



ENHANCING PRODUCTIVE ZAKAT PROGRAMS IN LIGHT OF MAQĀSID SYARĪ'AH: CHANCE AND CHALLENGE IN CONTEMPORARY ACEH

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Abstract: As the main pillar of Islam, zakat is still convinced being an effective instrument in order to realize poverty alleviation and social equilibrium. **Background Problems:** This article discusses about implementation, challenge and moment that could be seized by Baitul Mal as an independent institution, to compile and distribute zakat in Aceh, after a broader jurisdiction that it has, to reduce poverty. However, the reality in Aceh currently shows that the poverty is still becoming the main broadly challenged social problems that faced. **Research Method:** This study is a qualitative one using semi-structured interviews with purposive sampling to stakeholders who are directly engaged in zakat management in Baitul Mal Aceh and other parties like academician and practician, as well as observation and documentation. **Finding/Results:** The finding of this research shows that as an independent board in Aceh province, Baitul Mal Aceh has a big chance and broader authority to maintain, manage and develop zakat based on Islamic sharia law in Aceh, although it has also many obstacles to realize it. This article suggests and proposes maqāsid syarī'ah should be the parameter of any zakat programs conducted. By using maqāsid syarī'ah, hopefully it could be the parameter of innovating and conducting any productive zakat programs for realizing a more welfare and beneficial (mashlahat) purposes.

Keywords: Productive Zakat (Islamic Alms), *Maqāṣid Syarī'ah*, *Baitul Mal*, Poverty Alleviation, Qanun (Provincial Regulation)

INTRODUCTION

The issue of developing and orienting zakat (Islamic alms) for community economic empowerment and poverty alleviation has long been a concern for many parties, i.e. scholars, ulama, academicians as well as practitioners. This is, of course, quite reasonable, because zakat which has a strong and clear normative basis in Islamic teachings as an obligation of property within religion, is expected to be the best solution for realizing a more equitable and balanced social life. But on the other hand, at the practical level, this issue still left a big question: can zakat, empirically, really succeed in alleviating poverty?

Questions like the one above could be understood. A number of academicians and practitioners were carried out to prove the truth of this premise. Among the researchs conducted, there are some depart from a normative context with a strong belief that zakat is “the Islamic way and power in poverty alleviation”; until many studies made on the importance of combining zakat, waqf and micro-finance to further stimulate and empower the economy (Hasibuan, 2010; Hassan, 2010; Wiranata & Raditya, 2010). Meanwhile, several other studies were also carried out by presenting a more empirical study, examining the potential and amount of zakat that could and might be collected statistically, for instance in Indonesia and Malaysia respectively as objects of study in zakat efforts to improve the welfare of the nation or

social assurance purposes (Anton Athaillah, 2014; Syukri Salleh, 2014; Alfin, 2014; Hayati & Indra, 2011).

However, the realization of zakat for the welfare and poverty alleviation remains the main goal of the implementation of zakat, with Aceh is no exception. As a region with a broader privilege in the formal application of Islamic law since the last two decades (since 2002), the management of zakat in Aceh still faces a number of challenges. On the one hand, there is a big role for the state involved through the presence of Baitul Mal in Aceh in collecting and distributing zakat. But on the other hand, Baitul Mal also faces a number of challenges in the field, such as in the development of productive zakat, program innovation, empowerment of zakat recipients (mustahiq), as well as maximizing strategies for collecting and distributing zakat (Nurdin, 2011; Rahmalia, 2016; Nugroho, 2016; Ridwan, 2018).

In addition, other challenges and problems dealing with zakat distribution in Baitul Mal Aceh are mostly the same as faced by many other zakat institutions (BAZ/LAZ) in Indonesia, like has been shown by many contemporary studies, among others: lack of information on mustahiq's needs, quality and capacity of 'Amil, income inequality reduction based on the gender of mustahiq, uneven distribution, wrong method and target of distribution, less attention on productive zakat and business assistance which obviously has a great impact on the economic growth and well-being of mustahiqs (Rahmat, 2019; Widiastuti, 2021; Ayuniyyah, 2022, Maward, 2022).

