

## **ANALYSIS OF THE LEGALITY AND COMPLIANCE OF THE *WAKĀLAH BIL UJRAH* AGREEMENT ON THE KITABISA.COM CROWDFUNDING PLATFORM IN REALIZED THE BENEFITS OF DIGITAL ISLAMIC PHILANTHROPY IN INDONESIA**

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### **Abstract**

This study aims to analyze the operational legality and the level of sharia compliance of Kitabisa.com in the development of digital technology has driven the transformation of Islamic philanthropic practices in Indonesia, one of which is through the utilization of online crowdfunding platforms such as Kitabisa.com. the practice of digital Islamic philanthropy in Indonesia. The research employs a normative legal research method, with a content analysis approach used to examine digital content related to Islamic philanthropic practices on the Kitabisa.com platform. The analysis focuses on messages, visuals, narratives, as well as the mechanisms for fund management and distribution presented in digital Islamic philanthropy campaigns. The results indicate that Kitabisa.com has legally operated in accordance with applicable legal norms, particularly those related to the operation of electronic systems and public fundraising activities. From a sharia perspective, the mechanisms for fundraising and fund distribution implemented by Kitabisa.com are generally in line with Islamic philanthropic values, such as trustworthiness, transparency, justice, and public benefit. Nevertheless, strengthening sharia supervision remains necessary to ensure that the management of religious funds is more optimal and fully compliant with sharia principles. Therefore, Kitabisa.com has the potential to become an effective and sustainable instrument of digital Islamic philanthropy in Indonesia.

**Keywords:** sharia compliance; crowdfunding; digital philanthropy;

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## Introduction

In Islam, helping each other in mercy is part of the recommended teachings as stated in QS. Verse Al-Maidah 2. Along with the development of digital technology, Islamic philanthropic practices such as zakat, infak, sedekah, and waqf are undergoing a transformation through digital crowdfunding platforms.<sup>1</sup> Philanthropy, previously practiced conventionally, has now evolved through digital platforms, enabling communities to distribute aid more easily, quickly, and widely, without the constraints of time and space. This development demonstrates that digitalization has become a crucial part of strengthening social and religious activities in Indonesia.<sup>2</sup> The success of crowdfunding depends heavily on the level of engagement in the digital space, the strength of social networks, and public trust in the platform and its initiators.<sup>3</sup>

One organization that uses a donation-based crowdfunding system is Kitabisa.com. This platform covers social, humanitarian, health, education, and religious activities based on ZISWAF. Since its founding in 2013.<sup>4</sup> Through the Kitabisa.com platform, people can channel donations and raise funds for various social, humanitarian, and religious causes. Essentially, this platform's presence makes a positive contribution to strengthening a culture of philanthropy and social solidarity within the community.<sup>5</sup>

According to Hendri Kurniawan, Abdul Mujib in his journal "Process of Supervising the Compliance of Sharia Principles (Syariah Compliance) in Non-profit Crowdfunding Practices on the Kitabisa.Com Platform" shows that the application of the ijarah contract in managing digital social funds on Kitabisa.com has not fully fulfilled the pillars and requirements of ijarah as stipulated in the DSN-MUI fatwa, especially regarding the clarity of the object of benefit, the amount of ujah, and the term of the contract. In addition, the use of the ijarah contract is considered inappropriate in the

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<sup>1</sup> Ekaterina Nalivaichenko Dmitry Ivantsov, "On the Issue of the Substantive Characteristics of Crowdfunding," *Theoretical Economics*, 2024, <https://doi.org/10.52957/2221-3260-2024-11-55-66>.

<sup>2</sup> "Kitabisa.Com," 2026, <https://kitabisa.com/>.

<sup>3</sup> Girish G P and Seeboli Gosh, "Dynamics between Digital Visibility through Social Media Marketing and Crowdfunding: Path to Succeed in Entrepreneurship," *Indian Journal of Finance and Banking* 4, no. 2 (2024): 28–37.

<sup>4</sup> Niya Amalia Insan and Wahyudi, "Fikih Muamalah Dalam Konteks Pengelolaan Zakat, Infak Dan Sedekah Berbasis Star-up Kitabisa.Com," *I-JIEF: Indonesian Journal of Islamic Economics and Finance* 1, no. 1 (2021): 72–89.

<sup>5</sup> Setiawan Mandala Putra and Sony Kusumasondjaja, "The Effectiveness Of Using Instagram Content To Promote Charitable Crowdfunding Campaign," *Jurnal Ekonomi Dan Bisnis* 25, no. 2 (2022): 253–79.

context of collecting social funds that are tabarru', because this contract is basically more suitable for commercial transactions.<sup>6</sup>

According to Holy Heryanto and Atika Budhi Utami, in their journal "Persuasive Communication of Kitabisa Fundraising," they demonstrate that cognitive-based persuasive communication can be conducted through the dissemination of information on various social media platforms. From an affective perspective, Kitabisa leverages narrative storytelling and the role of social media influencers. Meanwhile, from a conative perspective, Kitabisa provides various online payment methods to make it easier for donors to channel their donations.<sup>7</sup>

