



**IN-KIND MODEL IN CREATIVE PRODUCTIVE ZAKAT FUNDS: CASE  
STUDY ON NATIONAL ZAKAT ADMINISTRATOR AGENCY (BAZNAS)  
OF WEST KALIMANTAN PROVINCE**

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**Abstract:** The results of the research in this paper aim to describe the implementation of the Small Business Capital Program, the constraints in implementing it and the creative productive zakat model that has been implemented by the Baznas of West Kalimantan Province in empowering the economy of Mustahiq. Therefore, the type of research used in this paper is field research with an empirical approach. Data collected from the results of interviews and documentation are then analyzed with qualitative data analysis. There are three research results in this paper. First, the Baznas of West Kalimantan Province implements the Small Business Capital Program to distribute zakat funds collected productively in the form of venture capital. The venture capital is then bought the means of production and given to Mustahiq to start or develop a business that he already has. The aim is to change the status of mustahiq to muzakki the following year. Second, there are two obstacles experienced by Baznas of West Kalimantan Province in empowering the economy of the poor through the Small Business Capital Program, namely the lack of human resources and the lack of zakat funds that have been collected by the Baznas of West Kalimantan Province. Third, the Small Business Capital Program at Baznas of West Kalimantan Province is included in the in-kind model in the distribution of creative productive zakat funds. It is hoped that this in-kind model can be used as a solution and contribution to the government in reducing poverty, especially in West Kalimantan Province.

**Abstrak:** Hasil penelitian dalam tulisan ini bertujuan untuk mendeskripsikan pelaksanaan Program Modal Usaha Kecil, kendala-kendala dalam melaksanakannya dan model zakat produktif kreatif yang dilakukan oleh Baznas Provinsi Kalimantan Barat dalam

memberdayakan ekonomi mustahiq. Oleh karena itu, jenis penelitian yang digunakan dalam tulisan ini ialah penelitian lapangan (*field research*) dengan pendekatan empiris. Data-data yang terkumpul dari hasil wawancara dan dokumentasi kemudian dianalisis dengan analisis data kualitatif. Ada tiga hasil penelitian dalam tulisan ini. Pertama, Baznas Provinsi Kalimantan Barat melaksanakan Program Modal Usaha Kecil untuk mendistribusikan dana zakat yang terkumpul secara produktif kreatif berupa modal usaha. Modal usaha tersebut kemudian dibeli alat-alat produksi dan diberikan kepada mustahiq untuk memulai atau mengembangkan usaha yang telah dimilikinya. Tujuannya ialah untuk mengubah status mustahiq menjadi muzakki pada tahun berikutnya. Kedua, ada dua kendala yang dialami oleh Baznas Provinsi Kalimantan Barat dalam memberdayakan ekonomi masyarakat miskin melalui Program Modal Usaha Kecil, yaitu kurangnya SDM dan sedikitnya dana zakat yang berhasil dihimpun oleh Baznas Provinsi Kalimantan. Ketiga, Program Modal Usaha Kecil di Baznas Provinsi Kalimantan Barat termasuk dalam *in-kind* model dalam pendistribusian dana zakat produktif kreatif. Harapannya, *in-kind* model ini dapat dijadikan solusi dan kontribusi bagi pemerintah dalam menekan angka kemiskinan, khususnya di Provinsi Kalimantan Barat.

**Keywords:** *Productive Zakat; In-Kind Model; Small Business Capital Programs; Baznas of West Kalimantan Province.*

## INTRODUCTION

Zakat is an instrument found in Islamic studies literature that tries to meet the economic gap between the socialist and the capitalist economic system. This is motivated by the fact that the capitalist economic system emphasizes more on individual freedom in terms of ownership, development and distribution. Consequently, it inflicts the utilitarian mindset that has no concern for others' interests.<sup>1</sup> In contrast, the socialist economic system which emphasizes the principle of individual ownership is a source of deviation. Therefore, every economic activity must be carried out by the government centrally, so that the common welfare goals can be achieved.<sup>2</sup>

Indonesia, as a predominantly Muslim country, has known this zakat instrument even before the independence day. Although zakat is Islamic teaching, it is further regulated by the Indonesian government in legislation, namely The Law on Zakat No. 38/1999 which had been subsequently amended by Law No. 23/2011 on Zakat Management. The goal of the zakat management in the legislation is to improve the effectiveness and efficiency of services in the management of zakat as well as to increase the benefits of zakat to achieve the community welfare and poverty prevention.<sup>3</sup>

<sup>1</sup> Asyharul Muala, "Reposisi Ekonomi Islam di Era Globalisasi Perspektif Maqashid Syari'ah," *JIL: Journal of Islamic Law* 1, no. 1 (2020): 53, <https://doi.org/10.24260/jil.v1i1.17>.

<sup>2</sup> Muhammad Tho'in, "Konsep Ekonomi Islam Jalan Tengah (Kapitalis-Sosialis)," *Jurnal Ilmiah Ekonomi Islam* 1, no. 03 (30 November 2015): 119, doi:10.29040/jiei.v1i03.34.

<sup>3</sup> Article 3 of Republic of Indonesia Law Number 23/2011 concerning Zakat Management.

To optimize the benefits and objectives of zakat funds, the distribution of zakat funds should pay more attention to priority scale by considering the principles of justice, equity and territorial status. Besides, funds that have been disbursed by the *muzakki* (people charged for zakat) can be distributed appropriately and accurately by considering the principle of greater benefits. It will be even better if the zakat funds that have been distributed to the *mustahiq* (those entitled to receive zakat) can be applied in productive sectors hoping that in the following years they will transform themselves as zakat payers (*mustahiq* to *muzakki*).

