat governance.

DEA APPLICATIONS IN VARIOUS FIELDS

From the literatures, DEA models have been applied and used in many fields such as medical, environment, internet, defence, energy, education and financial as listed in Table 1. Review from the papers showed that DEA models are widely and extensively used in various fields to examine and measure the efficiency and performance of the related fields.

Table 1: Application of DEA model in various fields.

Fields	Authors	Year
Medical	Alinezhad & Mirmozaffari	2018
	Pulina & Santoni	2018
	Kao & Hwang	2008
	Varabyova & Schreyögg	2013
	Kohl, Schoenfelder, Fügener, & Brunner	2019
Environment	Chen, Lai, Wang, Huang, & Wu	2018
	Suzuki, Nijkamp, & Rietveld	2013
	Bi, Song, & Wu	2014
	K. Wang, Yu, Zhang, & Wei	2020
	Stiakakis & Fouliras	2009
	Kamarudin, Ismail, & Mohd	2015
	Gidion, Hong, Adams, & Khoveyni	2019
	Fan, Zhang, Zhang, & Peng	2015
	Akbari, Jones, & Treloar	2020
Internet & Developer	Serrano-Cinca, Fuertes-Callén, & Mar-Molinero	2005
	Cao & Yang	2011
	Ke, Wu, Wang, & Zou	2018
Defence	Juan et al.	2014
	Jeon and Yoo	2019
Energy	Costa et al.	2013
	Kon et al.	2011
	Zografidou, Petridis, Arabatzis, & Dey	2015
	Sueyoshi & Yuan	2015
	Z. Wang & Feng	2015
Education	Hock-Eam, Taib, Abdullah, & Hwa	2016
	Gökşen, Doğan, & Özkarabacak	2015
	Fatimah & Mahmudah	2017
	Abbott & Doucouliagos	2003
	Alexander, Haug, & Jaforullah	2010
Financial	Avkiran	2006
	Desta	2016
	Amersdorffer, Buchenrieder, Bokusheva, & Wolz	2015
	Gregoriou, Messier, & Sedzro	2016

Haq, Skully, & Pathan	2010
Scheraga	2004

DEA APPLICATIONS IN DETERMINING EFFICIENCY IN ZAKAT SECTOR

This section reviews the applications of DEA in determining the efficiency of zakat governance. Most of the research can be found in Malaysia and Indonesia. The evolution of DEA model can be referred in Table 2 such as two-stage linked DEA model, Slack based DEA model, Charnes-Cooper-Rhodes (CCR) primal DEA model and CCR dual DEA model. The selected articles have been categorized based on author (s); year; region, scope of study, method and study purpose.

Table 2: Application of DEA model in Zakat issues

Authors	Years	Region	Scope	Method	Purpose
Ahmad & Ma'in	2014	Malaysia	Year (2001 - 2011)	Two-stage linked DEA model.	To analyze the efficiency of zakat management of Lembaga Zakat Selangor.
Al-Ayubi, Ascarya, & Possumah	2018	Indonesia	Year and Zakat Institutions	Data Envelopment Analysis (DEA)	To evaluates the efficiency of Indonesian Zakat Institutions (IZI),
Ardiani & Herianingrum	2019	Indonesia	Years (2011-2015)	Data Envelopment Analysis (DEA)	To see the efficiency of zakat institutions in the collection of funds and distribution.
Djaghballou, Djaghballou, Larbani, & Mohamad	2018	Algeria	Years (2003-2013)	Data envelopment analysis and measure Malmquist Productivity Index.	To examine the efficiency and productivity performance of zakat funds managed by Directorates of Religious Affairs and Endowments (DRAE) in Algeria
Ghazi, Ahmad, & Wahid	2013	Malaysia	Years (2003-2012)	Descriptive Method	To analyze the management of Zakat funds managed by the

					Islamic Religious Council and Malay Custom, Kelantan (MAIK)
Hamzah & Krishnan	2016	Malaysia	Years (from 2007 to 2015)	1.Charnes-Cooper-Rhodes (CCR) primal DEA model. 2.CCR dual DEA model. 3.Slack based DEA model.	To quantitatively evaluate the efficiency of zakat collection in Sabah.
Krishnan & Hamzah	2017	Malaysia	Years (from 2007 to 2015)	1.CCR dual DEA model. 2.Slack based DEA model.	To measure the overall efficiency of a zakat institution.
Mohammad & Noordin	2016	Malaysia	(Majlis Agama dan Istiadat Melayu Kelantan in 2014)	Two-stage linked DEA model.	To maximise the efficiency of zakat collection and distribution of the Majlis Agama Dan Istiadat Melayu Kelantan (MAIK)
Nurwahyuni	2016	Indonesia	National Zakat Organization	Data Envelopment Analysis.	To investigate the efficiency level of national organization of Zakat management.
Rusydiana & Al Farisi	2016	Indonesia	Year and Zakat Institutions	Data Envelopment Analysis.	To measure the efficiency of 3 (three) Zakah Institutions with Data Envelopment Analysis (DEA) method.
Rusydiana, Maliha, & Al-Parisi	2016	Indonesia	Year	Data Envelopment Analysis (DEA)	To measure the efficiency of Dompot Dhuafa's program.
Ryandono et al.	2021	Indonesia	14 Zakat Institutions	1. Data Envelopment Analysis (DEA). 2. Free Disposal Hull (FDH)	To assess the efficiency of zakat organizations in Indonesia
Wahab & Rahman	2011	Malaysia	Firm/ zakat institution	Data Envelopment Analysis (DEA)	To analyze the efficiency of zakat

			(14 SIRC's)		institutions in Malaysia.
Wahab & Rahman	2012	Malaysia	Firm/ zakat institution (14 SIRC's)	Data Envelopment Analysis (DEA)	To measure the efficiency of zakat institutions in Malaysia during the period of 2003 to 2007.
Widyaningrum	2018	Indonesia	National Zakat Organiation	Data Envelopment Analysis (DEA)	To determine the efficiency of National Zakat Management Organization in the period 2016.

CONCLUSION

This article adopts descriptive analysis based on several literatures on zakat issues for several years between 2003 and 2021. Reviewed from 50 articles revealed that DEA able to measure and determine the productivity and efficiency of zakat governance to ensure that the collection and distribution of zakat can be done prudently. The validity of the DEA model in measuring efficiency can be seen when more and more researchers use this model every year. Results of this review paper indicated that DEA showed great promise to be a good evaluative tool for future analysis on measuring efficiency issues, where the production function between the inputs and outputs was virtually absent or extremely difficult to acquire.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

STRATEGI PEMASARAN MEDIA SOSIAL DALAM MENINGKATKAN KEYAKINAN MASYARAKAT TERHADAP LEMBAGA ZAKAT NEGERI KEDAH

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Abstrak

Penggunaan media sosial semakin penting sebagai komponen portfolio strategi institusi terutama institusi agama. Penyelidikan telah dilakukan secara sistematik untuk menyatukan dan memperluas pengetahuan mengenai strategi pemasaran media sosial (SMMS) meskipun perbincangan mengenainya masih rapuh. Bagi mengisi jurang penyelidikan ini, artikel ini akan meneliti strategi pemasaran media sosial yang dilaksanakan oleh Lembaga Zakat Negeri Kedah dalam meningkatkan keyakinan masyarakat terhadap institusi zakat. Kajian ini dilakukan dengan harapan dapat membentangkan peningkatan jumlah kutipan zakat secara berganda sebagai kayu ukur keyakinan masyarakat kepada LZNK. Kajian ini melakukan pengumpulan data berbentuk kualitatif melalui analisis kandungan yang dilakukan terhadap beberapa paparan di laman Facebook yang terpilih milik LZNK dan temu bual separa berstruktur bersama pegawai yang berkelayakan dalam membantu menjawab soalan kajian. Dapatan kajian mendapati melalui pendekatan strategi yang bertepatan menggunakan model strategi pemasaran media sosial, Lembaga Zakat Negeri Kedah memperoleh keyakinan yang tinggi dari masyarakat.

Kata kunci: strategi pemasaran media sosial, zakat, digital, hubungan pelanggan, media baru

PENDAHULUAN

Perkembangan media massa sebagai alat penghubung bagi menyebarkan dan penyaluran informasi kepada masyarakat telah dimanfaatkan oleh institusi. Lebih lagi, kini hanya menerusi media massa sahaja telah mampu untuk memperkenalkan produk atau perkhidmatan yang dijalankan oleh institusi atau syarikat kepada pengguna. Rata-rata penyelidik lalu seperti Adi Wibowo, 2019, Dodik Siswantoro, 2021 mendokong kuat menyatakan bahawa media sangat berperanan dalam membangunkan kepercayaan dan keyakinan masyarakat terhadap produk atau perkhidmatan yang ditonjolkan. Rangkaian hubungan antara institusi atau syarikat dengan pengguna telah lama wujud. Tambahan bula perkongsian maklumat mengenai produk atau aktiviti dapat dikongsikan dengan lebih cepat, meluas dan tidak memerlukan implikasi kos yang besar. Semakin banyak trafik paparan berkenaan produk atau perkhidmatan yang dikongsikan di media sosial,

semakin tinggi pengaruh terhadap keinginan pengguna untuk mendapatkan infomasi berkenaan produk seterusnya menggalakkan keinginan untuk mendapatkannya (Duffett, R. G., 2017, M.N. Paizin, 2021).

Impak penularan pandemik Covid 19 di seluruh dunia termasuk Malaysia membuka suatu perkembangan baharu kepada digitalisasi. Salah satu elemen dalam pendigitalan merupakan media sosial yang menjadi platform sekianlama, namun tidak digunakan sepenuhnya. Pendigitalan ini mewujudkan pelbagai tekanan kepada institusi dan syarikat untuk beralih daripada pendekatan tradisional kepada platform produktiviti dan perusahaan yang lebih sesuai dengan pelaksanaan teknologi. Masyarakat mula menunjukkan perimaan terhadap perubahan ledakan teknologi bagi tujuan manfaat seharian seperti pendidikan, mendapatkan perkhidmatan kaunter secara maya serta aktiviti-aktiviti yang bersifat atas talian (Holilur Rahman, 2021, Mahmood, J., et al., 2022).

Antara yang mula memanfaatkan media sosial adalah institusi zakat iaitu Lembaga Zakat Negeri Kedah (LZNK). Penubuhan institusi zakat bertujuan menguruskan operasi kutipan dan agihan dana zakat. Institusi zakat ini dibangunkan tidak berasaskan kepada keuntungan. Institusi ini telah mula diberi perhatian dalam usaha meningkatkan status sosio-ekonomi negara seterusnya menghapuskan jurang kemiskinan dalam kalangan masyarakat Islam. Tambahan pula pensyariatan ibadah zakat telah diperintahkan oleh Allah swt sejak zaman nubuwwah lagi. Namun, masih wujud dalam kalangan masyarakat yang berkemampuan untuk melaksanakan ibadah zakat enggan membayar zakat dan masih ramai yang menyerahkan terus wang zakat kepada asnaf tanpa melalui institusi-institusi zakat sebagai amil atau petugas yang dilantik oleh pihak Sultan disebabkan oleh keyakinan masyarakat yang rendah terhadap institusi zakat (C. Ramadhany, et al., 2021, Meylianda, et al., 2022).

Muncul pelbagai faktor pendorong yang menjadi punca kepada permasalahan keyakinan masyarakat terhadap institusi zakat secara amnya. Para penyelidik mulai meneliti faktor atau penyebab kepada isu keyakinan masyarakat ini. Antara faktor yang kerap ditemui ialah kefahaman dan krisis moral pembayar zakat.

Ekoran dari faktor ini telah menyebabkan wujud krisis keyakinan masyarakat terhadap institusi zakat di Malaysia. Faktor ini turut terkesan oleh LZNK sehingga mengakibatkan kadar kutipan tidak memberangsangkan. Penyelidik mula menimbulkan persoalan adakah media sosial LZNK tidak menjalankan sebaran maklumat mengenai zakat atau usaha menyedarkan muzakki untuk menunaikan zakat di LZNK atau wakil yang ditauliah oleh LZNK? Jika telah dijalankan, apakah pelaksanaan tersebut tidak meningkatkan keyakinan masyarakat terhadap LZNK?. Oleh yang demikian, strategi pemasaran media sosial di peringkat LZNK dalam meningkatkan keberkesanan penyebaran maklumat dan penyampaian berkenaan usaha dan inisiatif yang dilakukan oleh LZNK untuk meningkatkan keyakinan masyarakat adalah wajar dilakukan.

STRATEGI PEMASARAN

Pemasaran sebagai disiplin akademik dan aktiviti pengurusan telah menjadi subjek transformasi besar dalam tempoh dua puluh tahun yang lalu. Ramai sarjana dan pengamal bersetuju bahawa beberapa prinsip pemasaran lama seolah-olah kehilangan tempat sehingga pendekatan pemasaran massa yang popular pada tahun 60-an dan 70-an menjadi kurang berkesan (Sharma, S. & Verma, H. V., 2018, Haenlein, M., et al., 2022). Percambahan media, globalisasi pasaran dan kemunculan generasi baru teknologi maklumat dan komunikasi iaitu internet menjadi yang paling menonjol di antara mereka sedang mengubah peraturan pemasaran dan dinamik pasaran dengan melemahkan kedudukan persaingan korporat (Phuoc Pham & Bashar Gammoh, 2015) sambil membentangkan individu dengan banyak peluang dan pemerksaan baharu (Bendak, S., et al., 2020, Haque, U.N. & Mazumder, R. A., 2020).

Strategi pemasaran merupakan keputusan yang dilakukan bagi membuat pilihan kritikal mengenai kegiatan pemasaran di pasaran. Keputusan tersebut dibuat bagi tujuan untuk berkomunikasi serta memberikan nilai kepada pelanggan sebagai pertukaran untuk mencapai objektif kewangan, pasaran, dan objektifnya yang lain. Menurut pandangan organisasi berasaskan sumber (Bendak, S., et al., 2020), sumber organisasi misalnya, kewangan, manusia, fizikal, maklumat dan hubungan membantu syarikat meningkatkan strategi pemasaran mereka mencapai kelebihan daya saing yang mampan dan memperoleh prestasi yang lebih baik. Sumber-sumber ini boleh ketara atau tidak ketara dan dapat diubah menjadi sumber pesanan tinggi iaitu, kecekapan dan kemampuan yang memungkinkan penyampaian nilai unggul kepada pembeli yang disasarkan (Feng, Y., et al., 2017, IRTI Islamic Social Finance Report, 2017).

Strategi pemasaran yang berbeza dapat disusun secara kontinum di mana strategi pemasaran transaksi dan strategi pemasaran hubungan mewakili dua ujungnya, sementara di antaranya terdapat berbagai strategi pemasaran campuran (O.C. Ferrell, et al, 2022) menyatakan bahawa hubungan pelanggan yang lama harus menjadi teras strategi pemasaran kerana interaksi dan penglibatan pelanggan dapat dikembangkan menjadi sumber hubungan yang berharga. S.A. Movsisyan (2016) juga mendakwa bahawa syarikat yang memanfaatkan hubungan pelanggan jangka panjang dan boleh dipercayai dapat membantu merancang strategi pemasaran peningkatan nilai yang kemudiannya akan menghasilkan kelebihan daya saing dan membawa kepada prestasi yang unggul (Ananda, A.S., et al., 2014, Li, F. et al., 2020).

Dalam konteks pemasaran yang berubah, peranan Internet dan terutamanya perkembangan sekitar era Web 2.0 serta peranan media sosial menjadi penting. Bagi ahli strategi pemasaran, mesejnya mudah iaitu bertahan dalam tempoh pelanggan yang diberi kuasa memerlukan kurang pergantungan pada taktik pemasaran massa tradisional, memahami peranan teknologi dalam membentuk pasaran dan yang lebih penting melibatkan media sosial sebagai sebahagian daripada kotak peralatan pemasaran menjadi satu kemestian strategik (Lammi, et al, 2019, O.C. Ferrell, et al., 2022).

MEDIA SOSIAL

Melibatkan Media Sosial secara berkesan sebagai sebahagian daripada strategi pemasaran memerlukan warisan "Web 2.0" syarikat berada dalam keadaan baik. Tapak web korporat mesti berada dalam kedudukan untuk berfungsi sebagai platform korporat yang memenuhi jangkaan pelanggan dalam talian (Cristache, N., et al., 2013, Abbas, J., et al., 2019). Ini kerana kebanyakan objektif strategik pemasaran media sosial memerlukan kehadiran tapak web syarikat yang berfungsi dengan sempurna, cekap, boleh dipercayai, bersepadu secara organisasi dan berorientasikan pelanggan. Kehadiran korporat dalam talian, sesebuah syarikat mesti mencerminkan dan menyampaikan kedudukan korporat, kualiti, orientasi pelanggan dan imej (Javaid, et al., 2017, Utami, P., 2019).

Mempunyai laman web yang direka dengan baik adalah satu keperluan tetapi sama sekali bukan jaminan kejayaan. Perkara kedua yang penting ialah organisasi pemasaran dalam keadaan sempurna dan sesuai dengan tugas. Orientasi pelanggan dicerminkan bukan sahaja dalam talian tetapi juga dalam aktiviti pemasaran tradisional dan aktiviti rutin adalah sangat penting (Cerchia Alina Elena, 2016, Kizgin, H., et al., 2018). Organisasi pemasaran mesti menjurus untuk menawarkan nilai tinggi kepada pelanggan dengan menyampaikan produk dan perkhidmatan berkualiti tinggi. Pemasar harus sedar bahawa pengguna media sosial boleh menyiasat dan menguji kualiti syarikat atau tuntutan harga dengan mudah, mencari alternatif atau pengganti dan terakhir sekali menyemak produk atau perkhidmatan dan melaporkan pengalaman mereka sendiri kepada sejumlah besar rakan sebaya (Abbas, J., et al., 2019, Cheung, M.L., et al., 2020).

Pada masa kini, media sosial menjadi bahagian penting dalam strategi pemasaran banyak organisasi. Ini telah menimbulkan perubahan paradigma dalam strategi pemasaran jenama dan syarikat, serta cara mereka terlibat dan berkomunikasi dengan pasar sasaran mereka (Tafesse, W., & Wien, A., 2018, Yadav, M. & Rahman, Z., 2018). Sebagai pengamal dan syarikat menggabungkan aplikasi media sosial, blog dan laman rangkaian sosial dan mereka menjadi bahagian penting dalam komunikasi dan strategi pemasaran bersepadu mereka, mereka telah mempertanyakan pulangan pelaburan mereka di media sosial yang juga menimbulkan pertanyaan tentang bagaimana mengurus aplikasi ini dengan lebih berkesan (Barger, V., et al., 2016, Ardy Wibowo, et al., 2021).

Beberapa tujuan umum ketika menggunakan media sosial sebagai alat pemasaran adalah pembentukan advokasi dari mulut ke mulut, pengembangan kesetiaan jenama, peningkatan kesedaran jenama, hubungan yang lebih dekat dengan pelanggan, pengurusan masalah perkhidmatan pelanggan, atau mendidik media dan masyarakat tentang syarikat berkaitan dengan isu (Adam Peruta & Alison B. Shields, 2018, Adi Wibowo, 2019, Kumar, V., et al., 2019). Matlamat ini menekankan peranan utama pelanggan dalam pemasaran media sosial dan tingkah laku pelanggan sebagai objektif, dan juga sebagai hasil pemasaran media sosial (Carlson, J., et al., 2018, O.C. Ferrell, et al., 2022).

Dalam konteks pemasaran, media sosial dianggap sebagai platform di mana orang membina rangkaian dan berkongsi maklumat dan sentimen (Li, F. et al., 2020). Dengan sifat khas mereka sebagai "organisme yang dinamik, saling berkaitan, egaliter, dan tidak aktif", media sosial telah menghasilkan tiga perubahan mendasar di pasaran. Pertama, media sosial membolehkan syarikat dan pelanggan berhubung. Kesalinghubungan seperti itu diperkuat oleh berbagai platform, seperti laman rangkaian sosial seperti Facebook, laman mikroblog seperti Twitter dan komuniti kandungan seperti YouTube yang membolehkan jaringan sosial membangun dari minat dan nilai secara bersama. Dalam hal ini, "hubungan sosial" juga telah disebut sebagai "ikatan sosial" dan kekuatan dan jangka masa hubungan ini menentukan sama ada mereka kuat atau lemah. Kajian lalu menunjukkan bahawa kekuatan ikatan adalah penentu penting tingkah laku rujukan pelanggan (Li, F. et al., 2020).

Kedua, media sosial telah mengubah cara syarikat dan pelanggan berinteraksi dan saling mempengaruhi. Interaksi sosial melibatkan "tindakan" sama ada melalui komunikasi atau pemerhatian pasif yang mempengaruhi pilihan dan tingkah laku penggunaan orang lain (Ananda, et al., 2018, Virgallito & Stephanie, 2021) melabel interaksi sosial seperti "kesan dari mulut ke mulut" atau "kesan penularan". Qian, X., et al. (2021) berpendapat bahawa interaksi sosial sangat bergantung pada struktur rangkaian sosial dan memberikan nilai yang boleh diukur kepada syarikat yang juga disebut sebagai "ekuiti sosial". Dalam kajian media sosial, para penyelidik lalu telah lama menyedari pentingnya pengaruh sosial dalam mempengaruhi keputusan pelanggan, dan kajian lalu juga ada menunjukkan bahawa corak hubungan orang dan kekuatan hubungan sosial dapat menandakan intensitas interaksi sosial (Nidhi Singh, et al., 2020, Ryan Hamilton, et al., 2020).

Ketiga, percambahan data media sosial telah memungkinkan syarikat untuk mengurus hubungan pelanggan dengan lebih baik dan meningkatkan pengambilan keputusan dalam perniagaan (Carlson, J., et al., 2018, Haque, U.N. & Mazumder, R. A., 2020). Data media sosial, bersama dengan data digital yang lain dicirikan secara meluas oleh 3 faktor iaitu, kelantangan, kepelbagaian, dan halaju yang merujuk kepada jumlah data yang banyak, pelbagai sumber data dan data masa nyata yang luas (Phuoc Pham & Bashir Gammoh, 2015, Sorayanti Utami, 2015). Sebilangan besar data media sosial yang berasal dari tempat yang berbeza contohnya rangkaian sosial, blog dan forum dan dalam pelbagai format seperti teks, video dan gambar kini dapat diekstrak dan dimanfaatkan dengan mudah menerusi bantuan maklumat moden teknologi (Cerchia Alina Elena, 2016, Yadav, M. & Rahman, Z., 2018). Oleh itu, data media sosial dapat berfungsi sebagai sumber penting analisis pelanggan, penyelidikan pasaran, dan sumber idea baru sambil menangkap dan mencipta nilai melalui data media sosial mewakili pengembangan sumber strategi baru yang dapat meningkatkan hasil pemasaran (Guesalaga, R., 2016, Sheng, J., 2019, Timoshenko, A., & Hauser, J. R., 2019).

KERANGKA MODEL STRATEGI PEMASARAN MEDIA SOSIAL SEBAGAI PEMANDU PENELITIAN

Dalam membangunkan kajian terhadap meningkatkan keyakinan masyarakat terhadap LZNK di era global ini, penyelidik akan menggunakan kerangka model strategi pemasaran media sosial sebagai kerangka yang memandu kajian untuk melihat pola keyakinan masyarakat terhadap institusi zakat. Perkembangan strategi pemasaran media sosial yang bersandarkan pada teori penglibatan pelanggan menyatakan bahawa LZNK perlu mengambil inisiatif yang dirancang untuk memotivasi dan memberi kuasa kepada pelanggan untuk memaksimumkan nilai penglibatan mereka dan menghasilkan hasil pemasaran yang unggul (Harmeling et al., 2017, Kumar, V., et al., 2019, Sheng, J., 2019).

Teori penglibatan pelanggan menunjukkan betapa pentingnya memahami motivasi pelanggan sebagai prasyarat bagi LZNK untuk mengembangkan strategi pemasaran media sosial yang berkesan. Motivasi pelanggan yang terdiri dari pelbagai pengalaman akibat sikap dan keterikatan yang berbeza dapat mempengaruhi tingkah laku media sosial mereka dan hasil strategi pemasaran media sosial yang tidak dapat dielakkan (Venkatesan, 2017). Ini juga menekankan peranan rangsangan dari LZNK iaitu inisiatif penglibatan media sosial dan pelanggan iaitu tingkah laku media sosial dalam menghasilkan hasil pemasaran yang baik (Harmeling et al., 2017).

Kerangka model strategi pemasaran media sosial terdiri daripada empat bahagian yang saling berkaitan iaitu pemangkin, rangsangan, proses dan hasil.

OBJEKTIF KAJIAN

Berdasarkan kepada pengenalan dan ulasan kajian lalu sebagaimana di atas, maka kajian ini dilakukan dengan harapan dapat membentangkan peningkatan jumlah kutipan zakat secara berganda sebagai kayu ukur keyakinan masyarakat kepada LZNK. Lazimnya selain rasa tanggungjawab sebagai pembayar zakat, tahap kutipan zakat juga merupakan asas untuk melihat kadar kepercayaan dan keyakinan masyarakat kepada LZNK. Pihak berkenaan yang menjalankan pengurusan media di LZNK perlu menjalankan strategi terhadap pengurusan media LZNK. Kajian ini menetapkan bahawa fokus kajian terhadap strategi pemasaran media sosial yang dijalankan oleh LZNK untuk meningkatkan keyakinan dan kepercayaan masyarakat terhadap LZNK.