According to Bhirawa Anagara in his journal "A Decade of Charitable Crowdfunding and Its Impacts on the Social Justice Trajectory of Islamic Philanthropy in Indonesia," the development of crowdfunding has opened up a more inclusive philanthropic space in Indonesia, where Muslim NGOs play an active role in social services and collaborate with non-Muslim parties. However, the existence of crowdfunding has also encouraged Muslim NGOs to focus more on short-term social programs or charitable activities. Furthermore, this trend raises challenges related to accountability and transparency in philanthropic practices in Indonesia.<sup>8</sup>

According to M. Rachman Mulyandi, Jonathan, Christofer A Hertanto, Gabriel Denli BT in their journal "The Electronic Service Quality and Islamic Social Finance Integration: Case Study from Kitabisa.com" shows that Kitabisa.com plays a role as a means of strengthening social solidarity and increasing trust between users and beneficiaries. Reliable technological support, ease in digital transaction processes, and compliance with religious values make Kitabisa.com an example of a successful sharia-based crowdfunding platform that is worthy of being used as a reference in the development of digital social services in the future.<sup>9</sup>

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<sup>6</sup> Abdul Mujib Hendri Kurniawan, "Proses Pengawasan Kesesuaian Prinsip Syariah (Syariah Compliance) Dalam Praktek Crowdfunding Nirlaba Di Platform Kitabisa.Com," *Journal of Economics and Business UBS* 14, no. 4 (2025).

<sup>7</sup> Holy Heryanto and Budhi Utami, "Komunikasi Persuasif Penggalangan Dana Kitabisa," *Jurnal Konvergensi* 3, no. 1 (2022): 177–89.

<sup>8</sup> Bhirawa Anoraga, "A Decade of Charitable Crowdfunding and Its Impacts on the Social Justice Trajectory of Islamic Philanthropy in Indonesia," *Advances in Southeast Asian Studies* 17, no. 1 (2024): 5–24.

<sup>9</sup> M Rachman Mulyandi, Christofer A Hertanto, and Gabriel Denli Bt, "The Electronic Service Quality and Islamic Social Finance Integration : Case Study from Kitabisa.Com," *International Journal of Islamic Thought and Humanities* 4, no. 2 (2025): 258–68.

Despite offering various conveniences, the practice of digital Islamic philanthropy through crowdfunding platforms also raises a number of legal and sharia issues.<sup>10</sup> Regulations regarding digital philanthropic crowdfunding in Indonesia are still sectoral and do not specifically address the management mechanisms for digital-based social and religious funds. Regulations regarding public fundraising, electronic systems, and philanthropic activities are scattered across various regulations that fail to fully address the complexities of digital Islamic crowdfunding practices.<sup>11</sup> From a sharia perspective, this issue is closely related to the positive legal aspect, but also touches on the dimensions of sharia compliance, such as clarity of contracts, justice, transparency, and welfare in managing the people's assets.

Several previous studies have discussed digital crowdfunding practices by highlighting the implementation of sharia contracts in Kitabisa.com's crowdfunding practices, and persuasive communication strategies in digital fundraising, towards the development of Islamic philanthropy in Indonesia by emphasizing the quality of electronic services and the integration of Islamic social finance on the Kitabisa.com platform. However, these studies have not comprehensively examined the relationship between the legality of digital crowdfunding platforms and sharia compliance from the perspective of *wakālah bil ujah*. Based on this, this study focuses on analyzing the legality and sharia compliance of digital Islamic philanthropy practices on the Kitabisa.com platform in Indonesia. This study is expected to provide a deep understanding of the conformity of Islamic philanthropic crowdfunding practices with sharia principles, applicable regulations, and the role of law in providing certainty and protection for all parties involved.

## Method

This study uses a normative legal research method with a descriptive qualitative approach and content analysis. This approach is used to analyze the operational legality and sharia compliance of the Kitabisa.com crowdfunding platform in the practice of

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<sup>10</sup> Izniyah et al., "Tren Filantropi Modern : Inovasi Dan Dampak Shadaqah Berbasis Digital Pada Platfrom Crowdfunding Kitabisa . Com," *EKOMA : Jurnal Ekonomi, Manajemen, Akuntansi* 3, no. 2 (2024): 497–514.

<sup>11</sup> Dony Arung Triantoro, Tri Wahyuni, and Fitra Prasapawidya Purna, "Digital Philanthropy: The Practice Of Giving Among Middle To Upper-Class Muslim In Indonesia And Soft Capitalism," *Qudus International Journal of Islamic Studies (QIJIS)* 9, no. 2 (2021): 315–50.

digital Islamic philanthropy in Indonesia from the perspective of wakālah bil ujah. Primary data was obtained from digital content on the Kitabisa.com platform and official social media, including fundraising campaigns, aid distribution documentation, and fund management mechanisms. Meanwhile, secondary data was obtained through literature studies in the form of journals, books, and regulations related to digital Islamic philanthropy and crowdfunding. Data analysis was carried out through the stages of identification, classification, and interpretation of content based on themes related to legality, transparency, accountability, and sharia compliance principles.