This paper is concerned with examining further development of the productive zakat programs as the effort to alleviate poverty in Aceh

by using Baitul Mal Aceh as a case study. The problem of alleviating poverty in Aceh remains a challenge itself, because even though the Aceh region is rich in natural resources, Acehnese incomes per capita generally are decreasingly falling into the poor, at least among the provinces in Sumatra, over the last three years (BPS, 2021). Therefore, this article will examine the development of productive zakat programs in light of *maqāṣid syarī'ah*. However, *maqāṣid syarī'ah* as a general concept and formulation is very appropriate to be used as a parameter in measuring the efficiency and effectiveness of the productive zakat programs launched by Baitul Mal Aceh.

I argue that *maqāṣid syarī'ah* is the formulation result conducted by classical Muslim scholars in understanding the intent and purpose of implementing sharia law which is basically to realize benefits (*mashlahat*) and avoid *harm/mafsadat* (Al-Syathibi, 2003; Ibnu 'Asyur, 1998; Raisuni, 2010 & 2014). Furthermore, this maqashid shariah can be described and used as a parameter to measure the effectiveness and efficiency of the zakat programs which taken place in Baitul Mal Aceh, in efforts to alleviate poverty in Aceh according to the shariah perspective.

By a broader authority that it has, Baitul Mal Aceh has a big chance as well as challenge to enhance and develop productive zakat in order to realize poverty alleviation in Aceh that will be the focus of this article.

LITERATURE REVIEW

The Concept of Zakat in Islam

As one of the main pillars in Islam, zakat primarily has two dimension purposes, not only as worship to Allah the Almighty

(*'ibadah*) by obeying His command, but also includes socioeconomic goals among people (*al-mu'āmalah al-māliyyah al-ijtimā'iyyah*). This reason could be understood, because zakat is the way of redistribution of wealth from the rich to the poor in order to get socioeconomic balance and justice (social equilibrium) that can help increasing economic growth, economic resilience, financial stability and reducing the gap of inequality.

In terms of meaning, according to Al-Qaradhawi (2001), the literal meaning of zakat is different when it is used as a verb or as a noun. Lexically, zakat means to grow (*namā*) and to increase (*zāda*). This term when related to humans, it means to improve or to increase the output or to become better. Meanwhile zakat as a noun refers to a blessing (*barakah*), growing (*namā'*), pure and hygiene (*thahārah*), and improvement or progress (*shalāh*). Various meanings from this word could be traced in many verses of Al-Qur'an and Hadits (Prophet's tradition).

In terminology, zakat as agreed among *ulama fiqh*, defined as the obligatory contribution of a certain portion of one's wealth in support of the poor or needy or for other charitable purposes, considered as one of the duties of Islamic religious practice and Islamic pillars. In brief, zakat could be seen as the part of property with certain requirements that Allah Swt. requires to the owner to give to the proper persons (*mustahiqs*) to have it with certain requirements (Al-Qaradhawi, 2001). Basically, zakat is a Moslem's financial obligation to pay their some net property or wealth, if those wealth exceed the nishāb limit (certain degree) to be paid as the part of Islamic obligation. From economic perspective, zakat theoretically will result in economic prosperity when

zakat is paid from those who have surplus, to the poor. By giving zakat, it will improve and enhance the poor's purchasing power which may lead to a higher demand on goods as an economic circular process.

Furthermore, the obligatory of zakat, historically, has been ordained and enforced since the advent of Islam which brought by The Prophet Muhammad (pbuh), and then continued by his wise successors until his companions. Practically, zakat refers to the payment of available owned assets, whether from business or agriculture, business of professional services and a range of other fields as a religious Islamic obligation that stated in the Al-Qur'an surah At-Tawbah (9) verse 103 and Al-Baqarah verse 267, because all the above are the products of human efforts in seeking and receiving Allah's grace for all of humankind. On the contrary, *infāq* or *shadaqah* which refers to giving charity beyond zakat is perceived as *sunnat* (it is not obliged but, performing it will bring about rewards (*jazā'*) from Allah). In this regard, for those who are willing to obey Allah's precepts, they are promised to receive "al-birr" (virtue), as mentioned and explained in surah Al-Baqarah verse 261.

Regarding the obligation of zakat, there are some requirements that should be fulfilled (*syuruth amwāl zakāt*) by Muslim about zakatable wealth, so that zakat disbursed is considerably commensurate with syariah point of view. It is important to mention here the condition of zakatable assets as in the following points (Al-Qaradhawi, 2001):

- a) It should be undivided and absolute right of ownership (*al-milk al-tamm*).

