

Firmness of the Islamic Foundation: For Dissidents of Zakat

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ABSTRACT

Zakat is an obligation that must be fulfilled by every Muslim who can afford it. Employees in an Islamic foundation must pay zakat to be good model for all people in performing zakat. However, there are cases of Islamic Foundation employees who are not willing to report all their income as the basis to calculate its zakat. This problem insists the writer to study how the islamiic fondations in Jepara manage zakat among their employees. This study uses descriptive qualitative research, to describe a strict set of universal norms and procedures, flexibility and consideration for local conversational norms. Document stydy and interviiw are used as instrument to collect the data. The result explained that the islamic foundation should have an institution what so called UPZ to manage zakat of the employees. The board of the Islamic foundations also carried some steps of action to manage the disobeyed staff to pay their zakat by giving directive and educational punishment to make them conscious to perform their religious obligation.

Keywords: Islamic Foundation, zakat, UPZ

INTRODUCTION

Zakat is an obligation that must be fulfilled by every Muslim who can afford it. Zakat payment is mandatory for Muslims, in order to achieve inner and outer purity, and as a form of benevolence towards others (Khan et al., 2022). Most Indonesian people have paid zakat fitrah as a form of obedience as adherents of Islam. Other kinds of zakat (profession, business, agriculture and trade) must also be fulfilled. Compliance in paying zakat, of course, is not just obedience to religion, but also obedience to the government, and personal obedience to develop noble character, and consciousness that part of the income (minimum 2.5%) belongs to other people who need it.

In Indonesia, there are zakat laws that are regulated in state instruments such as laws and other legal regulations, including: a) Law number 23 of 2011

concerning Zakat Management; b) Government Regulation Number 14 of 2014 concerning Instructions for the Implementation of Law Number 23 of 2011 concerning Management of Zakat; c) Presidential Instruction Number 3 of 2014 concerning Optimization of Zakat Collection from Ministries/Institutions, Secretariat General of State Institutions, Secretariat General of State Commissions, Regional Governments, BUMN and BUMD through the National Amil Zakat Agency. Similarly, In Turkey people collect donations, both in cash and in kind, and share and spend donations, such as the fitrah (alms at the end of the fast) of Ramadan and zakat (one fortieth of income as "alms") (Sunier et al., 2016).

Pancasila as the basis of the Indonesian state, has two precepts related to zakat. Namely the first precept "Belief in One Almighty God", and the five precepts

"Social justice for all Indonesian people". Zakat is the practice of the Pancasila precepts, because zakat is a religious order, so if a Muslim pays zakat, then he is obedient and practices his religion properly. In the fifth precept, zakat is a way for Muslims to be socially just, because they donate their wealth and have a sense of solidarity with the suffering of others.

Social justice is strongly influenced by economic justice, because it is economic justice that provides the means to translate social justice into its concrete form. Universally, Islam does not only realize social justice on economic boundaries. Rather, it includes all aspects that are built on two main pillars, namely the conscience that exists within humans, and the implementation of shari'ah in society. One example taken in carrying out the syari'at is zakat. Islam makes zakat as the right of the poor which is contained in the assets of those who can afford it (Nasution & Razali, 2021).

There are many advantages and benefits for zakat payers. Aside from being a form of worship, zakat is also a way of calming the heart. The more people share, the calmer we are because we live side by side with other people and always need other people, no human being lives in this world without needing other people. The Prophet SAW encouraged Muslims to give sustainable alms, i.e. continuous charity which will generate benefits and income to be used in targeted intentions as supported by many Hadiths (Yakubu et al., 2021).

Zakat functions as a spreader of compassion for the less fortunate and a barrier for the growth of seeds of hatred against the rich from the poor. The essence of purification through zakat is to erase sins that exist as a result of violations of Allah SWT (Hasanuddin Bua & Harafah, 2019).

The management of zakat must certainly be organized and distributed properly, so that it can benefit the ummah. The distribution of zakat accounts will be

better managed so that it will be more beneficial for the community and the recipients (Al-Ali, 2022). Many Islamic organizations and foundations have now collected zakat to be deposited with BAZNAS. Institutions are competing to increase revenue by making foundation regulations, or promotional steps so that all employees under their auspices are enthusiastic about paying zakat.

