

Amil Zakat as a Business Capital Financing Institution

Wahyu Hidayat¹

¹Istiqlal Mosque Ulama Cadre Education, Institute of PTIQ Jakarta

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ABSTRACT

One of the objectives of zakat is prescribed as an effort to reduce social inequality as well as poverty alleviation efforts. The problem is, zakat still revolved around consumptive zakat, which is less effective in poverty alleviation efforts. Mustahik still relies his life on zakat issued by the rich every year. This paper aims to describe how zakat not only plays a role in solving problems in the form of meeting consumptive needs but can act as an institution that encourages mustahik productivity. This study uses a descriptive analysis method with a literature-based research model using literature related to productive zakat. The author found one zakat institution that is quite successful in processing zakat funds given to mustahik in the form of capital. The capital provided to the mustahik can be rotated and make the mustahik change its status to muzaki. Such Amil Zakat agency should be further developed in Indonesia as an effort to eradicate poverty more massively.

Keywords: Capital financing institution, Poverty alleviation, Productive zakat

INTRODUCTION

Zakat is the 3rd pillar of Islam that must be practiced for a muslim who can fulfill it. If there is a person who can pay zakat but does not carry it out, the scholars consider him an apostate. Zakat is defined as certain goods that must be issued at a particular time with a specific dose given to certain people. This Zakat obligation is based on surat Al-Baqarah; 43, at-Tawbah; 103, al-An'am 141. In addition, zakat is also based on the Hadith of the Prophet (Wahbah az-Zuhaili, 2011).

In surat Al-Baqarah verse 43, the word zakat is juxtaposed together with prayer. The verse reads:

وَاقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ

"Establish prayer, pay the poor-due, and bow with those who bow."

Pairing the command of zakat with the command of prayer has the philosophy that prayer and zakat are two commands that go hand in hand. Islam is not perfect if one has not done both. A Muslim is not only commanded to be pious vertically worshipping Allah alone, but also to be pious socially, able to benefit all around. (Maghfirah, 2019)

Zakat is also useful as a form of help for *mustahik* to meet his life needs properly so that he can worship Allah better. In addition, the existence of zakat also aims to provide adequacy and welfare for the recipient, by eliminating or minimizing the causes that make their lives poor. Zakat becomes one of the concrete forms of Social Security prescribed by Islam (Didin Hafidhuddin, 2002).

In addition, Wahbah Zuhaili mentioned the wisdom of zakat to be 4. First, fortify the property from the reach of the perpetrators of the crime. Second, as a form of help to the needy and the needy.

Zakat can protect the community and help the poor to a more noble life situation. Third, Zakat can purify the *muzaki* from miserliness and miserliness, and part of the habit for believers to give and be generous. Fourth, as a form of gratitude.

Zakat obligation does not only stop at the religious aspect but also supports the moral-spiritual, financial, and socio-political aspects that will ultimately realize the prosperity and welfare of the community. (Isnaini, 2008) The main Target of the enactment of zakat is to alleviate poverty to the maximum. (Maghfirah, 2019) Then of course, for *mustahik* the usefulness of zakat will be much better if it can be felt for a longer time.

During the implementation of the Shari'a of zakat, there are at least two patterns in its distribution, namely the traditional pattern that tends to provide consumptive goods and also the productive pattern utilizing economic empowerment. The first pattern, better known as Caritas, will be more quickly accepted by *mustahik* without a target so that *mustahik* can be economically independent. While the pattern of zakat distribution with the economic empowerment method not only prioritizes the speed of receipt of zakat assets to *mustahik*, but also aims to turn *mustahik* into *muzaki* (Moh. Thoriquddin, 2014).

Interestingly, the distribution pattern of productive zakat has not been socialized properly. This is due to several factors, ranging from the lack of application of productive zakat in the community to doubts about its ability. (Fasiha, 2017) In this regard, some scholars have tried to do various *ijtihad* to realize one conclusion, that zakat if used as something productive is permissible.

Followers of Imam Nawawi, for example, say that for people who have skills and abilities should not be given consumptive zakat, but it is recommended

to be given capital as a first step in carrying out a job. Even if it is possible and has the potential, the amount of zakat given can be greater than the consumption zakat. In addition, Yusuf Qardhawi also argued that the use of the proceeds of zakat used as an effort which is then distributed to the poor is something that is allowed in Islam (Yusuf Qardawi, 1999).