METODOLOGI

Kajian ini melakukan pengumpulan data berbentuk kualitatif melalui analisis kandungan yang dilakukan terhadap beberapa paparan di laman *Facebook* yang terpilih milik LZNK dan temu bual separa berstruktur. Temu bual tersebut dibuat antara pegawai LZNK yang layak bagi memberikan ulasan yang berkaitan. Fokus kajian hanya kepada Lembaga Zakat Negeri Kedah sahaja. Paparan-paparan yang terpilih di analisis bagi melihat perkembangan maklum balas masyarakat di media sosial milik LZNK.

DAPATAN KAJIAN

Bagi bahagian pemangkin dalam model strategi pemasaran media sosial, penyelidik mendapati meskipun matlamat pemasaran agensi zakat beroperasi dalam konteks yang serupa bagi semua negeri, namun strategi pemasaran media sosial yang dilakukan oleh LZNK berbeza mengikut pada objektif strategik di LZNK. Bagi tujuan proaktif, LZNK menggunakan media sosial untuk meningkatkan kesedaran jenama, menghasilkan kesesakan dalam talian, merangsang perkhidmatan serta memberi penekanan terhadap pemantauan oleh masyarakat dan menganalisis kegiatan masyarakat terutama pelanggan LZNK.

Pada peringkat masyarakat pula, penyelidik menemui dorongan media sosial masyarakat berlaku menerusi pelbagai insentif yang mendorong pilihan masyarakat dan penggunaan media sosial tertentu. Dalam konteks media sosial, dorongan berkisar dari tujuan utiliti dan keseronokan antaranya insentif dan hiburan sehingga memberikan alasan untuk berhubung juga mengkategorikan interaksi media sosial jenama pengguna sebagai terdorong terutamanya oleh hiburan, maklumat, imbuhan, identiti peribadi, interaksi sosial, dan pemberdayaan.

Seterusnya pada bahagian rangsangan pula, LZNK mengambil inisiatif dengan memotivasi dan melibatkan masyarakat supaya mereka dapat memberikan sumbangan sukarela sebagai balasan melalui penglibatan media sosial. Inisiatif yang melibatkan sentuhan pengalaman menggunakan peristiwa pengalaman untuk mendorong interaksi masyarakat secara psikologi dan memupuk hubungan emosional. Oleh itu, inisiatif penglibatan LZNK dapat dilihat sebagai efektif yang mana pada satu sisinya, LZNK menggunakan ganjaran untuk melibatkan masyarakat dan pada sisi yang lain, LZNK tersebut secara proaktif bekerja untuk memberikan insentif pengalaman yang berkesan untuk mendorong penglibatan masyarakat.

Manakala tingkah laku media sosial adalah penggunaan media sosial oleh masyarakat sehingga menghasilkan manifestasi tingkah laku yang berbeza, mulai dari pasif sehingga aktif atau dari hanya memerhati sehingga wujud perhubungan.

Jadual 1 : Jumlah Kutipan Lembaga Zakat Negeri Kedah tahun 2005, tahun 2013 dan tahun 2021

BIL	JENIS ZAKAT	TAHUN 2005	TAHUN 2013	TAHUN 2021
1	Zakat Padi	1,810,399.95	4,469,391.08	5,326,933.64
2	Zakat Ternakan	5,837.50	14,375.00	28,963.18
3	Zakat Pendapatan	15,385,170.86	63,267,098.31	135,556,944.85
4	Zakat Perniagaan	6,589,960.80	29,655,033.22	49,810,158.98
5	Zakat Wang Simpanan	2,672,306.04	8,939,101.45	22,775,775.05
6	Zakat Saham	103,821.43	243,907.32	1,133,863.47
7	Zakat KWSP	150,134.01	809,612.91	4,147,631.07
8	Zakat Emas	56,694.84	741,014.62	2,518,962.25
9	Zakat Perak	0.00	3,011.70	7,427.05

10	Zakat Galian	010	12,750.00	81.68
11	Zakat Fitrah	424,610.00	7,459,294.34	11,144,612.00
12	Qadha Zakat	4,060.20	45,345.90	342,604.97
JUMLAH KESELURUHAN		27,202,995.73	115,659,935.85	232,793,958.19

Sumber : Lembaga Zakat Negeri Kedah

Hasil kajian menunjukkan kadar peningkatan kutipan yang diperoleh oleh LZNK meningkat secara berganda sebagaimana yang ditunjukkan di jadual 1. Hal ini dapat dinyatakan melalui penglibatan masyarakat yang mencerminkan hasil hubungan dan interaksi antara LZNK dengan masyarakat serta antara masyarakat dengan masyarakat di media sosial. Ini adalah tindak balas intensiti penyertaan individu dan berhubungan dengan aktiviti organisasi yang dimulakan oleh masyarakat atau LZNK. Semakin banyak masyarakat berhubung dan berinteraksi dengan aktiviti LZNK, semakin tinggi tahap penglibatan masyarakat yang dibuat dan semakin tinggi peningkatan keyakinan masyarakat kepada LZNK. Semakin tinggi tahap keyakinan masyarakat, semakin tinggi kutipan yang dicatatkan. Peranan integrasi sumber masyarakat, perkongsian pengetahuan masyarakat, dan pembelajaran sebagai asas dalam proses penglibatan masyarakat yang kemudiannya dapat menyebabkan masyarakat pengembangan sumber daya operasi dan penciptaan bersama.

CADANGAN

Strategi pemasaran media sosial bagi institusi agama seperti LZNK perlu dikembangkan lagi seiring dengan perkembangan penggunaan media sosial semakin membesar. Penyelidik mencadangkan beberapa penambahbaikan bagi kajian yang berkaitan usaha meningkatkan keyakinan masyarakat menerusi model strategi pemasaran media sosial. Pertama, kajian seperti ini boleh dikembangkan dengan melibatkan beberapa buah negeri sebagai perbandingan untuk melihat tahap pelaksanaan media sosial yang dilaksanakan di institusi agama di Malaysia. Cadangan kedua adalah meneliti keempat-empat bahagian dalam kerangka model strategi pemasaran media sosial iaitu pemangkin, rangsangan, proses dan hasil. Ini kerana dalam kajian ini hanya menumpukan kepada bahagian pemangkin dan rangsangan sahaja. Cadangan terakhir adalah dicadangkan penyelidikan terhadap strategi pemasaran media sosial dengan menjalankan juga analisis kepada dokumen-dokumen rasmi seperti Pelan Strategi untuk menilai penekanan institusi zakat terhadap pemerkasaan pelaksanaan media sosial bagi meningkatkan keyakinan masyarakat.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

دور الوقف في تحقيق مقصدي الأمن والحرية

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المخلص

إن الأوقاف تعتبر سمة من سمات المجتمع الإسلامي ومن أبرز نظمته في تحقيق التنمية الاجتماعية والاقتصادية، والإسهام بشكل فعال في الحياة العلمية والعملية لأبناء المجتمع. الأوقاف التي بقيت لنا عبر كل العصور المتعاقبة، وما أسهمت به في مجال تقديم الخدمات وسدّ حاجيات المجتمع الأساسية من تعليم وصحة وكساء وشراب ومسكن وغيرها من أساسيات الحياة الكريمة، فالأموال الوقفية بمختلف أنواعها محبوسة أصلاً لتقديم خدمات هامة لجمهور الناس، سواءً كان ذلك في شكل مؤسسات مخصصة للعبادة كالمساجد والمصليات أو مخصصة للتعليم والثقافة كالمعاهد والمدارس والكتاتيب والمكتبات أو أماكن خدمات صحية كالمستشفيات والمراكز الصحية وطرق موصلات وشق تُرع وقنوات وحفر آبار. والأوقاف باعتبارها عبادة شرعية ممتدة الأثر لما بعد الحياة فهي تحقق مقاصد شرعية عظيمة من إخلاص التوجه لله بهذا العمل، والتنمية، والطهارة، والقوه، الرحمة، والأمن والحرية... الخ وقد اخترت في بحثي هذا مقصدين من مقاصد الشريعة، وهما مقصد الأمن ومقصد الحرية، لأوضح قدرة الوقف على تحقيقهما. الوقف إذا ما أحسن إدارته مستويات عدة وبامتداد أفقي يستوعب المكان، وامتداد يستغرق الزمان

الكلمات المفتاحية : الوقف الأمن، الحرية

المقدمة

الوقف من أعظم العبادات التي يتقرب بها العبد إلى الله تعالى؛ لما فيه من منفعة دائمة للشرائح الضعيفة في المجتمع بسد حاجتهم وكفايتهم بتوفير الحاجات الأساسية والضرورية من مأكل ومشرب وملبس ومأوى وتعليم وصحة وتنقل - والوقف في الإسلام يقصد إلى تحقق مستويات عديدة من الأمن على مستوى الفرد، والمجتمع، والأمة، وعلى مستوى المكان والزمان حيث ينتشر أفقياً ليمتد أثره في مشارق الأرض ومغاربها، ويتمدد رأسياً ليستديم أثره فهذا وقف عثمان بن عفان ممتد أثره من عصر النبوة مائل إلى يومنا هذا -

ويحقق الوقف إذا ما أحسن إدارته مستويات عدة من الأمن النفسي، والأمن القيمي، والأمن الأخلاقي، والأمن العلمي، والأمن الاجتماعي، والأمن الاقتصادي، والأمن السياسي... الخ والوقف كذلك يقصد إلى تحقيق الحرية في أرقى صورها وأعلى مستوياتها كحرية الفكر والعقيدة، والعلم والتصرف والتملك، والتنقل، والعمل... الخ. وفي هذا البحث سوف نوضح دور الوقف في تحقيق مقصدين من مقاصد الشريعة وهما الأمن والحرية باعتبارهما ركزتان أساسيتان لا تتحقق التنمية إلا بهما.

أهمية البحث

بيان أهمية الأوقاف ودورها في تحقيق الأمن بصورة المتعددة وأشكاله المتنوعة ليضعنا أمام حقيقة تمتاز بها مجتمعاتنا أنها مجتمعات آمنة أبعد ما تكون عن الإرهاب والعنف وتهميش الآخر. ثم التأكيد على دور الوقف في إشاعة مناخ الحرية بصوره المتنوعة والتي لا يمكن للمجتمع أن يحقق تنمية مستدامة بدونها .
ومن أهميته أننا لا بد في اختيارنا للأوقاف لا بد من النظر في مدى تحقيقها لمقاصد الشريعة ومراعاتها لمنغبرات العصر واستجابتها له .

فرضيات البحث

لوقف دور في تحقيق الأمن بمفهومه الشامل .
لوقف دور هام في تحقيق مناخ الحرية بصور متنوعة، ومستويات عديدة .

أهداف البحث

بيان أن الوقف يمتد أثره ليستغرق المكان والزمان .
توضيح دور الوقف في تحقيق الأمن بمفهومه الشامل .
تأكيد دور الوقف في إشاعة مناخ الحرية بصور متعددة ومستويات متنوعة .

المنهج العلمي

اعتمدت في هذه الدراسة على طائفة من المناهج البحثية :
استخدمت المنهج النقلي، كما استخدمت المنهج الاستقرائي، حيث قمت بدراسة كل الجزئيات والوصول منها الى حكم عام ينطبق عليها وعلى غيرها، وعرجت على المنهج الاستنباطي الذي يقوم على إحكام العلاقة الاستدلالية بين الأصل وما يتفرع عنه فلا تصبح النتائج مجافية للمقدمات، وكذلك اعتمدت المنهج التحليلي ثم النقدي.

البحث

المبحث الأول: مقصد الأمن ودفع الخوف

المطلب الأول: تعريف الأمن في اللغة: "أمنًا، وأمانًا، وأمانة، وأمنة اطمان، ولم يخف، والأمانة: الوفاء والوديعة، والأمنة: الذي يأمنه كل أحد في كل"، قال تعالى: " وهذا البلد الأيمن [التين: ٣] قال الأخفش: يريد البلد الآمن وهو من الأمن"^٢
والأمن: ضد الخوف. والأمانة: ضد الخيانة. والإيمان: ضد الكفر. والإيمان: بمعنى التصديق، ضده التكذيب.. "٣، وفي الحديث " .. والمؤذن مؤتمنٌ.. "٤ مؤتمن على الصلاة، ووقتها؛ فهو يُنبئُ الناسَ على وقتِ الصلاةِ ووقتِ صياهم وإفطارهم، وكل هذه المعاني اللغوية والتي جرت على لسان العرب وهي مما أراده الشارع الحكيم، تغياه وقصده وهدف إليه.
تعريف الأمن في الاصطلاح: لا يخرج استعماله عند الفقهاء عن المعنى اللغوي له.

(١) الزيات وآخرون: المعجم الوسيط ٢٨/١.

(٢) الرازي، محمد بن أبي بكر بن عبد القادر- (١٩٩٥) - مختار الصحاح، ١١/١.

(٣) ابن منظور، محمد بن مكرم الأفريقي المصري - لسان العرب ٢١/٣١

(٤) أخرجه أبو داود، سليمان بن الأشعث السجستاني الأزدي- سنن أبي داود (٥١٧)، والترمذي، محمد بن عيسى أبو عيسى السلمي- الجامع الصحيح سنن الترمذي (٢٠٧)، ابن حنبل، أحمد أبو عبد الله الشيباني- مسند الإمام أحمد بن حنبل (٧١٦٩)، قال الألباني: صحيح، راجع: صحيح أبي داود، ص ٥١٧.

وهو: عدم توقع مكروهه في الزمان الآتي^٥ ومنه الاستئمان وهو طلب الأمان قال الراغب: "أصل الأمان والأمان في الأصل: مصادر ويجعل الأمان تارة اسما للحالة التي يكون عليها الإنسان في الأمان، وتارة اسما لما يؤمن عليه الإنسان.^٦ والأمن للفرد والمجتمع والدولة من أهم مقومات الحياة، إذ به يطمئن الناس على دينهم وأموالهم وأنفسهم وأعراضهم، ويتقربون لما يصلح أمرهم ويرفع شأنهم وشأن مجتمعهم).

والأمن مقصود في شريعة الإسلام في عباداته ومعاملاته على حد سواء، فالعبادة يقصد بها سلامة النفس والمال والعرض والدين والعقل، وهي الضرورات التي لا بد من حفظها لقيام مصالح الدين والدنيا، وقد اتفق الفقهاء على أن أمن الإنسان على نفسه وماله وعرضه شرط في تكليفه بالعبادات، لأن المحافظة على النفوس والأعضاء -للقيام بمصالح الدنيا والآخرة- أولى من تعريضها للضرر بسبب العبادة.^٧

المطلب الثاني: الأمان في كتاب الله وعلاقته بالصدقة خاصة الدائمة (الوقف): قال تعالى: "فَلْيَعْبُدُوا رَبَّ هَذَا النَّبِيِّ * الَّذِي أَطْعَمَهُمْ مِنْ جُوعٍ وَأَمَّنَّهُمْ مِنْ خَوْفٍ" [قريش: ٣-٤]، "يا أمر الله عز وجل عباده الالتزام بعبادة الله والتمسك بمنهجه ليتحقق لهم الأمان من الجوع، والأمن من التخطف بالنصر، يقول ابن تيمية: "والرزق والنصر مقترنان في الكتاب والسنة،^٨ واستنصار الله عند الحاجة كاسترزاق الله عند الحاجة إذ بالنصر، والرزق قوام أمر الناس"^٩ وكما قال النبي صلى الله عليه وسلم: «يُنْصَرُ اللَّهُ هَذِهِ الْأُمَّةَ بِضَعْفِهَا بِدَعْوَتِهِمْ، وَصَلَاتِهِمْ، وَإِخْلَاصِهِمْ».^{١٠}

فالاستدانة على إطعام الفقراء وسد جوعتهم مجلبة للنصر الذي به يتحقق الأمان من التخطف قال تعالى: "وَصَرَبَ اللَّهُ مَثَلًا قَرْيَةً كَانَتْ آمِنَةً مُطْمَئِنَّةً يَأْتِيهَا رِزْقُهَا رَغَدًا مِنْ كُلِّ مَكَانٍ فَكَفَرَتْ بِأَنْعُمِ اللَّهِ فَأَذَاقَهَا اللَّهُ لِبَاسَ الْجُوعِ وَالْخَوْفِ بِمَا كَانُوا يَصْنَعُونَ" [النحل: ١١٢]، يقول الماوردي: فكفرت بأنعم الله: يحتمل وجهين، أحدهما: بترك شكره وطاعته، الثاني: بأن لا يؤدوا حقها من مواسة الفقراء، وإسعاف ذوي الحاجات. قال رسول الله صلى الله عليه وسلم: "ابغوني الضعفاء، فإنما ترزقون وتُنصرون بضعفائكم"^{١١}. لا شك إن العناية بالوقف يحقق للمسلم الأمان بمفهومه الشامل: الأمان الداخلي، والخارجي، الأمان النفسي، والاجتماعي، أمن الفرد، وأمن المجتمع، وأمن الدولة، - والوقف يحقق الأمان بكل ما تحويه الكلمة من معان يحقق الأمان بأبعاده الزمانية، والمكانية، والأمن في الدنيا، والآخرة قال الرسول صلى الله عليه وسلم: "كُلُّ أَمْرٍ فِي ظِلِّ صَدَقَتِي حَتَّى يُفْصَلَ بَيْنَ النَّاسِ"^{١٢}. قال تعالى: «الَّذِينَ آمَنُوا وَلَمْ يَلْبِسُوا إِيمَانَهُمْ بِظُلْمٍ أُولَئِكَ لَهُمُ الْأَمْنُ وَهُمْ مُهْتَدُونَ» [الأَنْعَام: ٨٢].

قال تعالى: «الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ بِاللَّيْلِ وَالنَّهَارِ سِرًّا وَعَلَانِيَةً فَلَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ» [البقرة: ٢٧٤]-، قال ابن عباس أنها نزلت في "الذين يعلفون الخيل في سبيل الله"^{١٣} قال النبي صلى الله عليه وسلم: "مَنْ أَحْتَبَسَ فَرَسًا فِي سَبِيلِ اللَّهِ إِيْمَانًا بِاللَّهِ وَتَصَدَّقًا بِوَعْدِهِ، فَإِنَّ شِبَعَهُ وَرِيَّةَ وَرَوْثَةَ وَبَوْلَةَ فِي مِيزَانِهِ يَوْمَ الْقِيَامَةِ"^{١٤} أي يقومون على مصالح الخيل الموقوفة في سبيل الله، يقول الألوسي في روح المعاني: "أي يعممون الأوقات، والأحوال بالخير، والصدقة فالمراد بالليل، والنهار، وجميع الأوقات كما أن المراد بما بعده جميع الأحوال"^{١٥}؛ وهذا المعنى متحقق في الوقف بكليته.

قال الشوكاني في «فتح القدير»: «(لا) للدلالة على شمول النفي وقوله: (عِنْدَ رَبِّهِمْ)، فيه تأكيد وتشريف، وقوله: (وَلَا خَوْفٌ عَلَيْهِمْ)، ظاهره نفي الخوف عنهم في الدارين، لما تبيده النكرة الواقعة في سياق النفي من الشمول وكذلك (وَلَا هُمْ يَحْزَنُونَ) يفيد دوام انتفاء الحزن عنهم^{١٦}، وقال تعالى: (إِنَّ الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا

٥ التعريفات: علي بن محمد بن علي الزين الشريف الجرجاني (ت ٨١٦هـ)، دار الكتب العلمية بيروت لبنان، ط ١، ١٤٠٣هـ - ١٩٨٣م، ص ٣٧.

٦ محمد عيم الإحسان، التعريفات الفقهية: دار الكتب العلمية، الطبعة: الأولى، ١٤٢٤هـ - ٢٠٠٣م، ص ٣٥.

٧ موسوعة المفاهيم الإسلامية العامة: المجلس الأعلى للشئون الإسلامية - مصر، مجموعة من المؤلفين ص ٥٢.

٨ ابن تيمية، شيخ الإسلام أبي العباس تقي الدين أحمد بن عبد الحلیم الفتاوى الكبرى ١٥ / ٤٣٣.

٩ ابن تيمية، شيخ الإسلام أبي العباس تقي الدين أحمد بن عبد الحلیم الفتاوى الكبرى ٢٣ / ١٠٢.

١٠ أخرجه البخاري، محمد بن إسماعيل أبو عبد الله - (١٩٨٧). الجامع الصحيح المختصر، كتاب الجهاد والسير، باب من استعان بالضعفاء والصالحين في الحرب، برقم (٢٨٩٧)، والتسائي، أحمد بن شعيب أبو عبد الرحمن - (١٩٩١) السنن الكبرى، كتاب الجهاد، باب الاستنصار بالضعفاء، برقم (٣١٧٨) واللفظ له، كلاهما من حديث سعد بن أبي وقاص رضي الله عنه.

١١ أخرجه أبو داود، سليمان بن الأشعث السجستاني الأزدي - سنن أبي داود، كتاب الجهاد، باب في الانتصار برذل الخيل والضعفة، برقم (٢٥٩٤)، والترمذي، محمد بن عيسى أبو عيسى السلمي - الجامع الصحيح سنن الترمذي، كتاب الجهاد، باب ما جاء في الاستفتاح بصعاليك المسلمين، برقم (١٧٠٢)، من حديث أبي الدرداء رضي الله عنه، وقال الترمذي: حديث حسن صحيح.

١٢ أخرجه ابن حنبل، أحمد أبو عبد الله الشيباني - مسند الإمام أحمد بن حنبل - (٥٦٨ / ٢٨)، برقم (١٧٣٢٢)، الحاكم، محمد بن عبد الله أبو عبد الله النيسابوري - (١٩٩٠) - المستدرک علی الصحیحین (٤١٥/١)، برقم (١٥١٧)، من حديث عقبة بن عامر رضي الله عنه، وقال الحاكم: حديث صحيح على شرط مسلم ولم يخرجه.

١٣ السيوطي، عبد الرحمن بن أبي بكر بن محمد أبو الفضل - لباب النقول في أسباب النزول، ٤٩/١.

١٤ البخاري، محمد بن إسماعيل أبو عبد الله - (١٩٨٧). الجامع الصحيح المختصر، كتاب الجهاد والسير، باب من احتبس فرسا لقوله تعالى (وَمِنْ رِبَاطِ الْخَيْلِ).

١٥ الرازي، عبد الرحمن بن محمد بن إدريس - تفسير القرآن، تحقيق: أسعد محمد الطيب، صيدا: المكتبة العصرية - ٥٤٢/٢. الألوسي، أبو الفضل شهاب الدين السيد محمود - روح المعاني في تفسير القرآن العظيم والسبع المثاني، بيروت: دار إحياء التراث العربي، ٤٧/٣.

١٦ الشوكاني، محمد بن علي بن محمد - فتح القدير الجامع بين فني الرواية والدراسة من علم التفسير (١٥٧/١).

خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ» [البقرة: ٢٧٧]. قال البيضاوي: «(لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ) من آت، (وَلَا هُمْ يَحْزَنُونَ) على ما فات»- يشير الشوكاني إلى أن نفي الخوف عن المؤمنين الذين ينفقون- بالليل والنهار سراً وعلانية- عام شامل دائم، وأن هذا النفي ممتد يشمل الأبعاد الزمانية، الماضي، والحاضر، والمستقبل. وهو ما أكده الإمام البيضاوي بقوله: «من آت» وهو نفي الخوف المستقبلي (تحقيق الأمن المستقبلي)، وقوله: «على ما فات» وهو نفي للحزن على ما فات ليورث الشعور بالأمن في الحاضر والمستقبل.

وقوله تعالى: «وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِنْ قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَى لَهُمْ وَلَيُبَدِّلَنَّهُمْ مِنْ بَعْدِ خَوْفِهِمْ أَمْنًا» [النور: ٥٥]، يفيد نفي الخوف وإثبات الأمن بأبعاده المكانية. قال ابن عطية: «نزلت هذه الآية عامة لأمة محمد صلى الله عليه وسلم وقوله: (فِي الْأَرْضِ) يريد في البلاد التي تجاورهم، والأصقاع التي قضى بامتدادهم إليها، واستخلافهم أن يملكهم البلاد، ويجعلهم أهلها كما جرى بالشام، والعراق، وخراسان»^{١٧}، وقال الشوكاني: «المعنى: أنه سبحانه يجعل لهم مكان ما كانوا فيه من الخوف من الأعداء أماً، ويذهب عنهم أسباب الخوف الذي كانوا فيه بحيث لا يخشون إلا الله»^{١٨}.

المطلب الثالث: الأمن في سنة النبي صلى الله عليه وسلم وعلاقته بالصدقة خاصة الدائمة (الوقف): قال رسول صلى الله عليه وسلم: "وَالْمُؤْمِنُ مَنْ آمَنَهُ النَّاسُ عَلَى أَمْوَالِهِمْ وَأَنْفُسِهِمْ"^{١٩}، "ومن الأمن والأمانة إطعام الجائع، وإيواء الشريد؛ فالأمن لا يتحقق فقط بكف عنهم، ولكن يكون بكفائتهم، وصيانة كرامتهم بالأوقاف، وسائر الصدقات.

