

## Legality Analysis of the Thousand (Gebu) Movement Program Towards Traders Receiving Productive Zakat Fund (BAZNAS Kabupaten Merangin 2022)

Ela Rahmah Wati<sup>1</sup>, Unang Fauzi<sup>2</sup>

**Abstract.** *Knowing the legitimacy of the rules for the movement of a thousand for productive zakat beneficiaries and to find out whether there are sanctions or not for beneficiaries who do not obey to fill gebu tubes. The research method used in this research is descriptive qualitative. The types of data used are primary and secondary data. Data collection techniques in this study, namely interviews, observation, and literature study. The data analysis technique used is the inductive analysis method, because the data obtained is a description in the form of a description. The results of the research achieved are the legality of the existing rules in BAZNAS in the form of legal foundations in the form of laws, regional regulations, presidential instructions, Jambi Governor instructions and SOPs that have been set by BAZNAS Kabupaten Merangin and sanctions for zakat recipients who do not comply with filling gebu tubes have not been implemented in BAZNAS Kabupaten Merangin.*

**Keywords:** *Thousand Movement (gebu), Productive Zakat, Legality of BAZNAS*

**Abstrak.** Mengetahui legalitas terhadap gerakan seribu bagi penerima manfaat zakat produktif dan Untuk mengetahui adanya sanksi atau tidak bagi penerima manfaat yang tidak taat untuk mengisi tabung gebu. Metode penelitian yang dipakai pada penelitian ini, yaitu kualitatif deskriptif. Jenis data yang digunakan yaitu data primer dan sekunder. Teknik pengumpulan data dalam penelitian ini, yaitu wawancara, observasi, dan studi pustaka. Teknik analisis data yang digunakan, yaitu metode analisis induktif, karena data yang diperoleh merupakan keterangan dalam bentuk berupa uraian. Hasil penelitian yang dicapai yaitu legalitas aturan yang ada di BAZNAS berupa landasan hukum berupa Undang-Undang, peraturan daerah, instruksi Presiden, instruksi Gubernur Jambi dan SOP yang telah ditetapkan oleh BAZNAS Kabupaten Merangin dan sanksi untuk penerima zakat yang tidak taat dalam mengisi tabung gebu untuk saat ini di BAZNAS Kabupaten Merangin belum diadakan.

**Kata Kunci:** Gerakan Seribu (gebu), Zakat Produktif, Legalitas BAZNAS

## Introduction

Poverty in Indonesia is generally a priority for the government, which consistently strives to address the issue. Poverty eradication is also discussed within Islamic teachings. The zakat program also stipulates that collected funds will be distributed to those eligible, defined by the eight categories of the poor, according to Islam. Zakat institutions function as both collectors and distributors, making it easier for the public to submit their obligations to zakat institutions.

Zakat is an instrument for wealth distribution regulated by Islamic teachings and its legal basis is established in the Qur'an and Hadith. Indonesia is a country with a Muslim majority population of 207 million, representing 87.2% of the total population (BPS, 2017).

The purpose of zakat is to eradicate poverty, with the hope of transforming them from zakat recipients (*mustahiq*) into zakat payers (*muzakki*), thereby making zakat empowerment and its distribution more meaningful (Rofiq, 2004).

Yusuf Qardhawi believes that one way to alleviate or minimize poverty is by optimizing the implementation of zakat. Zakat is an appropriate poverty alleviation measure, requiring those with surplus funds, or those deemed capable of paying zakat, to distribute a portion of their wealth to those in need or those in need (*mustahiq*) (Qardawi, 1996).

Based on this, zakat distribution is a series of commands for fulfilling zakat as mentioned in the Quran. Productive zakat is zakat distributed to *mustahik*, which will be managed or developed through business programs. This indicates that the assets will be used as capital for a business venture. Merangin Regency (Jambi) had a population of approximately 377,905 in 2017, a figure that increased to 383,480 in 2018, representing an increase of approximately 1.48 percent. The area covers approximately 7,769 km<sup>2</sup>. Based on the 2020 Population Census (SP), the population of Merangin Regency was 354,052, comprising 180,357 males and 173,695 females (Merangin Regency Population and Civil Registration Office, 2017).

