



Research Paper

## Implementation of the Law. No. 23 of 2011 Concerning Zakat Management in the Empowered Program Through Z-Mart

Naily El Muna <sup>a</sup>, Arif Zunaidi <sup>b</sup> Masnur Daeng Maupe <sup>c</sup>

<sup>a</sup> University KH. A. Wahab Hasbullah, Jombang, Indonesia

<sup>b</sup> Institut Agama Islam Negeri (IAIN) Kediri, Indonesia

<sup>c</sup> Islamic Faculty, University of Trunojoyo Madura, Indonesia

Corresponding email: [naely@unwaha.ac.id](mailto:naely@unwaha.ac.id)

 Leave it blank

### ARTICLE INFO

#### Keywords:

Zakat Produktif, Ekonomi, BAZNAS, Z-Mart

#### Article history:

Received: 2023-07-05

Revised: 2024-08-27

Accepted: 2024-08-27

Available online: 2024-08-27

#### To cite in APA style:

### ABSTRACT

The main problem in this study is that the use of productive zakat as a productive use of zakat is not optimal and the method of delivering zakat funds to mustahik to produce something continuously, with the zakat assets that he has received. Of several productive zakat utilization programs, one of them is Z-Mart. The Z-Mart program is an economic empowerment program in the form of the development of stalls/shops owned by mustahik. The purpose of this study is to find out the implementation of the Law. No. 23 of 2011 concerning Zakat Management in the Empowered Jombang Program Through Z-Mart contained in BAZNAS.

The research method used is field research, with an empirical normative approach. Data collection by observation, interview, and documentation techniques. Data analysis is inductive by analyzing based on the data obtained and then developing certain relationship patterns.

The result of this research is the utilization of productive zakat in the Z-Mart program with the implementation of Law. No. 23 of 2011 concerning Zakat Management in BAZNAS Jombang Regency is sufficient in implementing the articles contained in the Law related to collection, distribution, utilization, and reporting. The results of this study give implications that the birth of Law No. 23 of 2011 concerning Zakat Management strengthens the position of BAZNAS Jombang Regency can provide benefits in the management of productive zakat management that is more professional.

*This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License.*

## **Introduction**

Indonesia is the country with the largest Muslim population in the world. Based on the Royal Islamic Strategic Studies Centre (RISSC) or MABDA report entitled *The Muslim 500 2022 edition*, there are 231.06 million Indonesia people who are Muslims, equivalent to 86.7% of the total population of Indonesia. With a very large Muslim population, it is a potential that can be used by the government to solve the problem of poverty that is currently occurring in Indonesia. Through one of the religious instruments, namely zakat, which has an important position and position because its existence concerns aspects of life and is one of the efforts to strengthen and improve the community's economy. Zakat is a blessing, purification, improvement and fertility of good deeds (Suyikno, 2010).

In the economic scope, zakat is an act of handing over wealth from the rich to the poor. The transfer of wealth means also the transfer of economic resources. This action has the impact of certain changes that are economical, for example, the A who is the recipient of zakat (mustahiq) uses it for production and consumption needs. Indirectly, although zakat is basically a worship to Allah, it also has an economic meaning.

From a national perspective, the Amil Zakat Agency or the Amil Zakat Institution is highly expected to not only focus on thinking about their own needs, but also to be involved and involve themselves to provide concern for community members to overcome poverty and inequality (Ghazali, 1999). With the presence of the Amil Zakat Agency, in addition to having a religious nature, it is also placed in terms of the nation's ideals, namely building a prosperous, prosperous, and just society. Therefore, increasing the usefulness of the Amil Zakat Agency, especially in carrying out community economic development, must be implemented. In addition to zakat is mandatory for Muslims, zakat is also legally binding and mandatory for institutions or companies to issue zakat from their profits are also encouraged to issue infak and shadaqah (Hermawan, 2015).