وفي الحديث: «إِنَّ صَدَقَةَ السِّرِّ تُطْفِئُ غَضَبَ الرَّبِّ تَعَالَى، وَإِنَّ الصَّدَقَةَ لَتُطْفِئُ الْخَطِيئَةَ كَمَا يُطْفِئُ الْمَاءُ النَّارَ، فَإِذَا تَصَدَّقَ أَحَدُكُمْ بِبَيْمِينِهِ فَلْيُخَفِّهَا مِنْ شِمَالِهِ فَإِنَّهَا تَقَعُ بِيَمِينِ الرَّبِّ تَبَارَكَ وَتَعَالَى، وَكَلَّمْنَا يَدَيَّ رَبِّي سُبْحَانَهُ وَتَعَالَى يَمِينٌ، فَيُرِيهَا كَمَا يَرِي أَحَدُكُمْ قَلْبَهُ أَوْ فَصِيلَهُ حَتَّى تَصِيرَ اللَّفْمَةُ مِثْلَ أُحُدٍ»^{٢٠}. وعن عبد الله بن مسعود النبي ﷺ قال: «أَتَدْرُونَ أَيَّ الصَّدَقَةِ أَفْضَلُ قَالُوا اللَّهُ وَرَسُولُهُ أَعْلَمُ قَالَ الْمُنِيحَةُ إِنْ يَمْنَحَ أَحَدُكُمْ أَحَاهُ الدِّرْهَمِ أَوْ ظَهَرَ الدَّابَّةِ أَوْ لَبِنَ الشَّاةِ أَوْ لَبِنَ الْبُقْرَةِ»^{٢١}

مما سبق نستخلص أن الوقف يسهم في نشر الأمن النفسي، وبه يتحقق الأمن الاجتماعي بكفاية أفراد المجتمع بعضهم البعض وتقديم الرعاية من عدة جوانب معنوية ومادية كبناء المدارس والمستشفيات، ودور الرعاية. وتأمين سبل الحياة الكريمة للمحتاجين بتوفير فرص عمل للقادرين منهم، مما يساهم في حماية المجتمع من الأمراض الاجتماعية الأخلاقية المدمرة كالأنانية، والجشع، والحقد، والعداوة، والبيغضاء، مما يقلل من الجرائم والاعتداء على ممتلكات الآخرين نتيجة الفقر، والحرمان، والوقف يساعد في تحقيق الأمن الاقتصادي بزيادة معدل النمو، وتحقيق الكفاية الاقتصادية في تخصيص موارد المجتمع، مع تشغيل هذه الموارد، والعمل على مواجهة البطالة، وتحقيق التوازن بين الفرد وحاجاته والمجتمع ومتطلباته، وبزيادة الاستثمارات الزراعية، والصناعية، والتجارية، مما يؤدي إلى استقرار الأسواق.

المطلب الرابع: من صور الأمن التي يحققها الوقف: يسهم الوقف في التأمين ضد الجهل، والأمية بأنواعها دينية، وعلمية حيث يتم تعليم أبناء الفقراء، والمساكين، والأيتام، وبناء المدارس، والجامعات لهم، والمراكز العلمية، وتدريبهم مما يؤهلهم لحياة إنتاجية كريمة لهم ولغيرهم.

والوقف تأمين ضد المرض إذ يقدم الوقف خدمات علاجية للمرضى الذين لا يملكون مصاريف علاجهم، وتقوم بتوفير اللازم من المشافي، والأدوية التي تمول نفسها بنفسها لصالح علاج الفقراء، والمساكين- وتأمين ضد العجز، والشيخوخة، وذلك بكفالة كبار السن ممن لا عائل لهم، ومن الأمثلة على المشروعات الاستثمارية الوقفية التي تصب في مصلحة رعاية كبار السن، والمسنين ذلك المشروع الذي يتضمن مسجداً، وفندقاً بالأجر للقادرين، ومجاناً للمستحقين، ومركز تدريب لخدمة النزلاء، والاستفادة من خبراتهم، ومستوصفاً، ومطعماً صغيراً، ومغسلة وتأمين لذوي الهمم من ذوي الاحتياجات الخاصة بتقديم الأجهزة التعويضية لهم، وإعادة تأهيلهم بتدريبهم على ما يناسبهم من الحرف لتمكينهم من ممارسة الحياة، وحمايتهم من ذل السؤال.

١٧) ابن عطية، أبو محمد عبد الحق بن غالب الأندلسي- (١٩٩٣). المحرر الوجيز في تفسير الكتاب العزيز (١٩٢/٤).

١٨) الشوكاني، محمد بن علي بن محمد. فتح القدير الجامع بين فني الرواية والدراسة من علم التفسير (٤٧/٤).

١٩) الحديث صحيح، أخرجه الترمذي (١٦٢١) مختصراً، وأحمد (٢٣٩٦٧).

٢٠) أخرجه زيد بن علي في «مسند»، كتاب: الزكاة، باب: صدقة السر، (١٢١/١)، من حديث علي بن أبي طالب رضي الله عنه.

٢١) أخرجه الإمام أحمد في «مسند»، (٤٦٣/١) رقم (٤٤١٥)، قال الهيثمي في «مجمع الفوائد» (١٣٢/٣) ورجال أحمد رجال الصحيح

وتأمين ضد الاستغلال، وجشع المرابين، وذلك بإمداد الغارمين بالأموال التي تمكنهم من العودة إلى الحياة الإنتاجية، وبهذا يتم حمايتهم من اللجوء إلى الاقتراض بالفوائد الربوية أو الاستعانة بأموال المرابين الذين يتقلون كاهلهم بالديون الربوية التي قد تحول دون رجوعهم إلى الحياة الإنتاجية، وتأمين ضد الاستعباد والاسترقاق والذي يُعدّ وأدأ للحرية وانتهاكاً لأدمية الإنسان، فهذا لا يكتفى بتحرير الأسرى ولكنه يؤهلهم من خلال برامج الإعالة أنفسهم، وتحويلهم إلى وحدات إنتاجية في إطار الإخوة الإيمانية دون قهر أو استغلال^{٢٢}.

وتأمين ضد مخاطر الطريق في السفر.

وتأمين ضد التشرد والتهجير من الأوطان، وذلك بتوفير الكفاية من الغذاء، والملابس، والإقامة، والمواصلات لأبناء السبيل، وتوفير سيل العيش الكريم للمشردين، والمهجرين عن أوطانهم إن طال غيابهم أو تعذرت عودتهم، وأخيراً وليس آخراً فهو تأمين ضد الظلم، والاستبداد، والضللال، وذلك بتجهيز المجاهدين، وتوفير ما يلزمهم من غذاء، ولباس، وسلاح؛ قال تعالى: ﴿وَمَا لَكُمْ لَأْتَأْتُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا﴾ [النساء: ٧٥]،

وتأمين ضد الضلال بإعداد الدعاة والإنفاق عليهم لمواجهة المضللين من أصحاب المذاهب الهدامة، والفرق المضلة، ولا يخفى على بصير دور التمويل الوقفي للأبحاث العلمية، والعملية في بناء ازدهار الحضارة العربية، والإسلامية، وتطوير العلوم الشرعية، والإنسانية، والاجتماعية، وتطوير العلوم العلمية، والعملية خاصة الطب، والصيدلة، والفلك، والزراعة... الخ، والمسلمون اليوم في أمس الحاجة لإعادة أمجادهم بإحياء الوقف العلمي بشتى صورة النظرية، والعملية خاصة الأبحاث علوم الطب، والصيدلة، والزراعة، والتكنولوجيا الصناعية.. الخ، وإنشاء حاضنات علمية وقفية تسهم في الإفادة من الأبحاث العلمية خاصة ما كان يحقق مصلحة مرجوة للفقراء، والمساكين أو ما كان يمول دعم الابتكار في الانتاج الحربي، والعسكري " وبه يتحقق الأمن البيئي لدوره في المحافظة على النظام الحيوي للبيئة قال رسول الله صلى الله عليه وسلم: " ما من مُسْلِمٍ يَغْرُسُ غَرْسًا، أَوْ يَزْرَعُ زَرْعًا، فَيَأْكُلُ مِنْهُ طَيْرٌ أَوْ إِنْسَانٌ أَوْ بَهِيمَةٌ؛ إِلَّا كَانَ لَهُ بِهِ صَدَقَةٌ."^{٢٣}

المبحث الثاني: مقصد الحرية ودفع الاستعباد والأسر:

المطلب الأول: تعريف الحرية في اللغة: وَالْحُرُّ جَلَّافُ الْعَبْدِ وَيُسْتَعَارُ لِلْكَرِيمِ كَالْعَبْدِ لِلنَّبِيِّ، وَالْحُرَّةُ خَلَّافُ الْأَمَةِ،^{٢٤} الحر: الخالص من الشوائب. يقال ذهب حر لا نحاس فيه، وفسر حر: عتيق الأصل والخالص من الرق والكريم، جمعها: أحرار وهي حرة (ج) حرائر ومن الأشياء أفضلها.^{٢٥} والحرية: "هي الخروج عن الرق"^{٢٦}. التحرير جعل الإنسان حراً، طلب الحرية وهي رفع اليد عن الشيء من كل وجه،^{٢٧} الحرية حررته تحريراً أعتقته، " رَبِّ إِنِّي نَدَرْتُ لَكَ مَا فِي بَطْنِي مُحَرَّرًا" [آل عمران: ٣٥] أي معتقاً لخدمة بيت المقدس " وقيل من تحرير الكتاب وهو إخلاصه من الفساد"،^{٢٨} والحرية في اللغة لها معنيان لأول: ضد الرق، والعبودية، والثاني: معنى مجازي وهو رفع اليد عن الشيء من كل وجه، اعتقال التصرف، ومصادرة الإرادة والاختيار " وهو أن يجعل الشخص الذي يسوء تصرفه في المال، لعجز أو لقلّة ذات اليد، أو لقلّة كاف، أو لحاجة، بمنزلة العبد في وضعه تحت نير إرادة غيره في تصرفه، بحيث يسلب منه وصف إباء الضيم ويصير راضياً بالهون.^{٢٩} وكلا المعنيين من مرادات الشريعة، ومن القواعد الفقهية المشتهرة قاعدة "الشارع متشوف للحرية"؛ أساسها أن الشارع ضيق منافذ الرق، ووسع في أسباب دفعه، ورفع^{٣٠}، يقول ابن عاشور: "ولا شك أن معنيي الحرية المزوج مراد للشارع، وذلك لنشأتها على الفطرة، ولكونها تقتضي المساواة، وهي من مقاصد الشريعة الأساسية، وباستقراء نصوص الشريعة ندرك مدى تشوف الشريعة إلى الحرية، وحرصها على بثها بين الناس، فالحرية من مقاصد الإسلام، وتتعلق بعدة مظاهر في المعتقد، والقول، والعمل، ونحو ذلك.^{٣١} قال تعالى " ضَرَبَ اللَّهُ مَثَلًا عَبْدًا مَمْلُوكًا لَا يَقْدِرُ عَلَى شَيْءٍ وَمَنْ رَزَقْنَاهُ مِنْ رِزْقًا حَسَنًا فَهُوَ يُنْفِقُ مِنْهُ سِرًّا وَجَهْرًا هَلْ يَسْتَوُونَ ۗ الْحَمْدُ لِلَّهِ ۗ بَلْ أَكْثَرُهُمْ لَا يَعْلَمُونَ

(٢٢) راجع: مشهور، نعمت عبد اللطيف (١٩٩٣) زكاة الأسس الشرعية والدور الامتاني والتوزيعي. المعهد العالمي للفكر الاسلامي سلسلة الرسائل الجامعية المؤسسة الجامعية للدراسات والنشر والتوزيع. (ص٤٣٥).

(٢٣) منفق عليه

(٢٤) المطرزي ناصر بن عبد السيد أبو المكارم: المغرب في ترتيب المغرب ١/١١١.

(٢٥) الزيات وآخرون: المعجم الوسيط، ١/١٦٥.

(٢٦) نكري، عبد النبي بن عبد الرسول الأحمدي. (٢٠٠٠) دستور العلماء أو جامع العلوم في اصطلاحات الفنون، تحقيق: عرب عباراته الفارسية: حسن هاني فحص، بيروت: دار الكتب العلمية، الطبعة الأولى ٢/٢٤.

(٢٧) الجرجاني، علي بن محمد بن علي. (١٩٨٤). التعريفات ١/١٦٣.

(٢٨) العكري، أبو البقاء عبد الله بن الحسين بن عبد الله التبيان في إعراب القرآن، تحقيق: علي محمد البجاوي، عيسى البابي الحلبي وشركاه. ١/١٤٥.

(٢٩) ابن عاشور، محمد الطاهر عاشور. (٢٠٠١). مقاصد الشريعة الإسلامية ٣/٣٧٢.

(٣٠) الزيات وآخرون: المعجم الوسيط ١/١٦٥.

(٣١) ابن عاشور، محمد الطاهر عاشور. (٢٠٠١). مقاصد الشريعة الإسلامية ٢/١٣٠.

" [النحل: ٧٥] يضرب الله مثل للمقارنة بين العبودية المقيّنة لغير الله، وبين الحرية "إن العبد بهذه الصفة مملوك لا يقدر على شيء من المال، ولا أمر نفسه، وإنما هو مسخر بإرادة سيده مدبر، وبإزاء العبد في المثال رجل موسع عليه في المال فهو يتصرف فيه بإرادته" ٣٢، والله عز وجل لا يرضى العبودية بكل أنواعها، فلا يرضى للإنسان أن يكون عبداً لمتنع الدنيا، ولا يرضى أن يكون عبداً للشهوات، ولا يرضى أن يتوجه بالعبادة، والطاعة لغير الله إنما يرضى له أن يتحرر من كل ما سوى الله، ولا يرضى كذلك عبودية العباد للعباد (الرق) لأنها تقييد للحرية، والإرادة، والأصل أن الله خلق الناس أحرار، ولم يخلقهم عبيد، ولا يحب لهم حياة العبودية، لأن العبودية لا تقتل روح الإبداع، والابتكار، والله يريد للإنسان أن يكون مبدعاً مبتكراً في كل ما ينتج قال تعالى: "عَلَّمَ الْإِنْسَانَ مَا لَمْ يَعْلَمْ" [العلق: ٥].

المطلب الثاني: الحرية في الاصطلاح: يعرفها ابن عاشور: بأنها تمكن الشخص من التصرف في نفسه، وشؤونه كما يشاء دون معارض في الحدود التي يخولكم الشرع التصرف فيها، وأوضح مظاهر ذلك حرية الاعتقاد، وحرية الأقوال، وحرية الأعمال. ٣٣ يعرفها محمد رشيد رضا والكواكبي: بأن يكون الإنسان مختاراً في قوله، وفعله، لا يعترضه مانع ظالم ٣٤. هذه الحرية منضبطة تقف عند حقوق الآخرين، وحررياتهم، ومنضبطة بالمحافظة على سلامة النظام العام، وألا تضيق حقوقاً أو مصالح أكبر منها. الحرية ركيزة في النفس فطر الإنسان عليها، وهي ضرورة من الضرورات الإنسانية؛ لا تتحقق كرامة الإنسان بدونها؛ لذا الشارع الحكيم متشوف لها.

المطلب الثالث: الحرية في كتاب الله - ودور الوقف في تحريرها

لم ترد كلمة الحرية في القرآن الكريم. إنما الذي ورد هو مشتقات من كلمة الحرية، مثل كلمة (تحرير) في الآية: "فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةً" [النساء: ٩٢] وقوله تعالى: "رَبِّ إِي نَدَرْتُ لَكَ مَا فِي بَطْنِي مُحَرَّرًا" [آل عمران: ٢٥] أي متحرراً من الشيطان خالصاً لعبادة الله -

وعبر القرآن الكريم عن أهمية الحرية بضربه المثل إثارة وتحفيزاً لأدوات الفكر، وإعمال العقل في مسيرة الناس، قال تعالى: ضَرَبَ اللَّهُ مَثَلًا عَبْدًا مَمْلُوكًا لَا يَقْدِرُ عَلَى شَيْءٍ وَمَنْ رَزَقْنَاهُ مِمَّا رَزَقْنَا حَسَنًا فَهُوَ يُنْفِقُ مِنْهُ سِرًّا وَجَهْرًا هَلْ يَسْتَوُونَ الْحَمْدُ لِلَّهِ بَلْ أَكْثَرُهُمْ لَا يَعْلَمُونَ" [النحل: ٧٥] - فلا تساوي بين من يتمتع بالحرية ويعيش بها وبين من سلبت منه الحرية كما ذم القرآن الكريم الاستضعاف باعتباره رضاء بالانكسار وفقداً للحرية، ومسلكاً لجهنم وبئس المصير - قال تعالى: إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا. إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانَ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا { [النساء: ٩٧-٩٨]. وفي المقابل جعل الإعانة على الحرية بعثت الرقاب باباً للنجاة في الدار الآخرة قال تعالى: "فَلَا اقْتَحَمَ الْعَقَبَةَ وَمَا أَدْرَاكَ مَا الْعَقَبَةُ فَكَّرْتَهُ" [البلد: ١١-١٣]

وليس أدل على أهمية الحرية في الإسلام من إعطائه الإنسان حق اختيار الدين قال تعالى: (لا إكراه في الدين قد تبين الرشد من الغي) [البقرة: ٢٥٦]، وقال تعالى: أَفَأَنْتَ تُكْرِهُ النَّاسَ حَتَّى يَكُونُوا مُؤْمِنِينَ من سورة يونس: الآية ٩٩، وقال تعالى: وَقُلِ الْحَقُّ مِنْ رَبِّكُمْ فَمَنْ شَاءَ فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيُكْفُرْ؛ [الكهف: ٢٩]

وليس أدل على تشوف الإسلام للحرية من اعتبارها الحرية مقصداً من أهم مقاصده، وشرطاً للتكليف، وتشريعه تحرير الرقاب وعتق الأنفس كفارة لليمين المنعقدة والظهار والقتل الخطأ... الخ. قال تعالى: فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةً" النساء: ٩٢. ولا شك أن للوقف دوراً عظيماً في تحقيق الحرية الشاملة، وأو الإعانة عليها ودفع الرق بكل صورته، المادي والمعنوي.

٣٢) التعالبي، عبد الرحمن بن محمد بن مخلوف. الجواهر الحسان في تفسير القرآن ٣١٧/٢.

٣٣) ابن عاشور، محمد الطاهر عاشور. (٢٠٠١) - مقاصد الشريعة الإسلامية ٣/٣٧٢.

٣٤) راجع: محمد رشيد رضا: مجلة المنار، ١٦ محرم - ١٣٢٠ هـ/٦٥/٥، والكواكبي، عبد الرحمن. (١٩٧٠) الأعمال الكاملة، القاهرة: الهيئة المصرية العامة للتأليف والنشر. ص ١٥٣

المطلب الرابع: الحرية في السنة النبوية ودور الوقف في تحقيقها:

تجلت الحرية المعنوية في السنة النبوية في ميادين عدة كالنصح للمسلمين والشورى والاجتهاد والنقد والمراجعة فقد كان رسول الله ﷺ يشاور أصحابه وكان يقول لأبي بكر وعمر: "لو اجتمعنا على أمر ما خالفناكم" [أحمد، ١٨٠٢٣]. وكان ﷺ يشجع أصحابه على ابداء الرأي الذي يكون فيه الخير

قال صلى الله عليه وسلم: "الدين النصيحة، قلنا لمن؟ قال: لله ولكتابه ولرسوله ولأئمة المسلمين وعامتهم." [مسلم، كتاب الإيمان، ٥٥]، قوله صلى الله عليه وسلم: "الدين النصيحة، قلنا لمن؟ قال: لله ولكتابه ولرسوله ولأئمة المسلمين وعامتهم." [مسلم، كتاب الإيمان، ٥٥]، وحديث الرسول الذي يطلق للمجتهد الذي تتوفر فيه شروط الاجتهاد عنان الفكر والإبداع ويكافئه إن أصاب بأجران وإن أخطأ بأجر واحد تأكيدا على حرية الرأي والاجتهاد قال رسول الله ﷺ " إذا حَكَمَ الحاكمُ فاجتهدْ ثمَّ أصابَ فلهُ أجران، وإذا حَكَمَ فاجتهدْ ثمَّ أخطأَ فلهُ أجرٌ " - صحيح البخاري

قال رسول الله ﷺ: "إذا مات ابن آدم انقطع عنه عمله إلا من ثلاث: صدقة جارية، أو علم يُنتفع به، أو ولد صالح يدعو له."^{٣٥} وقال رسول الله ﷺ: "إن مما يلحق المؤمن من عمله وحسناته بعد موته علما علمه ونشره وولدا صالحا تركه ومصحفا ورثه أو مسجدا بناه أو بيتا لابن السبيل بناه أو نهرا أجراه أو صدقة أخرجها من ماله في صحته وحياته يلحقه من بعد موته"³⁶. والحديثان يؤكدان على أن أهمية الأوقاف المعنوية ومنها نشر العلم وتعليمه والقيام بحقه ولا شك أن هذا لا يمكن تحقيقه إلا في مناخ من الحرية

أما الحرية بمعنى تحرير الأنفس (الحرية المادية) في السنة فمن أدلتها حديث الرسول ﷺ " جاء أعرابيُّ إلى رسولِ الله فقال: يا رسولَ الله عَلِّمْنِي عملاً يُدْخِلُنِي الجَنَّةَ، قال: أَعْتَقِ النَّسَمَةَ، وَفُكِّ الرِّقَبَةَ، فإن لم تُطِقْ ذلك فَاطْعِمِ الجائعَ، واسْقِ الظَّمآنَ"^{٣٧} وحديث الرسول ﷺ " من أعان مجاهداً في سبيلِ الله عزَّ وجلَّ، أو مكاتباً في رِقَبَتِهِ: أَطَّلَهُ اللهُ يَوْمَ لا ظِلَّ إلا ظِلُّهُ."^{٣٨} ولاغرو أن تقوم الأوقاف الإسلامية بدور عظيم في عتق النَّسَمَةِ، وفكِّ الرِّقَبَةِ وهو الإعانة على فك الرقبة، وكذلك سبلت الكثير من الأوقاف لإعانة المكاتبين لنيل حريتهم بالمكاتبه.

كما كان للوقف دور في إشاعة الحريات في المجتمع بكفاية أحادهم وسد حوائجهم من مطعم ومسكن وملبس وتعليم وعلاج... الخ. وهو بهذا يحررهم من قيود الفقر والحرمان ليضمن إطلاق حرياتهم المادية والمعنوية التي شجع عليها الإسلام

المطلب الخامس صور من الحريات التي كفل الإسلام الحريات للناس ودور الأوقاف في تحقيقها:

حرية التصرف: حرية الأعمال، وتدخل في كل مباح، وليس أحد أرفق بالناس من الله فتصرف المرأة في مالها غير موقوف على إجازة زوجها، ومن حرية الأعمال ما يلزم المرء نفسه موجب حرية تصرفه في العقود، والالتزامات لمصلحة يراها على التفصيل بين ما يجب عليه من ذلك في حال التعاقد القولي، وبين ما لا يجب إلا في الشروع في العمل،^{٣٩} والتصرف بنوعه القولي، والفعلية يندرج فيه جميع أنواع التصرفات ... منها تبرعات كالوقف، والهبة، والصدقة"^{٤٠}، قال الأزهرى: " ومن حبس وشرطه أن يكون أهلاً للتصرف بأن يكون من أهل التبرع"^{٤١}، وتتجلى مظاهر الحرية في الوقف في حرية اختيار نوع الوقف، واختيار الجهة الموقوف عليها، وحرية اشتراط الواقف للشروط التي يريدها بشرط ألا تكون معصية، حرية المرأة أن توقف ما تشاء، وللمن تشاء، وأن تدبر أوقافها وفق مقتضى المقاصد الشرعية الوقفية.

حرية التملك: يقصد بالتملك حيازة الإنسان للشيء وامتلاكه له، وقدرته على التصرف فيه، وانتفاعه به عند انتقاء الموانع الشرعية، والوقف لا يتحقق بدون ملكية الواقف للموقف قال الأزهرى: "يشترط في الموقوف أن يكون مملوكا للواقف ذاتا أو منفعة ولم يتعلق به حق لغيره"^{٤٢}، ومن القواعد الشرعية المرتبطة بهذا المعنى قاعدة "لا يجوز لأحد أن يتصرف في ملك الغير بلا إذنه"

٣٥) زوارة مُسَلَّم، النيسابوري، مسلم بن الحجاج أبو الحسين القشيري، صحيح مسلم، كتاب الوصية، باب ما يلحق الإنسان من الثواب بعد وفاته.

36) قال الألباني: حسن، راجع: الألباني، محمد ناصر الدين- (١٩٨٧) صحيح سنن ابن ماجه، مكتب التربية العربي لدول الخليج، الطبعة الأولى، ص ٢٠٠.

٣٧) محمد ناصر الدين الألباني المحقق صحيح الترغيب والترهيب للمنزري - مكتبة المعارف - الرياض ط١، ١٤٢١هـ-ص٩٥١.

٣٨) لشعيب الأرنؤوط تخرير المسند، مؤسسة الرسالة - بيروت ط١: ١٤٢١هـ، ص ١٥٩٨٦.

٣٩) والحرية ليست مطلقة بالنسبة للمؤمن بل يكون ملزماً في واقع الأمر بإقامة المصالح إذ عين لها كما في فروض الكفايات، ويقع تعزيزه عند التفريط فيجب عليه الضمان، ويكون معرضاً للعقوبة بدون قبول توبة كما في الحراية' أو بعد الاستتابة كما في الردة. راجع: ابن عاشور، محمد الطاهر عاشور- (٢٠٠١) - مقاصد الشريعة الإسلامية ١٣٢.