In general, the distribution of zakat funds collected by zakat administrators spread throughout Indonesia is allocated to *mustahiq* as explained in Surah Al-Tawbah: 60<sup>4</sup>, especially the poor and the needy.<sup>5</sup> The distribution of zakat is directed primarily at fulfilling the primary needs such as food, habitation and clothing needs (the consumptive zakat).<sup>6</sup> Zakat can also be distributed productively. The application of zakat funds for productive business can be executed if the basic needs of the *mustahiq* have been fulfilled.<sup>7</sup>

The consumptive and productive zakat funds distribution has been implemented by the National Zakat Administrator Agency (Baznas) of West Kalimantan Province. Based on the data in the Baznas Bulletin of West Kalimantan Province Issue 10/Th.IX/2018, the zakat funds collected by Baznas of West Kalimantan Province were Rp. 3.449.531.790. Almost all of the funds were distributed consumptively, while those that were productively distributed were only Rp. 250,000,000. To put more in detail, the distribution of productive zakat funds is only allocated into two programs; they are Small Business Capital Program and Zakat Community Development (ZCD) Program with Rp. 150,000,000 and Rp. 100,000,000 allocation respectively. In this paper, the writer focused more on the studying the implementation of Small Business Capital Programs which take Rp. 150,000,000 from the zakat funds.<sup>8</sup>

Although there were not many funds distributed for productive programs previously, the writer assumed that this productive zakat is seemingly to be more

<sup>4</sup> Ahmad Hadi Yasin, *Panduan Zakat Praktis* (Jakarta: Dompot Dhuafa Republika, 2012), 42.

<sup>5</sup> Eko Bahtiar, "SWOT Analysis of the Mempawah Regency Baznas Development Strategy in Collecting Zakat Funds," *JIL: Journal of Islamic Law* 1, no. 1 (2020): 122-23, <https://doi.org/10.24260/jil.v1i1.12>.

<sup>6</sup> The writer assumes that this concept leads to the consumptive zakat distribution indicated by the existence of temporary financial support to solve urgent problems and it will run out immediately after it is used (Short-term financial support). Nedi Hendri, "Analisis Model-Model Pendayagunaan Dana Zakat dalam Pemberdayaan Masyarakat Miskin Kota di Provinsi Lampung," *AKUISISI* 11, no. 2 (2015): 600, doi:10.24127/akuisisi.v11i2.25.g23.

<sup>7</sup> The productive zakat distribution means the zakat funds given to the recipients should not be spent entirely but are supposed to be used to help them build and maintain their business to fulfill their daily needs continuously. Dimiyati, "Urgensi Zakat Produktif di Indonesia," *Al-Tijary* 2, no. 2 (2 Januari 2018): 199, doi:10.21093/at.v2i2.693.

<sup>8</sup> Badan Amil Zakat Nasional, "Profil Baznas," 2020, <http://baznas.go.id/profil>.

useful considering the poverty issues and economic inequality between the poor and rich, especially in the West Kalimantan Province. Therefore, this paper is significant to be studied and developed, so that the productive zakat distribution instrument can be used as a solution. It is also expected to contribute to the government effort in preventing poverty, especially in West Kalimantan Province.

Several research results discuss the distribution model of creative productive zakat funds. Among them are the results of research written by Zakiyuddin Baidhaw<sup>9</sup>, Arief Setiawan et. al.<sup>10</sup>, Mochlasin<sup>11</sup>, Priyanka Permata Putri and Danica Dwi Prahesti<sup>12</sup>. In his article, Baidhaw revealed that Muhamadiyah as a non-profit organization can find new creative and innovative breakthroughs in the management of zakat, *Infaq* and *sedekah*. Under the auspices of Muhamadiyah, the Amil Zakat, *Infaq* and *Sedekah* Muhamadiyah Institute (Lazismu) organizes philanthropic activities into productive and redistributive activities to realize equality and social justice. Among the manifestations of your Lazismu program is the development of education, agricultural development, youth entrepreneurship, women's empowerment, and mosque-based community empowerment.

The results of the study found by Mochlasin are quite complete in describing the creative productive zakat fund distribution model. The first model is the in-kind model embodied by Bazis Pulosari in the form of providing business capital without having to return it. The second model is the non-financial *mudharabah* model which is realized by Bazis Pulosari in the form of goat brooders. The third model is the *qardh al-hasan* model, namely Bazis Pulosari distributing zakat funds in the form of capital to *mustahiq* with the provisions of return on capital, without interest or profit-sharing.

In contrast to Baidhaw and Mochlasin, Arief Setiawan et. al. found that the implications of the distribution of productive zakat carried out by the East Java Provincial Baznas in the form of revolving capital assistance to *mustahiq* were quite positive. This is evidenced by the increase in income and assets of the *mustahiq*. The same results were also found by Priyanka Permata Putri and Danica Dwi

<sup>9</sup> Zakiyuddin Baidhaw, "Lazismu and Remaking the Muhammadiyah's New Way of Philanthropy," *Al-Jami'ah: Journal of Islamic Studies* 53, no. 2 (10 Desember 2015): 387-412, <https://doi.org/10.14421/ajis.2015.532.387-412>.

<sup>10</sup> Arief Setiawan, Darsono Wisadirana, and Sholih Mu'adi, "Rancangan Model Pemberdayaan Pelaku UKM dalam Upaya Penanggulangan Kemiskinan dengan Berbasis Zakat Produktif (Studi Kasus Implementasi Program Jatim Makmur dari Badan Amil Zakat Nasional Provinsi Jawa Timur di Kelurahan Embong Kaliasin Surabaya)," *Wacana: Jurnal Sosial dan Humaniora* 18, no. 04 (21 Desember 2015): 247-258, doi:10.21776/ub.wacana.2015.018.04.5.

<sup>11</sup> Mochlasin, "Zakat untuk Mengurangi Angka Ketergantungan Ekonomi dengan Penyaluran Model Usaha Produktif," *INFERENSI: Jurnal Penelitian Sosial Keagamaan* 12, no. 1 (1 Juni 2018): 256, doi:10.18326/infsl3.v12i1.239-258.

<sup>12</sup> Priyanka Permata Putri and Danica Dwi Prahesti, "Peran Dana Zakat Produktif terhadap Peningkatan Penghasilan Melalui Bantuan Modal Usaha Kecil dan Mikro," *Proceeding of Community Development* 1 (4 April 2018): 119-134, doi:10.30874/comdev.2017.17.