At the beginning of zakat management, namely during the colonial and independence period, there was a blurry picture of the function of zakat because there was no proper payment and distribution of zakat so that during the new order period the Indonesia government issued Law No. 38 of 1999 concerning Zakat Management in order to institutionalize zakat management in order to make it easier to manage zakat so as to support social needs for consumptive and productive and was the beginning of its openness active public involvement through BAZ (Badan Amil Zakat). However, Law No. 38 of 1999 concerning Zakat Management is still not able to solve the problem of zakat management so that the Indonesia government revised Law No. 38 of 1999 to Law No. 23 of 2011 concerning Zakat Management in the hope that it can improve the previous law because Law No. 38 of 1999 is no longer in accordance with the development of law in society.

Law Number 23 of 2011 concerning Zakat Management was made to increase the power and usefulness, that zakat must be managed institutionally in accordance

with Islamic sharia principles with the aim of managing zakat. What is meant by management here is to cover all aspects including planning, implementation, and coordination activities in the collection, distribution, and utilization of zakat. However, in the implementation of Law Number 23 of 2011, it still experiences many polemics because it is considered to make it difficult for the community to collect zakat and distribute it back to the community (Shalehuddin, 2011). The enactment of Law Number 23 of 2011 concerning Zakat Management is still considered not entirely in accordance with the needs and has not been able to answer the problem of zakat because, in the regulation, there are articles that are still ambiguous that can cause pros and cons. Law Number 23 of 2011 is expected to be able to ensure regularity and accountability in planning the collection, distribution, and utilization of zakat, the implementation of the collection, distribution, and utilization of zakat and reporting and accountability for the implementation of zakat management. However, what is happening today is a crisis of public trust in the performance of the government is one thing why there are many controversies regarding the management of zakat that are directly handled by the government, because there are concerns that there will be opportunities for corruption and uneven distribution of zakat.

When viewed from some of the contents of Law Number 23 of 2011, there are several important points that must be examined first. One of them is the problem of zakat management which is now centered on the government or the centralization of zakat in BAZNAS. If you look at the reality that happened, then what about the role of LAZNAS in managing zakat which had previously managed zakat before the formation of BAZNAS. With the issuance of this law, it should be expected to be an important reference for the management of zakat in Indonesia in the future. But on the contrary, with the birth of the amendment to Law Number 23 of 2011 concerning Zakat Management, there is still a lot of criticism from various elements and zakat practitioners in Indonesia.

One of the official Amil Zakat Agencies managed by the government is the National Amil Zakat Agency (BAZNAS) of Jombang Regency. In its action, BAZNAS Jombang Regency has five work programs, including Jombang Lestari (Islamic Da'wah Sector), Jombang Prestasi (Education Sector), Empowered Jombang (Economic Sector), Jombang Sehat (Health Sector), and Jombang Synergy (Disaster Response Sector).

Previous research related to zakat management has been researched by previous researchers. Insani & Hermawan (2023) researched the management of productive zakat in Baznas Jombang Regency through the Z-Mart program in improving the welfare of the people. Wahyuningsih (2020). Researching the concept of productive zakat management based on the zakat village index. Putra, et.al (2023) Examining zakat and taxes from a sharia perspective. Muthmainnah, et.al (2023) researching professional zakat to build the legitimacy of the people. Sakti & Fahrullah, A'rasy (2022) researched the management of ZIS as an effort to improve community welfare. This study seeks to complement previous research by conducting a study on the implementation of the program of Law Number 23 of 2011 concerning Zakat Management.

## **Method**

The type of research used in this qualitative research is field research. This research is research conducted directly in the field and is used when surveying in researching people's lives, behaviors and social activities (Moleong, 2013). Thus, the author will make direct observations by collecting and searching for direct data from parties involved in the Jombang Empowered work program through Z-Mart at BAZNAS Jombang Regency.