٤٠) وزارة الأوقاف الكويتية، الموسوعة الفقهية ٧٣/١٢.

٤١) الأزهرى، صالح عبد السميع الأبى- الثمر الداني في تقريب المعاني شرح رسالة ابن أبي زيد القيرواني، بيروت: المكتبة الثقافية ٥٥٦/١.

٤٢) المرجع السابق ٥٥٦/١.

٤٣، قال السَّيِّحُ سَالِمُ السَّنْهُورِيُّ وَوَفَّقَ مَلِكُ الْغَيْرِ وَهَبْتُهُ وَصَدَّقْتُهُ وَعَتَّقْتُهُ بَاطِلٌ ٤٤، لأن صاحب المالك هو من له حق التصرف أو من يوكله بالتصرف، وترتب على حرية التصرف في الملك حق الواقف رجلاً كان أو امرأة في إخراج الملك عنه بحبس عينه، وتسبيل منفعته للموقوف عليهم."

حرية التنقل بأن يكون الإنسان حراً في السفر، والتنقل داخل بلده، وخارجه دون عوائق تمنعه، ولا شك في أن من أحكام الوقف توفير، وسائل المواصلات للفقراء، والعاملين عليها، وابن السبيل، والمجاهدين، ووسائل المواصلات التي يستفيدون منها. حرية المسكن الساتر: وهذا حق إنساني، والتاريخ يشهد أن الأوقاف قامت بدور كبير في توفير المساكن للفقراء، والمساكين، والأيتام، والأرامل، والمطلقات، وكبار السن.. الخ، وتوفر لهم ما يحتاجون من أثاث، وما يسترون به عوراتهم عن الناس؛ عن أبي هريرة -رضي الله عنه- أنه سمع رسول الله صلى الله عليه وسلم يقول: "من أطلع على قوم بغير إذنهم فرمؤه فأصابوا عينه فلا دية له، ولا قصاص" 45.

حرية اختيار العمل (المهنة): العمل قوام الحياة ولذلك فإن الإسلام أقر بحق الإنسان في اختيار العمل الذي يريده نطاق بشرط ألا يكون معصية أو يتعارض مع مصلحة المجتمع، وللأوقاف دور كبير في توفير فرص عمل، ومن الأوقاف ما خصص لتوفير أدوات الحرف للفقراء والمساكين، والتوجيه النبوي صريح في الإعانة على توفير فرصة عمل، والتدريب على حرفة لتوفير فرصة عمل، والشاهد قوله صلى الله عليه وسلم: ".. تُعِينُ صَانِعًا أَوْ تَصْنَعُ لِأَخْرَقٍ" وقوله: (تعين صانعاً) من الصناعة، أي: ما به معاش الرجل ويدخل فيه الحرفة والتجارة؛ أي صانعاً لم يتم كسبه لعياله أو ضعيفاً عاجزاً في صنعه، أو تصنع لأخرق، أي من ليس له كسب، من «خرق»، وهو الجاهل بما يعمل، أو ليس في يده صنعة يكتسب بها، فالواجب في هذه الحالة تدريبه على ما يناسبه من حرفة أو صنعة.

حرية العقيدة: أعطى الإسلام للناس حق اختيار العقيدة دون إكراه؛ قال تعالى: (لَا إِكْرَاهَ فِي الدِّينِ) [البقرة: ٢٥٦]، قل تعالى: "لَكُمْ دِينُكُمْ وَلِيَ دِينِ" [الكافرون: ٦]، ومن الأوقاف ما كان في سبيل الدعوة إلى الله وتبيين حقائق الإسلام بالحكمة، والموعظة الحسنة. يقول ابن عاشور: حرية الاعتقاد على إبطال المعتقدات الضالة التي يكره دعاة الضلالة أتباعهم، ومريدتهم على اعتقادهم دون فهم، ولا هدى، ولا كتاب، ونفي الإكراه في الدين، والسماح بإقامة البراهين على العقيدة الحق، وحسن مجادلة المخالفين، وردهم حين الجدل إلى الحق بالحكمة، والموعظة الحسنة. ٤٦

حرية النقد "النقد البناء حق مكفول لكل فرد في المجتمع المسلم ضمن ضوابط احترام قيم المجتمع، ومبادئه، قال تعالى: "كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ" [آل عمران ١١٠]. قال رسول الله صلى الله عليه وسلم: "مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ، وَذَلِكَ أَضْعَفُ الْإِيمَانِ" ٤٧، ولقد شجع الخلفاء الراشدون رضي الله عنهم الناس على النصح، والنقد البناء، قال عمر بن الخطاب رضي الله عنه للناس: "لا خير فيكم إن لم تقولوها، ولا خير فينا إن لم نسمعها" ٤٨، ولا شك في أن الإنفاق الوفي على العلماء، والفقهاء حققت لهم استقلالاً فكرياً وأورثهم حرية النقد، والبناء.

حرية التفكير قال تعالى: "قل إنما أعظكم بواحدة أن تقوموا لله مثنى وفرادى ثم تتفكروا" [سبأ: ٤٦]، (وأمرهم شورى بينهم) [الشورى: ٣٨]، وللوقف دور كبير في بناء الفكر، وإطلاق حرية التفكير، وتاريخ الحضارة الإسلامية شاهدة على المآثر العظيمة للمسلمين بوقف المدارس العلمية المختلفة، وللمذاهب الفقهية، والفكرية المتنوعة.

٤٣ (حيدر، علي- (١٩٩١) درر الحكام شرح مجلة الأحكام، المادة ٦٥، ٨٥/١، الزرقاء، أحمد بن الشيخ محمد- (١٩٨٩). شرح القواعد الفقهية، تحقيق: مصطفى أحمد الزرقاء، دمشق: دار القلم، الطبعة الثانية. ٤٦/١.

٤٤ (العدوي، علي الصعدي المالكي- (١٩٩٣). حاشية العدوي على شرح كفاية الطالب الرباني، تحقيق: يوسف الشيخ محمد البقاعي، بيروت: دار الفكر- ٣٤٢/٢. (45) أخرجه البخاري، محمد بن إسماعيل أبو عبد الله - (١٩٨٧). الجامع الصحيح المختصر (٦٩٠٢) بنحوه، النيسابوري، مسلم بن الحجاج أبو الحسين القشيري- (١٩٥٥) صحيح مسلم (٢١٥٨)، أبو داود، سليمان بن الأشعث السجستاني الأزدي- سنن أبي داود (٥١٧٢)، والنسائي، أحمد بن شعيب أبو عبد الرحمن- (١٩٩١) السنن الكبرى (٤٨٦٠)، وابن حنبل، أحمد أبو عبد الله الشيباني- مسند الإمام أحمد بن حنبل (٨٩٩٧) باختلاف يسير.

٤٦ (ابن عاشور، محمد الطاهر عاشور- (٢٠٠١). مقاصد الشريعة الإسلامية ١٣١/٢. (٤٧) رواه النيسابوري، مسلم بن الحجاج أبو الحسين القشيري- (١٩٥٥) صحيح مسلم (٤٩) واللفظ له، وأبو داود، سليمان بن الأشعث السجستاني الأزدي- سنن أبي داود (١١٤٠) ابن ماجه، محمد بن يزيد أبو عبد الله القزويني- سنن ابن ماجه (١٢٧٥)، وابن حنبل، أحمد أبو عبد الله الشيباني- مسند الإمام أحمد بن حنبل (١١٠٧٣). (٤٨) أمير باد شاه، محمد أمين- (١٩٩٦). تيسير التحرير، بيروت: دار الفكر- ٢٤٨/٣.

حرية العلم، والتعلم، والتأليف، وفي ظل هذه الحرية أينعت حضارة الإسلام فأبدى الناس آرائهم، ونشروا فتاواهم ومذاهبهم، ونقلوا إلى عامة الناس تجاربهم، وعلومهم ولم يكن في ذلك موجب لمناوأة أو عداء،^{٤٩} ولعل انتشار الجوامع الكبرى باعتبارها منصات علمية، وتعليمية وقفية، والجامعات عبر عهود الحضارة الإسلامية، ووفرة المكتبات العامة، والخاصة، والمعامل، والمراسد الفلكية، وتجارب العلمية، وأدواتها والابتكارات العلمية، وتوفير أدوات العلم، وكتب العلم لكل من يحتاجها؛ شاهد على دور الوقف في تحقيق التعلم بحرية، وإرادة، واستقلالية العلماء، والمبدعين عن الهيمنة الرسمية للدولة، وعدم حاجتهم المادية إليها، الأمر الذي منحهم الحرية الفكرية، والنبوغ المعرفي، وأثرى مؤلفاتهم، ومطاراتهم، ومناظراتهم.^{٥٠}

والمأمل في تاريخ الحضارة الإسلامية يدرك أن نظام الوقف، ومؤسساته الأهلية، وجهوده التطوعية استطاع أن يحفظ للأمة الإسلامية دورها، في حمل أمانة رسالة التقدم، وأعان هذا النظام بذلك في حفظ حضارة الأمة، ورعايتها، وتطويرها. فقد حفظت للأفراد المناخ الملائم فكرياً، وإدارياً، وتكافلياً، لتحقيق التنمية الشاملة، حيث ضمن نظام الوقف للفقراء المعوزين الرعاية الاجتماعية، من سبيل، ومأوى، وملبس، ودواء، ومياه شرب، كما وفرت للجميع ضمانات للحرية الفكرية في المدارس، والمعاهد، والجامعات التي لا تخضع إلا لضوابط، وشروط الواقفين المحسبين لها عند الحق سبحانه وتعالى،^{٥١} والوقف في الإسلام، وسيلة لتحرير العبيد، والإماء وحفظ كرامتهم الإنسانية، ولإعانة المكاتبين على نيل حرياتهم، بل ويعان منها في إطلاق سراح المأسورين من المسلمين. قال رسول الله صلى الله عليه وسلم: «فُكُّوا الْعَانِيَّ يَغْنِي الْأَسِيرَ وَأَطْعَمُوا الْجَائِعَ، وَعَوَّدُوا الْمَرِيضَ»^{٥٢}. قال مالك رحمه الله تعالى: يجب على الناس فك أسراهم وإن استغرق ذلك أموالهم^{٥٣}، والوقف باعتباره صدقة دائمة كان له دور كبير في تحرير الشرائح الأضعف في المجتمع كالفقراء، والمساكين، والأرامل، والأيتام، والزمني، والمشردين، والمعوقين، والعجزة... الخ من أسر الاستعباد الاجتماعي، وتحكم أصحاب المال، والنفوذ بهم، ومن امتهان الفقر لكرامتهم الإنسانية، وهو ما قرره إعلان (قينا) الذي اعتمد في المؤتمر العالمي لحقوق الإنسان الذي عقد في عام ١٩٩٣م «أن الفقر المدقع، والاستعباد الاجتماعي يشكلان انتهاكاً لكرامة الإنسان»^{٥٤}. مفهوم الحرية في الوقف مفهوم واسع لا يقتصر على فك الرقاب، وإطلاق سراح الأسرى، وتحرير العبيد، بل يتعدى هذا كله ليشمل تحرير كافة شرائح المجتمع من أواصر الضعف، والعجز، والفاقة، والغرم، ولا يخفى على ذي لب ما للقيود المعنوية من آثار واضحة على تقييد الإنسان، وكبت حريته، وقتل إرادته، وأد همته.

والدعوة إلى الله تحرير للعباد من عبودية غير الله إلى عبودية الله، ولا شك في أن للوقف دوراً كبيراً في استقلالها، واستدامتها، وتحررها من ضغوط المتسلطين، واستمالة المنحليين، وكانت للأوقاف أثر بارز في حرية الفكر، واستقلال الدعوة، ومؤسسات التعليم، والدعاة، والعلماء، والأئمة حيث كانت لهم مواردهم المالية المستقلة، والتي أسهمت برفع كاهل التكاليف عن الدولة؛ وكان لهذا الاستقلال المالي دوره العظيم في استقلال القرارات والدعوة، والتوجه، بل في تطوير المؤسسات، وازدهار الحضارة الإسلامية، ولذلك نرى من الضروري أن يكون للدعوة، والتعليم، ومؤسساتها أوقاف كافية خاصة بهما لتكون لهما استقلاليتهم، ولقد كانت الأوقاف مصدر قوة، وإلهام للجامع الأزهر، ولسائر الجوامع الكبرى، والجامعات كالجامع الأموي في دمشق، وجامع القيروان، وجامع القرويين، ومسجد قرطبة.. الخ، وحققت استقلالاً ذاتياً فكرياً؛ فكان العلماء يفكرون ويعبرون عن رأيهم في حرية كبيرة بالإضافة إلى اختيار الدراسات والموضوعات التي تلقى على طلبتهم، ولا غرو أن للأوقاف فضل كبير في إنشاء المدارس، والمراكز العلمية، والمكتبات في سائر بلاد الإسلام، وفي بقائها، واستمرارها على مر العصور، فلا تكاد تجد مدرسة، ولا مكتبة إلا ولها أوقاف خاصة يصرف ريعها في الإنفاق عليها، ويمتاز الوقف بشمولية أحكامه؛ فقد قرر الفقهاء أن الوقف على التعليم يستوي في الاستفادة منه الكبير، والصغير، والغني، والفقر، فهو لكل من طلب العلم، ولكنهم لم يجوزوا أن يخصص للأغنياء وحدهم، فإذا كان عاماً ولم يقيد بشرط، جاز الانتفاع به للجميع دون تمييز.^{٥٥} أما انتشار المدارس، وتنوعها فقد روى الرحالة الشهير ابن جبير أنه شاهد في بغداد نحو ثلاثين مدرسة كل واحدة منها في قصر، وبنية كبيرة، أشهرها، وأكبرها المدرسة النظامية، ولهذه المدارس أوقاف، وعقارات للإنفاق عليها، وعلى العلماء، والدارسين فيها، وكان وقف نظامية بغداد خمسة عشر ألف دينار شهرياً، وتخرج منها أكابر العلماء،^{٥٦} ويعطي ابن خلدون أمثلة على ما كان في بغداد، وقرطبة، والكوفة،

٤٩) ابن عثور، محمد الطاهر عاشور- (٢٠٠١). مقاصد الشريعة الإسلامية ١٣٢/٢.
٥٠) أبو غدة، حسن عبد الغني: دور الوقف في تعزيز التقدم المعرفي، بحث مقدم إلى المؤتمر الثالث للأوقاف بالملكة العربية السعودية - الوقف الإسلامي "اقتصاد، وإدارة، وبناء حضارة. ص ٢٤٢.

51) محمود، مصطفى- (٢٠٠٩) الآثار التكافلية للوقف وإمكانية فعله في الوطن العربي، المؤتمر الثالث للأوقاف بالملكة العربية السعودية، الجامعة الإسلامية، ص ٣٥٧.
٥٢) البخاري، محمد بن إسماعيل أبو عبد الله - (١٩٨٧). الجامع الصحيح المختصر، كتاب الجهاد، باب فكاك الأسير قال أبو عبيد: أهل النمة يجاهد من دونهم ويفك عانتهم، فإذا استنقوا رجعوا إلى دمتهم وعهدهم أحراراً. أبو عبيد، القاسم بن سلام. (١٩٨٨). كتاب الأموال (٣٢٠/١). ويقصد أن يفك أسيرهم من بيت المال ومن أموال الجزية لا الزكاة.
٥٣) راجع: ابن العربي، أبو بكر محمد بن عبد الله أحكام القرآن (٨٨/١)، وأبو حيان، محمد بن يوسف الأندلسي- (٢٠٠١) تفسير البحر المحيط (٨/٥).
٥٤) المصري، عبد السميع- (١٩٨٦). عدالة توزيع الثروة في الإسلام، مكتبة وهبة، الطبعة الأولى- ٥٤٦/٣.
٥٥) يكن، زهدي- (١٩٦٨) الوقف في الشريعة الإسلامية، دار النهضة العربية، ص ٤٢.
٥٦) ابن جبير، محمد بن أحمد الأندلسي- (٢٠٠٨). التنكرة بالأخبار عن اتفاقات الأسفار، ص ١٨٠.

والبصرة، والقيروان، وفاس من مراكز علمية، ويتحدث عما شاهده في القاهرة من التطور العلمي، وازدهار المدارس، ويؤكد أن الذي ساعد على ذلك هو ما حدث في القرنين اللذين سبقا زمانه، وبخاصة زمن صلاح الدين الأيوبي الذي وقف أراضي زراعية، وبيوتاً، وحوانيت على المدارس، ثم ما وقفه من بعده أمراء المماليك من أموال على المدارس العلمية، فازدهرت، واجتذبت العلماء، وطلاب العلم من البلاد الإسلامية شرقاً، وغرباً،⁵⁷ ومن آثار الملك الزنكي نور الدين محمود في مجال توسعة في إنشاء المدارس على مختلف المذاهب السنية، وتقدير المعاليم، والرواتب للصرف على المدرسين، والطلاب، والعاملين فيها، وفي الأندلس اشتهرت المدرسة النصرانية بقرطبة بأوقافها الكثيرة، وتعد هذه المدرسة أشهر المراكز التعليمية في الأندلس بعد مساجد قرطبة⁵⁸، ولا يقتصر دور الوقف في ترسيخ الحرية بحماية الفقير، والمسكين من ذل الحاجة، والمسكنة، واستعباد الفقر لهما بدفع مبلغ من المال أو صرة من الطعام؛ بل حريص على إغناء الفقير بتوفير فرصة عمل له، وبإمداده بألة حرفة يتقنها أو أداة مهنة يجيدها؛ ليحرر من الفقر إلى الغنى، ومن الأخذ إلى العطاء، ومن الاستهلاك إلى الإنتاج؛ وليصون كرامته الإنسانية، ويشعره بتقدير الذات، ويكسبه بالعزة، ففي عهد العباسيين كان لإدارة الوقف رئيس يسمى صدر الوقف، وقد اتصفت هذه الإدارة في أغلب أوقافها بالدقة والتنظيم، ووضوح الأهداف، والسهر على أموال الوقف بحزم، ونزاهة، وتوجيهها لتستثمر في التأهيل المهني بإنشاء دور للصناعات، والأعمال الحرفية الفنية.⁵⁹ وفي إفريقيا، وجنوب الصحراء كانت النشاطات التعليمية تمارس في بيوت شيوخ الرؤساء، وهو لقب يطلق على معلمي الحرف والمهن، ويتعلم فيها الطلاب صناعة السفن، والسيوف، والحرايب، والأواني، والجرار، والخياطة⁶⁰، والمتأمل في أساليب الانتفاع الاقتصادي لمؤسسة الوقف في العصور الإسلامية الأولى سيجد أنه شمل أنواعاً مختلفة من مصادر ثروة المجتمع تمثلت في أراض زراعية، وحدائق وبساتين، إلى مختلف العقارات، والدكاكين، وأدوات الإنتاج، فضلاً عن السفن التجارية، والنقود،⁶¹ وكلها وفرت وتوفر فرص عمل لنظار الوقف، والمساعدين، والأمناء، والمحاسبين، والحراس، والأطباء، والمدرسين، والوعاظ، والمفتين، وطلبة العلم، وعمال النظافة والمزارعين، والمنتجين، وأصحاب الحرف المختلفة، وكان لهذا أثره الاقتصادي في التشغيل، والتوظيف، وإعادة توزيع الدخل، وقد كان للوقف أثر في ازدهار الصناعات التي حققت جانبا مهما من النمو الاقتصادي، والتميز الحضري، ظهر واضحا في الفن المعماري المتفرد بمقوماته، وأشكاله في المدن الإسلامية، وما نالته المساجد، والمعاهد من روائع الإبداع في الأشكال الهندسية، وساعد الوقف على انتشار الصناعات الفنية الخاصة مثل صناعة الكسوة لبيت الله الحرام، والسجاجيد للصلاة تفرش بها بيوت الله، والبيوت الخاصة أو تزين بها ردهات القصور، ثم صناعة القناديل، والثريات لإنارة المساجد ونحوها، والبخور، والطيب، والمسك، كما انتشرت طباعة المصاحف وزخرفتها، ثم ظهر فن الترجمة لنقل التراث القديم من مختلف اللغات إلى اللغة العربية والعكس كذلك، لتبادل الثقافات وتداول العلوم، والمعارف، وقد ظهرت المختبرات الطبية، ودرست الأعشاب، والنباتات، وصنعت الأدوية، والعقاقير، وأنشئت الحدائق، والبساتين يوزع فيها كل ما يحتاج إليه من أعشاب، ونباتات طبية علاجية.⁶²

كما ساهمت فتوى الفقهاء بجواز قرض النقود (القرض الحسن)، وإقراض البذور للمزارعين، وجواز إقراض الطعام، والمكيل، والموزون، وما يصلح للمضاربة بتمويل الغارمين بالمال الذي يعيدهم إلى دائرة الإنتاج، ويحررهم من أسر الدين، ومرارة الغرم.

وللفقهاء في هذا أقوال عديدة ذهبت الحنفية، والمالكية على المذهب إلى جواز وقف الطعام كالجنطة، ووقف الدراهم، والدنانير إذا وقف ذلك للسلف، وردّ البذل، واعتبروا أن ردّ البذل قائم مقام بقاء العين، أما وقفها مع بقاء عينها فلا يجوز، قال ابن عابدين: الدراهم لا تتعين بالنعين فهي وإن كانت لا ينفق بها مع بقاء عينها لكن بدلها قائم مقامها لعدم تعيينها فكأنها باقية ولا شك أنها من المنقول، فحيث جرى فيها تعامل دخلت فيما أجازة محدد، ويجوز وقف كرم من جنطة على شرط أن يفرض للفقراء الذين لا بذر لهم ليزر عوه لأنفسهم، ثم يؤخذ منهم بعد الإدراك قدر القرض، ثم يفرض لغيرهم من الفقراء أبداً على هذا السبيل، ويجوز عندهم وقف المكيل، والموزون لبيع، ويدفع ثمنه مضاربة، وكذا يفعل في وقف الدراهم والدنانير، وما خرج من الربح يتصدق به في جهة الوقف.⁶³ وفي قول عند الشافعية، والحنابلة أنه يصح وقف الدراهم، والدنانير⁶⁴، ويدخل في مفهوم الحرية تحرير غير

(57) ابن خلدون: المقدمة، فصل في أن العلوم إنما تكثر حيث يكثر العمران وتعظم الحضارة.

(58) عيسى، محمد عبد الحميد. (1982). تاريخ التعليم في الأندلس، القاهرة: دار الفكر العربي 390

(59) الأوقاف الخيرية موقع مداد، تاريخ النشر: 27 شوال 1428هـ، http://midad.com/article/199126

(60) محمد، ناصر. (2011) أثر الوقف الخيري بإفريقيا جنوب الصحراء في النهضة العلمية بحث مقدم إلى مؤتمر: أثر الوقف الإسلامي في النهضة العلمية، كلية الشريعة في جامعة الشارقة

نقل عن الهادي المبروك الدالي، التاريخ الحضاري لإفريقيا فيما وراء الصحراء (من نهاية القرن الخامس عشر إلى بداية القرن الثامن عشر الميلادي)، ليبيا: الزاوية، مطابع الوحدة العربية، ط 1، 2000، ص 163-180، http://waqfuna.com

(61) ميمش، عبد الحق. الوقف وأثره في بناء الحضارة الإسلامية، ورقة بحثية، جامعة الشارقة - الإمارات، ص 30

(62) بن الخوجة، محمد الحبيب. (2001) لمحة عن الوقف والتنمية في الماضي والحاضر، ندوة أهمية الأوقاف الإسلامية في عالم اليوم، الطبعة الأولى-ص 216.

(63) وزارة الأوقاف الكويتية، الموسوعة الفقهية: 44/167

الخرشي، محمد بن عبد الله. على مختصر سيدي خليل 7/ 80، الشريبي، محمد الخطيب. مغني المحتاج إلى معرفة معاني ألفاظ المنهاج 2/ 377، البهوتي، شرح منتهى الإيرادات 2/ 399، وابن دامة. (1984) - عبد الله بن أحمد. المغني في فقه الإمام أحمد بن حنبل الشيباني 5/ 640.