The problem is that there are also people who are reluctant or even refuse to pay zakat under various pretexts. It turns out that Tsa'labah did not only occur at the time of the Prophet.

Tsa'labah, originally a friend of the Prophet who was poor, a servant of the apostle and always carried out congregational prayers. Once he asked the Prophet to pray for him to be rich but the Prophet refused and said that the condition of being poor was better for Tsa'labah. But Tsa'labah asked continuously until Rasulullah prayed for him until finally when he was rich he no longer prayed in congregation, did not want to pay zakat obligations and became a hypocrite, Allah and the Apostle refused his repentance (Aflahah et al., 2022).

Many modern Tsa'labah with different faces. For example, an employee who initially has no income, when he is appointed by a foundation and has a lot of income and is obliged to pay zakat, he refuses and some even say that zakat is robbery. This of course injures the institution, because a person like this also works at the Islamic Foundation, where he has to pay zakat.

In Indonesia, zakat violators have not been strictly regulated. Even though tax violators have rules and can be enforced. Refusal, avoidance, or resistance to taxes is generally a violation of the law (Rosadi, 2019).

Zakat violators should be punished. In Islamic Law, the sanction for muzakki who does not pay zakat because they deny

the obligation to pay zakat is a khad punishment (fought or killed) (Nurdin, 2019). Whereas for muzakki who are reluctant to pay zakat because of the miserliness of their 'uqubah, namely taking zakat assets by force and accompanied by a ta'zir in the form of a fine of half of their wealth and if necessary with 'uqubah imprisonment (Nurdin, 2019).

There are 793 foundations in Jepara, most of which are Islamic foundations. The most areas that have foundations are in the Kedung sub-district, namely 72 foundations and the least are in Karimunjawa which only has 10 foundations. The following is data on foundations in Jepara.

Table 1. Data of Islamic Foundations in Jepara

No	Subdistrict	Amount
1	Bangsri	61
2	Batealit	54
3	Donorojo	51
4	Jepara	57
5	Kalinyamatan	42
6	Karimunjawa	10
7	Kedung	72
8	Keling	51
9	Kembang	44
10	Mayong	57
11	Mlonggo	50
12	Nalumsari	49
13	Pakis Aji	41
14	Pecangaan	49
15	Tahunan	63
Total		793

Source: vervalyayasan.data.kemdikbud.go.id

Most Islamic foundations in Jepara oversee educational, religious, and social activities. Institutions usually pay and report their zakat to BAZNAS Jepara or through the Amal Zakat, Infaq and Sadaqah Nahdlatul Ulama Institution (LAZISNU) and the Amal Zakat, Infaq and Sadaqah Muhammadiyah Institution (LAZISMU) which of course will be reported to BAZNAS Jepara. As for the Zakat Collection Unit (UPZ) which is managed under the auspices of the foundation, currently only the Jepara Higher Education Foundation Nahdlatul Ulama (YAPTINU) UPZ.

The Islamic Foundation in Jepara is also concerned about zakat so that all employees under its auspices pay zakat obediently. As in YAPTINU Jepara which

has issued YAPTINU Jepara Decree No. 55/SK/YAPTINU/2019, regarding the collection of zakat and infaq/shodaqoh for employees within the Nahdlatul Ulama Jepara Higher Education Foundation and changed to Decree Number: 68/SK/YAPTINU/2020, concerning Changes in the Collection of Zakat, Infaq, and Shodaqoh for Employees in Jepara YAPTINU environment.

Employees in an Islamic foundation should pay zakat and set an example for all people to obey zakat. However, there are cases of Islamic Foundation employees who are not willing to report all their income to calculate and pay zakat. There are also employees who deny their income, or reduce their income so that the zakat issued is smaller, or when it is less than 1

nishab, they are not obliged to pay zakat. A more extreme employee is one who is not willing to cut his income to pay zakat, even though he works for an Islamic foundation.

This study will focus on how Islamic foundations manage the zakat among their employees and how the foundations management handle the disobedient employees to performe their zakat.