- b) Growth (*namā'*). Growth here means that zakatability is that wealth must either be actually growing or have the potential for growth.
- c) It has reached the minimum for zakatability (*bulugh al-nishāb*).
- d) Excess above essential needs (*ziyādah 'an al-hāwa'ij al-ashliyyah*). Some jurists and ulama add to the condition that is, *nishāb* must be accompanied by in excess of basic needs of the owner.
- e) The passage of a year (*al-hawl*).

Zakat as a Tool for Poverty Alleviation

As one of the main pillar of Islam, paying zakat is a compulsory for those who have a certain minimum amount (*nishāb*) of wealth to be distributed for the poor, the needy and other zakat recipients (*mustahiqs*) which are mentioned in Al-Qur'an, surah At-Tawbah verse 60. This verse states zakat is a compulsory charity tool that can be used on eight purposes (*mashārif zakāt*). Among them, five are meant for poverty alleviation, such as the poor (*miskin*), the needy (*faqir*), the debtors (*gharim*), the slaves (to free them from captivity/*riqāb*), and the travelers in need (*ibn sabil*). Meanwhile other heads are the administrative cost of zakat (*'āmil*), and 'those whose hearts are made inclined' (to Islam) or known as *muallaf*, and in the way of Allah (*fi sabilillah*). Hence, zakat is still convinced being an effective instrument in order to poverty alleviation and realize social equilibrium. Although eight heads for spending zakat revenue have been mentioned above in the Al-Qur'an, there is a general agreement

that the most priority in the use of zakat funds should be accorded to the alleviation of poverty through assistanship to the poor and the needy which must be the most priority of zakat distribution (Ahmad, 2009).

Because of reasons that among the main of zakat purposes are poverty eradication, so that zakat applies the concept of a just and balance economy with equal distribution in particular. What justice in equal distribution of income means here that zakat is considered to be an effective mechanism of income redistribution, because zakat is expected and contributed in reducing the wealth concentration in a few hands in order to sustain social security. Therefore, zakat has not only economic effects and impacts, either in a short or a long term, but it also be an important social insurance that can contributes to social harmony, justice, social balance and social security (Ben Jedidia, 2021). It could be stated briefly here that zakat is one of the components that are most important in the Islamic perspective towards a just socioeconomic structure.

In order to realize the goal of zakat for poverty alleviation, it should be taken into account that zakat should be managed professionally and seriously by the government. It calls for government intervention in the equal distribution of income, and these interventions should also cover issues of zakat as a means. Dealing with this point, Al-Qaradhawi (2001) firmly states that “managing zakat is the obligation of an Islamic government”. For this reason, the government should pay considerable attention to zakat affairs (which is known as *siyāsah syar’iyyah*) to address in the scheme of a just equal distribution to fulfil the basic needs of the people.

However, poverty incident recently has emerged to be common phenomena and latest, it has transformed to be great calamity and disaster on recent world. In short, poverty could be defined as the lack of goods and services which are needed to reach the proper standard of living in current time. It could also be described as such condition of incapability to have proper goods and services to fulfill limited social needed, as defined by many economic scholars (Wiranata & Raditya, 2010). Departing from this, the existence of zakat should play an important role which is aimed at poverty eradication (Aziz, 2016; Ascarya, 2022).

Interestingly, a study conducted by Ahmed (2004) shows the tight relation between zakat and eradicating poverty. He raised the issue of the role of zakat and macro-economic policy in income growth and reducing the level of poverty. However, the finding of the study describes that although macro-economic policies play an important role in reducing poverty, poverty cannot be reduced without performing zakat appropriately in the real life. Therefore, at the last part, the study suggests that: (1) zakat should be considered in macro-economic policy that can increase growth and distribute income to reduce poverty, because zakat is an Islamic financial instruments that can facilitate to get financial services access among the poor which may ultimately reduce poverty, facilitate economic growth and creates wealth; (2) The benefits of zakat would be larger when the percentage of zakat is larger and used for productive purposes, so that zakat with productive oriented should be the main priority of distribution purposes.

It could be sum up here as the main point that zakat is still an important institution in the socio-economic framework of Islam which

is taken place as one's of five pillar on which the Islamic code of life is established, or well known as *arkān Islām*. Zakat is originally developed in some extent to mitigate social inequalities and economic imbalance incurred as a result of economy activities that will lead to poverty alleviation and unjust economic development.