Prahesti. Putri and Prahesti found that small and micro business capital assistance distributed through the Mandiri Smile Program had a positive effect of 15.6% on the turnover owned by *mustahiq*.

From some of the results of the research described earlier, it can be concluded that the distribution of zakat funds in a productive and creative manner has a positive effect on increasing the income of *mustahiqs* in running their own businesses. The change in the distribution of zakat from the consumptive to the creative model is a form of the flexibility of Islamic law in responding to changing times and places.<sup>13</sup> While the difference with the research results in this paper lies in the types of research, approaches and programs of productive productive distribution of zakat funds.

This type of research used in this paper is field research with an empirical approach. Data collected from interviews and documentation are then analyzed with qualitative data analysis. The results of this research in the form of the implementation of the Small Business Capital Program, the constraints experienced by the Baznas of West Kalimantan Province and the in-kind model in the distribution of creative productive zakat funds are new findings in this paper.

#### **THE PROFILE OF BAZNAS OF WEST KALIMANTAN PROVINCE**

Baznas of West Kalimantan Province is located in Jl. Jendral Ahmad Yani, Masjid Raya Mujahidin, Pontianak. Based on the Governor Decree number 974/KESSOS/2015 on The Formation of National Zakat Administrator Agency of West Kalimantan Province was issued to substitute the Bazda,<sup>14</sup> human resource management in Baznas West Kalimantan 2015-2020 period is described as follows; in the Direction Board, the Head is H. Didik Imam Wahyudi, SE., Ak., Vice I is Uray M. Amin, ST., Vice II is H. Suryansyah, SE., Vice III is Gusti M. Hukma, SE., and Vice IV is Drs. H. M. Basri HAR. As for the Officer Board, Baznas West Kalimantan is led M. Yanuar Mauluddin, S.E. The staff members consist of 4 officers; those are Fadhilus Tsani, S.Kom., Mustardi, S.Pd.I., Wahyudi, S.E.I., and Abdul Latif.<sup>15</sup>

The vision of Baznas of West Kalimantan is: *“Making Baznas West Kalimantan Province as the management of zakat, Infaq and sedekah that are trustworthy, professional, transparent and accountable in accordance with Islamic law.”* While the missions are

<sup>13</sup> Muhammad Lutfi Hakim, “Rekonstruksi Hak Ijbar Wali (Aplikasi Teori Perubahan Hukum dan Sosial Ibn al-Qayyim Al-Jawziyyah),” *Al-Manahij: Jurnal Kajian Hukum Islam* 8, no. 1 (2014): 59, <https://doi.org/10.24090/mnh.v8i1.401>.

<sup>14</sup> Republic of Indonesia Law Number 38/1999 concerning Zakat Management mandates to form Bazda at the provincial level. After the promulgation of Republic of Indonesia Law Number 23/2011 concerning Zakat Management, the term Bazda was replaced with Baznas.

<sup>15</sup> National Amil Zakat Agency Profile, documents obtained from Baznas Secretariat of West Kalimantan Province, Masjid Raya Mujahidin Complex, 3 January 2019.

explained as follows; Firstly, improving socialization and legislation on zakat; secondly fostering the *muzakki* to pay for their zakat obligations through Baznas; thirdly optimizing the act of collecting ZIS (*Zakat, Infaq, and Sedekah*) as well as facilitating the *muzakki* to disburse the zakat; fourthly distributing zakat, *infaq* and *sedekah* fairly, proportionally, transparently, and accountably to the *mustahiq* in order to achieve the welfare and the quality of the poor; and fifthly, improving the discipline and the accuracy of data, the transparent collection and distribution, and accountable reporting systems.

As cited from its website,<sup>16</sup> The National Zakat Administrator Agency of Republic of Indonesia (Baznas RI) has four functions, namely the planning function, the implementation function, the controlling function of the collection, distribution and utilization of zakat, and reporting and responsibility functions of the implementation of zakat management. Baznas of West Kalimantan carries out the duties and functions of the Baznas RI as described at the provincial level above.

In carrying out its duties and functions, Baznas West Kalimantan is obliged to (1) to design planning, execute and control the collection, distribution and utilization of the zakat funds at the provincial level (2) coordinate with the Regional Office of the Ministry of Religious Affair and other institutions in provincial level (3) report and account for the management of zakat, *Infaq* and *sedekah*, as well as the other social and religious funds to the Baznas and Governor. This is based on the Decree of the Minister of Religious Affair of the Republic of Indonesia Number 18/2014 concerning the Establishment of the Provincial National Administrative Zakat Agency.

## **PRODUCTIVE ZAKAT AND ITS DISTRIBUTION MODEL**

Productive zakat consists of two words, namely zakat and productive. Etymologically, zakat derives from the Arabic word of "*zakâ*" which means 'blessing, grow, develop, clean, fertile or increase.' Meanwhile, productive is taken from the English word "productive" which means producing or able to produce something in a large amount or resulting in something. In this paper, "productive" characterized the word "zakat". Shortly, productive zakat is the distribution of zakat funds to the *mustahiq* that can be utilized to produce something. In other words, productive zakat means the assets or zakat funds provided are not spent immediately, but are developed and utilized to help the business of the *mustahiq*, and is expected to make them able to fulfill their daily needs continuously.<sup>17</sup>

<sup>16</sup> "Profil Baznas."

<sup>17</sup> Dimiyati, "Urgensi Zakat Produktif di Indonesia," 198-199.

The productive zakat instrument has been known among the *salaf* (classical) and the *khalaf* (contemporary) scholars. Muh Juan Suam Toro, et al.,<sup>18</sup> noted that salaf scholars who agreed with productive zakat included Imam Bahuti in *Kisyaf Qina*, Imam Syarbini in *Mughni al-Muhtâj*, Imam Ibn Najm in *Asybah wa al-Nâdir*, and Imam Nawawi in *al-Majmu'*. While the agreed khalaf scholars were Mustafa 'A Zarqa', Yusuf al-Qardhawi, Shaykh Abu al-Fatah Abi Ghadah, Abu Aziz Khiyat, Abdus Salam ala Ibadi, Muhammad Shaleh al-Furur, Hasan Abdullah Ami, and Faruq an-Nabhani. As for Indonesia itself, productive zakat is regulated in Article 27 of Law No. 23/2011 on Zakat Management.