المسلمين من أهل الذمة قال ابن قدامة المقدسي: "وعلى الإمام حفظ أهل الذمة، ومنع من يقصدهم بأذى من المسلمين، والكفار واستنقاذ من أسر منهم بعد استنقاذ أسارى المسلمين، واسترجاع ما أخذ منهم لأنهم بذلوا الجزية لحفظهم، وحفظ أموالهم^{٦٥}، ولما أغار أمير التتار قطلوشاه على دمشق في أوائل القرن الثامن الهجري، وأسر من المسلمين، والذميين من النصارى، واليهود عدداً، ذهب إليه الإمام ابن تيمية ومعه جمع من العلماء، وطلبوا فك الأسرى، فسمح له بالمسلمين، ولم يطلق الأسرى الذميين، فقال له شيخ الإسلام: "لا بد من افتكاك جميع من معك من اليهود، والنصارى الذين هم أهل ذمتنا، ولا ندع لديك أسيراً، لا من أهل الملة، ولا من أهل الذمة، فإن لهم ما لنا، وعليهم ما علينا"، فأطلقهم الأمير التتري جميعاً^{٦٦}، ولا غرو أن كان للوقف دور كبير على تحرير المستضعفين، وتخليصهم من الأسر، وصونهم عن العدو بإمداد المجاهدين بالسلاح، والكراع والنفقة عليهم، وعلى الثغور، والمرابطين، قال تعالى: (وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَوْلَاهَا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا) [النساء: ٧٥]، قال رسول الله صلى الله عليه وسلم: "أفضل الصدقات ظل فسطاط في سبيل الله ومنيحة خادم في سبيل الله أو طروقة فحل في سبيل الله"^{٦٧} أي أن ينصب خيمة أو خباء للغزاة يستظلون وفقاً في سبيل الله، والمراد ماله ظل من الأبنية، ويوقف خادم للمجاهدين للمساعدة أو الخدمة، أو لمعاونة الناس في أمور معاشهم "أو هبة أو قرضه أو إعارته"^{٦٨}، "أو طروقة فحل في سبيل الله"، أي: الناقه التي صلحت لأن يفريها الفحل، وأقل سيئها ثلاث سنين، والتقييد به لبيان الأفضلية، ومثلها الفرس يحمل عليها المجاهد، قيل: ويجري مجرى تلك الصدقات في الأجر كل ما يكون فيه نفع للمجاهد؛ فهو من أفضل الصدقات^{٦٩} يقول د. السباعي عن دور الأوقاف الحربي: "ومنها أمكنة المرابطة على الثغور لمواجهة خطر الغزو الأجنبي على البلاد، فقد كانت هناك مؤسسات خاصة بالمرابطين في سبيل الله يجد فيها المجاهدون كل ما يحتاجون إليه من السلاح والطعام والشراب، وكان لذلك أثر كبير في صد غزوات الروم أيام العباسيين، وصد الغربيين في الحروب الصليبية عن الشام، ومصر، ويتبع ذلك وقف الخيول، والسيوف، والنبال، وأدوات الجهاد على المقاتلين في سبيل الله عز وجل، وقد كان لذلك أثر كبير في رواج الصناعة الحربية وقيام مصانع كبيرة، حتى كان الغربيون في الحروب الصليبية يغدون إلى بلادنا -أيام الهدنة- ليشتروا منا السلاح، وكان العلماء يفتون بتحريم بيعه للأعداء.."^{٧٠}

ويضيف الدكتور السباعي في دور الأوقاف، وتعزيز الجهاد في سبيل الله قوله: "ويتبع ذلك أوقاف خاصة يعطى ريعها لمن يريد الجهاد وللجيش المحارب حين تعجز الدولة عن الإنفاق على كل أفرادها، وبذلك كان سبيل الجهاد ميسراً لكل مناضل يود أن يبيع حياته في سبيل الله ليشتري بها جنة عرضها السماوات والأرض.."^{٧١}، وكذلك بلغت عناية المسلمين بالغرباء، وأبناء السبيل مالم يشهد التاريخ له مثيل، ذكر ابن جبير: (إن الوافد من الأقطار النائية يجد مسكناً يأوي إليه ومدرساً يعلمه الفن الذي يريد تعلمه، واتسع عناية السلطان صلاح الدين -وصل الله صلاحه وتوفيقه- بالغرباء حتى أمر بتعيين حمامات يستحمون فيها ونصب لهم مارتاناً لعلاج من مرض منهم، ومن أشرف هذه المقاصد أيضاً ان السلطان عين لأبناء السبيل من المغاربة خبزتين لكل انسان في كل يوم)، لا شك أن ما قدمه المسلمون من أوقاف وأرصاف لأبناء السبيل؛ لتوفير حوائجهم الأصلية من طعام، وشراب، وكسوة، وتعليم، ومواصلات، وعلاج تحقيق لإنسانيتهم، وتحرير لأدميتهم من ذل الحاجة، والعوز في السفر، وفكك لأسرهم من غوائل الانقطاع، وبشاعة الاغتراب، ولإطلاق حرية الواقف في اختيار الوقف، واختيار ما شاء من الشروط في حدود ضوابط الشرع، كان لهذه الحرية في الاختيار الاثر البالغ في التحفيز، وزيادة العوائد، والإيرادات. إن إفساح المجال لحرية الواقف وتمكينه من تغيير شرطه أو تعديله، وفقاً لما يدركه، أو يتبين له من المصالح، فقد يغير الواقف شرطه، أو يعدله بحسب تغير الظروف، والأحوال، أو بحسب توجيه العلماء والحكام والقضاة له، أو بحسب أي معطى شرعي معتبر يستوجب ذلك التغيير، أو التعديل، ومن هذا القبيل: شرط الواقف الاستبدال لنفسه أو لغيره، أو لنفسه، وغيره، فقد أجاز العلماء هذا النوع من الاستبدال، دون الحاجة إلى إذن القاضي، ويجب الالتزام به عمالاً لشرط الواقف بفرص التدارك والجبر، وتشجيعه لزيادة العمل الوقفي وتكثيره وتوسيعه، وكل هذا من مقاصد الوقف ومقاصد شرط الواقف و غيره من المسائل، وقد أعطي الواقف صلاحيات واسعة في إجراء التعديلات

٦٤) الشربيني، محمد الخطيب. مغني المحتاج إلى معرفة معاني ألفاظ المنهاج ٢ / ٣٧٧، والشيرازي، إبراهيم بن علي بن يوسف أبو إسحاق. المذهب في فقه الإمام الشافعي، ١ / ٤٤٧، البهوتي، شرح منتهى الإرادات ٢ / ٤٠٠، وابن قدامة. (١٩٨٤). عبد الله بن أحمد. المغني في فقه الإمام أحمد بن حنبل الشيباني ٥ / ٦٤٠ - ٦٤١.
٦٥) ابن قدامة عبد الله المقدسي أبو محمد: الكافي في فقه الإمام المجل أحمد بن حنبل، المكتب الإسلامي - بيروت ٣٦٤/٤.
٦٦) أحمد عبد الحلیم بن تيمية الحراني أبو العباس: كتب ورسائل وفتاوى شيخ الإسلام ابن تيمية، مكتبة ابن تيمية، الطبعة: الثانية، تحقيق: عبد الرحمن بن محمد بن قاسم العاصمي النجدي ٦١٨/٢٨.

٦٧) الترمذي، محمد بن عيسى أبو عيسى السلمي. الجامع الصحيح سنن الترمذي، كتاب فضائل الجهاد، باب ما جاء في فضل الجذمة في سبيل الله، قال أبو عيسى: هذا حديث حسن صحيح غريب.

٦٨) المناوي، الحافظ زين الدين عبد الرؤوف. (١٩٩٨). التيسير بشرح الجامع الصغير، الرياض: مكتبة الإمام الشافعي، الطبعة: الثالثة. ١٨٥/٢.

(69) <https://dorar.net/hadith/sharh/68828>

(٧٠) السباعي، مصطفى. من روائع حضارتنا (ص ١٢٦).

(٧١) المرجع السابق.

التي يراها مناسبة لما وَقَفَهُ، بحيث يتم تصحيح مسارها في أي وقت شاء، وهذه الحرية التي منحها الفقه الإسلامي للواقف تشجع المجتمع على المساهمة في هذا الباب من أبواب الخير.^{٧٢}

ما أمس حاجة الأمة اليوم إلى توجيه الأوقاف للعناية بالعلم والعلماء؛ إن أخوف ما نخاف به على أمتنا الجهل الذي ينخر في عظامها؛ ذلك أن الجهل صنو الفقر، والفقر صنو الكفر نعوذ بالله من الجهل والفقر والكفر، ولقد علمنا رسول الله صلى الله عليه وسلم أن العلم والتعلم صدقة من أفضل الصدقات، قال رسول الله صلى الله عليه وسلم: «أَفْضَلُ الصَّدَقَةِ أَنْ يَتَعَلَّمَ الْمَرْءُ الْمُسْلِمُ عِلْمًا، ثُمَّ يُعَلِّمَهُ أَحَاهُ الْمُسْلِمِ»^{٧٣}، وقال صلى الله عليه وسلم: «مَنْ الصَّدَقَةُ أَنْ يَعْلَمَ الرَّجُلُ الْعِلْمَ فَيَعْمَلُ بِهِ وَيُعَلِّمَهُ»^(٧٤)، والذي يتصدق بماله لبناء مدرسة تُعَلِّمُ أبناء المسلمين الفقراء ما ينفعه في دينهم، ودنياهم، أو يوقف أوقافاً تتكفل بدفع مصاريف عن أبناء الفقراء لتعليمهم، وإنقاذهم من ربكة الجهل، فهذا لعمرى تصدق بصدقتين؛ الأولى مادية بالمال، والثانية معنوية بالعلم، فضلاً عن أن أجره ممدود بامتداد نفع العلم الذي انتفع به هؤلاء الفقراء ومن أخذ عنهم إلى يوم القيامة. يقول الرسول صلى الله عليه وسلم: «مَا أَحْسَنَ عَبْدٌ الصَّدَقَةَ إِلَّا أَحْسَنَ اللَّهُ الْخَلْقَةَ عَلَى تَرْكِيهِ»^{٧٥}. فإذا كان هذا إحسان العبد في صدقته؟! فكيف بإحسان الله في خلافته؟! لا شك أنه إحسان يليق بجلال وجهه، وعظمة سلطانه. إن مقصد الحرية يفرض على أمة الإسلام أن تتحرر من ربكة الجهل بأن يكفل الأمة بعضها بعضاً بوقف الأوقاف التي تعود بها إلى سابق عهدها من ممارسة حرية التفكير، وحرية الكلمة، واستقلالية التعليم، والتعلم، والأمة كذلك في أمس الحاجة لتطبيق العلوم الطب، والهندسة، والصيدلة، والزراعة... الخ؛ لأن العلم تتجلى حقيقته في نفعه للناس قال تعالى: "لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيُتُومَ النَّاسُ بِالْقِسْطِ وَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنَافِعٌ لِلنَّاسِ وَلِيَعْلَمَ اللَّهُ مَن يَنْصُرُهُ وَرُسُلَهُ بِالْغَيْبِ إِنَّ اللَّهَ قَوِيٌّ عَزِيزٌ" [الحديد: ٢٥]، فالله تعالى أرسل الرسل بالبيّنات (بالحق) وأنزل (الكتاب) الذي هو جوهر العلم، و(الميزان) تحقيق العلم بتطبيقه على الواقع، ولا يتحقق العدل بين الناس إلا بهما، ثم أرشدت الآية إلى تطبيق علمي للعلم لا يستغني الناس عنه وهو القيام بالصناعات متمثلة في تصنيع الحديد لكل ما ينفع الناس، ويبسر عليهم حياتهم (الصناعات الخفيفة)، ولكل ما يدفع عنهم كيد عدوهم، وتأمّرهم عليهم (الصناعات الثقيلة)، ولقد ساعد الوقف على انتشار الصناعات الفنية الخاصة مثل صناعة الكسوة لبيت الله الحرام، والسجاجيد للصلاة تفرش بها بيوت الله، والبيوت الخاصة أو تزين بها ردهات القصور، ثم صناعة القناديل، والثريات لإنارة المساجد ونحوها، والبخور، والطيب، والمسك، كما انتشرت طباعة المصاحف، وزخرفتها، ثم ظهر فن الترجمة لنقل التراث القديم من مختلف اللغات إلى اللغة العربية والعكس كذلك، لتبادل الثقافات، وتداول العلوم والمعارف، وقد ظهرت المختبرات الطبية، ودرست الأعشاب، والنباتات، وصناعة الأدوية، والعقاقير، وأنشئت الحدائق، والبساتين يوزع فيها كل ما يحتاج إليه من أعشاب، ونباتات طبية علاجية^{٧٦}، وأنشئت العديد من المصانع المتنوعة لسد حاجيات المشاريع الوقفية المتنوعة؛ كصناعات الأسلحة الحربية، وصناعة الأدوية والمعدات الطبية، وصناعة الورق والتجليد، وصناعة السجاد، والقناديل والبخور، والثريات، والعطور، وصناعة مستلزمات ومواد البناء والتشييد من منتجات خشبية وزجاجية، والطابوق، والفسيفساء^{٧٧} حري بالأوقاف في العالم الإسلامي اليوم أن تيمم وجهها نحو الصناعات المختلفة، الصناعات الخفيفة، والصناعات الثقيلة التي تخدم استراتيجيات التنمية في دولها، وتحقق آمال شعوبها؛ لتتنفّض عنها أثواب الجهل، والكسل، والتبعية. إن الله أرسل رسله بالبيّنات ليقوم الناس بالقسط ولا يتحقق القسط إلا بالعلم الذي يحرر العقول من الجهل، والوهم، والنفوس من الضعف، والإرادة من الاستكانة، والله أنزل رسله بالبيّنات كذلك ليصون الحريات التي تصون النفس، والعقل معاً فلا عدوان على النفس لأنها تحدي لمشئته الله، ومن يعتدي على نفس واحدة كأنما هو عدوان على البشرية كلها بقتل الناس جميعاً، ومن أحيها بالإيمان، والعلم كأنما أحيى الناس جميعاً لأنه يحمل مشعل من نور يضيء درب الناس؛ قال تعالى: "مَنْ أَجَلُ ذَلِكَ كِتَابًا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا" وَقَدْ جَاءَهُمْ رَسُولُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا مِنْهُمْ بَعُدَ ذَلِكَ فِي الْأَرْضِ لُمْسِرُونَ " [المائدة: ٣٢].

^{٧٢} الخادمي نور الدين، إسهام نظام الوقف في تحقيق المقاصد العامة للشريعة الإسلامية، ص ٩١، صالح، عبد الله (٢٠٠٣). شرط الواقف وقضايا الاستبدال، مقال بمجلة أوقاف، الأمانة العامة للأوقاف بجمهورية الكويت، العدد ٥، السنة الثالثة.

^{٧٣} أخرجه ابن ماجه، محمد بن يزيد أبو عبد الله القزويني. سنن ابن ماجه، باب ثواب معلم الناس الخير، برقم (٢٤٣)، من حديث أبي هريرة رضي الله عنه، قال البوصيري، أحمد بن أبي بكر بن إسماعيل الكتاني. (١٩٨٣). - مصباح الزجاجة في زوائد ابن ماجه، تحقيق: محمد المنقلى الكشناوي، بيروت: دار العربية، الطبعة الثانية. - (٣٥/١): إسناده ضعيف لضعف إسحاق بن إبراهيم والحسن لم يسمع من أبي هريرة رضي الله عنه.

^{٧٤} أبو خيثمة، زهير بن حرب النسائي. (١٩٨٣). - العلم، تحقيق: محمد ناصر الدين الألباني، بيروت: المكتبة الإسلامية، الطبعة الثانية. (٢٨/١)، برقم (١٣٩)، والحديث مرسل عن الحسن راجع «كنز العمال» ١٨٠/٦

^{٧٥} ابن المبارك، عبد الله بن واضح المرزوي أبو عبد الله الزهد ووليهِ الرقائق، تحقيق: حبيب الرحمن الأعظمي، بيروت: دار الكتب العلمية (٢٢٧/١) رقم ٦٤٦، قال العراقي، أبو الفضل.

(١٩٩٥) المغني عن حمل الأسفار، تحقيق: أشرف عبد المقصود، الرياض: مكتبة طبرية، الطبعة: الأولى (١٧٣/١) رواه ابن المبارك في الزهد من حديث ابن شهاب مرسلًا بإسناد صحيح

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

ISLAMIC DONATION-BASED CROWDFUNDING: PRELIMINARY SHARIAH GOVERNANCE PROPOSAL

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Abstract

This study attempts to develop Islamic donation-based crowdfunding (IDCF) framework which preserve rights of related stakeholders. Crowdfunding (CF) is derived from ‘crowd’ and ‘funding’. Regularly, CF embeds the digital technology that enables the collections of funds from mass numbers of crowd through the electronic platforms. Several challenges related to Islamic donation-based crowdfunding (IDCF) are contractual obligations, CF activities, legal and governance. Lack of clarity on those aspects will lead to potential non-compliance and lack of confidence among the stakeholders. This study proposes the IDCF governance framework as solutions for the study. This paper adopts qualitative approach through semi structured interview. This study involves six platforms, where each of the platforms represented by management of CF that declared as IDCF. The data was analyzed using thematic analysis. The preliminary Islamic donation-based crowdfunding framework (IDCF) is proposed with consideration of contract used, and the relationship between the platforms and stakeholders. The factors will strengthen the internal governance structure and CF activities.

Keywords: Islamic Donation-based Crowdfunding, Shariah Governance, Islamic Finance

INTRODUCTION

Crowdfunding nowadays is accepted as one medium for funds collection. The development of Industrial Revolution 4.0 has encouraged the growth of technology-based services such as crowdfunding (CF). This digital technology adoption enables the collections of funds from mass numbers of funders through the electronic platforms, and later to be distributed to beneficiaries. Benefiting from digital technology, CF platforms can disclose information on funds collections, where stakeholders can view numbers of collection concurrently. This feature attracts the users who demand for disclosure and transparency of information.

Crowdfunding is established in different types of establishments to serve the different objectives of the stakeholders. In general, there are four main types of crowdfunding; (i) donation-based

crowdfunding (no financial returns given to funders, such as in the case of raising donations for a disaster relief), (ii) reward-based crowdfunding (contributors contribute in exchange for a reward that comes in a form of product or service of the beneficiaries' company), (iii) equity-based crowdfunding (when investors have ownerships rights on the shares of the business and become entitled for its' financial returns in the form of dividends), (iv) peer to peer (P2P) (contributors contributes to crowdfunding on the basis of providing loans. Repayment is required). Realising its promising growth, many countries, such as the US, UK, China, Singapore and Malaysia have taken steps to provide adjustments in their regulations to accommodate the operation of CF (Abdullah, 2016). In Malaysia, equity crowdfunding has gained attention from the regulators and being regulated by the Securities Commission Malaysia. Equity crowdfunding in Malaysia is regulated by Guidelines on Recognized Markets, under the Securities Commission of Malaysia (SC) in 2015 and has been revised in 2016.

The situation is different from donation-based crowdfunding. As has been criticized, there is no specific regulation is developed to control and monitor donation-based crowdfunding in Malaysia. The only applicable law that can be applied for donation-based crowdfunding is general charities Trustee Act 1949. This wide-ranging act also guide other charity-based organization and NGO. Using this consideration, the paper attempts to propose the Shariah governance framework for Islamic donation-based crowdfunding (IDCF). There several angles of crowdfunding activities are discussed including the contracts used and governance structure and functions. This paper aims to explore issues on Islamic-based crowdfunding and propose Islamic donation-based crowdfunding IDCF Shariah governance framework. With the absence of the guidelines and parameters on Islamic crowdfunding, the proposal by this study can support the internal control functions and ensure the IDCF to fulfill the objectives of all the involved parties. While there were claims by some platforms on their status as Shariah compliance, the basis and criteria used for categorizing the platform as Islamic donation-based crowdfunding or not yet can be argued. This paper provides novelty contribution by proposing the IDCF Shariah Governance.

LITERATURE REVIEW

Crowdfunding uses online platforms as intermediaries to raise funds from funders and distribute them to people in needs. This approach gains benefits from online information and connections, where people are connecting through the internet. Crowdfunding has advantage in tapping the collective efforts of a large pool of individuals—primarily online via social media and crowdfunding platforms—and leverages their networks for greater reach and exposure' (Thestartups.com platform). Crowdfunding concept was emerged in 2006, starting from the business-based crowdfunding and later was expanded to donation-based and equity crowdfunding (Piliyanti 2018).

Differently from other types of crowdfunding, donation-based crowding is based on intrinsic motivation (Shofiyah et.al 2019) and concepts of charity and almsgiving without asking for returns. In general, there are three parties involved in every type of crowdfunding (i) platforms, (ii) donors/funders and (iii) beneficiaries/project managers. Platforms as intermediaries will channel

funds contributed by the funders to the beneficiaries/project managers. Return is not becoming push for funders' involvement, thus there is no obligation for the beneficiaries for paying back. DCF can be formed in two ways either as commercial platforms or established as non-profit organization (NGOs) wing.

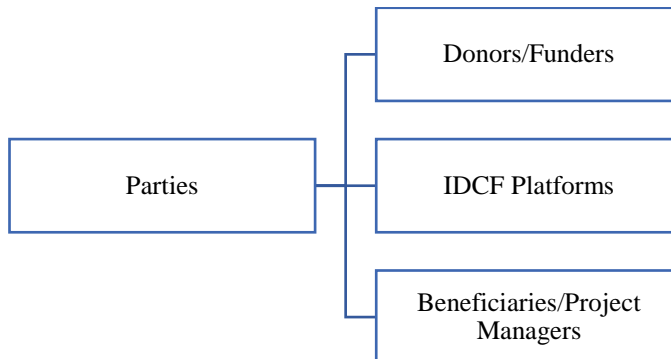


Figure 1: Parties involved in donation-based Crowdfunding

Donation based crowdfunding is significant as it can help those from underserved and unbankable groups of community to receive funding and use them for their needs, especially during misfortune events. These include natural disasters such as flood, earthquake or due to other needs such as getting support for education and medical purposes.

Beneficiaries of IDCF is much more extensive in comparison with other restricted funds, such as zakat and waqf funds. While people under the poverty line can get zakat and government assistance from zakat institutions (in the case of asnaf), Waqf and Department of Social Welfare (such as B40 and people with disabilities), those people who are not within this circle will possibly be left out from getting the financial support, especially during the pandemic. These include category of citizens at T20 may be impacted by the misfortunes during the pandemic, such as losing their jobs or impacted by the death of family members. The T20 group may move to M20, or B40 during pandemic. As such, more flexible way to get unrestricted financial assistance is required.

Crowdfunding thus not only benefits the beneficiaries, but also reducing the reliance on the government assistance. Donation-based crowdfunding in Malaysia face with some challenges due to no clear direction on its establishment and controlling. As has been criticized by Abdullah (2016) there is no established framework available to guide the funders as well as platform operations until now. The situation is different in other countries such as United States, where all fund raiser must register with the state prior the fund-raising activities (Othman et al., 2021).

There are numbers of donation-based crowdfunding have been established in Malaysia, and these numbers are continuously increasing. The donation-based crowdfunding market as at 1.68m USD in 2016 (Statista 2022). At the same time, there are no specific bodies are responsible to monitor these platforms. Without regulatory direction of IDCF, this situation may open the services to the possibility of agency conflicts. Lack of regulations and guidelines on donation-based crowdfunding in Malaysia can lead to the disclosure issues (Hong 2018), agency conflicts and transparency issues including on fee structures and the possibility of misconduct.

As most studies have been conducted on equity crowdfunding (Wahjono 2015), not many studies have been focused on the donation-based crowdfunding. There are few studies that attempt to propose the Shariah compliance crowdfunding model (Abdullah & Oseni, 2016; Wahjono et al., 2015). However, most of these studies focus on equity crowdfunding by looking at the requirement for Shariah screening on investment activities of the beneficiaries.

Theoretical Aspects of Donation-based CF

Donation-based crowdfunding although is based on the concept of altruism and philanthropy has changed the traditional methods of getting financial assistance from funders to fulfil the needs of beneficiaries (Othman 2021). In general, donation-based crowdfunding (IDCF) should be based on Islamic principles of the prohibitions of *riba*, *gharar*, *maysir*, and other prohibited goods. In general all DCF and IDCF structure basically involves three main parties; mainly the donors/funders, IDCF platforms, and beneficiaries/project managers. There are some differences between beneficiary and project manager. Beneficiaries consist of individuals/organization who apply the funds through the DCF platforms for their own needs. While project managers refer to those who apply the funds on behalf of the beneficiaries as end users.

The establishment of IDCF is undisputedly consistent with Maqasid Shariah (objective of Islamic Law) that aims to preserve and ensure the *maslahah* (goodness) and eliminate the *mafsadah* (harm) in the society. There are three main domains of the maqasid to achieve those objectives; (i) *dharuriyyat* (necessities), (ii) *hajjiyyat* (wants) and (iii) *tahsinniyyat* (embellishment). The goals of eliminating hunger and poverty (such as Social Development Goals: Goals 1, 2 and 3) are located under the domain of *dharuriyyah*, in which to ensure that all communities can fulfil their needs. Maqasid Shariah (the objectives of Shariah) should be used as the main foundation for product offering (Ghazanfar & Islahi 1997, Dusuki & Bouheraoua 2011, Mohammad & Shahwan 2013). IDCF support the needs of the needy with no compensation or return from those who are in needs.

Understanding and proposing the possible contracts that is reflected in the relationship between the involved parties, and the responsibility of each of them are the main aspect that should be emphasized in Islamic financial transactions. No body should be forced to enter the contracts. Once the contracts are binding, all parties are bound to the terms and condition of those contracts. This will ensure elements of fairness is uphold in the contracts. Islam promotes the concepts of justice and the preservation of rights of the participants in any business transactions. Islam promotes the principles of risk sharing, individuals' rights and duties, property right, and sanctity of business contracts (Iqbal and Mirakhor, 2011). In this case, four pillars of the contracts (parties, subject matter, offer and acceptance and *majlis aqad*) should be followed in order to ensure that rights of each party are protected.

Parties should enter the business transaction voluntarily, and as such elements of force are discouraged. These aspects should guide the relationship of the platforms, funders and beneficiaries. Lutfi and Ismail (2016) propose the *wakalah* and *qard* contracts in health funds

crowdfunding platforms. The issue is whether the process of delivery the services are following the principles intended.