Maqāṣid Syarī'ah: Idea and Historical Account

Regarding idea and concept of *maqāṣid syarī'ah*, it is important here at this section to firstly define the meaning of both word lexically and terminology. By tracing to literature, it could be found that the word *maqāṣid syarī'ah* consists of two Arabic words which has its own meaning. *Maqāṣid* which is a plural form of word *maqshad*, literally means goals, objectives or purposes. Meanwhile *syarī'ah* which derived from *shara'a* means “the straight path” or “the source of water supplier”. As an idea, *maqāṣid syarī'ah* is an Islamic legal doctrine in understanding the intent and purpose of implementing sharia law which is basically to realize benefits and avoid harm (*jalb al-mashlahah and dar' al-mafsadah*), which is being as the ultimate goal of any Islamic law enactment.

Many Muslim scholars, such as: Al-Juwainiy (d. 478 AH), Al-Ghazāli (d. 505 AH), ‘Izzuddin bin Abdussalām (d. 660 AH), Al-Qurāfi (d. 684 AH) and Al-Syāthibi (d. 792 AH) have clearly stated that *maqāṣid syarī'ah* is to achieve *mashlahah* (benefit) which should be the main goal. Historically, it is a juristic device used in Islamic legal theory (*ushul fiqh*) to promote the public good and prevent social evil or corruption (*fasād*). Its plural form is *mashālih*, means “welfare, interest, or benefit”. Literally, *mashlahah* is defined as seeking benefit and repelling harm. Moreover, *mashlahah* and *manfa'ah* (benefit or

utility) are treated as synonyms, but *manfa'ah* is not a technical meaning of *maslahah*, which Muslim jurists define as seeking benefit and repelling harm, as directed by Law Giver (Allah) or the *Shāri'*.

Furthermore, *maqāṣid syarī'ah* encompasses those benefits or welfare or advantages for which sharia law is revealed and enacted, aiming at the attainment of good, welfare, benefit, advantage, and warding of evil, injury, loss, etc. for the creatures and humankind. Muslim scholars then classified it into three categories, i.e.: *dharuriyyāt* (the essentials) which are must and basic for the establishment of welfare for humankind in this world and hereafter. Dealing with this criterion, Muslim should preserve and protect faith (*ad-dīn*), life (*nafs*), intellect (*al-'aql*), posterity (*al-nasl*) and wealth (*al-māl*). Secondly, *hājiyyāt* (the complementary) aims at facilitating life or removing hardship such as conveyance. Thirdly, *tahsiniyyāt* (the embellishments) is beautifies life and puts comforts into it which are meant to ensure better utilization in life (Raisuniy, 2010; 2014).

Recently, *maqāṣid syarī'ah* has becoming an appropriate methodologies applied in Islamic economics and finance which has broadly being paid by Muslim contemporary scholars, during the last three decades. However, the reason why *maqāṣid syarī'ah* becoming the relevant method is logically accepted, because it could be flexibly applied to measure whether something is good or harm that then reasonable could be accepted by sharia, through putting *maqāṣid* as the parameter of seeking benefit and repelling harm (Husam-Aldin, 2018; Zauro, 2020; Amin, 2022). By doing so, realizing benefits and avoiding harm could be measured for whether any further action will been undergone or been left.

METHODS

This article is qualitative one by using simultaneously field study and library research as its method with a case study approach. This paper examines productive zakat programs conducted by Baitul Mal Aceh with *maqāṣid syarī'ah* oriented in contemporary Aceh as the measurement to be focused. This research includes both theoretical overviews and empirical investigations. The theoretical overview begun with bibliographical research through a literature review in books, theses and journal articles which provides a conceptual framework that helps this study.

Meanwhile the empirical investigations is done through fieldwork which consists of observations, documentary research and semi-structured interviews with purposive sampling to stakeholders who are directly engaged in zakat management in Baitul Mal Aceh and other parties like academicians and practitioners. For data analysis techniques which are used in this study included interview transcripts, triangulation, data reduction, data analysis and then data interpretation. Based on mentioned analysis process of data, the conclusion then could be described.