Regarding the distribution of zakat funds, Murfraini, as quoted by Junaidi Abdillah,<sup>19</sup> classifies the model of zakat distribution into four types. The first model is traditional, a consumptive distribution that distributed zakat funds to the *mustahiq* to be spent at one time, for example giving zakat to victims of natural disasters. The second model is creative, a consumptive distribution which means zakat funds are distributed in another form such as a scholarship. The third model is a productive, traditional distribution that distributes zakat in the form of production equipment such as razors, livestock, and so forth. The fourth model is the creative productive distribution that distributes the funds in the form of capital either to build a social project or to increase the working capital.

Of the 4 aforementioned models of zakat fund distribution, it is a creative productive distribution model that is considered as the most beneficial for the zakat recipients. The creative, productive model is then classified into three models of innovation that have been implemented in some regions.<sup>20</sup> Baznas of West Kalimantan itself has implemented an in-kind model (the first out of 3 models) conducting Small Business Capital Programs.

### **1. In-Kind Model**

An in-kind model of distribution is a distribution of zakat funds in the form of production equipment which will be given to the *mustahiq* who wishes to produce something. These will be given to those who are willing to either start a business or run and develop their existing business. For more details, can be seen in the following figure:

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<sup>18</sup> Muh Juan Suam Toro dkk., "Zakat Untuk Sektor Produktif: Studi pada Organisasi Pengelola Zakat di Surakarta," *INFERENSI* 7, no. 2 (1 Desember 2013): 434, doi:10.18326/infs13.v7i2.431-450.

<sup>19</sup> Junaidi Abdillah, "Revitalisasi Amil Zakat Di Indonesia Telaah atas Model-model Kreatif Distribusi Zakat," *Ijtima'iyya* 7, no. 1 (t.t.): 29, doi:10.24042/ijpmi.v7i1.916.

<sup>20</sup> Abdillah, 29-32.

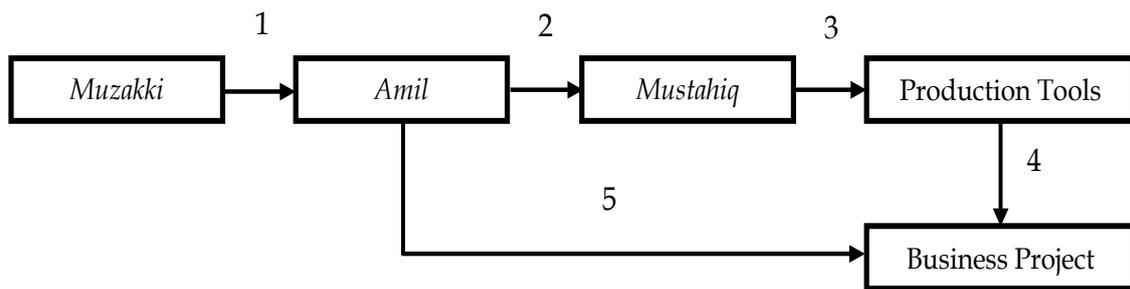


Figure 1: *In-Kind Model* [Junaidi Abdillah, 2014, p. 29-32]

The in-kind model has been carried out by several Amil Zakat Institutions (LAZ) and Amil Zakat Institutions (BAZ) in Indonesia. Among the examples is Bazis Pulosari. Bazis Pulosari provides individual venture capital to vegetable traders, herbalist sellers and so on. The capital is taken from the collected zakat funds and there must be no obligation to return the capital.<sup>21</sup>

Slightly different from Bazis Pulosari, Rumah Zakat in Malang City and Semarang City implements an in-kind model in the Senyum Mandiri Program. The application of this program is to provide business capital or infrastructure needed to the *mustahiq* who have a business (UMKM) and they are not required to return the business capital. In addition to venture capital, the Senyum Mandiri Program is also equipped with business motivation, training, coaching, and supervision. The goal is that the *mustahiq* can be held accountable for the funds it receives and is successful in developing the business that it has pioneered.<sup>22</sup>

## 2. *Qardl al-Hasan (Revolving Fund) Model*

In this revolving fund system, the zakat supplies a loan to the *mustahiq* as working capital. The *mustahiq* is only charged to pay off the loan without any additional charge. If the business suffers from loss, the *mustahiq* is not obliged to repay the given working capital. This creative productive zakat fund distribution model makes *muzakki* a business partner of *mustahiq*. The hope, *mustahiq* position when receiving zakat funds can increase to *muzakki*.<sup>23</sup> For more details, can be seen in the following figure:

<sup>21</sup> Mochlasin, "Zakat untuk Mengurangi Angka Ketergantungan Ekonomi dengan Penyaluran Model Usaha Produktif," 253-254.

<sup>22</sup> Maltuf Fitri, "Pengelolaan Zakat Produktif sebagai Instrumen Peningkatan Kesejahteraan Umat," *Economica: Jurnal Ekonomi Islam* 8, no. 1 (4 Oktober 2017): 170-171, doi:10.21580/economica.2017.8.1.1830.

<sup>23</sup> Mochlasin, "Zakat untuk Mengurangi Angka Ketergantungan Ekonomi dengan Penyaluran Model Usaha Produktif," 247.