## Result and Discussion

The Kitabisa.com crowdfunding platform is a digital-based fundraising tool that allows individuals or groups to obtain support in the form of funds, ideas, or other forms of contributions through broad community participation.<sup>12</sup> This fundraising mechanism generally involves conveying a positive and persuasive narrative, thereby influencing people's prosocial motivations, driven by both the pleasure of helping others and a sense of moral responsibility. This ultimately leads to an increased public willingness to donate through social crowdfunding platforms.<sup>13</sup> Interestingly, trust is a key factor influencing people's behavior when donating online. Kitabisa.com, a social crowdfunding platform trusted by the public, has proven successful in raising funds at an increasing rate each year in Indonesia. This demonstrates that public trust plays a crucial role in the sustainability and effectiveness of digital-based fundraising.<sup>14</sup>

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<sup>12</sup> Ahmad Zaki et al., "Implementasi Relationship Marketing Pada Digital *Crowdfunding* (Studi Kasus: Kitabisa.Com)," *Atrabis Jurnal Administrasi Bisnis (e-Journal)* 10, no. 2 (December 2024): 249–63, doi:10.38204/atrabis.v10i2.2078.

<sup>13</sup> Hendy Mustiko Aji, "The Power of Storytelling in Influencing Social *Crowdfunding* Intention: A Case of a Non-Profit Organization in Indonesia," *Journal of Nonprofit & Public Sector Marketing* 37, no. 5 (October 20, 2025): 700–724, doi:10.1080/10495142.2024.2408566; Joanna Adamska and Urszula Mrzyglód, "Social and Commercial *Crowdfunding* Through the Lens of the Theory of Planned Behaviour and Financial Well-Being," *Journal of Banking and Financial Economics* 2025, no. 1(23) (May 2025): 18–37, doi:10.7172/2353-6845.jbfe.2025.1.2.

<sup>14</sup> Tao Zhang et al., "Online Users' Donation Behavior to Medical *Crowdfunding* Projects: Mediating Analysis of Social Presence and Perceived Differences in Trust," *Frontiers in Psychology* 13 (September 2022), doi:10.3389/fpsyg.2022.1008494; Agna Hilyah et al., "Analisis Penerimaan Pengguna Aplikasi Kitabisa Menggunakan Model UTAUT-3," *Jutisi : Jurnal Ilmiah Teknik Informatika Dan Sistem Informasi* 13, no. 1 (April 2024): 172, doi:10.35889/jutisi.v13i1.1742.

The existence of donation-based crowdfunding as an alternative fundraising system that is popular in Indonesia is realized through Kitabisa.com.<sup>15</sup> This platform is known as one of the pioneers and largest providers of online fundraising services in Indonesia. The name "Kitabisa" itself is inspired by the spirit of mutual cooperation, a noble value of Pancasila and a key social characteristic of the Indonesian people. By implementing the concept of mutual cooperation digitally, Kitabisa strives to encourage active community participation in helping others and foster social optimism.<sup>16</sup> In practice, consumer attitudes and platform image are also influenced by campaign strategies implemented through social media, particularly Instagram. One strategy used is the #OrangBaik campaign, which aims to build emotional closeness between fundraisers, donors, and beneficiaries.<sup>17</sup> Through this campaign, donors not only play a role as financial contributors, but are also positioned as part of a social community that cares about humanitarian issues, as shown in Figure 1, documentation of the distribution of aid from fundraising through the Kitabisa.com platform as follows.



<sup>15</sup> Wa Ode Asmawati and Anggi Ramdani, "Strategi Fundraising *Crowdfunding* Untuk Pengembangan Filantropi Sosial Di Indonesia (Study Kasus Kitabisa.Com)," *KAIS Kajian Ilmu Sosial*, 2022.

<sup>16</sup> Miranti Kartika Dewi, "Kitabisa.Com: Merajut Kebaikan Lewat Teknologi," *Kitabisa.Com: Merajut Kebaikan Lewat Teknologi*, 2022; Moh. Helmy Najih Ramadhan and Achsania Hendratmi, "Minat Berdonasi Generasi Milenial Muslim Melalui Donation-Based *Crowdfunding* Di Indonesia," *Jurnal Ekonomi Syariah Teori Dan Terapan*, 2023.

<sup>17</sup> Anggraini Junia and La Mani, "Factors Influencing Consumer Attitude and Corporate Image on Donation Decisions through *Crowdfunding* Platform," *Journal of Theoretical and Applied Information Technology*, 2021.



Source: Kitabisa.com Instagram post

Based on Figure 1, it can be seen that funds collected through the Kitabisa.com platform have been distributed to communities in need in various forms of social assistance. This distribution involves various parties, from fundraisers and volunteers to local communities, and reaches vulnerable groups such as children and disaster-affected communities. This documentation shows that the donation crowdfunding mechanism implemented by Kitabisa.com focuses not only on the fundraising process but also on the direct, needs-based distribution stage in the field. Thus, the image reflects the real implementation of the principle of digital mutual cooperation and accountability in the management of social funds to beneficiaries.

According to Arina Muntazah, marketing by a company or institution is an effort to maintain its existence and operational sustainability. In the context of crowdfunding, marketing plays a crucial role in building trust, increasing public participation, and expanding the reach of fundraising.<sup>18</sup> Furthermore, establishing partnerships with the private sector and technology providers also plays a crucial role in improving transparency. Optimizing resources through the use of digital technology and strengthening partnership networks can be crucial pillars in building organizational capacity.<sup>19</sup> By examining various existing success situations, Kitabisa.com can play an active role in improving the quality of social services and expanding the benefits felt by the community.