RESULT AND DISCUSSION

Baitul Mal Aceh: Jurisdiction and Program

Related with Baitul Mal Aceh (BMA) as the case study here, it became important to describe about BMA as well as its jurisdiction and program dealing with zakat collection and distribution in Aceh.

Regarding productive zakat of BMA program, it will be focused to be analyzed through *maqāṣid syarī'ah* scheme.

Baitul Mal is an Islamic religious institution in Aceh province which has a broader authority to administer and manage religious assets with the aim at benefitting the people as well as being a supervisory guardian based on Islamic sharia law. Baitul Mal Aceh established based on Governor's Decree Number 18/2003, on July 16, 2003, and its operations just started on January 13, 2004.

This agency is an independent body which has a wider authority to maintain, manage and develop *zakat, infaq, waqf* property, and other religious assets as well as supervision of guardianship based on Islamic sharia law. Baitul Mal located at the provincial, regency, and villages (*gampong*) level throughout the Aceh province. The main duties of Baitul Mal Aceh include: carrying out the management of zakat, fostering *mustahiq* and *muzakki* (zakat payer), empowering religious law according to Islamic law.

To carry out the tasks mentioned above, Baitul Mal Aceh has the function of collecting *mustahiq* data, distributing zakat funds, zakat collection, investment and research on religious assets, maintenance, protection, and improvement as well as empowerment of the quality of religious assets. Management of zakat carried out by Baitul Mal Aceh which is designated as '*amil* zakat is assigned by Local Government to: collecting zakat; utilization of zakat; administering zakat. The purpose of zakat management is to increase public awareness of rights and obligations, improve the functions and roles of Baitul Mal Aceh as an effort to realize the welfare of the people and social justice as well as

increase the usability and effectiveness of zakat and other religious assets.

Zakat management is a series of planning, organizing, implementing and supervising the determination, collection, distribution and utilization of zakat by Baitul Mal. This agency in Aceh province is an independent body which means that in the management of zakat, it must be operated and based on Islamic law. Baitul Mal implements three systems of collecting zakat funds, namely:

1. Counter Baitul Mal. Baitul Mal of Aceh Province as 'amil zakat' receive zakat paid by *muzakki*, come directly to the office Baitul Mal of Aceh Province to pay zakat.
2. Taking on the basis of *muzakki* notifications. This system is to make it easier for *muzakki* to pay their zakat, where the officer from the Baitul Mal Agency can directly calculate the amount of zakat that must be paid by *muzakki*.
3. Cooperating with banks, by opening a Baitul Mal account. With the existence of this account will make it easier for *muzakki* to carry out his obligations without having to come to the Baitul Mal Agency office of Aceh province.

So far, zakat distribution carried out by Baitul Mal Aceh Province is implemented as follow: (1) Zakat funds obtained from *muzakki* can be distributed to the Agency Baitul Mal or Bank. Then for distribution of zakat funds based on on the results of the necessities of life of the *mustahiq*, especially the poor. (2) Distribution of funds in the form of scholarships given to students from underprivileged families. (3) Disbursement of funds in the form of benevolent loans disbursed by: a revolving fund system that funds part of the portion of

consumption zakat converted into a business provided in the form of a loan without interest (*al-qardh al-ḥasan*).

Since its establishment, Baitul Mal Aceh has a broader jurisdiction, by implementing *Qanun* (Provincial Regulation) Number 10 of 2007 and then equipped by Number 10 of 2018 on Baitul Mal. Beside its authority to maintain, collect and distribute zakat, Baitul Mal Aceh also has a wider jurisdiction to put zakat as one of provincial revenue (PAD) within Aceh sharia formalization framework (Dahlawi, 2019).

With its broader jurisdiction as mentioned above, Baitul Mal Aceh—actually—since enactment of *Qanun* No. 10/2018 has a big opportunity to create various productive zakat programs, implement, collect and distribute zakat in Aceh as long as purposed to maximize zakat collection and distribution, even the *Qanun* has put zakat to be one of the provincial revenue (PAD) that could be gained within Aceh sharia formalization framework.

Productive Zakat Program of BMA

In line with a broader jurisdiction that it has as mentioned above, actually, Baitul Mal Aceh (BMA) has a big chance to realize and maximize zakat funds to be one of the provincial revenue (PAD) optimally in order to reduce poverty in Aceh that currently has become the main social challenge that be faced. Unfortunately, as usual, there are some obstacles that hinder gaining the purposed goal, among others: inefficient of zakat funds management and limited attention on productive zakat orientation.