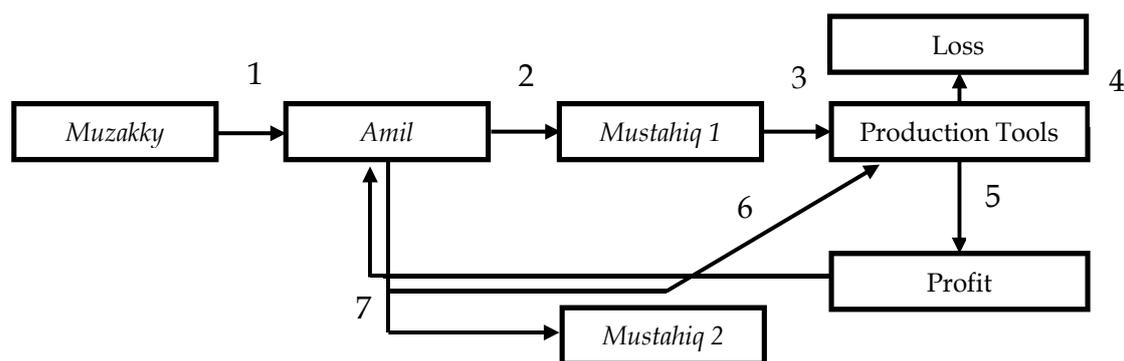


Figure 2: *Qardl al-Hasan Model* [Junaidi Abdullah, 2014, p. 29-32]

This *qardl al-hasan* (revolving fund) model has been carried out by several LAZ and BAZ in Indonesia. This model is applied in Bazis Pulosari in the form of giving etawa goat brooders to *mustahiq*. If the etawa goat breeds, then the etawa goat becomes the property *mustahiq*, while the parent returned to Bazis Pulosari. Bazis Pulosari's success in distributing zakat funds through the Integrated Coop Program was awarded by the central government in the form of a fund of Rp. 350 million.<sup>24</sup>

This *qardl al-hasan* model has also been carried out by the East Java Provincial Baznas since 2006. Assistance in the form of interest-free capital loans for SMEs in East Java accompanied by business assistance and mental development of the *mustahiq* in groups.<sup>25</sup> Besides, this model is also played by Dompot Dhuafa with a few modifications. In the first and second years, Dompot Dhuafa provided business capital without interest or profit-sharing. The funds are 100% taken from zakat, *Infaq*, *sedekah*, Corporate Social Responsibility (CSR), and other social funds. After passing two years, Dompot Dhuafa then transferred the provision of venture capital using the *mudlārabah* model or with other contracts or transactions.<sup>26</sup>

### 3. *Mudlārabah Model*

The system in this model slightly similar to the second model. If the figure 2 *Qardl al-Hasan Model* does not require profit-sharing, the *Mudlārabah Model* does the reverse. The *mustahiq* is obliged to pay off the given working capital along with the percentage of the business profit to the zakat administrator. However, the *mustahiq* does not have to return the capital if they suffer from the loss. For more details, can be seen in the following figure:

<sup>24</sup> Mochlasin, 254.

<sup>25</sup> Setiawan, Wisadirana, and Mu'adi, "Rancangan Model Pemberdayaan Pelaku UKM dalam Upaya Penanggulangan Kemiskinan dengan Berbasis Zakat Produktif (Studi Kasus Implementasi Program Jatim Makmur dari Badan Amil Zakat Nasional Provinsi Jawa Timur di Kelurahan Embong Kaliasin Surabaya)," 251.

<sup>26</sup> Efri Syamsul Bahri and Reni Oktaviani, "Zakat Produktif sebagai Modal Kerja Usaha Mikro," *Perisai : Islamic Banking and Finance Journal* 2, no. 2 (28 Januari 2019): 113, doi:10.21070/perisai.v2i2.1686.



for instance, Baznas West Kalimantan distributed zakat funds for goat farming, "Sambas" weaving and water ambulance in one of the villages in Sajad district, Sambas Regency.

Before the *mustahiq* candidates receive the zakat fund, they must submit a draft of the business in advance. Because the zakat funds are only given to the eight *asnaf* (zakat recipients) as stated in At-Tawbah: 60, the business draft should be enclosed with a statement letter to verify that the candidates are in a poor condition and run a business. The statement letter is signed and issued by the Head of Community Association (RT) and the Head of the Village (RW) where the candidates live.

After the business drafts are submitted, Baznas of West Kalimantan selects them carefully. The business drafts that are accepted and the *mustahiq* who are specified on the Small Business Capital Program are decided under the consideration of the amount of zakat fund allocation received in the current year. In 2017, 150 people received zakat funds from Small Business Capital program and each of them obtained Rp 1.000.000.<sup>30</sup> Therefore, this program is expected to help the poor who are entitled as *mustahiq* (zakat recipient) transform into the *muzakki* (zakat payer) if they optimally manage the zakat funds received for their business.<sup>31</sup>

The mechanism for determining the recipients of the Baznas of West Kalimantan program is different from what is done by the Baznas of Yogyakarta City. There are two stages of the mechanism for receiving venture capital assistance carried out by the Baznas of Yogyakarta City. First, the names of prospective business capital recipients can be proposed individually or in institutions, such as the Zakat Collection Sub Unit (UPZ) in mosques, UPZ in sub-districts, and UPZ in government agencies. Second, prospective names of registered venture capital aid recipients are then surveyed by Baznas of Yogyakarta City to find out the real condition of the prospective beneficiaries. If the prospective recipient of assistance is declared eligible and meets the criteria required by the Baznas of Yogyakarta City, then the prospective beneficiary can receive the business capital assistance.<sup>32</sup>

This model of zakat distribution is included in the creative, productive distribution of zakat funds as it is classified by Murfraini cited by Junaidi Abdillah,<sup>33</sup> that the zakat funds are distributed in the form of working capital to

<sup>30</sup> The results of the interview with M. Basri Har, The Vice IV of The Administration, The Human Resource and General Section of Baznas West Kalimantan on January 3, 2019.

<sup>31</sup> Nur Wahyudi, "Penerapan Dana Zakat Produktif terhadap Keuntungan Usaha Mustahik Zakat," *Jurnal Al-Mustashfa: Jurnal Penelitian Hukum Ekonomi Syariah* 3, no. 2 (2015): 26, doi:10.24235/jm.v3i2.438.

<sup>32</sup> M Samsul Haidir, "Revitalisasi Pendistribusian Zakat Produktif sebagai Upaya Pengentasan Kemiskinan di Era Modern," *Muqtasid: Jurnal Ekonomi dan Perbankan Syariah* 10, no. 1 (8 Agustus 2019): 63, doi:10.18326/muqtasid.v10i1.57-68.