Governance is the best mechanism to control the entities. Shariah Governance (SG) is a mechanism of corporate governance to ensure the compliance of business entities with Shariah. SG thus is needed to support the existing corporate governance (CG) model adopted in Islamic-based entities. Shariah governance is a set of the institutional and organizational arrangements through which Islamic financial institutions ensure that there is an effective independent oversight of Shariah compliance over the issuance of relevant Shariah pronouncements, dissemination of information and an internal Shariah compliance review (IFSB 2009, p. 2). The internal governance of the crowdfunding platform is very important as assurance towards crowdfunding compliance with Shariah principles. As there is no guideline issued by the government on this matter, thus there is no standard governance structures exist in these platforms. In the event of no strict regulations evolved and non-standard practices, the roles of standard governance and Shariah governance are important for Islamic-based entities.

METHODOLOGY

This paper uses qualitative approach using semi structured interview. This study involves six platforms of Islamic donation-based crowdfunding (IDCF), where each of the platforms represented by management level staff. The platforms were selected based on five criteria as follows:

- i. Register as company or NGO
- ii. Operated in Malaysia
- iii. Operated by Muslims
- iv. Donation-based CF
- v. Involved Islamic social finance funds
- vi. Claim as Shariah compliant DCF.

The aspects that were focused during the interview is the related to (i) the status of the establishment, (ii) the contract used and (ii) controlling mechanism related to Shariah aspects. The interview process started end of 2021 and ended at August 2022.

FINDINGS

In general, the sample of the IDCF is taken due to the platform assertion on 'Shariah-based' in their websites or during the interview. The platform relatively has a common basic structure. The main parties are the beneficiaries/project managers, platforms and donors/funders (Figure 2). The beneficiaries/project managers will choose the platforms, enter into the contracts with platforms with certain terms and conditions. The platform will do the due diligence process prior the campaign listing in their websites and promotion activities to reach the donors. The donors who are interested to contribute will get some information on the payments, charges and the current

collections through the websites of the platforms. Contributions can be made directly through the payment system. The platforms offer varies area of involvement including humanitarian needs, reducing poverty programs, natural disaster aids, medical and health aids and many others. This financial assistance according to the specific target is consistent with the dharuriyyah dimension under the maqasid Shariah.

Findings on legal establishment of the platforms are varying, which support the previous studies such as Othman (2021) and Abdullah (2016). From these six platforms, one platform registered as a foundation under Department of Law (BHEUU), Prime Minister's Department of Malaysia; one platform registered as an enterprise (and later as private limited company) under the Companies Commission of Malaysia (CCM); one platform registered as social club under the Registry of Society (ROS). Lastly, there is one platform established as university centre, where the university itself was registered under the Universities and Universities Colleges Act 1971).

Interviews found that there are no regular financial reports are required to be submitted to the regulators under which they were registered. In this case, the submission of the reports is depending on the platforms' voluntary willingness, rather than due to regulatory requirements. As such, there is some rooms for misconducts, especially if there is no proper internal governance established in the platforms.

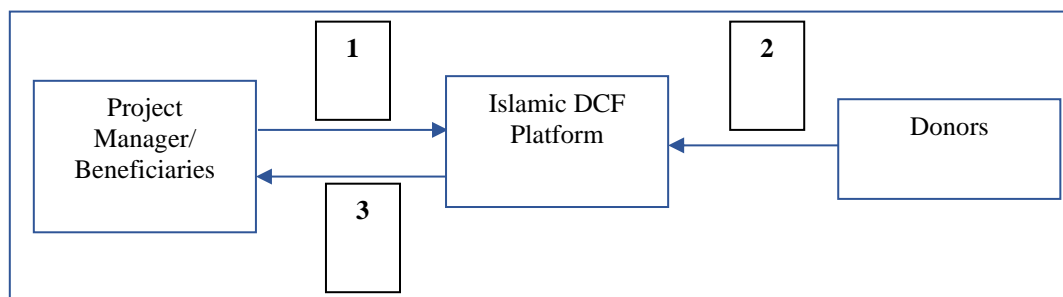


Figure 2: Flow of Fund by Islamic DCIF

Note: the sequence of the activity started from 1 to 3; fund flow involved between activity 2 and 3.

While the assertion of the Shariah compliance is maintained in the websites of the platforms. There are inconsistencies in the practices of the platforms. Majority of the platforms did not declare the contracts used in the platforms as well as during the interview process. One of the respondents highlighted the platform uses the wakalah contracts, however that contract is not mentioned in any terms and conditions documents. From these six platforms, two of them are highlighted that they have some Shariah governance practices. One of the platforms has the Shariah advisors and another one appoints a Shariah consultant as reference in the events that the management are not sure on certain practices related to Shariah. In terms of the Shariah governance functions, the majority of the platforms do not have specific functions for Shariah. There is no Shariah risk, Shariah audit, Shariah review and compliance process conducted by the platforms.

DISCUSSIONS AND PROPOSAL

IDCF collects the funds from many charitable sources such as waqf, zakat, sedeqah and hibah. Fees will be charged either from the funders or collection of funds. While the usage of sedeqah and hibah may have tolerable practices, other types of sources such as zakat and waqf have some unique characteristic thus very restricted in terms of usage. This study puts some stance on the waqf and zakat contributions. Zakat as obligatory infaq has some portion for amil due to collection services. As such, the fee from zakat cannot be taken except from amil portion. In relation to waqf contributions, the fee should be taken only from the benefits (manfaah). In this case, there should be separate dedicated fee paid to IDCF on their services, not from the same funds. This will preserve original intention of the funders' contributions.

This paper underlines several suggestions to enhance controlling process of the platform's activities, specifically related to Shariah compliance matters. The proposal takes into the consideration of several aspects such as types of contracts used, roles of the parties involved, and Shariah governance structure and roles. This paper proposes Wakalah contract (agency contract) as suitable underlying contract between the involved parties. Wakalah refers to a contract in which a party, as principal (muwakkil) authorizes another party as his agent (wakil) to perform a particular task in matters that may be delegated, with or without imposition of a fee (BNM 2015). In specific, the platform involves with dual agency contracts (dual Wakalah contracts); the first with the founders and the second with the funders. The wakalah bi ujah is proposed on whom the fees is charged by the platform whether the donors of the beneficiaries/project managers. While there is some room for the discussion on this approach, some conditions perhaps should be followed.

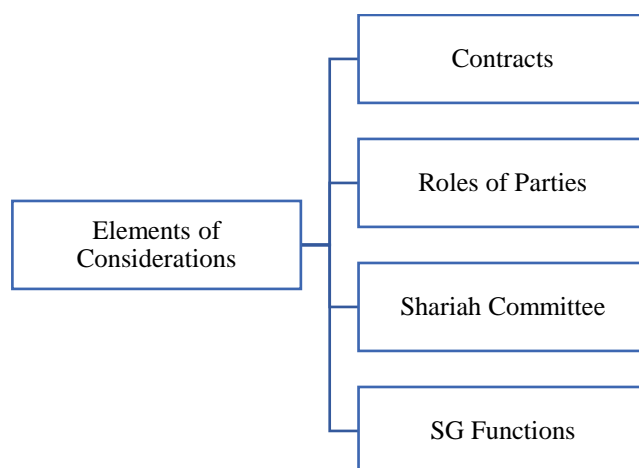


Figure 3: Aspects of Consideration of SG Proposal

In the case of wakalah contract is adopted by the platforms, there are two wakalah that should be entered by the platform. The first wakalah contract is between the platform and beneficiaries/project manager. While the second wakalah contract is between the platform and the donors/funders. The platform thus is proposed to establish the Shariah governance in its entities. These include the establishment of the Shariah Committee and other controlling functions since the platform become the wakil (agent) for the muwakkil (principal).

There are two main reasons on the need for proper Shariah governance. The first reasons are related to the roles of DICF as agents to the beneficiaries/project manager, and the second reason due to non-existing strict regulatory framework on DCIF platform. Both of these issues entailed the need for efficient control. Shariah committee roles is important to reach efficient Shariah decision making and ensure the compliance. The same proposal on SG establishment has been submitted by Ramli (2022), however on equity-based crowdfunding platform.

Looking at the current practices, only 2 platforms under observation has establish Shariah committee, however with no dedicated control functions. The establishment of the controlling functions should include establishing the Shariah risk, audit and review (BNM 2019, p.22), which are summarized as follows:

- i. Shariah risk functions refers to identifying, assessing, measuring and monitoring risks in the entity. This includes the Shariah risk as one type of operational risks in the entity.
- ii. Shariah review functions refers to continuous assessment on the compliance of entities in relation to their business activities
- iii. Shariah audit refers to independent assessment on the quality and effectiveness of the entities' internal control, risk management systems, governance processes as well as the overall compliance of the IFI's operations, business, affairs and activities with Shariah.

CONCLUSION

The sustainability of the crowdfunding platforms can help the sustainable services to the beneficiaries. Trust of beneficiaries can be attained if the DCIF activities are well controlled and enforced. This paper argues that that internal controlling functions are important especially when there are no proper regulations developed by the government. While the study highlights the importance of the law and regulation to control the crowdfunding activities, and ensure the transparency, this study also assumed that the Shariah governance is important to ensure the entities to be in line Shariah principles. As findings show no standard controlling approach has been practiced by the IDCF, this paper suggests the structured Shariah governance and proper internal control functions should be adhered by IDCF. Future research is suggested to focus on other aspects of operations of IDCF in order to examine the DCIF compliance.

ACKNOWLEDGMENT

This research was funded by the Ministry of Higher Education (MOHE) under the Fundamental Research Grant Scheme (FRGS) entitled *Developing Shariah Framework for Donation-Based Crowdfunding: Towards Safeguarding Rights of Funders and Beneficiaries* (USIM/FRGS/FEM/KPT/51121).

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

**ACCOUNTABILITY AND INTEGRITY IN ZAKAT PROCEEDS COLLECTION
AND DISTRIBUTION IN IHLs: THE ROLE OF AMIL ZAKAT IN UUM**

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Abstract

As stated in Surah At-Tawbah verse 60, the zakat institution is responsible for overseeing the collection and distribution of zakat to the eight asnaf. Universiti Utara Malaysia (UUM) gets twice-yearly return distributions from Lembaga Zakat Negeri Kedah (LZNK) for educational purposes as an IHL appointed as Amil for the collection of zakat through wage deductions for university personnel and public zakat. The efficiency and effectiveness of the collecting and distribution of zakat funds are crucial. Regardless of the operators' best efforts, financial management is subject to public scrutiny and the danger of mismanagement, corruption, and other criminal conduct. Transparency in the activities of the management team is essential for fostering public confidence and maintaining the accountability and integrity of the operations. Thoroughness in management and information sharing can help satisfy society's information needs and reduce the likelihood of accountability and integrity issues arising. According to earlier research, the integrity of an individual may be determined with 100% certainty based on their work style. Integrity in the workplace can be demonstrated by accountability and compliance, enhanced management with precision in disclosure aspects and information, and an effective and well-organized implementation strategy. This article examines how UUM fulfils its responsibilities as an Amil with regard to the collection and distribution of zakat proceeds. To obtain a fundamental understanding of the administration and distribution of zakat, qualitative research employing the holy Qur'an as the primary source and the hadith of Rasulullah SAW as the secondary source was conducted. The research also adopts a qualitative methodology by gathering data on accountability and integrity in the management and distribution of zakat in the UUM via previous research, document analysis, observation, and interviews. This report provides a list of committees, the flow of zakat redistribution from LZNK, and the flow of decision-making and implementation methods for zakat collection and distribution at UUM. These findings may be utilised to enhance and enhance zakat administration at IHLs, particularly UUM, and to benefit zakat institutions and IHLs in terms of transparent and integrity-preserving procedures for performing zakat proceeds collection and distribution.

Keywords: Zakat, Zakat Distribution, Asnaf, Amil, Accountability, Integrity, IHLs.

INTRODUCTION

In order to alter the nation's development, the government has made the education sector its primary focus. From 2015 to 2017, the government spent over RM42 billion annually on education to ensure that all citizens received a high-quality education. The education sector receives the greatest amount of RM64,1 billion in the national budget for 2020. This is an RM3.9 billion rise from the previous year's total of RM60,2 billion (New Straits Times, 2019). However, higher education is expensive and demands regular financial resources in the twenty-first century. The amount is still insufficient to pay the cost of education in the country, since many members of the community continue to ask for zakataid for educational reasons at the Kedah State Zakat Board (LZNK).

Zakat is one of the five pillars of Islam that Muslims must observe. Institutions of zakat are responsible for managing the collecting and distribution of zakat to the eight asnaf, as commanded by Allah SWT in Surah At-Tawbah verse 60:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ
وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

“Zakat is for the poor and for the needy and for those employed to collect (Zakat). And for those whose hearts will be brought together (for Islam) and for slaves and for those in debt and for (those) on the Way of Allah and for the travelers - an obligation by Allah. And Allah is All-Knowing, All-Wise”. ((Al-Qur’an, At-Tawbah, 9:60)

Most state zakat institutions and baitulmal units in Malaysia, governed by the State Islamic Religious Council, provide schooling assistance, assistance to asnaf groups to further their studies at local institutes of higher education (IHLs), small scholarships for education, as well as assistance for higher studies abroad. The efficiency and efficacy of zakat money collection and distribution are vital, as it is the substance in Islamic economics that may enhance the lives of the poor and the needy (Takril & Othman, 2020). In April 2022, *Lembaga Zakat Negeri Kedah (LZNK)* made a payout of RM47.7 million to beneficiaries in Kedah, consisting of individuals and recognised educational institutions for educational purposes (LZNK, 2022).

Zakat institutions play an important role in assisting students financially at the higher education level. Various forms of educational assistance are created by offering scholarships, study loans, and additional financial assistance using zakat funds. Not only that, the appointment of higher education institutions (IHLs) as Amil is practised by some zakat institutions to reduce the bureaucracy of zakat aid applications by students.

Amil in zakat institutions plays a key function in processing the donation and distribution of zakat money. Appropriate and effective distribution mechanisms benefit the community by decreasing poverty. Besides, the financial statements issued by Amil zakat organisations are a form of accountability. The integrity level and transparency of an institution appointed as Amil are very important in carrying out the function of collecting and distributing zakat. Transparency and

accountability are elements of excellent corporate governance that should have a deep root in a company that preserves honesty and trust (Nugraha, Wardayati, and Sayekti, 2018).

As an IHL that has been appointed as Amil for the purpose of zakat collection through salary deductions for university staff and public zakat, Universiti Utara Malaysia (UUM) has received return distributions from LZNK for educational purposes twice a year, which is the first receipt in January for collections from July to December of the previous year and the second receipt in July for the collection from January to June of the same year. UUM received a return distribution from LZNK for educational purposes amounting to RM714,800.66 for the January 2022 distribution and RM715,356.63 for the July 2022 return distribution (UUM, 2022).

PROBLEM STATEMENT

Financial management will typically be subject to public scrutiny and the possibility of mismanagement and misappropriation, as well as fraud, corruption, and other unlawful activity. Transparency of the management team's or operator's actions is essential for fostering public trust and guaranteeing accountability and integrity in their operations. It has been contended that zakat administration is the most important factor in defining the trajectory of zakat institutions, since effective and systematic management would optimise the zakat (Mutiara, Zakaria, & Zahri, 2013). Despite the operators' best efforts, Zakat administration, collection, and distribution activities cannot be detached from the broader context surrounding the issue of embezzlement. Transparency and thoroughness in management and information sharing can help satisfy society's information needs and reduce the likelihood of accountability and integrity complications.

OBJECTIVE OF THE STUDY

In general, it has been believed that zakat administration involves two tasks: collection and distribution of zakat money. This paper examines and discusses how UUM carries out its responsibilities as an Amil in collecting zakat from the salary deduction method of UUM staff as well as the public through the crowd funding method via the Giving to UUM online platform, submitting the collection of zakat money to LZNK, and receiving the zakat return distribution from LZNK to be distributed to students and staff under the asnaf category. This undertaking needs to be carried out with integrity and a transparent implementation procedure and process. Therefore, it is essential to enhance the integrity and impact of zakat management, especially in matters of collection and distribution of zakat. A special committee that is appointed needs to involve various levels of efficiency and accuracy in carrying out the responsibility of collecting and distributing zakat to the asnaf.

This research will produce a list of committees and decision-making and execution procedures for zakat collection and distribution at UUM, the flow of zakat collection and distribution management at UUM, and the flow of zakat redistribution from LZNK. These findings may be used to increase and improve zakat administration at IHLs, notably UUM.

The outcome will provide the benefit of knowledge sharing in terms of transparent and integrity-preserving methods of implementing zakat collection and distribution to fulfil the responsibilities of the appointed Amil in ensuring the real impact of the zakat aid on students throughout their studies at IHLs.

LITERATURE REVIEW

Education is one of the most important forms of assistance for the poor and needy in the asnaf group, as it is one of the most effective strategies for improving lives and lifting these people out of poverty. It is critical to provide educational zakat to assist students, particularly those labelled asnaf, in achieving mental, physical, and spiritual perfection. Distribution of Zakat enhances educational fairness for Muslim students in need (Radzi and Kenayatullah, 2017). The distribution of zakat is necessary for zakat organisations to ensure that asnaf beneficiaries get aid.

In conjunction with the distribution of zakat at UUM, LZNK has assisted students and employees, particularly the asnaf group, with the costs of education and life. For instance, from 2017 to 2022, LZNK transferred 37.5% of UUM's yearly zakat collection as redistribution funds, totaling RM 6,079,245.15, for distribution to the asnaf group and zakat development research at UUM (UUM, 2022). The redistribution amount is shown in Table 1.

Table 1: The redistribution amount received by UUM from LZNK

Transaction Series/ Year	Redistribution to UUM (RM)
1/2017	151,650.00
1/2018	625,336.80
1/2019	655,734.18
2/2019	660,705.76
1/2020	647,593.00
2/2022	657,411.44
1/2021	693,742.24
2/2021	708,564.44
1/2022	714,800.66
2/2022	715,356.63
Total (RM)	6,079,245.15

Amil is responsible for the management and administration of zakat. It consists of officials and employees engaged by the state to do zakat-related responsibilities like measuring, collecting, and distributing zakat funds (Adzrin, Mazuki, & Sufiyudin, 2015). Therefore, Amil is one of the most significant figures in zakat administration (Ab Rahman, Fauzi, and Thoarlim, 2016). Amil plays a critical role in ensuring that the institutions operate as zakat institutions correctly and effectively. According to Zainal et al. (2016), Amil is responsible for managing zakat funds effectively and has a primary job related to managing zakat funds, such as counting the number of properties and the amount of zakat, collecting it, reviewing the minimum poverty levels, and ensuring *Mustahiq* receives zakat funds.

The institution of zakat must contribute to the implementation of zakat management by showing accurate information at each institution of zakat.

The zakat institution is a highly revered religious institution. In accordance with this, persons who are appointed as Amil must be religious experts with a basic understanding of social sciences, Islamic finance, and other relevant fields. Zakat management institutions and Amil that have competent and effective administration and integrity are the fundamental pulse of a society. Good Amil is an important part of zakat management since Amil is the core principle in the administration, collection, and distribution of zakat (Abdullah, Najmi, and Donna, 2019).

Modernity necessitates that the efficiency of zakat administration be measured not just by how much zakat is collected but also by how much it aids asnaf, how trustworthy the committee that collects and distributes zakat is, and how visible the implementation process and framework are. Accountability and integrity monitoring operations (Hisbah) in zakat administration need quality acceleration measures.

Integrity theoretically exists between deeds, values, and ideals (Harefa, 2004). According to Muhammad Syukri Salleh (2008), Muslims must evaluate the behaviours, values, and principles of horizontal linkages between humanity and natural resources, as well as between Almighty Allah and man. Meanwhile, in this age of hyper-transparency, the transmission of accurate information and the public's faith in the ethical leadership of zakat administration and distribution are more crucial than ever. Therefore, Zakat institutions and their personnel must be administered professionally in accordance with Allah's (SWT) words:

Meaning: "The mosques of Allah are only to be maintained by those who believe in Allah and the Last Day and establish prayer and give zakāh and do not fear except Allah, for it is expected that those will be of the [rightly] guided." (Al- Qur'an, Al-Tawbah, 9:18)

This verse explains that those who believe are those who pray and give zakat and who fear only Allah SWT and not other people. This shows that trustworthy management and administration must be based on a strong relationship with Allah SWT.

On the other hand, according to Becker (1998), the value of integrity may be determined with certainty through the work style exhibited. This integrity value can occasionally pose a hazard if it is not accompanied by a high value and a high degree of precision in the performance of a task. Responsibility and compliance, improved management with precision in disclosure elements, and a successful and orderly implementation procedure are all indicators of integrity in the workplace.

METHODOLOGY

To gain a fundamental understanding of the administration and distribution of zakat, qualitative research was conducted using the holy Qur'an as the major source and the hadith of Rasulullah SAW as the secondary source. The accountability and integrity of the UUM's zakat management and distribution are also investigated qualitatively. This is accomplished by examining existing material, reviewing records, observing, and interviewing individuals.

On the document review, information is acquired from UUM JPU paperwork relevant to zakat collection in UUM, as well as meeting materials from JKPZ (Jawatankuasa Kecil Pengurusan Zakat) and JZ (Jawatanluasa Pengurusan Zakat). In addition, interviews were conducted with authorised parties at the JKPZ and JPZ, with those directly involved in writing the JPU paperwork to obtain JPU approval for agencies and individuals to give zakat via the "Giving to UUM" website, and with those who prepare meeting materials for the JKPZ and JPZ.

Finding of the Study

As highlighted in the literature, the effectiveness of zakat administration should be measured not only by the amount of zakat collected, but also by the extent to which it assists asnaf, the credibility of the committee that collects and distributes zakat, and the transparency of the implementation process and framework. Therefore Transparency of the management team's or operator's conduct is necessary for creating public confidence and ensuring accountability and integrity in their operations. Transparency and thoroughness in management and information sharing may assist meet the information demands of society and decrease the possibility of accountability and integrity issues. In addition, the value of integrity may be established with confidence based on the shown work style. Occasionally, this integrity value might constitute a risk if it is not accompanied by a high value and a high degree of accuracy in the completion of a job. Integrity in the workplace may be shown by accountability and compliance, better management with accuracy in disclosure aspects, and an efficient and well-organized implementation approach.

This study identified four parties involved in zakat collection, management, and distribution in UUM: LZNK, UUM (JPU, JPZ, and JKPZ), crowd funding (agencies and/or individuals), and zakat recipients (asnaf-students, staff, and community); and three implementation approaches in terms of procedure and process in collecting, managing, and distributing the zakat funds in UUM.

The first implementation process and procedure is the flow process for the collection and distribution of zakat proceeds. As UUM has been appointed as Amil by LZNK, it has the authority to do the zakat collection by deducting the zakat money from UUM's staff salaries and from crowdfunding. In the first place, all collected money is handed over by UUM to LZNK. Under normal circumstances, LZNK will return to UUM approximately 37.5% of the zakat collection as a redistributed fund and 5% as the Amil. The redistributed fund is divided into three segments: distribution to eight groups of asnaf (representing fifty percent of the redistributed zakat proceeds from LZNK); the Institute for Research and Zakat Innovation (IPIZ) receiving approximately 37.75% (25% for related research on zakat and 12.25% for high impact research projects and seminars in zakat-related areas); and zakat administration and management receiving approximately 12.25%. The UUM is responsible for preparing the LZNK's report on all allocations, distributes, and activities. Figure 1 depicts the intricacies of the flow procedure for the collecting and distribution of zakat proceeds.