To prove this finding of study, it could be mentioned here some studies results conducted on the issue. For instance, among the initial studies related to the analysis of the efficiency of zakat fund management at Baitul Mal Aceh, was done by Afrida and Alimin (2018). By using a qualitative descriptive method, Afrida examines the management of zakat funds and its utilization in the Baitul Mal of Aceh Province according to the program it has, in the period between years 2012-2015, in the education, social, economic empowerment, *da'wah* and Islamic propaganda, respectively. Because BMA's programs of zakat could be divided covering 5 main sectors distribution, namely: the education sector by providing full scholarship for students; the social sector such as aid for the elderly and building houses for the needy; the economic sector like training for skill empowerment and providing capital venture; the *da'wah* sector and the *syi'ar* of Islam (propaganda) such as mosque renovation and aid for *muallaf* who has just converted to be a Moslem.

The finding of the study shows that the management of zakat funds carried out by Baitul Mal in Aceh Province between years 2012-2015 was still not efficient. This conclusion is due to, among other things, the increase in the number of zakat receipts that do not participate, even though the potential for zakat costs should increase; and it is still found that the distribution of zakat is not optimal for the target recipients. In addition, the revenue operating expenses operational ratio is always above 30% which finally shows that BMA's operations have not efficient. This condition, however, has been a great chance for BMA to develop its activities through the new offer of more innovative programs.

However, such inefficient of zakat funds management in BMA above is different from experience if it could be compared to other regions in Indonesia, that can be seen from Sumatera Barat for instance as an evidence. A study made by Dwi Putri, et.al (2020) proving whether zakat has effectively eradicated poverty in a society by taking Province of Sumatera Barat, Indonesia, as a case study. The finding shows that effective as well as professional management and distribution of zakat in Sumatera Barat has broadly helped economic growth and actively reduced the poverty within society. It also should be supported by awareness of people which are Moslem majority to pay zakat and trust building to distribute zakat for the appropriate purposed recipients.

Another challenge and obstacle which is unless important than what has been mentioned above is the need of developing productive zakat program reorientation. However, zakat funds which collected by BMA is increasing year by year as well as the number of zakat recipients. A study conducted by Rahmalia (2016) has confirmed the importance of BMA in dealing with developing of “zakat produktif”. Through this productive zakat program, hopefully BMA can continue to make zakat could be productive so that there will be a kind of “revolving fund” where who were previously acted as the recipient (*mustahiq*) can later become the zakat payer (*muzakki*). Unfortunately, most of zakat distribution by BMA is consumptive, so far.

In this regard, the attention could be paid here on zakat distribution for the needy (*faqir*) in compare to the poor (*misikin*) within the last three years, including amount of percentage that can be seen as follow:

No	<i>Masharif Zakat</i>	2018	2019	2020
1.	The Needy (<i>Faqir</i>)	Rp.9.766.000.000 (23,40%)	Rp.10.012.800.000 (21,18%)	Rp.15.079.500.500 (24,01%)
2.	The Poor (<i>Miskin</i>)	Rp.18.450.289.693 (44,20%)	Rp.23.314.697.650 (49,34%)	Rp.30.416.147.841 (48,44%)

Source: Baitul Mal Aceh Directory

As informed by the table above, the amount of zakat funds which distributed for the needy and the poor are increasing year by year, although portion of zakat percentage is decreasing for the needy in year 2019 and the poor in year 2020. Such consumptive zakat above is quite different if it could be compared to the distribution of zakat for the more productive activities, such as providing capital ventures with the hope that the condition of the poor will become more economically empowered. Unfortunately, attention on this section within the last three years, are too little.