Zakat is a key component of the Islamic economic system, driving balance between the rich and the poor. Zakat is crucial when faced with socioeconomic issues that disproportionately favor the poor. As a social control measure, zakat eliminates excessive disparities between the rich and the poor, ensuring that wealth does not circulate solely among the rich, as mentioned in the Qur'an Al-hasyr verse 7.

مَا آفَاءَ اللَّهِ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَى فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً ۗ بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ ۚ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

“Whatever (wealth obtained without war) that Allah bestowed on His Messenger from the people of several countries was for Allah, the Messenger, relatives (Rasul), orphans, the poor, and people who were on a journey. (So) so that wealth does not only circulate among the rich among you. Accept what the Apostle gives you. Leave what he forbids you. Have faith in Allah. Indeed, Allah is very severe in punishment.”

The immense benefits of zakat funds led Caliph Abu Bakr to wage war against those who refused to pay zakat. The current challenges facing zakat are complex, ranging from the reluctance of individuals to pay zakat, to the inadequately organized distribution of zakat, to the Islamic jurisprudence (fiqh) issues concerning the development and ijtihad of productive zakat models and how to distribute zakat to MSMEs in Merangin Regency. Based on the above background, this is the focus of the author's research. Zakat is a ritual worship in Islam that has two dimensions: the first dimension, the relationship between servants and Allah Subhanahu Wa Ta'ala (hablumminallah), and the second dimension, hablumminannas, the relationship between humans and other humans. This final dimension is crucial for creating a just, prosperous, and prosperous society.

Zakat is one effort to realize this goal. Its distribution pattern, from muzakki to mustahik, is an effective method for equitable wealth distribution.

Regarding the mustahik of zakat, it is mentioned in Qs: at-taubah verse 60.

﴿ إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمَلِينَ عَلَيْهَا وَالْمَوْلَاةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَرَمِينَ وَفِي

سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٦٠﴾

“In fact, zakat is only for the needy, the poor, the recipients of zakat, those whose hearts have softened (converts), to (free) slave slaves, to (free) people who are in debt, for the cause of Allah and for people

who are on their way (who need help), as an obligation from Allah. Allah is All-Knowing, All-Wise."

This verse states that He is the One who distributes zakat and explains its laws. He directly regulates the issue of almsgiving and its distribution without leaving it to anyone else. Allah informs us of the eight groups entitled to receive zakat. There are different opinions among scholars regarding the eight groups of recipients of zakat: are they eight groups or only the existing ones? Imam Shafi'i and a group of scholars stated that zakat must be distributed to all eight groups. Imam Malik and another group of scholars argued that zakat must cover all eight groups, but it may be given to only one of them, even if there are eight other groups. This is the opinion of a group of the salaf and khalaf. Among them are Umar ibn al-Khattab, Hudhayfah, Abdullah ibn Abbas, Ab al-Aliyah, Said ibn Jubair, and Maimun ibn Mahran. Ibn Jarir stated that this is the opinion of the majority of scholars and the first is stronger.

Imam Abu Hanifah argued that the poor are worse off than the destitute. Umar ibn al-Khattab said, "The destitute is not someone who has no possessions at all. He is someone who has no job." He has wealth but is not sufficient for it." The majority of scholars argue that the poor are worse off than the needy. This is Abdullah's opinion on whether zakat distribution should include (Ibn Kathir's interpretation).

The above verse also states that the recipients of zakat are the poor, the needy, the amilin (managers), the gharimin (people of the poor), the converts to Islam (muallafah qulubuhum), those who are in the service of Allah (sabilillah), and the freed slaves (riqab).