METHODOLOGY

In Islamic qualitative research methodology, it must always be seen from the aspects of tasawur, epistemology and analytical tools. Usul al-fiqh is also used as a basis and consists of several suitable methods, namely the methods of qawa'id interpretation, qiyas, dilalah, tarjih and usuliyah al-lughawiyah (Kamaruddin & Hanapi, 2021).

Qualitative research is used in the study to observe a strict set of universal norms and procedures, flexibility and consideration for local conversational norms is essential to produce authentic research data (Chauhan & Sehgal, 2022). Qualitative data collection was carried out by means of document study and FGD and interviews. Qualitative data analysis used a broader methodological framework such as grounded theory, discourse analysis and conversation analysis (Matta, 2022).

FINDING AND DISCUSSION

Zakat in Indonesia

In Indonesia, there are zakat institutions formed by the government or by the community. The institution formed by the government is the National Amil Zakat Agency, abbreviated as BAZNAS, and the institution formed by the community is the Amil Zakat Institution or LAZ. The National Amil Zakat Agency, hereinafter referred to as BAZNAS, is a government

agency that manages zakat nationally. BAZNAS is domiciled in the capital city and is a non-structural government agency that is independent and responsible to the President through the Minister. The Amil Zakat Institution, hereinafter abbreviated as LAZ, is an institution formed by the community whose main task is to assist BAZNAS in the collection, distribution and utilization of zakat. The establishment of LAZ must obtain permission from the Minister or an official appointed by the Minister.

Zakat collecting institutions in a foundation can be formed UPZ. Zakat Collector Unit (UPZ) Zakat Collector Unit, hereinafter abbreviated as UPZ, is an organizational unit formed by BAZNAS, Provincial BAZNAS or Regency/City BAZNAS to collect zakat. The basis for the UPZ is as follows:

1. Law Number 23 of 2011 concerning Management of Zakat;
2. Government Regulation Number 14 of 2014 concerning Implementation of Law Number 23 of 2011 concerning Management of Zakat;
3. Presidential Instruction Number 03 of 2014 concerning Optimization of Zakat Collection in Ministries/Agencies, Secretariat General of State Institutions, Secretariat General of the State Commission, Regional Government, State-Owned Enterprises, and Regional-Owned Enterprises Through the National Zakat Amil Agency;
4. BAZNAS Regulation No. 2 of 2016 concerning the Establishment and Work Procedure of the Zakat Collection Unit.

UPZ Formation Mechanism

1. BAZNAS Conducted audiences with management to form UPZ;
2. Agencies Send letters of application for SK accompanied by a list of names of UPZ administrators:
 - Chairman
 - Secretary

- Treasurer

3. BAZNAS and UPZ conduct socialization to all employees regarding the formation of UPZ and the implementation of zakat payroll in the environment concerned;

4. After the SK is inaugurated, UPZ is obliged to prepare RKAT which consists of a collection and distribution plan for 1 (one) year;

5. BAZNAS will continue to monitor and evaluate in order to maximize UPZ performance.

Growth of Earning Zakat in Jepara

Zakat in Jepara tends to quite grow interestingly. From 2012 to 2016 there has been a significant increase and from 2017 to 2021 it will remain at 3 billion and in 2022 it will increase to almost 5 billion. The following is data on the acquisition of Zakat Infaq and Shodaqoh at Baznas Jepara.

Table 2. Acquisition of ZIS Baznas Jepara

No	Year	ZIS Acquisition
1	2012	Rp2,620,951,725
2	2013	Rp5,285,331,487
3	2014	Rp6,108,223,045
4	2015	Rp8,768,010,793
5	2016	Rp10,170,128,977
6	2017	Rp3,143,824,050
7	2018	Rp3,318,513,264,
8	2019	Rp3,481,079,562,
9	2020	Rp3,105,932,718
10	2021	Rp3,458,217,864
11	2022	Rp4,954,745,947

Source: Baznas Jepara, 2022

Zakat Institution in the Islamic Foundations in Jepara

Zakat within the foundation in Jepara has been well implemented. Indeed, not all foundations have employees who are required to pay professional zakat. Foundations whose employees are still paid less than one nishob usually collect alms and zakat fitrah. The distribution will be distributed to 8 asnaf around the foundation. However, efforts and enthusiasm to pay zakat have been reflected in the attitudes and activities of employees in paying zakat.