<sup>18</sup> Arina Muntazah and Rosiana Andhikasari, "Peran Media Digital Dalam Strategi Komunikasi Pemasaran Lembaga Filantropi Islam Di Indonesia," *JKOMDIS: Jurnal Ilmu Komunikasi Dan Media Sosial* 2, no. 1 (July 14, 2022): 1–7, doi:10.47233/jkomdis.v2i1.53.

<sup>19</sup> Firman Ardita Wahyu Hidayah, Fadiyah Haya, Femilia Putri Hendriani, Suci Ramadhanti, "Strategi Capacity Building Dalam Organisasi Nirlaba (Studi Kasus Keberhasilan Kitabisa.Com Dalam Pengelolaan Donasi)," *Jurnal Akuntansi, Manajemen Dan Ilmu* 5, no. 03 (2025): 484–95.

In line with this, trust is a fundamental factor in social relationships, influencing every individual's actions and decisions, including interactions with digital technology. Trust is formed gradually through repeated experiences and learning processes, eventually developing into a strong belief.<sup>20</sup> In the context of using products or services, trust reflects the assessment that the service has a certain value, is reliable, and is able to meet user expectations consistently.

### **Digital Islamic Philanthropy and Its Urgency from a Sharia Perspective**

The presence of digital Islamic philanthropy makes a significant contribution to addressing various social, economic, and health disparities that exist in society.<sup>21</sup> The use of digital technology, such as through the Kitabisa.com platform, is one innovation in Indonesia's fundraising system, simplifying the distribution of donations to those in need. This platform allows for faster, more transparent, and more effective fundraising and distribution.<sup>22</sup> Crowdfunding is a form of open fundraising conducted online to gather public contributions, both in the form of donations and other forms of assistance, to support social and humanitarian causes. In the era of digital transformation, information technology and social media play a significant role in encouraging public participation in zakat (alms), infaq (donation), sedekah (charity), and waqf (endowment). These Islamic philanthropic practices are professionally managed by non-profit philanthropic institutions focused on sustainably improving the welfare of beneficiaries.<sup>23</sup>

According to Siti Ahsanul Haq and Ita Rodiah, institutional use of social media has fostered the formation of philanthropic communities capable of raising, managing, and distributing humanitarian funds. Over time, social media-based philanthropic movements have grown rapidly, with increasing public support, both as donors,

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<sup>20</sup> Safika Safika and Rahayu Mardikaningsih, "Pengaruh Kepercayaan Dan Religiusitas Terhadap Keputusan Sedekah Online," *Currency: Jurnal Ekonomi Dan Perbankan Syariah* 3, no. 2 (January 6, 2025): 442–67, doi:10.32806/ccy.v3i2.641.

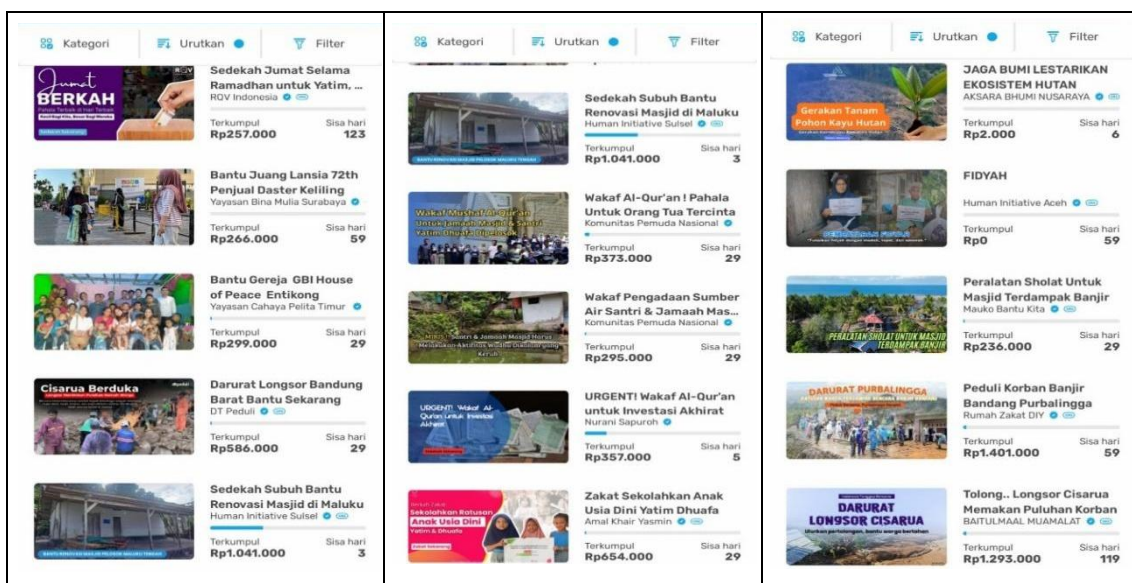
<sup>21</sup> Hani Rahmi Humaira Ary Dean Amri, Mutiara Hasanah Anjaya, "Analisa Efisiensi Operasional Marketing Platform Filantropi Digital (Dompot Dhuafa & Kita Bisa)," *Innovative: Journal Of Social Science Research* 3, no. 2 (2023).