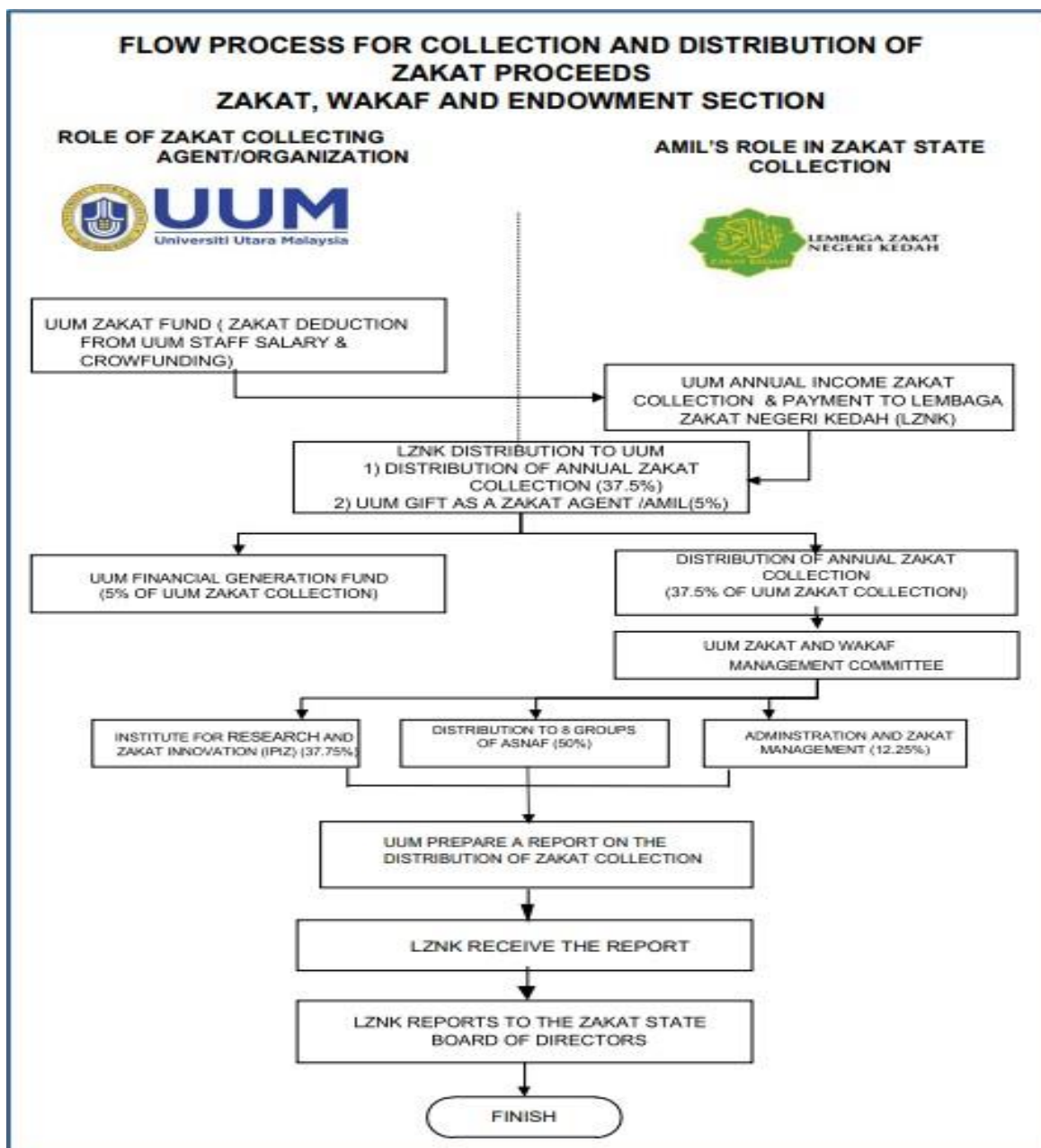


Figure 1: The flow process for the collection and distribution of zakat proceeds.

The flowchart of the payment process and receipt of zakat from agencies and individuals is the second procedure and process of execution to be highlighted. Throughout this procedure, zakat payers transfer funds to the UUM Treasurer's Account via the "Giving to UUM" online page. The payment can be made using a DuitNow internet banking transfer, a credit card, or a Financial Process Exchange (FPX). After the payment, the zakat payer informs UUM along with a copy of payment proof by sending a receipt or online transaction to the manager of the Zakat, Wakaf, and Endowment Section (BZWE). Along with the payment evidence, BZWE notifies the Accounts Unit of the UUM Treasurer's Department on the issuing of the payment receipt. Any transaction to the UUM Treasurer's Account will be credited to the UUM general account in accordance with standard procedures. This necessitates that BZWE also send an official letter to the UUM Treasurer

requesting that the funds be transferred to the "Corporate Zakat Fund: OtherAccount."

Next, the Accounts Unit of the UUM Treasurer's Department will check and make an adjustment within seven days. After the checking process by the Account Unit, the treasurer hands over the certificate document to BZWE for the purpose of notification to the contributors. BZWE informs contributors with a receipt or acknowledgement letter sent via post or email. At the end of the process, BZWE will observe the most recent update to the "Corporate Zakat Fund: Others Account" to ensure that the funds that zakat payers transferred to the UUM Treasurer's Account via the "Giving to UUM" online page are in the correct account. The work process has been updated and verified by the UUM Treasurer Department and UUM Business Development and Strategic Department (BSD) on March 6, 2019. The details of the work process are shown in Figure 2.

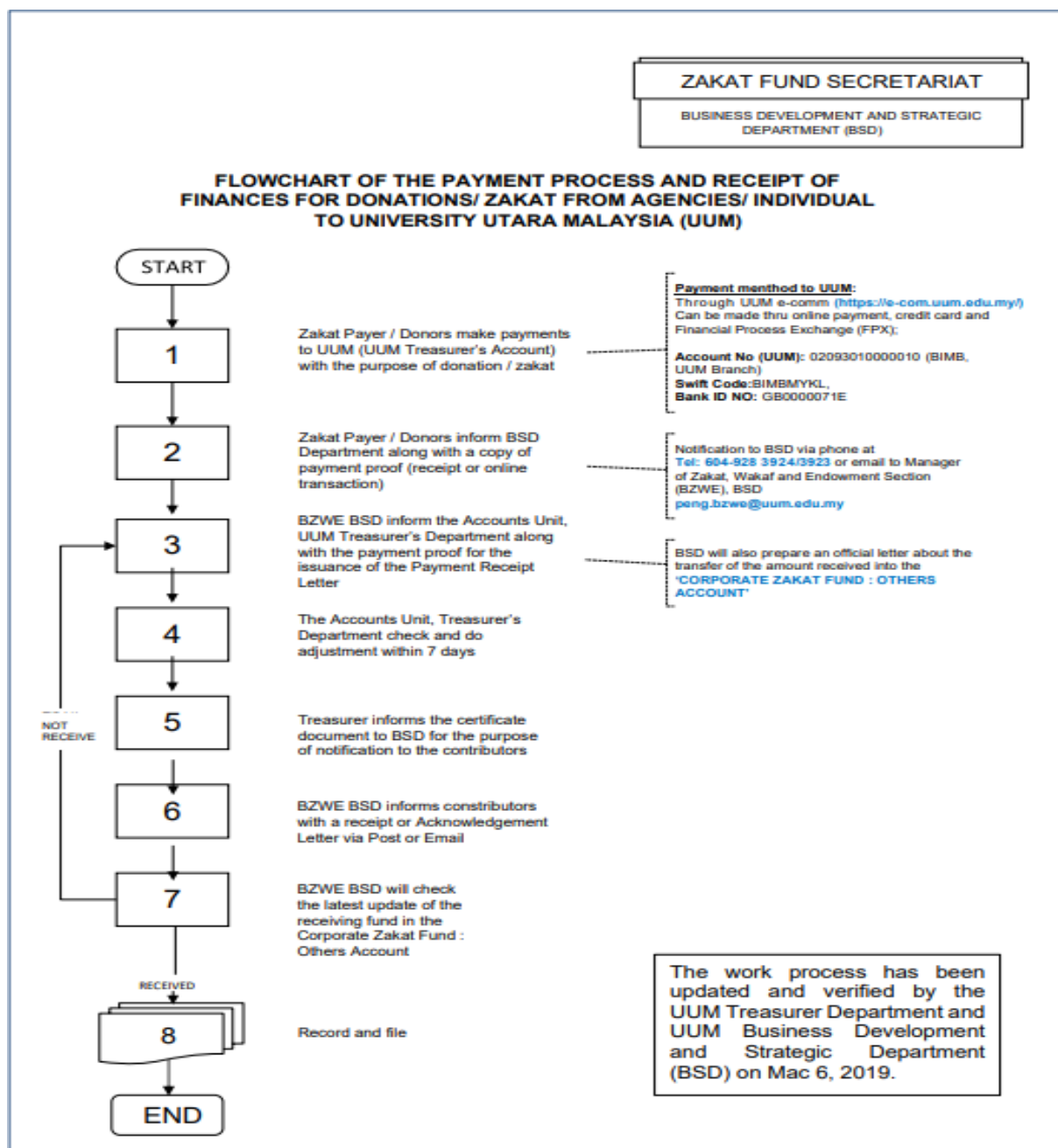


Figure 2: The payment process and receipt of zakat from agencies and individuals.

The final phase of reviewing accountability and integrity in zakat management and distribution in the UUM is the distribution of zakat proceeds to asnaf. The implementation flow has been determined using the findings from interviews and document reviews. BZWE, which functions as the zakat collection and distribution secretariat, facilitates this procedure. This procedure has five stages and two levels of meeting committee involvement. After receiving the zakat earnings allocation from JZNK, the UUM Student Affairs Department (HEP) began data gathering for asnaf. Asnaf is chosen from among UUM students by the principals of the students' residence halls. Before being submitted to BZWE, the selected data from asnaf will be forwarded to the Student Support and Services Division (SSSD) for screening. At BZWE, the data acquired from SSSD will go through a second stage of screening to ensure that only students who meet the correct asnaf requirements are selected and eligible for zakat. According to BZWE, a second screening must be conducted since erroneous data is always discovered during the second screening process, even though the data has already been screened by the SSSD, such as the discovery of the names of non-Muslim and rich students on the accepted list.

BZWE will recommend the amount for zakat distribution for each asnaf depending on the total amount of zakat revenues received from LZNK and the number of qualifying applicants after the second step of the screening process. Following that, BZWE must create a paper to present to the Zakat Management Subcommittee (JKPZ) meeting to propose the zakat allocation amount and the name of the zakat beneficiary. The JKPZ meeting is comprised of eight parties and is presided over by the Deputy Vice Chancellor for Student Development Affairs and Alumni (TNC HEPA). Following the adjustment based on JKPZ feedback, the paperwork will be presented to the Zakat Management Committee (JPZ) meeting, which is chaired by the UUM Vice Chancellor.

The BZWE will distribute zakat funds to all qualified asnaf after JPZ approval. Normally, the BZWE has to register the details of zakat receivers one by one in the UUM financial information system (FIMS). The data registered in the FIMS also needs to go through four approval steps before the zakat money is delivered to the zakat recipient's account. This process takes quite a long time and requires extra staff to ensure that students rapidly obtain the assigned zakat money. Normally, additional employees at BSD will also assist in the student registration procedure into the FIMS. However, the distribution of zakat in December 2022 will be easier when it is made available to students to receive the zakat in the form of an e-wallet. Through this method, the distribution money will be transferred from the UUM zakat account by the UUM Treasurer to the e-wallet service provider, and the e-wallet service provider will immediately transfer the money to the account of each zakat recipient who registers and has an e-wallet account under the service provider concerned. Apart from simplifying and speeding up the zakat distribution process, this strategy is also implemented in keeping with the encouragement towards a cashless campus at UUM. The intricacies of the zakat management and distribution procedure are presented in figure 3.

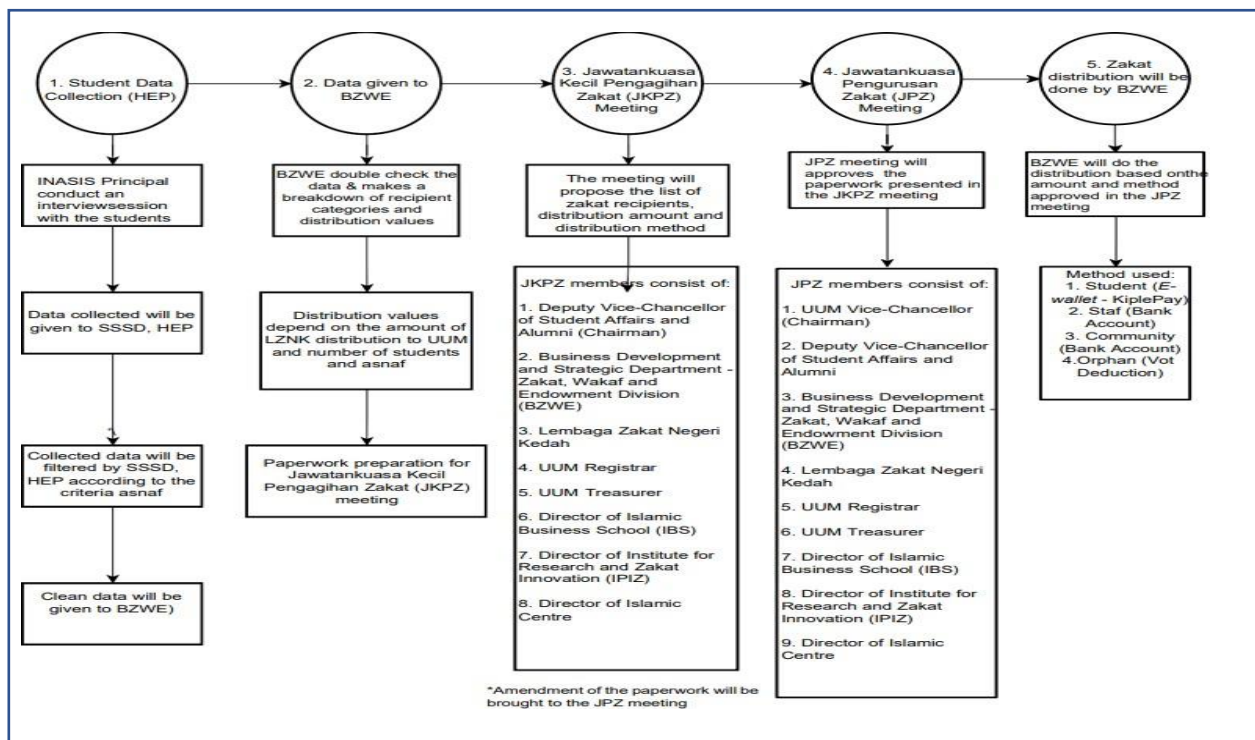


Figure 3: The intricacies of the zakat management and distribution procedure

CONCLUSION

Amil is the primary responsibilities for zakat organisations' administration, collecting, and distribution of zakat (Abdullah, Najmi, and Donna, 2019). Amil zakat plays a crucial role in ensuring that zakat is distributed as efficiently as possible. Principally concerning is the manner in which zakat revenues are managed and given to the correct asnaf with the correct amount at the correct time through the correct route. The purpose of the study is to examine how UUM takes full responsibility for the Amil zakat for LZNK and handles zakat management and distribution properly.

UUM's Zakat Management Committee has two levels of membership. JKPZ is the initial level of the Zakat Management Committee, comprised of eight members from various departments and led by TNC HEPA, whereas JPZ is comprised of the same team members but is chaired by the UUM Vice President. With various levels of committee members involved in zakat management and distribution at UUM, as well as clear procedures and process flows for zakat collection and distribution, and the programmes that have been stated in the zakat outlook and annual financial reports, it is abundantly clear that UUM has implemented a system for managing zakat with transparency and accountability.

This transparency implementation procedure, well-organized implementation method, and enhanced management with precision in disclosure elements and information are consistent with Becker's (1998) assertion that the value of integrity can be determined with certainty through a work style characterised by high responsibility and compliance, enhanced management with

precision in disclosure elements, and an efficient and well-organized implementation procedure. This revelation provides light on the accountability and integrity of zakat management and distribution. This example may also contribute to studies of zakat institutions in order to determine the administration and methods for the collecting and distribution of zakat in IHLs. This addition to the study of documentation raises awareness of the significance of zakat collection and distribution integrity.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development
2022(ZAWED2022)
27-28 December 2022

A CONCEPTUAL FRAMEWORK FOR ANALYSING THE EFFICIENCY OF WAQF INSTITUTIONS IN ASEAN COUNTRIES

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Abstract

Waqf is an Islamic religious fund raised from wealthy and well-off community members for distribution to the needy, impoverished, and other beneficiaries based on predetermined criteria. To date, research has yet to be done comparing the efficiency of waqf institutions in ASEAN countries using Data Envelopment Analysis (DEA). Thus, the study on efficiency in this region is significant and will contribute theoretically and practically to the body of knowledge. This study aims to propose a framework for efficiency in waqf institutions in ASEAN countries Malaysia and Indonesia. Specifically, the study's first part will overview the efficiency studies literature. The second part will focus on the variables employed using both the production and intermediation approaches in Data Envelopment Analysis. Finally, this study will propose the framework for the current study.

Keywords: Efficiency, Waqf Institutions, ASEAN, Proposed Framework, Data Envelopment Analysis

INTRODUCTION

Waqf is an Arabic word that means to hold, enclose, forbid, or restrain. It is described as an act of refraining from using and disposing of any asset to bring about its profit for charity purposes for as long as it lasts in Islamic jurisprudence (Tagoranao & Gamon 2016). On the other hand, Waqf is described from the Shariah perspective as a dedication of property wherein its usufruct (benefit) is used for charitable donations and religious reasons (Nooraini, 2015). Waqf is typically seen as a pious endowment closely related to the religious precept of charity in most Muslim nations.

On the global front, performance measurement has become an important agenda in many not-for-profit organizations or public sectors, regardless of field and size (Macpherson, 2001). One of the performance measures is the assessment of an organization's efficiency. Witte and Geys (2011) stipulated that efficiency is widely applied in measuring the performance of various sectors. Efficiency is an instrument to measure the performance of an organization. Efficiency measurement is done by comparing inputs and outputs and when the organization is able to produce maximum output, with limited inputs, it creates efficiency in an organization. It is said

that efficiency increases if the output increases but is not followed by an increase in the input side. In an economic sense, efficiency looks at the relationship between the inputs and outputs in a production process and measures their performance against the production frontier (Coelli, Rao, Donnell & Battese, 2005).

Efficiency measurement was first introduced by Farrell (1957), who adopted the theory from the work of Koopmans (1951) and Debreu (1951), which defined that a simple measurement of the efficiency of a company could explain several inputs. According to Farrell, a company's efficiency is divided into two parts: technical efficiency, which refers to the organization's capacity to generate the greatest output from various inputs. The ability of a business to use the ideal proportion of inputs is explained by allocation efficiency, which also offers prices and manufacturing technology. There are two types of efficiency study measurements: parametric and non-parametric. According to studies on the efficiency of banks, common non-parametric techniques include Free Disposal Hull analysis (FDH) and Data Envelopment Analysis (DEA), while common parametric methods include the Stochastic Frontier Approach (SFA), the Thick Frontier Approach (TFA), and the Distribution Free Approach (DFA) (Mokhtar et al. 2006).

In the context of waqf institutions, efficiency refers to how well the institutions use their resources (e.g., the staff, expenditure, etc.) to meet their objectives of socio-economic justice (e.g., reducing poverty). The ultimate objective is to seek Allah's pleasure while considering the requirements of the Shari'ah. According to El-Gari (2004), the Islamic civilization is capable of producing solutions and creating a vibrant society supported by institutions that manifest the core values of the Islamic system. The financial institutions arising from this Islamic root would reflect the features of justice, equity, and social peace. Zarqa (1988) defined that there are various institutions and structures that Islam has instilled to redistribute income and wealth for the fulfillment of the basic needs for all in society. The institutions include, among others, zakah, waqf and qardul hasan. Siddiqi (2004) asserts that the ingenuity of the Islamic financial sector would be to integrate the vision of a moral society and socially responsible finance into functioning institutions.

Efficiency measurement of waqf property management is important to measure progress and avoid squandering (*tabdzir*) that will harm the ummah. For example, the land around a mosque that is not productive is usually left alone, even though the land can be used, and the results are for the mosque's maintenance (Djunaidi & al Asyhar, 2005). In addition, collecting and distributing Waqf is very important in the management of waqf funds and in meeting the objectives of bridging the income gap of the community. Therefore, the efficiency of waqf funds managed by several states of waqf institutions should be a major concern. The measurement of efficiency is determined by the ability of an organization or individual to increase its funds to fulfill its mission and goals (Alfirevic, Pavicic, & Najev-Cacija, 2014). Organizations measure efficiency by increasing profits, lowering operating costs, and increasing productivity.

Studies on the efficiency of waqf institutions are still limited, particularly in impoverished and emerging nations like the ASEAN countries. To the best of our knowledge, research has yet to be done utilizing Data Envelopment Analysis to compare the efficiency of waqf institutions in

ASEAN countries. Therefore, studying efficiency in this area is important and will add to the corpus of knowledge theoretically and practically. Theoretically, the findings in this study will be a starting point for more efficiency comparison studies of waqf institutions in the ASEAN countries. Furthermore, the findings will also set the indicators for the waqf institutions in the region to strive for and increase the efficiency level. Practically, this study will benefit the institutions of Waqf by focusing on variables that are identified as low in efficiency. It will also assist policymakers in identifying and reducing excessive usage or waste of inputs that are not relevant. This will, in turn, help to increase the sustainability of waqf institutions in the ASEAN countries.

Hence, this study aims to propose a framework for efficiency in waqf institutions in ASEAN countries Malaysia and Indonesia. Specifically, the first part of this study will overview the efficiency studies literature. The second part will focus on the variables employed using both the production and intermediation approaches in Data Envelopment Analysis. Finally, this study will propose the framework for the current study.

LITERATURE REVIEW

Although there are many studies on the efficiency of established non-profit organizations (NPO), there isn't much written about waqf institutions. According to Laallam et al. (2020), the waqf institution acts as an NPO responsible for managing the funds and property of Muslims in Islamic countries. The performance of NPOs, including waqf institutions, can be based on efficiency and effectiveness (Hyunsoo & Chang, 2018). Given the significance of waqf institutions and their roles in reducing poverty and the welfare of the poor, there are still significant gaps in the efficiency research of waqf institutions that need to be filled. Most waqf efficiency studies chose non-parametric Data Envelopment Methodology (DEA) to parametric Stochastic Frontier Analysis (SFA). This is due to various SFA limitations and DEA benefits, even though efficiency studies can be conducted using parametric or non-parametric analysis. According to Kablan (2012), unlike DEA, SFA does not allow arguments and not specified monetary units to be included in the function.

In Malaysia, the first waqf efficiency studies using DEA were done by Hasan. H & Ahmad. I (2014). This conceptual study breaks efficiency measurement into two stages, which are the collection stage and the distribution stage. This study separates the collection function from the distribution function. The first stage evaluates the efficiency of Waqf collection by considering the number of officers employed, the number of banks who act as collection agents, and the expenses incurred in collecting Waqf as the inputs. Subsequently, the second stage of efficiency evaluation is carried out on the distribution of Waqf. In this second stage, the distribution expenses will be included as an additional input to produce the Waqf distribution output. Other studies on waqf efficiency using DEA also were conducted by Pyeman, J. et al. (2016), Misbahrudin (2019), Ibrahim & Ibrahim (2020), and Hasan. H et al., (2020). Pyeman, J. et al. (2016) measure the efficiency score of Waqf in all countries that run Waqf funds (SIRC) using Data Envelopment Analysis (DEA) to assess the technical efficiency score of each state. Misbahrudin, N. T. (2019) analyzes the efficiency of Malaysian waqf institutions by using the Data Envelopment Analysis (DEA) method with output

orientation using the Variable Return to Scale (VRS) assumption. Hasan, H., Azmi, N. F., Mud, N. N., & Ahmad, I. (2020) measure efficiency scores in the two states of Kelantan and Penang that manage SIRC's Waqf funds using Data Envelopment Analysis (DEA) for 2008 to 2010.

Besides assessing efficiency, Ibrahim & Ibrahim (2020) also identify factors determinants of efficiency using panel data analysis of selected variables with efficiency. This study examines the relationship between corporate governance mechanisms, location, and organizational size with the efficiency of SIRC's in waqf management in Malaysia from 2007 to 2013 using two basic Data Envelopment Analysis (DEA) models. This study uses three inputs and two outputs selected based on the intermediation approach to measuring efficiency. Then, the factors that are influential to the efficiency level of the SIRC's investigates by evaluating the relationship between location, size of organization and governance mechanisms as measured by board size, board independence and board meeting against efficiency. Further analysis of the technical efficiency components also reveals that the SIRC's inefficiency is mainly caused by managerial inefficiency, not scale inefficiency. Finally, the findings indicate a significant relationship between all efficiency scores with location and the board size. Meanwhile, the organization's size and board independence are significant with scale and pure technical efficiency. The large-size organization is more efficient in their production process and the more outsiders on the board of directors, the less efficient is the SIRC's.

The waqf efficiency study also was conducted in Indonesia. The study by Herindar, E., & Rusydiana, A.S. (2021) measures the efficiency of waqf funds in zakat institutions in Indonesia using the non-parametric Data Envelopment Analysis (DEA) method. The objects in this study are eight zakat institutions that manage waqf funds in Indonesia from 2013-2020. The input variables include operational costs and HR costs, and the output variables in this study include the collection and distribution of waqf funds. This study indicates that during 2013-2020, the efficiency of zakat institutions in managing waqf funds fluctuated. This study also looks at the possibility of improving inefficient programs from input and output variables; generally, the main factor in the efficiency of waqf funds lies in the output variable, namely the acceptance and distribution of waqf funds. In addition, this study provides a reference for other decision-making units (DMUs) in improving efficiency. The average DMU used as a reference is the one with good professionalism and innovation.

Another study conducted by Juliana J. et al. (2022) measures the value of efficiency of private waqf institutions (Dompot Duafa, Global Waqf and Sinergi Foundation) using non-parametric Data Envelopment Analysis (DEA) from 2015-2019. This study used the value of waqf assets, operational costs, and general and administrative costs as input variables, the total receipt of waqf funds, and the total distribution of waqf funds as output variables.

APPROACHES IN MEASURING WAQF EFFICIENCY BASED ON PREVIOUS STUDIES

The production and intermediation approaches are the two main methods used to gauge the technical efficiency of waqf institutions. The production might be suitable for branch efficiency studies (Berger, A. N., & Humphrey, 1997). Some previous studies have used a production approach with specific input and output specifications. Previous studies have addressed the input and output specifications for waqf institutions from banking institutions perspective (Sufian, 2009; Sufian, 2010; Nor Hayati et al., 2010) and zakat institutions (Norazlina & Abdul Rahim 2012, 2013, 2015; Fuad, Z., Nasution, Y. S. J., & Halimatussakdiyah, H. (2022). The production approach is used as it measures the ability of waqf institutions to produce waqf collection and distribute the funds to the beneficiaries. It shows how efficiently waqf institutions as Decision Making Units (DMUs) produce their output based on given inputs. Some empirical research used operational cost, socialization cost, personnel cost and total assets as inputs and collected funds and channeled funds as the output to assess production efficiency (Atiya, N. et al., 2020; Fuad, Z. et al., 2022).