In this study, the approach used is empirical normative, this empirical normative approach is basically a combination of the normative legal approach with the addition of various empirical elements. The empirical normative approach is also about the implementation of normative legal provisions in their actions in every specific legal event that occurs in a society (Syahrur, 2022).

In this study, what is intended is an empirical normative approach, namely the researcher dives into seeing firsthand the conditions in the field which are actually and then identifies the application of normative law by studying theories, concepts, legal principles and laws and regulations related to the management of zakat in this case in the Z-Mart work program at BAZNAS Jombang Regency.

The data sources used by the author in the study are primary data sources and secondary data sources (Siddiqi & Choiri, 2019). The primary data obtained in this study are interviews with several parties such as the person in charge of Z-Mart BAZNAS Jombang Regency and the beneficiaries of the Z-Mart program spread across Jombang Regency. Meanwhile, secondary data that supports research is obtained from previous research literature such as books, journals, and other scientific articles related to research.

The data analysis method used in this study is by analyzing data obtained from primary data sources and secondary data sources. Primary data sources include the results of observations made by researchers, starting from observations of zakat management in BAZNAS Jombang, especially in the Z-Mart work program and directly observing the Z-Mart management process at beneficiary locations at several points in Jombang Regency.

The analysis of data obtained from the results of observations, interviews, and documentation is analyzed using patterns and relationships and implements Law No. 23 of 2011 concerning Zakat Management and several secondary data sources derived from books, journals, previous theses, and websites relevant to this research to answer problems regarding the implementation of the Law. No.23 of 2011 concerning Zakat Management in the Empowered Jombang Program Through Z-Mart at BAZNAS Jombang Regency.

## **Results**

### **Zakat Management Practice in the Empowered Jombang Program through Z-Mart. Planning Stage**

Introduction, this stage is a process to find out more about what will be implemented. At this stage, it is usually the process of introducing an empowerment program to be implemented. Therefore, at this stage, the person in charge of the

program and the Economic Program Division held a socialization about the program that will be implemented later. An indicator of the formation of the Z-Mart program is the problem of the development of small businesses owned by mustahik which is considered difficult to compete with the modern retail market. So that mustahik experienced problems with declining income and capital problems.

Assessment, Before receiving assistance, the *assessment* stage is carried out to ensure the status of mustahik eligibility to obtain status as a "merchant". BAZNAS and its companions must ensure the condition of the prospective beneficiaries, what obstacles are felt so that mustahik is unable to overcome them. Then whether or not it is feasible for their business to receive Z-Mart BAZNAS assistance funds. After everything is confirmed, the facilitator directs the prospective recipients to complete the next requirements. As stated by Mrs. Anjar, one of the beneficiaries of the Z-Mart program in Sengon, Jombang. Before receiving program assistance, the team from Z-Mart came to confirm the condition of his business and ask what obstacles he felt in his business. Then the companion helped direct Mrs. Anjar to get business capital assistance from the Z-Mart program

Acceptance, after it is confirmed that it passes the criteria, the next stage is that the Jombang Regency BAZNAS will analyze and map the administrative files to determine the eligibility of mustahik in receiving assistance.

Program Implementation, the essence of all stages that have been planned is the program implementation stage. At this stage, mustahik as a recipient of assistance finds a solution to the problem he feels.

### **Implementation Stage**

Capital Provision, Funding obtained by each Z-Mart store is Rp. 2,000,000, this fund is used for the needs of stalls that have been designated as beneficiaries. The distribution of funds is carried out in two stages or two receipts, the first is Rp. 1,000,000 in the form of financial assistance in the form of merchandise that has provided the required list to the Z-mart team, as well as in the form of shelves or other needs (BAZNAZ annual report, 2023). The second funding is in the form of cash of Rp. 1,000,000 with the note that the funds are intended as appropriate for business needs.

Meanwhile, in terms of distributing merchandise, the Z-Mart team has a timeline of program activities, distribution is carried out according to the schedule that has been listed. The provision of equipment and distribution of merchandise is given within a period of one time since the beginning of mustahik joining the Z-Mart program.