<sup>22</sup> Lutfiani Kurnia Anisa and Nauval Kurniawan, "Konfigurasi Filantropi Islam Era Digital: Efektifitas Infaq Melalui Situs Kitabisa.Com Sebagai *Crowdfunding* Di Indonesia," *Jurnal Pengabdian Masyarakat Dan Penelitian Thawalib* 2, no. 2 (August 2023): 111–24, doi:10.54150/thame.v2i2.183.

<sup>23</sup> Zaki Arrazaq, "Filantropi Pendidikan Islam Untuk Meningkatkan Kesejahteraan Masyarakat Era Transformasi Digital Di Indonesia," *Nusantara: Jurnal Pendidikan Indonesia* 3, no. 3 (September 2023): 505–22, doi:10.14421/njpi.2023.v3i3-9.

volunteers, and information disseminators.<sup>24</sup> To expand its reach, the digital philanthropy community collaborates with various stakeholders. The involvement of public figures and influencers through social media has helped broaden the reach of digital Islamic philanthropy campaigns, making the values of Islamic generosity more widely known and accessible to the public. Social media has become an effective means of conveying information because it is easily accessible anytime and anywhere, in line with technological advancements.<sup>25</sup>

Normatively, philanthropy in Islam is a teaching that emphasizes the importance of sharing wealth and providing assistance to groups in need.<sup>26</sup> This principle is based on the belief that all wealth is essentially a trust from Allah SWT, so that humans have a moral and religious obligation to create social justice, brotherhood and harmony in community life.<sup>27</sup> As shown in Figure 2, the digital Islamic philanthropy campaign display on the Kitabisa.com platform is as follows.



<sup>24</sup> Siti Ahsanul Haq and Ita Rodiah, “Filantropi Islam Berbasis Media Sosial: Meningkatkan Kesadaran Filantropi Melalui Platform Crowdfunding,” *Qulubana: Jurnal Manajemen Dakwah* 3, no. 2 (May 31, 2023): 1–17, doi:10.54396/qlb.v3i2.464.

<sup>25</sup> Rasad Musfik R et al., “Inovasi Produk Filantropi Syariah: Analisis Potensi Dan Tantangan Di Era Digital,” *JEMBA: Journal of Economics, Management, Business and Accounting* 1, no. 3 (December 2023): 195–210, doi:10.54783/jemba.v1i3.65.

<sup>26</sup> Nurul Husaifah Ashikin, Siti Umi, and Kalsum Hamanzah, “Filosofi Hukum Zakat: Implementasi Nilai-Nilai Keadilan Dalam Sistem Hukum Islam,” *Al-Basyir : Jurnal Ilmu Pendidikan Dan Pemikiran Islam* 1, no. 1 (2025): 1–10, doi:10.56874/islamiccircle.v2i1.498.3.

<sup>27</sup> Mohammad Ridwan Vera Nopiyan, Julfie Zahara, Jiyad Abid Thoriq, “Peran Filantropi Digital Dalam Meningkatkan Kesejahteraan Sosial: Studi Kasus Platform Kitabisa.Com Di Indonesia,” *Tafakur Times Jurnal Study Islam* 02, no. 1 (2025): 140–50.

Source: Kitabisa.com Application

Based on Figure 2 above, the fundraising page on the Kitabisa.com crowdfunding platform displays various categories of social donation campaigns. Each campaign is presented informatively through visuals, program title, fundraiser name, amount raised, and remaining fundraising period. The variety of programs displayed includes humanitarian aid, waqf, zakat, fidyah, environmental conservation, natural disaster relief, and renovation of places of worship, demonstrating the breadth of social goals facilitated by this platform.

The transparent and structured presentation of information in each campaign reflects Kitabisa.com efforts to ensure accountability and public trust in the management of donation funds. Furthermore, the involvement of social institutions, communities, and individuals as fundraisers demonstrates multi-stakeholder collaboration in the practice of digital philanthropy. Thus, these values align with the provisions of the Quran, particularly Surah al-Mā'idah verse 2. *"Help one another in righteousness and piety, and do not help one another in sin and transgression. Fear Allah; indeed, Allah is severe in punishment."* In line with the times, the practice of Islamic philanthropy has been manifested in a more modern form. The values of generosity previously carried out conventionally can now be channeled through digital platforms, one of which is Kitabisa.com.<sup>28</sup> This platform acts as a liaison between donors and beneficiaries by utilizing a technology-based system that is faster, broader, and more efficient.<sup>29</sup>

Essentially, the purpose of the Kitabisa.com digital platform is to facilitate the safe, transparent, and targeted distribution of social funds to those in need. Through a crowdfunding system, this platform enables the public to actively participate in social and religious activities without being limited by distance and time. This mechanism also supports the principles of justice and welfare by ensuring that collected funds are distributed according to the objectives set by the fundraiser and are known to donors.