Some of those mentioned above are economically weak, therefore, one of the purposes of zakat is to enable them to improve their economic lives. To achieve this goal, distributing zakat in the form of consumption alone is not sufficient. Therefore, distributing zakat in the form of business capital for zakat recipients would be more meaningful, as it creates a source of livelihood for them, so that they can gradually escape the poverty zone. The hope is, far

beyond that, that they can become muzakki (zambesi) and no longer mustahik (zambesi).

According to Imam According to Shafi'i, Allah SWT has made it obligatory for those who possess wealth to pay zakat or to pay zakat from their assets to those entitled to receive it. The Merangin Regency BAZNAS is an institution authorized to manage zakat, infaq, and alms. BAZNAS Merangin Regency also has several programs for distributing zakat funds, one of which is the Prosperous Merangin program. This zakat fund distribution program provides assistance in the form of productive business capital for MSMEs, such as food stalls, fish farms, and other businesses.

The 2019 National Zakat Statistics is an annual publication from BAZNAS that describes data regarding the accumulation and distribution of zakat, infaq, and alms funds. The data collection method is directly taken from the BAZNAS Information Management System (SIMBA) application, which was actively used by 117 BAZNAS regencies and 5 Laz in 2019. Data is accumulated through manually submitted information.

In the distribution of productive zakat, by BAZNAS Merangin district has a prosperous Merangin program, in this prosperous Merangin program BAZNAS Merangin district conducts socialization to the community from village to village so that the community has the opportunity to receive financial assistance that can be used for productive activities through the procedure of submitting proposals for activities to be carried out, therefore BAZNAS will select from the many proposals submitted which proposals are worthy of assistance with weighty proposal qualifications. After the distribution of productive zakat funds is carried out, BAZNAS Merangin district provides activities or programs of the thousand movement (Gebu) which are deposited in every mosque prayer room or productive zakat recipients. The purpose of the thousand movement (Gebu) is so that recipients of productive zakat assistance funds do not forget to set aside their income for zakat or charity. So that with this assistance program can change mustahik into Muzakki.

Based on the explanation of the background above, the research problem is formulated as follows: 1. What is the legality of the BAZNAS Merang regulations regarding the Thousand Movement (Gebu) program for productive zakat beneficiaries? 2. Are sanctions required for productive zakat beneficiaries who do not comply with the Gebu (Thousand Movement) program?

In accordance with the background and problem formulation, this research has the following objectives: 1. To examine and determine the legality of the regulations regarding the Thousand Movement for productive zakat beneficiaries and 2. To determine whether there are sanctions for beneficiaries who do not comply with filling the Gebu tube.

## **Literature Review**

### **Zakat**

Zakat is one way to provide social security that has been presented by Islam. Islam does not want there to be a society that is neglected, without food, clothing and a home for its family. A Muslim is indeed required to fulfill his life's needs by trying and working hard. However, if he is unable, then the community must help and provide for him, he should not be left to be abandoned in a state of hunger and homelessness.

Zakat is divided into two types: zakat fitrah and zakat mal.

1. Zakat fitrah is a certain amount of wealth that every Muslim mukallaf (Islamic believer) must pay, and it is due when the day of victory approaches.
2. Zakat mal is zakat paid based on wealth or the results of trade, mining, agriculture, marine products, found assets, gold and silver, work results (zakat on professions), zakat on gifts, zakat on companies, and zakat on bonds.

Each zakat has its own calculation. The calculation of zakat mal/assets is based on a person's wealth or income. In this case, an example can be given, for example referring to the institution, then the national zakat collection agency or BAZNAS or zakat collection institutions must strive to manage zakat, both zakat mal and zakat fitrah, maximally and productively, a sign that the

zakat in BAZNAS is managed productively first and used in various kinds of businesses that can be carried out so that zakat funds can increase and develop (Aibak IAIN Tulungagung Jl Mayor Sujadi Timur, n.d.)