The increase in income and independence is mustahik, the Z-Mart Program has been running for approximately one year in Jombang, so that the difference in income before and after joining this program has begun to appear significantly. However, both Mrs. Anjar and Mrs. Suhartini, their income is now enough to meet their daily needs. With the income they collect, Mrs. Suhartini hopes that there will continue to be an increase so that it can be set aside for savings. Meanwhile, Mrs. Anjar intends to set aside her income for children's education savings.

Assistance, BAZNAS Jombang Regency provides assistance to mustahik on a prolonged scale. The companion has the task of supervising and reporting the

condition of the development of mustahik businesses that receive business capital assistance from the Z-Mart program. The companion will go to the Z-mart location once or two months to see the development of the mustahik business.

### **Evaluation Stage**

Evaluation is the process of assessing, studying, and improving an activity by comparing the planned process with the results to be achieved. The evaluation stage on the implementation of the program is carried out by the Z-Mart team while it is being carried out and has been done (Fathoni, 2015). At this evaluation stage, the goal is to see the level of achievement of the program that has been carried out, whether it has experienced difficulties or not, as well as consideration of criticism and suggestions from Z-Mart beneficiaries so that improvements can be made in the implementation of the program in the future.

### **Implementation of Law No. 23 of 2011 concerning Zakat Management for the Empowered Jombang Program Through Z-Mart at BAZNAS.**

#### **Zakat Collection**

In the context of collecting zakat, muzaki does its own calculation of its zakat obligations. If a muzaki is unable to calculate his zakat obligation by himself, he can ask for help from the Jombang Regency BAZNAS. This is stated in Article 21 of Law No. 23 of 2011 concerning Zakat Management. The independence of muzaki in terms of zakat collection can be seen in BAZNAS Jombang Regency which implements an online system for muzaki to pay zakat by making deposits/transfers available on the official website of BAZNAS Jombang Regency. Then in article 23 paragraph (1) of Law No. 23 of 2011 concerning Zakat Management, it is stated that BAZNAS or LAZ is obliged to provide proof of zakat deposit to muzaki (Law No. 23, 2011). Referring to these provisions, BAZNAS Jombang Regency also provides proof of deposit containing the name of the muzaki and the nominal amount issued to pay zakat.

The collection of zakat at BAZNAS Jombang Regency is divided into two, namely the collection of zakat fitrah and zakat maal. In the implementation of zakat fitrah collection, BAZNAS Jombang Regency has formed several sub-district level Zakat Collection Units (UPZ) with a total of 21 UPZs, in accordance with the number of all sub-districts in Jombang Regency. In addition, it also forms UPZs in each Office/Agency and other institutions that are still within the administrative area of the Jombang Regency Regional Government. In 2020, it was recorded that BAZNAS Jombang Regency collected zakat funds of Rp. 2,868,283,969.

#### **Distribution and Utilization of Zakat**

Distribution is the distribution/distribution/delivery of goods and so on to the public or several places of zakat utilization is a form of maximum utilization of zakat funds without reducing their value and usefulness, so that it is empowered to achieve the benefit of the people. Based on the previous description regarding the eight groups that are entitled to receive zakat in accordance with Q.S. At-Taubah verse 60 which means "Indeed, zakat is only for the poor, the poor, the administrators of zakat, the converts who are persuaded by their hearts, for the slaves, the people who are in debt, for the way of Allah and for those who are on the way, as a stipulation that Allah

obliges. and Allah is All-Knowing, All-Wise".

The implementation of the distribution and utilization of zakat in BAZNAS Jombang Regency has paid enough attention to the articles contained in the Law. No. 23 of 2011 concerning Zakat Management, namely in articles 25 and 26. Then in the Third Part concerning the Utilization of Article 27 paragraphs (1) and (2) zakat can be used for productive businesses in the context of handling the poor and improving the quality of the people. This is in line with the work program of BAZNAS Jombang Regency in the economic sector, namely Z-Mart, which is an economic empowerment program in the form of small/micro businesses.