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<sup>28</sup> Amrizal Hamsa, Sumardi Efendi, and Mayasari Mayasari, "Etika Pemberdayaan Masyarakat Dalam Islam: Kajian Atas Prinsip Amanah Dan Keadilan Sosial," *Al-Ukhwah - Jurnal Pengembangan Masyarakat Islam* 4, no. 2 (December 24, 2025): 145–60, doi:10.47498/jau.v4i2.5941.

<sup>29</sup> Bakhrul Huda Izniyah Izniyah, Dwi Enjelina Rahmawati, Shurotul Mufarrida Dinda Fahmi, Mumtazun Nawwaf, "Tren Filantropi Modern: Inovasi Dan Dampak Shadaqah Berbasis Digital Pada Platform *Crowdfunding* Kitabisa.Com," *EKOMA : Jurnal Ekonomi, Manajemen, Akuntansi* 3, no. 2 (2024): 497–514.

Thus, Kitabisa.com functions not only as a technological tool but also as an instrument for strengthening the values of Islamic philanthropy, which are based on the principles of transparency, trustworthiness, and social responsibility, as taught in Islamic teachings.

### **The Legality of KitaBisa.com Operations from the Perspective of Indonesian Positive Law**

From a positive legal perspective, KitaBisa.com has legally and responsibly obtained permits and legality as a fundraising platform with the status of a foundation legal entity based on the Decree of the Minister of Law and Human Rights Number AHU-03272.50.10.2014, has a permit for the Collection of Money and Goods (PUB) from the Ministry of Social Affairs through the Decree of the Minister of Social Affairs Number 148/HUK-PS/2021 (natural disaster category) and 246/HUK-PS/2021 (general category), is registered as a Zakat Collection Unit (UPZ) based on the Decree of the Chairman of BAZNAS Number 59 of 2019, and has obtained an Electronic System Organizer permit from the Ministry of Communication and Information with Number 000163.01/DJAI.PSE/02/2021, whose implementation of activities is periodically audited by an independent public accountant and reported transparently to the public.<sup>30</sup>

By fulfilling all licensing and administrative compliance requirements, Kitabisa.com operations can be deemed to comply with the principles of legality as stipulated in applicable Indonesian laws and regulations. The existence of this permit demonstrates that its fundraising activities not only have legal recognition but are also under the supervision of the relevant authorities. This provides legal certainty for donors, fundraisers, and beneficiaries, and strengthens public trust in the management and distribution of social funds operated by Kitabisa.com.

In addition to its clear legal standing, Kitabisa.com also boasts several advantages as a digital philanthropy platform in Indonesia. This platform makes it easy for the public to make donations through a practical and accessible digital payment system. Kitabisa.com also implements transparency in fund management through donation progress reports and aid distribution documentation that can be monitored by the public. The use of social media and digital technology enables the fundraising process to reach a

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<sup>30</sup> Ibid.; Vinsensia Carolin Purba Hisyam, Ciek Julyati, Naufal Aldrian Kurniawan, Nindia Monita Br Ginting, "Analisis Platform Kitabisa.Com Sebagai Praktik *Crowdfunding* Dan Dampaknya Bagi Masyarakat," *Jurnal Multidisiplin Ilmu Akademik* 1, no. 3 (2024): 782–90.

wider and faster audience. With these advantages, Kitabisa.com serves not only as a social fundraising platform but also as a means of strengthening social solidarity and community participation in digital Islamic philanthropy practices in Indonesia.

### **Sharia Compliance in Fund Management and Distribution**

Wakalah comes from the root word wakala, meaning "delegation" or "transfer of an affair," while wakalah refers to the duties or actions carried out by a representative. Wakalah is the granting of power from one person to another to manage or perform a task on their behalf. This power is valid as long as the person granting the power of attorney is still alive. In general, wakalah means the transfer or delegation of tasks related to trust and responsibility in carrying out an affair.<sup>31</sup>

Referring to the views of Sheikh Wahbah al-Zuhaili, a wakalah contract is a grant of authority from one person to another party to carry out certain affairs in accordance with the provisions of the Shari'a. In its implementation, the wakalah contract has main elements which include the party giving the power of attorney (muwakkil), the party receiving the power of attorney (deputy), the object being empowered (muwakkal fih), as well as the existence of consent and qabul as a form of agreement between the parties. The party receiving the power of attorney is obliged to carry out the trust honestly and responsibly in accordance with the agreed provisions.<sup>32</sup> Apart from that, the party receiving power of attorney is obliged to be honest in carrying out the trust given to him. If a risk occurs that is not caused by the representative's negligence, then the risk is not his responsibility.

As with digital Islamic philanthropy practices, a more relevant form of contract is wakalah bil ujah, a power of attorney agreement accompanied by a service fee (ujrah). Provisions regarding the wakalah bil ujah contract are regulated in the Fatwa of the National Sharia Council-MUI Number 113/DSN-MUI/IX/2017. The fatwa explains that the contract must be carried out clearly and understood by the parties, whether verbally,

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<sup>31</sup> Sri Sudiarti, *Fiqh Muamalah Kontemporer*, ed. Isnaini Harahap, 1st ed. (Medan: FEBI UIN-SU Press, 2018).