One of the foundations in Jepara that already has UPZ and collects zakat is UPZ UNISNU Jepara. This foundation has established UPZ with Decree Number

75/SK/YAPTINU/2020, Regarding Management of Zakat, Infaq, and Shodaqoh YAPTINU Employees Jepara.

Zakat collection was stipulated through a YAPTINU Decree, No 68/SK/YAPTINU/2020.55/SK/YAPTINU/2019 concerning the collection of zakat and infaq/shodaqoh for employees within the Nahdlatul Ulama Jepara Higher Education Foundation. The amount of professional zakat levy for employees in the Jepara YAPTINU environment is 2.5% of total regular income with a gold nishab size of 85 grams. The amount of infaq/sodaqoh for employees in YAPTINU Jepara is at least 1.5% of total income.

The existence of these regulations has generated hundreds of millions of zakat

infaq and shodaqoh each year. The acquisition of Zakat, Infaq and Shodaqoh at UPZ UNISNU Jepara in 2020 and 2021 are as follows:

Table 3. Acquisition of UPZ UNISNU Jepara

No	Year	ZIS Collection
1	2020	Rp143,293,011
2	2021	Rp196,235,379

Source: UPZ UNISNU Jepara, 2022

Acquisition of Zakat, Infaq and Shodaqoh, in each foundation in Jepara should be able to contribute to the deficient foundation families. For example, students who can't afford or are poor can be given scholarships from ZIS results.

UPZ's earnings can be greater when all employees can report all their income. The obligation to report all income and the obligation to pay zakat does not yet have rules for violators. If the muzakki who are supposed to issue zakat from all their income, but do not want to report all their income, there will be no legal consequences.

Problem in Collecting Zakat in Islamic Foundations

In the absence of rules for violators or zakat evaders in the foundation, not all of the employees voluntarily pay zakat out of all their income. Some who are reluctant to pay zakat feel that, even if they don't pay zakat they don't get punished by the institution, they feel normal.

A case happened at an Islamic foundation in Jepara who was reluctant to pay their zakat. This person is obliged to pay zakat, but feels that the zakat is too large. At first he only asked how the mechanism for deducting zakat from the zakat collection institution is. However, because his questions always pressured him that he should not pay such a large amount of zakat, the person asked the staff at the foundation. During the discussion, the

person said, why is the deduction of zakat too large, the staff answered because there is indeed a rule that zakat is 2.5% of all income. He asked again, zakat must have the willingness of the muzakki, what if I am not willing to be deducted for such a large amount of zakat?

Seeing this phenomenon makes us realize that there are also Muslims who are unwillingly to pay zakat, even though zakat is an obligation attached to oneself. This incident forced the yaysan to take action for its employees who were reluctant or unwilling to pay their zakat. There are several respondents who respond to the phenomenon of muzakki who are not willing to pay zakat even though they work in Islamic foundations.

How to Manage the Disobedient People to Perform Zakat

Responding to zakat dissidents, the management of the Islamic Foundation has almost the same opinion that zakat is an obligation, so it must be fulfilled. It's just that the steps for zakat dissidents have different ways and methods.

According to Mr. RR, "People who are reluctant to pay zakat are miserly, in Javanese terms (Nggegeng banyu orak netes). So the steps need to be given education, that life in the world is not eternal, and what will give happiness in the afterlife is Zakat, Infaq and Shodaqoh jariyah. If education cannot be received, then the dissident needs to be given a verbal warning, a warning letter and needs to be put on trial".

According to other Foundation officials in Jepara, Mr XX stated; "If there are employees who are reluctant or do not want to pay zakat, they will be directed, fostered, if they don't want to be fostered, then they will be destroyed, meaning they will be expelled from the Foundation."

In foundations that are adequate and uphold Islamic values, there are those who

have a stronger opinion. According to Mr. YY “How do we tolerate people who are disobedient to their God, even if they don't obey their God, how can they obey their leadership in the foundation. People like this should be expelled, no matter what their achievements are, if they don't obey, they'll just be fired.”