### **Legality**

Legality means a state of being legitimate or valid. Legality means that legality speaks of an act or object whose existence is recognized as long as there are no provisions governing it.

Legitimacy is synonymous with other words like legality, legal, and legitimacy. Simply put, legitimacy is the conformity of an action to applicable law or existing regulations, whether formal, ethical, customary, or legally established societal laws (Muhliadi, 2013).

### **Method**

This research was conducted for three months, namely from May to August 2022 to experts and practitioners in the field of zakat distribution. This research was conducted at the National Zakat Agency (BAZNAS), Merangin, Jambi.

The research method used in this research is descriptive qualitative. Overall, qualitative research aims to understand the world of meaning that is interpreted in the behavior of community members according to the community's views (Suprayogo et al., 2001: 9). The types of data used are primary and secondary data. Data collection techniques in this study, namely interviews, observation, and literature study. The data analysis technique used is the inductive analysis method, because the data obtained is a description in the form of a description

### **Results and Discussion**

Program Gerakan Seribu (GEBU) run by BAZNAS Merangin Regency has a strong legal basis, referring to Law No. 23 of 2011, regional regulations, and BAZNAS internal SOPs. This legality shows that the program is run in accordance with the principles of positive law and Islamic law, especially in the management of productive zakat.

This program distributes zakat in the form of business capital assistance to mustahik, with the hope that they can be economically independent. One of the innovations is the obligation to save IDR 1,000 per day through a GEBU savings account, which aims to instill the habit of giving and accelerate the transformation of mustahik into muzakki.

However, in the field it was found that there were no strict sanctions or regulations for recipients who did not comply with these obligations. This lack of supervision has the potential to reduce the effectiveness of the program in the long term.

From the perspective of Islamic economic law, the GEBU program reflects the principles of ta'awun and maslahah, because it is helpful and empowering without being tied to a return of funds. Even so, the effectiveness of the program is highly dependent on education, mentoring, and the commitment of the beneficiaries.

In general, this program has had a positive impact on some recipients, but still requires improvements in terms of supervision, community understanding and system sustainability.

## **Conclusion**

Based on the results of the study above, it can be concluded that:

1. The Thousand Movement (Gebu) is a movement that has legal legitimacy issued by BAZNAS Merangin Regency for recipients of productive zakat funds, with the existence of the Thousand Movement (gebu) program which aims to teach us to always remember to share or donate our wealth to others through the Thousand Movement (gebu) program.

The Gebu rules from BAZNAS are running well and no recipients of productive zakat funds have refused and none have not contributed to the activities of the Thousand Movement (gebu) program. Therefore, sanctions for recipients of zakat funds who do not comply with the Thousand

Movement program are not subject to sanctions, in the future it will be reviewed if there is confusion or rejection of the Gebu program.

2. The legality of the Thousand Movement (Gebu) program for recipients of productive zakat funds is a must but does not become an obligation so that it has a burdensome meaning.

The legality of the thousand movement (Gebu) does not conflict with the laws in BAZNAS or regional regulations (Perda). For now, there is no legal reinforcement because it is considered still under control with the regulations currently being implemented, seen from the results of the increase in funds obtained from this gebu program, although sometimes it decreases. Because there is no minimum fund that must be donated and there is no limit to the maximum filling of the gebu tube.

## Suggestions

1. To ensure the proper distribution of zakat through the Merangin Regency BAZNAS Institution, the BAZNAS should increase its human resources (HR) in the future so that the fund disbursement and distribution process can run smoothly and optimally.
2. The community, especially recipients of productive zakat funds from the Merangin Regency BAZNAS, should maximize the funds provided for productive activities. This will achieve the goal of providing these funds, namely to assist those who lack funds in their productive endeavors and to help those who are eligible to receive zakat become muzakki (those who pay zakat).

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