<sup>32</sup> Zesty Sellyfio Ardiana, "Perbedaan Akad Wakalah Bil Ujah Dan Akad Qard Terhadap Permasalahan Akad Pembelian Barang Dalam Kehidupan Sehari-Hari," *DHARMASISYA: Jurnal Program Magister Hukum Fakultas Hukum Universitas Indonesia* 1, no. 4 (2021): 2195–2206.

in writing, or electronically, as long as it complies with sharia principles and applicable laws and regulations.<sup>33</sup>

The implementation of the wakalah bil ujah contract can be found in the operational mechanism of the Kitabisa.com crowdfunding platform. In practice, donors authorize the platform to collect, manage, and distribute funds to those in need. For these services, Kitabisa.com receives compensation in the form of administrative fees or service charges as a form of ujah. Thus, the legal relationship between donors and the platform is not only administrative, but also contains a representation contract that authorizes the platform to manage funds according to the fundraising objectives.<sup>34</sup>

From a sharia compliance perspective, the implementation of the wakalah bil ujah contract on Kitabisa.com generally meets the basic elements of a contract, such as the presence of contracting parties, a clear object of power, and an open fund management mechanism. The transparency of fundraising information, aid distribution reports, and documented digital payment systems demonstrate efforts to fulfill the principles of trust and accountability in managing social funds. Furthermore, the use of an electronic system in the contract is also in accordance with the provisions of the DSN-MUI Fatwa, which permits contracts to be conducted through digital media.

However, the practice of wakalah bil ujah on digital crowdfunding platforms still faces several challenges in terms of Sharia compliance, particularly regarding the clarity of the amount of ujah, the transparency of service fee deductions, and the oversight mechanism for the distribution of collected funds. In some donation campaigns, information regarding the percentage of administrative costs and the use of operational funds is not fully understood by all donors. This situation has the potential to create uncertainty (gharar) if not communicated transparently from the outset of the contract. Therefore, strengthening Sharia oversight and digital transparency is necessary to ensure that the implementation of the wakalah bil ujah contract on the Kitabisa.com platform

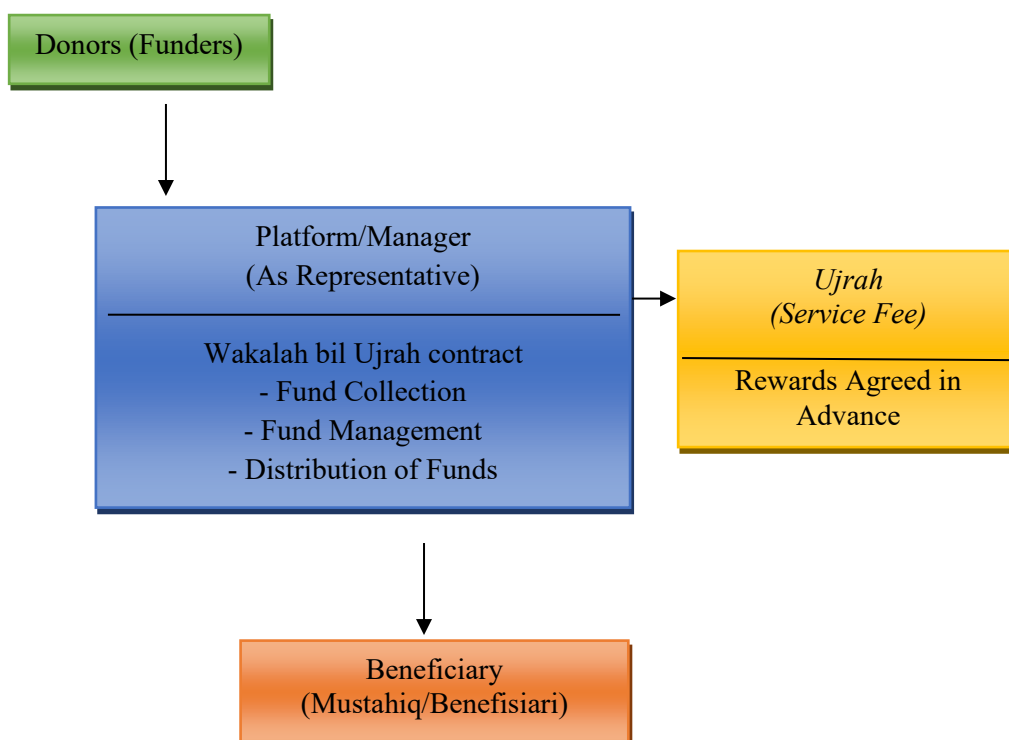
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<sup>33</sup> Muhammad Yunus et al., “Akad Wakalah Bil Ujah Dalam Kompilasi Hukum Ekonomi Syariah, Fatwa DSN-MUI Dan Qanun,” *AL-AFKAR: Journal for Islamic Studies* 6, no. 3 (2023): 389–99, <https://doi.org/10.31943/afkarjournal.v6i3.800.Wakalah>.

<sup>34</sup> Afif Noor et al., “Agreements on Islamic Debt-Based Crowdfunding in Indonesia,” *International Journal of Economics and Management Systems* 6 (2021): 605–10.

remains in accordance with the principles of trustworthiness, justice, and welfare in digital Islamic philanthropy.