According to the author's analysis, the implementation of Law No. 23 of 2011 concerning Zakat Management in BAZNAS Jombang Regency is carried out through the first planning, planning is focused on analyzing programs that are in accordance with the needs of the community along with the times so that they can develop programs that are in accordance with the needs of the community. Then planning about carrying out the function and effectiveness of BAZNAS Jombang Regency to carry out ZIS management by planning muzaki targets, the target is to maximize the potential of ASN. Based on a circular issued by the Regent of Jombang in 2020, it is determined that a 1% ASN TPP deduction will be given to BAZNAS Jombang Regency. This is in accordance with Law No. 23 of 2011 Article 16 paragraph 1 which states "In the implementation of its duties and functions, BAZNAS Regency/City can form UPZs in government agencies, SOEs. BUMD, private companies, and Indonesian representatives abroad and can form UPZs at the level of sub-districts, urban villages, or other names, and other places".

Literally, the implementation of the law. No. 23 of 2011 concerning the Management of Zakat is based on Islamic law, trust, utility, justice, legal certainty, integrated, and accountability. From this principle, it is known that the birth of the law. No. 23 of 2011 concerning Zakat Management in order to increase the effectiveness and efficiency of services in the management of zakat and increase the benefits of zakat for the realization of community welfare and poverty alleviation, this is reflected in the purpose of zakat management in the Law. No. 23 of 2011 concerning Zakat Management.

Meanwhile, the implementation of collection and distribution carried out by BAZNAS through the establishment of the Annual Budget Work Meeting with a focal point of socialization using socialization through online and offline social media. The implementation of offline socialization to the community in mosques, providing various payments such as applications on the web, transfers and manuals, this aims to make muzaki can reach the convenience of making zakat payments. The implementation of distribution is given to 8 groups (asnaf) contained in Q.S. At-Taubah (60), Law No. 23 of 2011 article 26 explains "the distribution of zakat is carried out based on a priority scale by paying attention to the principles of equity, justice and regionality". According to researchers from 8 existing groups, Z-MART beneficiaries are the poor, which is a condition where they already have a job and property but cannot meet the basic needs of themselves and their families who are covered on a daily basis. The implementation of the distribution of zakat funds to mustahik in

BAZNAS Jombang Regency by paying attention to the principles of justice, equity, and regionality, this statement is proven by the program that is carried out not only focuses on one place, but covers all sub-districts in the Regency

### **Conclusion**

Based on the results of the research and data analysis that has been carried out, it can be concluded that the practice of managing productive zakat in the Z-Mart program at BAZNAS Jombang Regency goes through several stages; a) The Planning Stage, as the term implies, at this stage is a design or prefix to determine prospective Z-Mart beneficiaries in the future. At this stage, it contains several steps, including the process of introduction, review, acceptance, and implementation of the program. b) Implementation Stage, which is an action or implementation of a plan that has been carefully prepared. At this stage, it contains, among others, the provision of capital, increasing income and mustahik independence, and mentoring. c) Evaluation Stage, at this stage has the objective to see the level of achievement of the program that has been carried out, whether or not it has experienced difficulties, as well as consideration of criticism and suggestions from Z-Mart beneficiaries so that improvements can be made in the implementation of the program in the future.

In this study, the legal rules applied are Law No. 23 of 2011 concerning Zakat Management. In carrying out its program, BAZNAS Jombang Regency is sufficient in implementing the articles contained in the Law. It is contained in Chapter III, which is related to collection, distribution, utilization, and reporting. In addition, with the birth of Law No. 23 of 2011 concerning Zakat Management, it strengthens the position of BAZNAS Jombang Regency in a more professional management of productive zakat management. Furthermore, in practice, the implementation of Z-Mart at the monitoring stage should be carried out more intensely between BAZNAS and beneficiaries or business actors to achieve the goals of the work program of Z-Mart itself.