On the other hand, the intermediation approach is the most preferred approach among researchers investigating the efficiency of the Waqf institution (Hasan, H. & Ahmad, I. 2014, Ibrahim, D., & Ibrahim, H., 2020; Misbahrudin, 2019 and Ibrahim et al., 2017). Waqf institutions are considered intermediaries between the giver and the recipient under the intermediation approach (Ibrahim et al. 2017 and Misbahrudin, N. T. 2019). The intermediary will oversee all assets and guarantee that the beneficiaries receive the benefits they are entitled to *Waqif* or the giver is an individual or organization that bestowed their assets for philanthropy for the benefit of Allah, while waqf institutions are the *mutawalli* or the operator who handled Waqf on behalf of the giver in the case of Waqf institutions. In the meantime, the *mawquf' alayh* (receiver or beneficiary), is the one who benefits from the waqif's possessions. As a result, waqf institutions act as an intermediary between the giver and the receiver of benefits. SIRC is the only trustee for all Waqf assets in Malaysia. Among the empirical studies which employed intermediation efficiency include Misbahrudin, N. T.(2019), Hasan, H. et al. (2020) and Ibrahim, D & Ibrahim, H (2020). Misbahrudin, N. T.(2019) and Ibrahim, D & Ibrahim, H (2020) estimate the intermediation efficiency of waqf institutions in Malaysia using total yearly expenses as an input proxy. Hasan, H. et al. (2020) measures labor (*mutawalli, nazirs*), asset, office building (fees, rents), and other income sources as input proxy. Inefficiency is mostly pure technical efficiency aspects rather than scale.

Studies on the efficiency of waqf institutions have used either the production or intermediation approaches. The followings **Tables 1 and 2** provide an overview of the input and output variables used to gauge the efficiency of waqf institutions.

Table 1: Input Variables Employed In The Production Approach And Intermediation Approach

Production Approach	Intermediation Approach
<ul style="list-style-type: none"> • Operational cost • Socialization cost • Personnel cost • Total assets 	<ul style="list-style-type: none"> • labor (<i>mutawalli, nazirs</i>), • Asset, office building (fees, rents) • Other income sources • Total Assets • No. of Labor • Number of officers employed • Number of banks (collection agents) • Waqf expenses • Number of staff • Total Waqf funds from the government • Total yearly expenditure • Operating expenses • Fixed Assets • Operational costs • Human resource costs • Number of employees • General Management Expenses • Administrative costs • Depreciation costs

Source: Author's Own Updates Based On Previous Studies

Table 2: Output Variables Employed In The Production Approach And Intermediation Approach

Production Approach	Intermediation Approach
<ul style="list-style-type: none"> • Collected funds • Channeled funds 	<ul style="list-style-type: none"> • Waqf distribution • Number of staff • Total Waqf funds from the government • Cash waqf • Land waqf • Labor • Operating expenses • Fixed Assets • Funds allocated for welfare and development (social services) • Waqf collection

- Waqf distribution
- Waqf revenue
- Waqf project value

Source: Author's Own Updates Based On Previous Studies

PROPOSED WAQF EFFICIENCY FRAMEWORK

Based on the previous studies and available data for waqf institutions in the ASEAN countries, the following frameworks are the proposed framework for both Production and Intermediation Approaches.

Production Approach

The proposed input variables for waqf institutions' production approach in ASEAN countries to estimate efficiency are total assets and operating expenses. These variables are the proxies of resources required in producing outputs: operational cost, socialization cost, personnel cost and total assets. The output variables will cover both collected funds and channeled funds. The framework using the production approach is as in **Figure 1**.

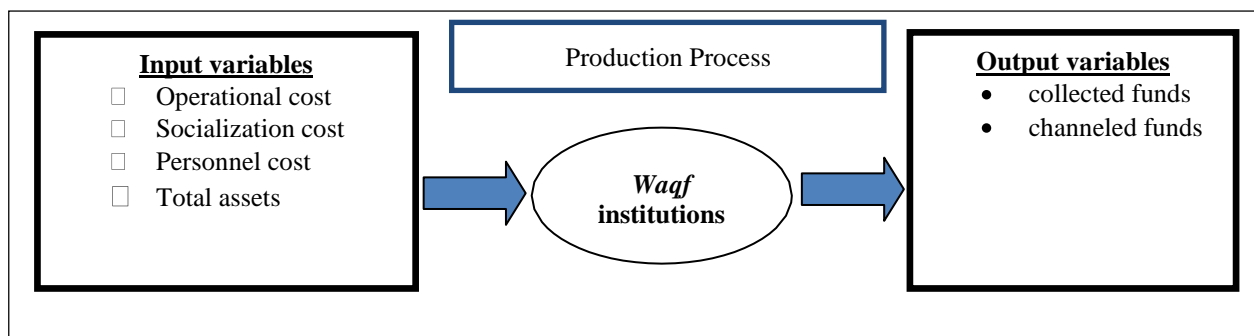


Figure 1: Waqf Efficiency Framework Using Production Approach

Intermediation Approach

The proposed input variables for the intermediation approach in estimating the efficiency of waqf institutions in ASEAN countries are labor (*mutawalli*, *nazirs*), asset, office building (fees, rents), and other income sources. These are resources to be turned into outputs, such as funds allocated for welfare and development (social services) as intermediaries playing intermediation roles. The framework using the intermediation approach is as in **Figure 2**.

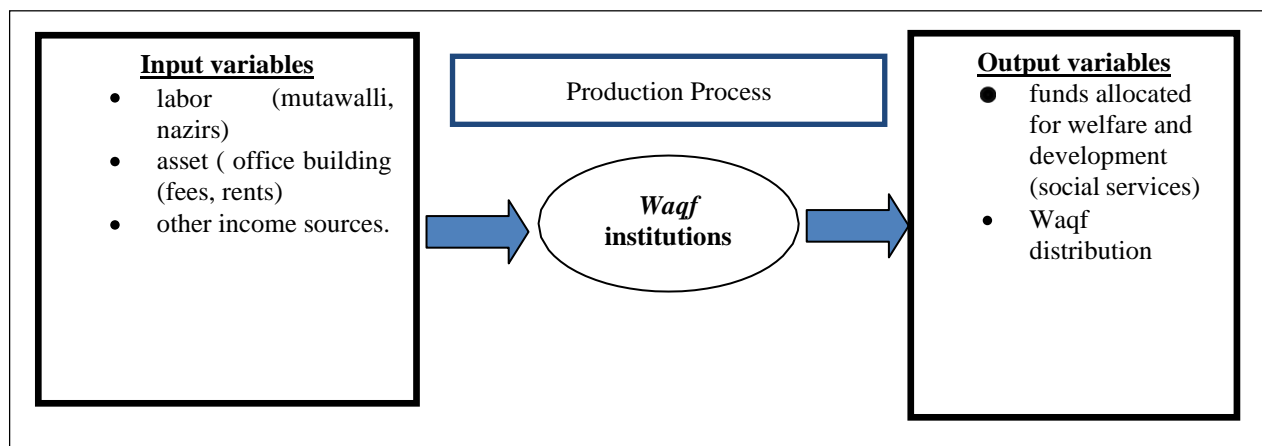


Figure 2: Waqf Efficiency Framework Using Intermediation Approach

CONCLUSIONS

Efficiency is a crucial indicator of the sustainability of waqf institutions. Most of the theory, concepts and frameworks of non-profit organization efficiency, mainly zakat, becomes proxies and have been applied to efficiency studies of waqf institutions. The Intermediation Approach dominates efficiency studies on waqf institutions compared to the Production Approach. Based on previous studies, waqf institution's objectives, and available data, frameworks have been proposed for both approaches in estimating the efficiency of waqf institutions in the ASEAN countries. Input variables proposed for the production approach are operational cost, socialization cost, personnel cost and total assets, while output variables are collected and channeled funds. These outputs are believed to cover waqf institutions' financial and social objectives. Meanwhile, for the intermediation approach, the proposed input variables are labor (*mutawalli, nazirs*), assets (office building, fees, rents) and other income sources. These resources are suggested to be considered in turning the inputs into proposed output variables: funds allocated for welfare and development (social services) and Waqf distribution. Therefore, this study is hoped to carry significant contributions to theory and application in the field, as no study has been done on waqf institutions in ASEAN countries to date. These suggested frameworks could significantly contribute to more efforts to research the efficiency of waqf institutions in this region of the world, which could encourage the sharing of more lessons and increase the level of country efficiencies.

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2nd International Conference on Zakat, Tax, Waqf & Economic Development 2022
(ZAWED2022)
27-28 December 2022

MEASURING THE PERFORMANCE OF ZAKAT INSTITUTION IN KEDAH USING TWO-STAGE NETWORK DATA ENVELOPMENT ANALYSIS

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Abstract

Zakat institutions are the trusted bodies that manage and administrate matters related to zakat in most Muslim countries including Malaysia. Zakat institutions also play an important role in helping the socioeconomics and the people in Malaysia. Therefore, it is essential for zakat institutions to review and evaluate the extent of their efficiency issues in regulating zakat management throughout time in order to come up with new ideas and strategies to improve zakat management efficiency. Thus, this study aims to measure the efficiency of zakat performance in Lembaga Zakat Negeri Kedah (LZNK) by using the two-stage Data Envelopment Analysis (DEA) technique from the year 2018 to 2020 by appointing 12 regional zakat centers in Kedah as decision-making units. Decision-Making Units (DMUs) were considered as efficient if zakat collection of the model hit the efficiency score of 100%. There were four inputs (zakat staffs, zakat payers, zakat expenses and total population), an intermediate input (total zakat collection) and one output (zakat distribution) variables of the model. Using the two-stage DEA technique, the results show that none of the Pusat Zakat Daerah (PZD) achieved full efficient in 2018, 2019 and 2020. As conclusion, the application of the DEA technique improves the overall efficiency of the model and most significantly, provides insightful comprehensions for the management of LZNK.

Keywords: Efficiency, Zakat Collection, Zakat Distribution, Decision-Making Units (DMUs), Data Envelopment Analysis

INTRODUCTION

Malaysia is recognized as the world's trusted Islamic nation. One of the roles played by the government of Malaysia is assisting the needy and poor Muslims through implementing Zakat institutions in Malaysia. According to the teachings of Islam, Muslims practice the five pillars of Islam: the declaration of faith, praying five times a day, paying Zakat, fasting during Ramadan and performing Hajj in Makkah. In discussing the scope of zakat, the term Zakat literally means growth and purification. In contrast, terminologically it implies that individuals must spend some portion of their wealth, assets and savings that they are neither a charity nor a tax. Still, they are obliged to spend in specified ways, on specified activities at a specified time according to the teachings of Al-

Quran and Hadith. Thus, Zakat is a small portion of surplus wealth owned by wealthy Muslims when the resources have reached the minimum threshold, Nisaab to be given as alms to needy Muslims to help their life and lower the poverty gap between the poverty and the wealthy in the community. The words of Allah SWT which means:

“Take (Oh Muhammad), from their wealth a charity by which you purify them and cause them to increase and invoke (Allah ‘s blessings) upon them. Indeed, your invocations are reassurance for them. And Allah is Hearing and Knowing.” (Qur’an 9:103)

According to Zayas (2003), in several schools of thought in Shariah law, the establishment of the institution of zakat as one of the authorities that regulate the operation of zakat is not a prerequisite. Qardawi (2009) also claims that the government should have the right to collect and distribute zakat under strict conditions that the government does not oppose Islam as the basis of beliefs, enforces Islamic laws under its ruling, and advocates the social framework regarding to Islam. In general, the responsibilities of zakat organizations can be divided into two, which are collecting zakat and distributing zakat. These responsibilities should be performed by the authorized zakat officers that were appointed by the federal and state governments to prevent leakage and fraud in the management of zakat collection and distribution.

Meanwhile, concerns related to the inefficient collection of zakat have been addressed frequently by the public (Rahman, Alias, & Omar, 2012). In addition, zakat was allegedly said to have not been able to satisfy the needs of the qualified recipients, asnaf (Ghazi, Ahmad, & Wahid, 2013). According to Wahab & Rahim, (2012) stated that these zakat organizations have been exposed to rigorous public scrutiny and criticism as a public service organization that is responsible to stakeholders and the Muslim public at large. Also, many parties dispute the efficiency and efficacy of these organizations in administering zakat matters in their various states, according to a cursory study. Moreover, also stated by Rahman, Alias, & Omar, (2012) that the public has complained that zakat did not reach the targeted group owing to the authority's lack of promotion or the community's lack of understanding and knowledge. The efficiency in zakat distribution also depends on the institutional capacity to manage and distribute the collected zakat systematically.

Therefore, the issues that related to the zakat management will be explored in this study within the Lembaga Zakat Negeri Kedah (LZNK). The main purpose of this study is to investigate the efficiency of the collection of zakat, distribution of zakat and overall performance at the LZNK throughout the state of Kedah. In this study, the approach of two-stage network Data Envelopment Analysis (DEA) technique was implemented to evaluate the efficiency of zakat collection, zakat distribution and overall zakat efficiency. This paper begins with the problems and issues faced by LZNK in determining the efficiency of zakat collection and zakat distribution, then followed by a related literature review and the proposed methodology for this issue. Finally, the paper ends with a conclusion and suggestions for future research work.

LITERATURE REVIEW

Malaysia as one of the Muslim countries in the world has established comprehensive conditions regarding the governance and management of zakat under the authority and responsibilities of each state through the State Islamic Religious Councils (SIRCs). Thus, as Malaysia have 13 states and one Federal Territory, there are 14 councils that administrate and manage the Islamic matters including the governance of zakat of each state.

Subsequently, before going through the technique used in determining the efficiency of zakat issues, it is important to identify and clearly recognize the meaning of efficiency. In explaining the context of efficiency through the economic theory, it is defined as a term that describes and denotes how well a system works and performs in order to produce and generate the maximum and best required output from the inputs using the accessible and existing technologies (Farrel, 1957). In other words, when it can produce and provide more services and goods, an economic system is evaluated as productive without needing to seek for more than the available resources. In the assessment of economic efficiency, it is mainly based on two different methods and techniques which are the non-parametric methods and parametric methods. The DEA technique, developed by Charnes et al. (1978), is a non-parametric approach to determine organizational efficiency (Paço & Pérez, 2013). The frequent approach used is Data Envelopment Analysis (DEA) technique.

In the case by Wahab & Rahim (2011) demonstrates the application of the Data Envelopment Analysis (DEA) technique and its ability to model mathematical programming to examine the efficiency of Zakat administration in Malaysia from 2003 to 2007. In 2016, Hamzah & Krishnan conducted a study to quantitatively measure the efficiency of zakat collection in Sabah from the year of 2007 until 2015. This study implemented three type of Data Envelopment Analysis (DEA) techniques, which are CCR primal model, CCR dual model, and also slack based model. Meanwhile, Ahmad & Ma'in (2014) also have performed a study with which to measure the efficiency of zakat collection and zakat distribution in the Lembaga Zakat Selangor region.

Besides, the use of the DEA techniques was also implemented from the study by Mohammad & Noordin (2016) which stated that to increase the efficiency of zakat distribution and collection of the Majlis Agama Dan Istiadat Melayu Kelantan (MAIK), thus a two-stage linked Data Envelopment Analysis (DEA) technique was performed. This was due to the people's concerns about the efficiency of zakat collection and zakat distribution in Kelantan. Additionally, Wahab & Rahman (2012) stated in the study which aimed at determining the efficiency of zakat institutions in Malaysia. The study applied the Malmquist Productivity Index to measure and estimate the productivity and efficiency of zakat institutions in Malaysia. In addition, the Tobit model was often used to identify the factors that influence the efficiency of Malaysia's zakat institutions.

In short, the Data Envelopment Analysis (DEA) technique has been applied in various studies and is able to examine and analyze the overall zakat efficiency which includes zakat collection and zakat distribution.

METHODOLOGY

Description of the study

This study constructed the efficiency model by integrating the model developed by Berber et al. (2011), Nurbaizura, Wan & Muhammad (2015) and Norazlina & Rahim (2011). The efficiency of LZNK will be assessed using the DEA technique. For clarity, the following sections will discuss the description of the study, data collection, decision making units and description of inputs and outputs variables. The calculation will use Lingo 18.0 to evaluate the zakat collection and zakat distribution efficiency score and overall zakat efficiency.

Data collection

The data source for this analysis was obtained from the primary sources through the interview sessions with the officers and person in charge from the Information Technology Department of LZNK. Meanwhile, the secondary sources were also used from the published report by the Information Technology Department of LZNK.

Decision Making Units (DMUs)

In this study, the Decision-Making Units (DMUs) or Units to be Analyzed must be determined to examine the best result for the efficiency of zakat collection, zakat distribution and overall zakat efficiency. The unit to be analyzed is one of the state's zakat institutions in Malaysia which is LZNK. For this research, 12 branches of Pusat Zakat Daerah (PZD) in Kedah were selected due to availability and homogeneity. The availability of the homogenous data is based on the primary data source and secondary data source from this study. The data is called homogeneous because the DMUs have the same function to administrate the zakat processes and they are located at the state of Kedah.

Inputs and output variable

Before moving on to the next process in determining the zakat efficiency, the input and output variables need to be identified. This is because identifying input and output variables is the basic requirement and necessity in order to use the DEA approach. Ignoring and underestimating any of the important input and/or output will cause inaccurate efficiency measurement of the zakat collection and zakat distribution. Figure 1 show the framework of zakat efficiency using two-stage DEA model.

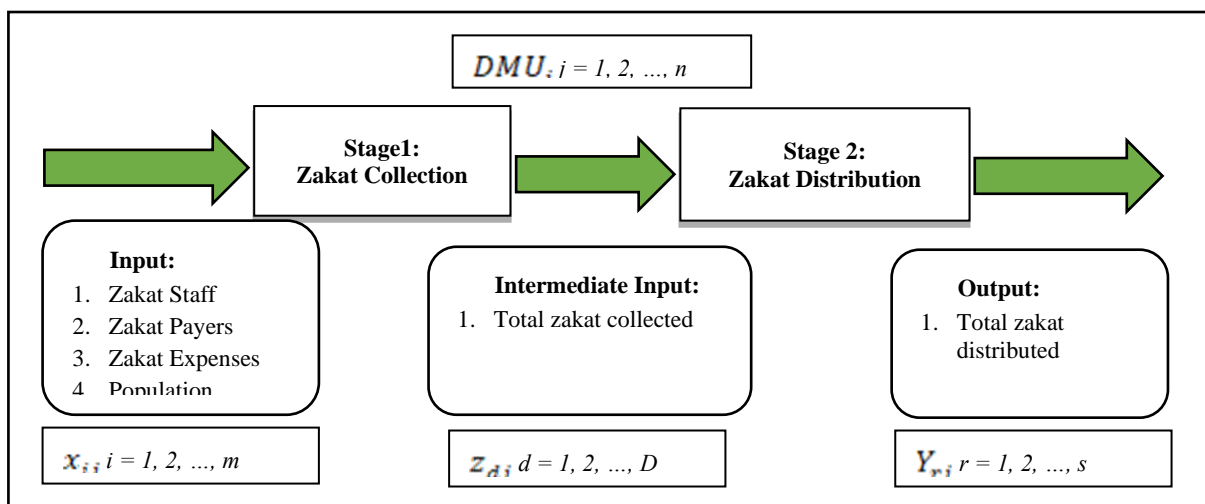


Figure 1: Framework of Zakat Efficiency using Two-stage DEA model

In deciding these input and output variables, a conceptual view of collecting and distributing the zakat needs to be identified. The preference of inputs and outputs for the model was determined through the literatures in zakat collection and distribution on DEA applications. In the first, the data sets consist of the number of staff, number of zakat payers, zakat expenses and population as input variables while collection of zakat will act as the intermediate input variable for measuring the efficiency of zakat collection. The intermediate input will act the input for second stage while there was one variable for the output, which is the total zakat collected for measuring the efficiency of zakat distribution. Both efficiency of zakat collection and distribution are very important in driving to gain the overall efficiency of the model. The inputs and outputs variables are shown in Table 1, Table 2 and Table 3 respectively:

Table 1: Input Description

Input	Description
Zakat staffs	Total number of amils and staffs of zakat who is the person appointed by the K.D.M.M Tuanku Sultan of the state to perform zakat management process including collection and distribution of Zakat.
Zakat payers	Total number of person who act as the payers of zakat according to the Islamic Shariah.
Zakat expenses	Total cost that is used during the collection and distribution of zakat process.
Population	Total population in every region.

Table 2: Intermediate Input Description

Output	Description
Collection of zakat	Total amount of zakat collected regarding the type of zakat.

Table 3: Output Description

Output	Description
Distribution of zakat	Total amount of zakat distributed to the asnaf.

ANALYSIS

In methodology section, the application of two-stage network DEA model proposed by Cao and Yang (2011) to analyze the efficiency of overall zakat efficiency (Ed) including the zakat collection (Ed 1) and zakat distribution (Ed 2) in LZNK from 2018 to 2020. The results of 12 PZD in Kedah for the three years are presented in Table 4 as shown below:

Table 4: Efficiency Score of PZD LZNK using Two-stage Network DEA Model for 2018-2020

DMU/ PZD, d	2018			2019			2022		
	Ed 1	Ed 2	Ed	Ed 1	Ed 2	Ed	Ed 1	Ed 2	Ed
A	0.7580	0.1567	0.1188	0.5277	0.3905	0.2060	0.6360	0.3093	0.1967
B	0.9242	0.1442	0.1333	0.7886	0.4092	0.3226	0.8478	0.2694	0.2284
C	1.0000	0.0763	0.0763	0.7547	0.1798	0.1357	1.0000	0.1104	0.1104
D	1.0000	0.1149	0.1149	1.0000	0.2324	0.2324	0.9578	0.1827	0.1750
E	0.8741	0.1450	0.1267	0.7199	0.2317	0.1668	0.8005	0.1448	0.1159
F	0.8616	0.2044	0.1761	0.7666	0.3923	0.3008	0.6493	0.1814	0.1178
G	1.0000	0.0614	0.0614	1.0000	0.0893	0.0893	1.0000	0.0485	0.0485
H	0.8500	0.2860	0.2431	0.7146	0.4620	0.3301	0.4987	0.3364	0.1677
I	0.8084	0.1411	0.1141	0.5724	0.3568	0.2042	0.5835	0.3171	0.1850
J	0.6006	0.4089	0.2456	0.5101	0.7535	0.3844	0.4088	0.6259	0.2558

K	0.6209	1.0000	0.6209	0.6364	1.0000	0.6364	0.5775	1.0000	0.5775
L	1.0000	0.1402	0.1402	0.8469	0.2066	0.1749	0.7631	0.2501	0.1909

Ed 1: Efficiency score of zakat collection

Ed 2: Efficiency score of zakat distribution

Ed: Efficiency score of overall zakat performance

Table 4 shows the result of efficiency score efficiency score of PZD in LZNK using a two-stage network DEA model. The results include the zakat collection, zakat distribution and overall zakat efficiency within the three years. In 2018, there are 4 PZD that have reached full efficiency for zakat collection (PZD C, D, G and L), one PZD for zakat distribution (PZD K) and none for overall efficiency. PZD K obtained the highest overall efficiency score which is 0.6209 and PZD C have the least overall efficiency score which is 0.0763.

According to 2019, there are only 2 PZD that have reached full efficiency for zakat collection (PZD D and G), one PZD for zakat distribution (PZD K) and none for overall efficiency. It is stated that PZD K obtained the highest overall efficiency score which is 0.6364 and PZD G have the least overall efficiency score which is 0.0893.

Table 4 also shows the result for 2020 which stated that there are 2 PZD that have reached full efficiency for zakat collection (PZD C and G), one PZD for zakat distribution (PZD K) and none for overall efficiency. PZD K obtained the highest overall efficiency score which is 0.5775 and PZD G have the least overall efficiency score which is 0.0485.

According to the result obtained, none of the PZD has reached full overall efficiency. Meanwhile, PZD K is the only one that has shown the highest efficient score in those three years.

CONCLUSION

According to the previous studies which discussed the important issues related to the concept, management and implementation of zakat, researchers found that there is still a lack of studies that discuss in depth about the efficiency of zakat institution management. For instance, it is discovered that there has been very few previous research on measuring the efficiencies of zakat collection, zakat distribution and overall zakat performance whether it involves the efficient measurement of zakat by year or region.

Overall, it is suggested that future researchers in collaboration with zakat institutions need to identify in depth the roles and improvements of LZNK to ensure an efficient level of zakat management reaches an excellent and commendable level. Similarly, a study to determine the extent of the effectiveness of zakat management to ensure the collection and distribution of zakat can be done prudently.

ACKNOWLEDGEMENTS

The authors wish to thank Lembaga Zakat Negeri Kedah (LZNK) and Universiti Utara Malaysia for their help, facilities provided and financial support in Geran IPIZ (S/O Code:14719). The authors would like to thank zakat officer, Puan Noor Afifah Binti Ahmad who provided informative information that greatly assisted the research.

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