<sup>33</sup> Abdillah, "Revitalisasi Amil Zakat di Indonesia Telaah atas Model-model Kreatif Distribusi Zakat," 29.

help either to create the social project or to increase the working capital of the zakat recipients. More specifically, of the three creative productive zakat models, the Small Business Capital Program is categorized in the *in-kind model* (the first model). A private zakat agency (LAZ and BAZ) distributes zakat funds in the form of production equipment. This equipment will be delivered to the *mustahiq* who wish either to start a business or to develop the existing business.

As for the implementation stage, the productive distribution model such as distributing zakat funds in the form of the Small Business Capital Program in Baznas of West Kalimantan has been implemented by several LAZs in Indonesia. BAZ Surakarta, for example, allocates the zakat funds for working capital to the tailors, pedicab drivers, and the disabled. The working capital given is merely a support for their business; no sustainable assistance. The *mustahiq* is not obliged to submit the business record and report. This is similar to the Small Capital Program which is being implemented in Baznas of West Kalimantan.<sup>34</sup>

The next sample of productive distribution comes from the Productive ZIS Unit of Baitul Mal Aceh. There are two running programs intended for the micro-business actors namely working capital in the form of *qardul hasan* (without interest and profit sharing) and working capital in the form of “revolving fund” which is given alternately to the assisted *mustahiq* with varied additional capital.<sup>35</sup> The provision of revolving business capital with the *qardhul hasan* contract from the zakat funds was also carried out by the Baznas of East Java Province. The implementation of this revolving capital is given to *mustahiq* who can expand their business by utilizing *Infaq* funds received from *muzakki*.<sup>36</sup>

Rumah Zakat in Malang City and Semarang City apply in-kind models in the Senyum Mandiri Program. The application of this program is to provide business capital or infrastructure needed to the *mustahiq* who have a business (UMKM) and they are not required to return the business capital. In addition to venture capital, the Senyum Mandiri Program is also equipped with business motivation, training, coaching, and supervision. The goal is that the *mustahiq* can be held accountable for the funds it receives and is successful in developing the business that it has pioneered.<sup>37</sup>

<sup>34</sup> Toro et. al., “Zakat untuk Sektor Produktif,” 443.

<sup>35</sup> To obtain business capital with this revolving fund model, *mustahiq* must meet the conditions that have been determined; including in the poor, have a business that has been running for one year, has no previous financing arrears, is domiciled in the city of Banda Aceh, has support guarantees, and does not have a record of arrears at other financial institutions. See: Surya Darma, “Kewenangan Baitul Mal Aceh dalam Pendistribusian Zakat,” *Kanun Jurnal Ilmu Hukum* 19, no. 2 (2017): 200–201.

<sup>36</sup> Fadhilah Fadhilah and Tika Widiastuti, “Pengaruh Pelatihan dan Modal Bergulir Baznas (Badan Amil Zakat Nasional) Jawa Timur terhadap Pendapatan Usaha Mustahiq,” *al-Uqud: Journal of Islamic Economics* 2, no. 2 (24 Juli 2018): 187, doi:10.26740/al-uqud.v2n2.p183-197.

<sup>37</sup> Fitri, “Pengelolaan Zakat Produktif sebagai Instrumen Peningkatan Kesejahteraan Umat,” 170–171.

A more creative distribution model has been developed by BAZIS of Pulosari sub-village, Jumoyo Village, Salam District, Magelang Regency. BAZIS of Pulosari sub-village conducts three models of productive zakat distribution.<sup>38</sup> The first is the *In-kind* model. The BAZIS administrators distribute the zakat fund as working capital without any repayment or legal contract. The second model is called *non-financial mudharabah*. The BAZIS administrators give Etawa goats (the bucks and does) to be bred by the *muzakki*. When the does give birth, the kids will belong to the *mustahiq* and the parents will be returned to the zakat administrator to be distributed to other *mustahiq*. The third model is *al-qard al-hasan financial*. The basis administrators distribute the zakat funds in the form of capital to the *mustahiq* to help them start a business and with the provision that they only return the capital to the zakat administrators.

From several creative productive zakat distribution models that the writer explained earlier, Baznas of West Kalimantan Province should be able to emulate or adopt or even modify the models that have been implemented by several LAZs and BAZs. It can be obtained by visiting and studying the LAZs and BAZs that have implemented some creative productive zakat distribution models or consulting with an expert to share their knowledge and experience in applying creative productive zakat distribution models.

Furthermore, the allocation of productive zakat funds, especially the creative productive ones, must be further enhanced and fostered significantly by the Baznas of West Kalimantan Province. This program aims for the benefit of the people,<sup>39</sup> where the *mustahiq*, in the following year, will no longer be entitled as *mustahiq* but *muzakki*. This was also done by the Prophet when he gave the zakat funds to be utilized by his friends as working capital.<sup>40</sup>

## THE OBSTACLES IN EXECUTING THE SMALL BUSINESS PROGRAM

The economic empowerment of the Muslim community of West Kalimantan through the distribution of zakat funds on the Small Business Capital Program must have a positive impact on *mustahiq*, both economically and socially. Economically, the *mustahiq* are demanded to be able to live independently and properly. While from the social point of view, the *mustahiq* are expected to be able to have equal life with other community members. To sum up, the zakat funds must not be distributed in the scheme of consumptive matter but more for productive and educational purposes.<sup>41</sup>

<sup>38</sup> Mochlasin, "Zakat untuk Mengurangi Angka Ketergantungan Ekonomi dengan Penyaluran Model Usaha Produktif," 256.

<sup>39</sup> Muhammad Lutfi Hakim, "Pergeseran Paradigma Maqasid Al-Syari'ah: Dari Klasik Sampai Kontemporer," *Al-Manahij: Jurnal Kajian Hukum Islam* 10, no. 1 (22 Februari 2017): 2-3, doi:10.24090/mnh.v10i1.913.