Zakat has a far-reaching goal, which is to make poor families into better families, from those who previously *mustahik* to *muzaki*, from those who previously only received zakat turned into a group that regularly issues zakat. (Isnaini, 2008) Zakat should not cease to be a good that is given freely but does not have a long impact. Zakat consumptive will only make *mustahik* be in an environment that always expects help from others in a prolonged manner.

Indonesia as a country with the largest Muslim population in the world sees zakat opportunities very well. This is reflected in law No. 23 of 2011 on the management of zakat. Article 26 mentioned that the distribution of zakat to *mustahik* can be done by way of utilization for productive business as one of the efforts to alleviate poverty as well as improve the quality of the people (Law of the Republic of Indonesia No. 23 of 2011 on the management of Zakat).

Poverty Rate in Indonesia

Poverty has existed since ancient times. Efforts to eradicate poverty have also been going on for a long time even before the Prophet Muhammad the bearer of the Islamic treatise was born. One such simple example was in the Euphrates valley in 4000 B.C. where Hammurabi had drafted a written rule saying that God sent him into the world to prevent the rich from acting arbitrarily against the weak. Not only that, the heavenly religions brought by the previous prophets, such as Prophet Ibrahim, Ishaq, and Ya'qub have also instructed their

people in poverty alleviation, carried out by way of Zakat. This is as stated in surah al-Anbiya; 73. The same is also blamed on the Prophet Ishmael as in Surah Maryam; 54-55, and also to the Children of Israel as in Surah Al-Baqarah; 83. The commandment of zakat was also prescribed at the time of Jesus as in the surah of Maryam; 31 (Yusuf Qardawi, 1999).

Efforts to eradicate poverty continued until the revelation of the Prophet Muhammad to the world by saving small people who are oppressed by the socio-political system of the economy in Arabia which is very discriminatory. Arabia at that time became one of the regions whose economic resources were controlled by a handful of groups that had capital or capital. People who do not have capital will continue to be in status of slavery. So, during an arrogant, discriminatory Arab culture that tends to oppress weak groups, the Prophet Muhammad came up with a brilliant, egalitarian, and reformative idea (Sumanto al-Qurtuby, 2016).

Although the economic gap has been sought to be resolved immediately, its existence seems to be a matter that cannot be avoided. The Islamic world is plunged into the abyss of economic inequality, including Indonesia, which is dominated by Muslim communities. In a study conducted by Oxfam International, Indonesia ranks sixth worst in the world in terms of economic inequality. The numbers are staggering: the richest 4 have more wealth than the poorest 100 million combined (Syarifuddin et al., 2021).

The number of poor people in Indonesia in 2021 was 26.5 million people. (Badan Pusat Statistik, 2022). The poverty rate in Indonesia is at a fairly alarming level. Indonesia is dominated by Muslims who are directly trying to alleviate poverty -, amounting to 231 million people (Abdul Jaleal Nasreddin, 2022) The Data shows that poverty in Indonesia is still at a very alarming level, at the same time economic development has not been able to overcome

poverty from year to year (Maksum et al., 2018).

Several factors cause economic inequality as stated by Syamsuri. First, the elements that occur naturally, both from the weakness of human resources in managing the various potentials that exist to the weakness of natural resources that can be managed properly. Second, cultural or cultural factors that exist in a particular place will inadvertently reduce income. This is reflected in certain areas that are dominated by people with a low work ethic who just stand idly by waiting for help from other parties. Third, structural factors, related to various government policies (Syamsuri, 2020).

Islam is a religion that is pro-poor, but at the same time instructs its adherents to eradicate poverty. This is like the actions of the Prophet Muhammad who denounces and condemns people who do not want to try to find wealth but busy themselves asking for it. For this reason, Islam commands its people to work in fulfilling their daily needs (Maksum et al., 2018).

In Islam, the gap must be minimized in such a way that the gap does not further aggravate the situation. In minimizing this social gap, Islam provides a solution that is better known in the Islamic world with the term zakat. (Didin Hafidhuddin, 2002).

The potential of zakat in Indonesia is very large, reaching Rp. 327 trillion rupiah per year (Rosana, 2022). With this number, the chances of poverty alleviation in Indonesia will be very large if zakat funds are used optimally. But the problem is, the distribution is still limited to zakat consumption, so the status of *mustahik* does not change over time. In this case, the purpose of zakat as one of the poverty alleviation efforts has not been achieved to the maximum, because it is *mustahik* will depend on his life on zakat which is always distributed.