### **References**

- Fathoni, Nur. (2015). *Fikih Zakat Indonesia*, Semarang: CV Karya Abadi Jaya, cet. Ke-1.
- Ghazali, Syukri, dkk. (1999). *Pedoman Zakat*, Jakarta: Proyek Peningkatan Sarana Keagamaan Islam, Zakat dan Wakaf.
- Hasan, M. Ali. (2006). *Zakat dan Infak Salah Satu Solusi Mengatasi Problema Sosial di Indonesia*, Jakarta: Kencana Prenada Media Group, 2006.
- Hermawan, Rudi. (2015). Asuransi Dalam Bisnis Syariah. *Et-Tijarie*,2(1).
- Hidayat, H.A, Kurnia, H. Hikmat.(2008).*Panduan Pintar Zakat*, Jakarta: Qultum Media.
- Insani, Yuni. & Hermawan, Rudi. (2023). Pengelolaan Zakat Produktif di Baznas Kabupaten Jombang Melalui Program Z-Mart dalam Meningkatkan Kesejahteraan Umat. *Ad-Deenar: Jurnal Ekonomi dan Bisnis Islam*, 7(2), <https://doi.org/10.30868/ad.v7i02.5051>
- Moleong, Lexy J. (2013). *Metodologi Penelitian Kualitatif*, Bandung: PT. Remaja Rosdakarya.
- Muhammad, Sahai. (1982). *Pengembangan Zakat dan Infak dalam Usaha Meningkatkan Kesejahteraan Masyarakat*, Malang: Yayasan Pusat Studi.



- Mutmainnah, Rezky, Akbar, Ince Nur, Pati, Maipa Dhea. (2023). Zakat Profesi: Membangun Kesejahteraan Umat. *Indonesian Journal of Taxation and Accounting* 1(1), 49-56.
- Putra, Popi Adiyes, Marliyah, & Siregar, Pani Akhiruddin. (2023). Zakat dan Pajak dalam Perspektif Syariah. *Al-Mutharahah: Jurnal Penelitian dan Kajian Sosial Keagamaan*, 20(1), 29-92, <https://doi.org/10.46781/al-mutharahah.V20i1.610>
- Sakti, Labuh Inderayana Eka & Fahrullah, A'rasy. (2022). Pengelolaan ZIS Sebagai Upaya Meningkatkan Kesejahteraan Masyarakat (Studi Pada Baznas Kabupaten Jombang). *Jurnal Ekonomika Dan Bisnis Islam*, 5(1), 106–119. <https://doi.org/10.26740/jekobi.v5n1.p106-119>
- Shalehudin, Wawan Shofwan. (2002). *Risalah Zakat Infak dan Sedekah*, Jawa Tengah: Tafakur.
- Suyikno, Dwi. (2010). *Kompilasi Tafsir Ayat-Ayat Ekonomi Islam*, Yogyakarta: Pustaka Pelajar, 2010.
- Syahrum, Muhammad. (2022). *Pengantar Metode Penelitian Hukum : Kajian Penelitian Normatif, Empiris, Penulisan Jurnal Proposal, Laporan Skripsi dan Tesis*, Riau: Dotplus Publisher.
- Undang-Undang No. 23 Tahun 2011 Tentang Pengelolaan Zakat
- Wahyuningsih, Tri. (2020). Konsep Pengelolaan Zakat Produktif Berdasarkan Indeks Desa Zakat Di Desa Cupak Kabupaten Jombang. *Filantropi : Jurnal Manajemen Zakat dan Wakaf*, 1(2), 177-192.
- Zuhri, Syaiffudin. (2012). *Zakat di Era Reformasi*, Semarang: FTIK UIN Walisongo.