<sup>40</sup> Wahyudi, "Penerapan Dana Zakat Produktif terhadap Keuntungan Usaha Mustahik Zakat," 26.

<sup>41</sup> Tim Ririn Irmadaryani & Andriana, "Model Pemberdayaan Zakat Produktif dalam Upaya Pengentasan Kemiskinan di Kabupaten Jember", *Executive Summary Penelitian Hibah Bersaing* (Jember: Universitas Jember,

Based on the research conducted by Ririn Irmadariyani and Andriana,<sup>42</sup> the primary weaknesses of the poor and small businesses are actually not solely due to lack of capital, but rather on mental attitude and readiness of business management. The distribution of zakat funds through productive ventures, at the initial stage, requires an entrepreneurial training for *mustahiq*. The next stage is channeling the funds and providing assistance for the businesspersons. Hence, the role of empowerment in a broader sense will be achieved.

Zakat funds that have been collected in the long term must be able to empower *mustahiq* up to the level of their business development. This aims to manifest the idea of the Law No. 23/2011 which focuses on the raising of public awareness in the commitment and services of zakat, increasing the function and role of religious institutions in to achieve social welfare and social justice, and increasing the utilization and efficiency of zakat.

The weaknesses of productive zakat distribution found in the research conducted by Ririn Irmadariyani and Andriana also happen in Baznas of West Kalimantan. Based on the interview with Drs. H. M. Basri Har, the Vice IV of the Administration, Human Resource and General Section of Baznas West Kalimantan,<sup>43</sup> he stated that there are two obstacles faced by the management of Baznas West Kalimantan in empowering the economic sector of the poor community throughout the productive zakat distribution on the Small Business Capital Program.

The first obstacle is the lack of human resources in the Baznas of West Kalimantan both the quantity and the quality. In the Direction Board of Baznas West Kalimantan management, there is 1 Head of Directors assisted by 4 Vice Directors. While the officer management only has 1 secretary and assisted by 4 staff members. The totals of Baznas West Kalimantan staff members are 10 persons.

Regarding the quantity, those 10 staff members cannot work optimally in performing their duties and functions to design planning, execute and control the collection, distribution and utilization of the funds in 14 regencies of West Kalimantan. In the distribution stage, for instance, Baznas of West Kalimantan run 25.<sup>44</sup> It can be envisioned how hectic it is to optimally run 25 programs by 10 officers only. Moreover, they are obliged to work on 14 regencies in West Kalimantan.

As for the quality aspect, the majority of the administrators of Baznas West Kalimantan have earned a bachelor's or equivalent degree with diverse

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2015: 11.

<sup>42</sup> Ririn Irmadariyani & Andriana, 11.

<sup>43</sup> The results of the interview with M. Basri Har, The Vice IV of The Administration, The Human Resource and General Section of Baznas West Kalimantan on January 3, 2019.

<sup>44</sup> BAZNAS Bulletin of West Kalimantan Province, Issue 10/Th.IX/2018.

educational backgrounds such as economics, Islamic economics, accounting, engineering, communication, and Islamic education. There are only two officers who have not taken an undergraduate degree. This shows that human resources in Baznas West Kalimantan are able to implement programs that have been scheduled. However, they have not yet been able to modify the concept of the creative productive distribution of zakat funds.

The lack and weakness of the human resources possessed by the Baznas of West Kalimantan also impacted on the programs it carried out, ranging from collecting zakat funds to distributing them. In implementing the Small Business Capital Program, the limited human resources owned by the Baznas of West Kalimantan resulted in the program being limited to providing business capital in the form of production equipment, without adequate training, assistance in running the business up to its supervision. This is experienced by Baznas of West Kalimantan in implementing its Small Business Capital Program which is given to the *mustahiq*.

Quality human resources and sufficient quantity, have a central role in the management of zakat funds. Constraints in the form of lack of human resources are not only experienced by Baznas of West Kalimantan, but almost all LAZ and BAZ in Indonesia. The most needed human resources in the collection to the distribution of zakat funds through the Small Business Capital Program are zakat fundraising, extension workers, mentoring staff, business monitoring staff, supervision staff, documentation staff and so on.<sup>45</sup> The lack of human resources owned by LAZ and BAZ in Indonesia has an impact on the emergence of new constraints, such as the lack of zakat funds collected from existing potential, the limited ability of LAZ and BAZ in providing access to finance to UMKM and so on.

The second obstacle is the insufficient fund collected by Baznas West Kalimantan annually. In 2015, Baznas West Kalimantan managed to raise Rp. 3.000.424.315 zakat fund. In the following year, it experienced a 20% increase at Rp. 3.629.377.849. Unfortunately, in 2017T, it decreased to Rp. 3,449,531,790.<sup>46</sup> In fact, the potential zakat fund that is supposed to be collected by Baznas West Kalimantan is 20 billion rupiahs per year.

The small amount of zakat funds collected has resulted in the number of funds allocated to Baznas of West Kalimantan as administrators as its budget in carrying out its duties and functions. This case happened since the administrator of zakat is categorized as one of the eight *asnaf* (zakat recipient/*mustahiq*). Moreover, the portion that is entitled to be received by Baznas of West Kalimantan as zakat

<sup>45</sup> Achmad Syaiful Hidayat Anwar, "Model Pemberdayaan Ekonomi Mustahiq Melalui Zakat," *JEAM* 15 (2016): 54.

<sup>46</sup> BAZNAS Bulletin of West Kalimantan Province, Issue 10/Th.IX/2018.

administrators is 12.5% of the zakat funds collected in each year. The provisions of 12.5% for zakat administrators are stipulated in the Fatwa of the Indonesian Ulema Council Number 8/2011 concerning Zakat Administrators.

In 2016, Baznas of West Kalimantan managed to collect Rp. 3.340.232.014 zakat fund from the *muzakki*. Of the funds collected, 12.5% for the administrators' annual budget is Rp. 417.529.001. This budget is then allocated into two institutions such as 7.5% or Rp. 250.517.401 for Zakat Fund Collector Unit (UPZ) and Task Force while the rest 5% or Rp. 167.011.600 is allocated to the operating expenses budget in Baznas of West Kalimantan.<sup>47</sup> The funds are used by the Baznas of West Kalimantan to finance their duties and functions for a year.