The provision of assistance to those in need, including the provision of zakat,

aims so that the recipient can improve his / her standard of living. The problem is, some parties actually “misuse” the assistance provided. This is as reflected in research conducted by Thomas Malthus, that cash assistance provided directly to the community is less effective in alleviating poverty. Instead, cash assistance is used to increase the number of beneficiaries by adding family members. People who receive assistance think that with the increase in the number of family members, the amount of assistance received will also increase (Thomas Malthus, 1998).

A similar incident occurred in Indonesia. A study conducted by Rafly et al showed that with cash assistance from the government, the poor tend to add family members with the aim that the number of beneficiaries. (Bano et al., 2021) This is known as a Moral Hazard. Moral Hazard is a term more commonly used in economic theory. Moral Hazard is usually associated with the behavior of a person to commit various deviations and offenses (Ralona M, n.d.). When it comes to beneficiaries, the beneficiaries maximize the amount of assistance received by increasing family members. Research conducted by Fafly and his colleagues shows that the recipient of assistance affects a person's desire to have children (Bano et al., 2021).

This fact actually makes poverty in a vicious circle. If poverty continues to be left in such circumstances will not show improvement. This is because the number of families born to poor families is increasing, at the same time the child cannot get anything decent, from housing, food to access to education. This makes the environment of poverty remain an endless cycle of poverty.

As far as the author searches, research that focuses on the effectiveness of zakat as an effort to alleviate poverty carried out by socio-anthropological methods has not been found by the author. Nevertheless, the author feels there is a link between the researches conducted by Bano

et al with philanthropy given to the community, one of which is in the form of zakat. The results of the Bano study concluded that cash assistance provided directly is less effective for some people.

Seeing some of the facts mentioned above, the allocation of zakat funds given to *mustahik* in the form of productive zakat is felt to need to be re-developed and enforced in the community. Policymakers such as *amil* zakat should start to realize and learn about this productive zakat distribution scheme. This is none other than to achieve the goal of zakat itself, namely poverty alleviation efforts. Because basically, the spirit of Islam is not only an order to give some of our property to the needy, but also to motivate the poor to be able to get out of poverty (Yusuf Qardawi, 1999).

As stated by Syamsuri, the gap that occurs in Indonesia is caused by several factors, including the cause of poverty by environmental conditions that have a low work ethic. An environment that has a low work ethic will affect the next generation to have a low work ethic as well, so it will be difficult to achieve prosperity. In an environment like this, the tendency of society is only to rely on generous parties without any hard work from himself.

Zakat Recipients

Groups entitled to receive zakat or *mustahik* as mentioned in the letter at-Taubah paragraph 60 is divided into 8 groups. The eight groups are the poor, the poor, *Amil* zakat, converts, freeing slaves, people in debt, people who are struggling in the way of Allah, and people who are on the way to seek the pleasure of Allah.

The *first* is poor. They are the ones who deserve to be given zakat in the first place. The poor are those who do not have wealth and at the same time do not have a job that can meet their needs. He also lived alone, with no friends. The *second* group is

poor. They are the ones who have the right to be given zakat in the second order. Poor people are people who can work and meet their needs but have not been fully met. For example, if he needs 10, he can only fulfill 8. The *third* group is the *amil*. They are the ones in charge of collecting zakat. The *fourth* is a convert. They are the ones who are weak in Islam. Their goal is to make them stronger in Islam. Some scholars argue that what is meant by converts who are entitled to receive zakat is not limited to people who have just converted to Islam, but also unbelievers who tend to enter Islam.

The *fifth* group is slaves or slaves. They are Muslim slaves who do not have the property to meet what is being dependent, even though they have done hard work. The *sixth* group is *gharim* or people who are in debt and have difficulty paying it. The *seventh* commandment is the command of God. The last group entitled to receive zakat is *Ibn sabil*, a person who is on a journey in carrying out obedience in the way of Allah, not disobedience (Wahbah az-Zuhaili, 2011).

From some criteria as mentioned above, not all of the 8 mustahik groups are eligible to be given productive zakat. For example, the poor who already have no energy in work. Giving productive zakat to this group will not be effective. Productive Zakat in the form of business capital will be felt its usefulness if given to the poor but still have the ability to try.