Similarly, the focus of disbursing capital venture is also limited to areas that are difficult to gain a larger profit if it has been distributed, such as buying a pedicab (in the midst of the rising of online motorcycle or taxis in recent times in Aceh). Moreover, no business activities assistantship and supervision provided by BMA, in turn, has raised the lack of trust from recipients to repay the capital that was given by BMA which is provided through *al-qardhul hasan* scheme that comes from *infāq* (charity) which has made BMA, eventually, failed to distribute well zakat funds or, at least, it is not

optimal. It has not been added yet to the worse situation of some economic difficulties caused by the COVID-19 pandemic during the last two years, which directly or indirectly also has arousing the new poor people in Aceh (interview). The details of the distribution of social funds can be seen as follows:

No.	Type of Bussiness	2018	2019	2020
1.	Trading (Perdagangan)	Rp. 1.145.000.000,- (100%)	-	-
2.	Agriculture (Pertanian)	-	-	-
3.	Pedicab (Becak)	-	-	-
4.	Farm (Peternakan)	-	-	-
5.	Fishery (Perikanan)	-	-	-

Source: Baitul Mal Aceh Directory

Based on the above table, seems that development and distribution of capital venture has not become the BMA's maximum concern. Meanwhile it will be very beneficial if BMA can then innovate and develop products and types of business to further could empower the economy for the *mustahiq* to be *muzakki* and any other innovative and productive zakat activities, in order to eliminate and alleviate poverty as well as realize social equilibrium which are the main purposes of zakat distribution.

Turning from this point, development and innovation of any productive zakat program should be the main priority paid by Baitul Mal Aceh to create health economic circular and economic growth in Aceh. Dealing with this, taking *maqāṣid syarī'ah* as the parameter will

be the proper way to measure whether any productive zakat formulated really realizing benefits and avoiding harm or vice versa, as indicated by the study made by Mustafida et al. (2020) when comparing the implementation of *maqāṣid syarī'ah* in each zakat institution in Indonesia and Malaysia respectively.

What has been meant by developing productive zakat programs in light of *maqāṣid syarī'ah* in this paper is Baitul Mal Aceh as the party which has responsible for the management of zakat in Aceh, should play a big role and think innovatively in developing the collection and distribution of zakat assets to realize prosperity and a more social equilibrium for the people in Aceh. It is not exaggeration to say that—so far—the portion of zakat distribution in Aceh is more dominantly consumptive than productive. As the result, it has less effect on economic growth that can be felt in the form of welfare for the people in Aceh.

In addition, it should be highlighted here that by putting *maqāṣid syarī'ah* as the parameter of developing productive zakat program in Aceh is in order to basically realize benefits and avoid harm; prepare and compile a more efficient programs so that could manifest economic growth and prosperity in region. The use of *maqāṣid syarī'ah* in discussing the concept of developing productive zakat is motivated by several factors, among others: *maqāṣid syarī'ah* can be used to determine the parameters of benefits and harms. It also can be used to understand the various levels, objectives of sharia, priorities and categories. Moreover, *maqāṣid syarī'ah* also could examine the relationship between the two types of *maqāṣid* (*maqāṣid khāliq* and

maqāṣid khalq) to ensure consistency and sharia compliance in any human activities (Raisouniy, 2014).

Among the objectives of *maqāṣid syarī'ah* which are counted as *dharuriyyāt* (essentials) is to protect wealth and assets (*hifdzul māl*). This does not mean to protect just in one side by protecting the wealth, but it should be built in both sides: to be realized and manifested (*ijād*) as well as to be preserved (*himāyah*) for the useful of mankind life (Sano, 2002). It also must be fulfilled to comprehensively understand *maqāṣid syarī'ah* which refers to realize other *al-maqāṣid al-khamsah* (*al-dharuriyyāt*), namely: *hifdzu din* (protect religion); *hifdzu nafs* (protect the soul); *hifdzu 'aql* (protect the mind); *hifdzu māl* (protect property/wealth); *hifdzu nasab* (protective offspring).

CONCLUSION

Zakat is still convinced as an effective instrument in alleviating poverty and realizing social equilibrium in the society. This article, so far, has discussed about Baitul Mal Aceh, its attempts and its role as an independent board in Aceh province which has a broader authority to maintain, manage and develop *zakat, infaq, waqf* property, and other religious assets as well as supervision of guardianship based on Islamic sharia law in Aceh in order to reduce poverty.

In this regard, it has been a real challenge for Baitul Mal Aceh to maximize any attempts of collecting the acquisition of zakat assets and its distribution among the *mustahiq* effectively. This article suggests and proposes *maqāṣid syarī'ah* to be the measurement and standard of preparing any productive zakat programs. By doing this, hopefully it will increase the role of Baitul Mal Aceh as an effort to realize the

welfare of the people and social justice as well as increase the usability and effectiveness of zakat and other religious assets in contemporary Aceh.

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