The two obstacles experienced by Baznas in the economic empowerment of the poor in West Kalimantan Province are interrelated with each other. The lack of human resources, in the quantity and quality aspect, is the impact of the small number of zakat funds collected and the lack of operating expenses budget allocated for the Baznas of West Kalimantan. This happens due to the fact that recruiting a large number of qualified human resources requires a large number of funds to fulfill the rights of the employees (salary).

The case of lack of human resources also had an impact on the lack of maximum implementation of the Small Business Capital Program in the Baznas of West Kalimantan. The Small Business Fund Program is only limited to the provision of zakat funds in the form of production equipment only, without providing assistance, guidance, supervision, and evaluation of the business they operate. If the *mustahiq* who receive zakat funds through the program have soft skills, then the business they pursue will succeed. However, if the *mustahiq* have limited soft skills and hardly any experience in building a business, their business will go bankrupt and they will remain to be *mustahiq*. This signifies the importance of providing assistance, guidance, supervision and evaluation to the *mustahiq* in carrying out their business.

### **IN-KIND MODEL IN CREATIVE PRODUCTIVE ZAKAT FUNDS**

An in-kind model of distribution is a distribution of zakat funds in the form of production equipment which will be given to the *mustahiq* who wishes to produce something. These will be given to those who are willing to either start a business or run and develop their existing business. This in-kind model in creative productive zakat funds has been carried out by the Baznas of West Kalimantan Province in the Small Business Capital Program.

The Small Business Capital Program is the provision of zakat funds from

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<sup>47</sup> Indra, "Economic Empowerment Model for the Poor Through Zakat Institution Under Maqashid Syariah Concept in West Kalimantan," 57.

Baznas West Kalimantan to the *mustahiq* in the form of business capital to purchase necessary production tools to develop a business that has been run or will be started. Baznas West Kalimantan regularly observes the most urgent necessities and potential business that can be developed in the villages. In 2017, 150 people received zakat funds from Small Businesses Capital program and each of them obtained Rp 1.000.000.<sup>48</sup> For more details, can be seen in the following figure:

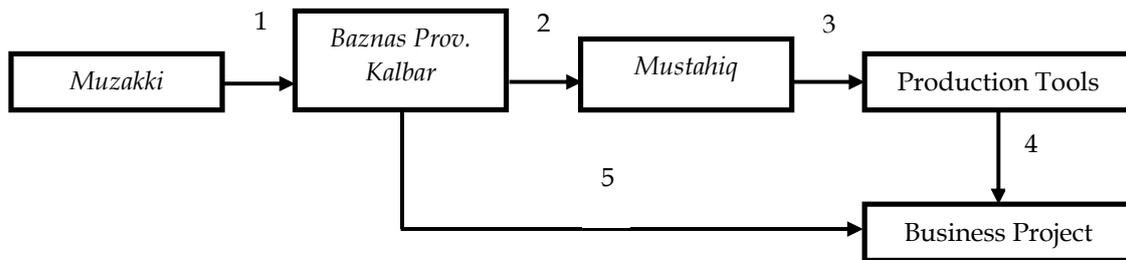


Figure 4: In-kind model [Junaidi Abdillah, 2014, p. 29-32]

The explanation from the chart above is, the *muzakki* spend part of their assets to pay alms to the Baznas of West Kalimantan Province. Baznas of West Kalimantan Province then collected the zakat funds and allocated them into the Small Business Capital Program. The *mustahiq* who meet the requirements and deserve to get alms funds through this program, then receive venture capital assistance in the form of production equipment. Production equipment provided by the Baznas of West Kalimantan Province will be used by them to start or develop a business.

This model of zakat distribution is included in the creative, productive distribution of zakat funds as it is classified by Murfraini cited by Junaidi Abdillah,<sup>49</sup> that the zakat funds are distributed in the form of working capital to help either to create a social project or to increase the working capital of the zakat recipients. More specifically, of the three creative productive zakat models, the Small Business Capital Program is categorized in the in-kind model (the first model). A private zakat agency (LAZ and BAZ) distributes zakat funds in the form of production equipment. This equipment will be delivered to the *mustahiq* who wish either to start a business or to develop the existing business.

Furthermore, the allocation of productive zakat funds, especially the creative productive ones, must be further enhanced and fostered significantly by the Baznas of West Kalimantan Province. This program aims for the benefit of the people,<sup>50</sup> where the *mustahiq*, in the following year, will no longer be entitled as

<sup>48</sup> The results of the interview with M. Basri Har, The Vice IV of The Administration, The Human Resource and General Section of Baznas West Kalimantan on January 3, 2019.

<sup>49</sup> Abdillah, "Revitalisasi Amil Zakat di Indonesia Telaah atas Model-model Kreatif Distribusi Zakat," 29.

<sup>50</sup> Hakim, "Pergeseran Paradigma Maqasid Al-Syari'ah," 2-3.

*mustahiq* but *muzakki*. This was also done by the Prophet when he gave the zakat funds to be utilized by his friends as working capital.<sup>51</sup>

## CONSLUSION

Zakat is an instrument in Islam to meet the economic gap between the capitalist socialist economic systems. The concept of zakat (consumptive distribution) that that has been implemented recently does not work optimally. Then the productive zakat concept appears as a solution to the inability of the concept of conservative zakat in reducing poverty and minimizing economic disparities, especially in the Province of West Kalimantan.

This paper describes the distribution of productive zakat funds through the Small Business Capital Program at the National Zakat Administrator Agency of West Kalimantan Province. The program aims to transform the status of the zakat recipients from *mustahiq* to *muzakki* in the following year. There are two obstacles experienced by Baznas of West Kalimantan Province in the economic empowerment of the poor, namely the lack of zakat funds collected and lack of human resources. It is expected that the instrument of productive zakat distribution will contribute as a resolution for the government in preventing poverty, most notably in West Kalimantan Province.

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