LITERATURE REVIEW

Some research on productive zakat will be very easy to find. However, some research shows that it is only limited to certain Amil zakat institutions. For example, research conducted by Moh. Thoriquddin with title *Pengelolaan Zakat Produktif Perspektif Maqasid Al-Syari'ah Ibnu Asyur*. This study focuses more on the normative aspect, where zakat law is productively

seen from the point of view of Maqasid Sharia, more specifically Ibn Assyria. (Moh. Thoriquddin, 2014). This study became one of the reference materials for the author.

The second study conducted by Fasiha, with the title *Zakat Produktif: Alternatif Sistem Pengendalian Kemiskinan*. This study discusses productive zakat but with a wider range, around the concept, instruments, urgency and application. (Fasiha, 2017) This research will also be one source of reference for the author.

Furthermore, research conducted by Dewi in the Journal of Religious Research Iain Purwokerto with the title research *Strategi Pendayagunaan Zakat Produktif untuk Pemberdayaan Kesejahteraan Mustahiq (Studi Kasus pada Lazis NU Kabupaten Banyumas)*. This study is a field study that focuses on a particular place, namely Lazis NU Banyumas Regency. This study shows that the utilization of productive zakat has been effectively carried out in the community around Banyumas which became mustahik from Lazisnu Banyumas Regency (Dewi, 2017).

Further research conducted by Aulia Hilman et al, with the title *Implementasi Manajemen Zakat Produktif dalam Upaya Mengentaskan Kemiskinan* published in the Journal of Da'wah Management, Faculty of Da'wah and communication, UIN Sunan Gunung Djati Bandung. This research is field research that makes Baznas Ciamis an object of research. In this study it was found that productive zakat was handed over to *mustahik* as a manager by making it capital. This study does not mention the supervision of the *amil* zakat on zakat assets that have been handed over (Hilman et al., 2016). For the author, this method is less effective because there is less supervision from the Amil zakat institution itself.

Further research conducted by Rachmat Darmawan and Sunan Fanani with

the title *Zakat Produktif dalam Keberhasilan Usaha Mustahiq Ditinjau Dari Indikator Peningkatan Modal, Peningkatan Pendapatan, Peningkatan Jumlah Konsumen, Peningkatan Produksi dan Peningkatan Amal Jariyah Mustahiq (Studi Kasus LAZ Inisiatif Zakat Indonesia Cabang Jawa Timur)* published in the Journal of theoretical and applied sharia economics, Airlangga University. In this study, Darmawan and Sunan have concluded that productive zakat is very beneficial for the recipient. This study focuses on the recipients of productive zakat which turned out to have a satisfactory success rate. The recipients are now no longer a *mustahik* but *muzaki* who has routinely issued zakat and even diligently invested (Darmawan et al., 2019).

As far as the search that the author did, research related to productive zakat still revolves around each region. The printed book still revolves around the level of jurisprudence regarding whether or not to do productive zakat. The research that the author will do is how to make Amil zakat a financing institution. The author will focus on the scheme that must be done if it will make Amil zakat a financing institution.

METHODOLOGY

This study uses a descriptive-based analytical literature research method and contains studies related to philanthropic activities, and how much influence it has on self-reliance in the community. This study also contains normative research related to the permissibility of productive zakat. In addition, this study will also be filled with some suggestions related to zakat management so that *mustahik* independence can be realized until it changes its status to *muzaki*.

RESULT AND DISCUSSION

The results of this study indicate that giving zakat in the form of consumptive goods to *mustahik* who are still able to try is not recommended. Zakat as one of the pillars of Islam that aims to alleviate poverty will have more impact if given as productive zakat. This is not so that the recipient of zakat does not always depend on the zakat of others. More than that, a *mustahik* if successfully managing productive zakat funds will become a *muzaki* in the future. Thus, the purpose of holding Syariah zakat as an effort to alleviate poverty will be more achievable with maximum.

Looking at the various data mentioned above, the existence of productive zakat will be very supportive if applied optimally. Productive Zakat can be given to several *mustahik*, including the poor or poor who have the potential to do certain jobs. Productive Zakat can also be given to *gharimin* or people who are in debt. These three *mustahik* are the right group if given in the form of productive zakat, as long as they can manage it.

The scheme of giving productive zakat to the entitled group does not merely give it for free. Giving productive zakat must be equipped with skills as well as supervision so that the funds provided are not only a consumption product. This process, of course, takes a relatively longer time than the provision of consumptive zakat as has been going on so far.