#### Multi Contract Scheme Wakalah bil Ujah and Tabarru'



Tabarru' Funds are Distributed According to Program Objectives

The scheme above shows that the funds distributed by donors are intended as a tabarru' contract, while the management and distribution of funds is carried out by the kitabisa.com platform based on a wakālah bil ujah contract with transparently agreed ujah. Tabarru' is a form of giving or donation made voluntarily without expecting anything in return. Generally, donors provide funds with the aim of helping others while gaining spiritual and religious rewards. Therefore, tabarru' is the main basis for fundraising activities because it is driven by a sense of social concern and religious values.<sup>35</sup>

In addition to tabarru', the wakalah contract also plays a crucial role, particularly in the management of collected funds. In this case, donors entrust the organizer with the

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<sup>35</sup> Gerty Librian Fivezy et al., "Analysis of the Application of Multi-Contract Law in Islamic Crowdfunding : A Case Study in Nagari Gaduik , West Sumatra," *Musabab: Journal of Islamic Law and Social Practice* 1, no. 2 (2025): 157–74.

management and distribution of these funds. Through wakalah, the organizer acts as an intermediary responsible for distributing funds in accordance with the agreement and shared goals established through deliberation. Previous research confirms that the implementation of wakalah in managing social funds must be based on trust and openness to maintain public trust.<sup>36</sup>

Kitabisa.com is the largest social crowdfunding platform offering various donation and zakat programs. Although it lacks a Sharia Supervisory Board (DPS) or official Sharia certification, in practice, the platform is considered to have a relatively good level of Sharia compliance compared to similar platforms. This indicates that Sharia supervision is still not a top priority on most digital donation platforms.<sup>37</sup> In terms of transparency, Kitabisa.com provides comprehensive fund tracking features, regular campaign updates, and public audit reports. The platform also publicly discloses its administrative fees, around 5%, thus demonstrating a high level of transparency. Furthermore, Kitabisa.com has a clear legal status as a digital platform and excels in transparency regarding fees and donation management.<sup>38</sup>

Based on the analysis, it can be understood that the fund management practices on Kitabisa.com have generally fulfilled the legality elements and basic principles of wakālah bil ujah, particularly in the aspects of granting power of attorney, transparency of service fees, and the mechanism for distributing funds to beneficiaries. However, the implementation of sharia compliance on digital platforms still requires strengthening, particularly regarding internal sharia supervision, clarity of digital contracts, and transparency of the use of administrative fees to avoid gharar elements. Therefore, this study recommends a legality and sharia compliance analysis model based on wakālah bil ujah that emphasizes four main aspects: platform legality, clarity of digital contracts, transparency of fund management, and sharia supervision of the distribution of philanthropic funds. This model is expected to be able to guideline in realizing

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<sup>36</sup> Hasanudin et al., "Hybrid Contract in Islamic Financial Services," *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah (Journal of Islamic Economics)* 14, no. 1 (2022): 111–28, <https://doi.org/10.15408/aiq.v14i1.25692>.

<sup>37</sup> Nasywa Nahdah Raniah, Helda Rahmawati Rohim, and Yelsi Herma Nova Ayu Safitri, "Analisis Transparansi Dan Penggunaan Dana Pada Platform Donasi Online Dalam Perspektif Syariah," *Sigaruda Journal* 1, no. 2 (2025): 338–45.

<sup>38</sup> Ibid.

accountable, transparent, and sharia-compliant digital Islamic philanthropy governance in Indonesia.

## **Conclusion**

Based on the results of the analysis of the legality and compliance of the wakālah bil ujah contract on the Kitabisa.com crowdfunding platform, this study produced two main findings that answer the problems studied. First, legally, Kitabisa.com has fulfilled all aspects of operational legality based on positive law. Second, from a sharia compliance perspective, Kitabisa.com's operational mechanism has generally reflected the implementation of the wakālah bil ujah contract in accordance with the DSN-MUI Fatwa Number 113/DSN-MUI/IX/2017, namely that donors act as muwakkil who authorize the platform as a representative to collect and distribute tabarru' funds to beneficiaries with ujah in the form of an administration fee of 5% which is openly disclosed. Therefore, there are three gaps in sharia compliance that are clearly found, namely: (1) the lack of a structured Sharia Supervisory Board (DPS) on the platform; (2) the digital contract mechanism is not yet fully clear to all donors; and (3) the potential for gharar elements due to unclear information regarding service fee deductions in some donation campaigns.

Based on these findings, this study recommends three things for further scientific and practical development. First, Kitabisa.com needs to immediately establish a Sharia Supervisory Board (DPS) authorized to audit all digital contract mechanisms and the management of religious funds on a regular basis. Second, it is necessary to develop a model for the wakālah bil ujah contract clause formulated explicitly within the digital platform interface as an effort to eliminate gharar elements and strengthen contract literacy for donors. Third, for future researchers, it is recommended to develop a Sharia compliance index specifically for digital Islamic philanthropic platforms as a standard measurement instrument, and to examine the urgency of harmonizing Islamic philanthropic crowdfunding regulations in Indonesia, which to date remain sectoral and not yet comprehensive.

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