Unlike the two opinions above. Another administrator of the foundation in Jepara, Mr. ZZ stated “Zakat is mandatory, so we must facilitate them to distribute and provide sufficient information, so that employees are happy and enthusiastic about paying Zakat. If they worship with pleasure, then hopefully the reward will be greater, because it is not just a compulsion.

Zakat should indeed be carried out with a sense of joy and fun. This means that the muzakki are happy to spend, so that the mustahiq will be happier to benefit from zakat.

Tsa'labah pemplang zakat still exists, so we need to provide direction with rules that make Islamic foundations stronger and enthusiastic to develop Islam. One way is to manage employees to obey religious orders.

Considerable Suggestions on How to Manage Zakat in the Islamic Foundation

Islamic foundations should make standard rules to make it easier for their employees to pay zakat. If there are still offenders who are reluctant or even unwilling to pay zakat, then there are several alternatives:

1. Socialize the obligation of zakat and invite all employees to pay zakat. Education for everyone is important, so that people understand the importance of paying zakat which is not only beneficial for mustahiq but also for the muzakki themselves.
2. Reprimand verbally to people who are reluctant or do not want to pay their zakat. Everyone has their own character and personal disposition. Views on zakat

also differ from the many opinions about the size of the nishob, the method of calculation and the process of recording it. So that discussion is important to do. However, if there are people who are substantially reluctant or even reject zakat, then they must be reprimanded because zakat is an obligation and must be forced.

3. If the verbal warning has not been heeded, a warning letter needs to be given. This letter is a mechanism in the employment system, where there is a warning letter 1 for minor violations, warning letter 2 for moderate violations, and warning letter 3 for serious violations. Zakat dissidents will be given a warning letter according to their violation. If you are only late, reluctant and lazy to report your income so that you are late paying zakat repeatedly, then you can be given a warning letter 1. If you have violated by not wanting to report your income and not wanting to pay zakat in an orderly manner according to the rules, then you can be given a warning letter 2. If you have against the zakat collection officer and expressly stated that they are not willing to pay zakat which is their obligation, then a warning letter should be given 3.

4. Meeting on the staffing code of ethics. If you have violated and have been given a warning letter 3, then a code of ethics hearing can be held to determine. If the person feels guilty, wants to improve himself and will be obedient in paying zakat, then he should receive a light punishment, namely by being punished according to the applicable mechanism. For example paying zakat and fines for violations by paying a certain amount of money. However, if the person persists in refusing to pay zakat and refuses to pay zakat, then the foundation should dishonorably fire that person. This is because he has violated the rules of the Islamic Religion where zakat is an obligation that must be fulfilled, and

secondly he violated the rules of the foundation, where he has been disobedient and absent from his obligations.

CONCLUSION AND RECOMMENDATIONS

In order to manage zakat, management of islamic foundations should found an institution like UPZ to manage zakat for their employees. to make it easier for employees to pay zakat. For those employees who disobey, they can be directed through four stages, namely educational socialization, verbal warning, warning letter and code of ethics hearing.

Zakat is an obligation for Muslims who can afford it. Zakat is the third pillar of Islam after saying the shahada, performing prayers, paying zakat, fasting during Ramadan and performing Hajj. Islamic foundations should facilitate their employees to easily pay zakat. For this reason, we provide the following recommendations:

1. Foundation administrators in Jepara to establish UPZ to make it easier for their employees to pay zakat.
2. The management of the foundation makes the rules for collecting zakat and the obligation of all employees to obey paying zakat, infaq and shodaqoh. Even more perfect if the foundation makes rules for violators or dissidents of zakat and the punishment mechanism that will be given.
3. The UPZ management that has been formed, in order to educate the foundation's employees to pay zakat. This education also concerns how to calculate zakat, measure zakat distribution, calculate the value of one nishob and transparency of plans and reports on the use of zakat, infaq and shodaqoh funds.

4. UPZ management pro-actively draws ZIS to all employees in the foundation. If there are questions regarding ZIS, it is necessary to prepare an answer or a spokesperson so that all employees understand zakat and are willing to voluntarily pay ZIS.

5. UPZ management to periodically report the results of their acquisition, distribution and financial reports to the local BAZNAS, to the foundation's management and to all muzakki. This reporting can be done in writing in the form of hard copy or online through the website or social media, so that everyone can download the soft file.

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