In the implementation of productive zakat, *amil* zakat not only provides material capital but also non-material, such as motivating so that someone wants to try and not always depend on others. In this case, *amil* zakat needs to guide in advance about how important it is to have the property that can be given even to the person who is entitled. In addition, knowledge about financial literacy also needs to be socialized, so that the cycle of poverty does not continue to repeat itself in the same group. The lack of financial literacy will

result in the inhibition of prosperity. (Dewi et al., 2018) Please note that financial literacy in Indonesia is at a very low level, only 38.03% of the population is literate financial literacy. Financial literacy is the quality of decision-making and financial management in achieving prosperity (Damara, 2021).

The East Java branch of the Indonesian Zakat initiative can be one of the *amil* zakat whose success can be imitated by other *Amil* zakat agencies in Indonesia. LAZ initiative Zakat Indonesia East Java branch is no longer “just” a Zakat agency in distributing Zakat consumptives only. LAZ Inisiatif Zakat Indonesia East Java branch has now become a capital house that not only provides capital services but also supervises *mustahik* who receive capital from this institution. The beneficiaries of this kind of zakat service are very satisfied because in the end they no longer depend on the *muzaki* (Darmawan et al., 2019).

Supposedly, the Amil Zakat Agency spread across Indonesia can try to follow the success achieved by the East Java branch of the Indonesian Zakat initiative. Amil Zakat not only gives zakat to *mustahik* in the form of consumer goods but also productive goods. Badan Amil Zakat can also provide various entrepreneurial training provided to *mustahik* who are entitled to receive it and have the willingness to open a business. The zakat capital given is profit sharing, where if a *mustahik* makes a profit, the profit sharing given is used to meet the needs of infrastructure and the development of *Amil* Zakat institutions. Meanwhile, if a *mustahik* recipient of capital from zakat funds fails or goes bankrupt due to factors beyond his control such as natural disasters, he has the opportunity to receive capital for the second time. However, if a *mustahik* uses the given capital for something consumptive, then he will not receive assistance a second time.

The role of Amil zakat as business capital can also replace the position of banks, where its legality is still debated until this moment amid Muslims. The debate revolves around whether bank interest is included in the *riba* prohibited by religion or not. With the existence of its capital institution, Muslims do not have to worry about the existence of bank interest that tends to fall into *riba*. Muslims it is time to create their economic model, not just adopt the economic system of other groups and then give the label of Sharia as a form of justification.

The use of zakat like this will also support the SDGs (Sustainable Development Goals) movement with one of its agendas, namely poverty alleviation. In addition, the use of zakat funds as business capital for *mustahik* is also included in one of the categories of *maslahah mursalah*, namely *mashlahah daruriyah*. In this case, the land that is being protected is for the benefit of property development. If associated with the context of the SDGs, poverty alleviation enters into a *dlaruriyah* problem that must be resolved immediately (Maksum et al., 2018).

Maslahat itself according to Al-Ghazali is divided into two general *maslahat* and special *maslahat*. General *Maslahah* is the benefit that results in the wider community, while special *maslahat* is the benefit that results in a narrower community. When viewed from the results that will result from poverty alleviation, this *maslahat* falls into the category of general *maslahat*.

CONCLUSION

As instinctive as humans in general, living with abundance without experiencing hardships and difficulties is everyone's dream. However, the inability of man to realize abundance makes him fall into poverty and unable to meet his needs properly. No wonder the Devil scare people

will be as illustrated in the letter Al-Baqarah verse 268. The form of fear that Satan whispers is diverse, ranging from being stingy and even not reluctant to commit murder.

Fear of poverty is what should be responded to properly, namely by trying harder, not surrendering to poverty and then relying on help from other parties. Work becomes one of the efforts to protect themselves in order to be free from the abyss of poverty. Conversely, not working will open up opportunities to fall into the pit of poverty, which often occurs due to the influence of culture, habits, culture or customs in a society that does not prioritize hard work (Maksum et al., 2018).

The cultivation of the importance of being independent and not dependent on others needs to be emphasized more by Muslims. Muslims cannot stand idly by expecting the mercy of others. People who previously regularly received zakat must be changed their mindset as well as be encouraged and equipped with skills so that they do not dissolve in incompetence and depend on other parties. Independence is a value taught in Islam. Not only that, the existence of *Amil* zakat as a capital institution for *mustahik* can be the worst solution for Islamic economics.

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