

PRODUCTIVE ZAKAT AND WOMEN'S EMPOWERMENT FOR INCLUSIVE ECONOMY: SHARIA ECONOMIC LAW AND SOCIAL FIQH IN INDONESIA

Chuzaimatus Saadah, Az Zahra Aulya Salsabila, Dwi Khalimah

UIN Prof. KH. Saifuddin Zuhri, UIN Sunan Kalijaga, Universitas Khon Kaen
chuzaimatussaadah@gmail.com, zahraulya.salsabila@gmail.com
dwi.k@kkumail.com

Abstract: Women significantly contribute to the national economy through their Micro, Small, and Medium Enterprises (MSMEs) roles. However, they face inadequate support from government and private sectors in accessing formal financial services. This research addresses the gap in gender-inclusive financial support by exploring the potential of productive Zakat within the framework of Sharia Economic Law in Indonesia and social fiqh. The study aims to evaluate how productive Zakat can mitigate gender inequality and promote economic inclusion for women. A qualitative methodology with a normative approach was employed to address this issue, utilizing the social fiqh paradigm for analysis. As a legal product, the findings reveal that fiqh evolves with societal changes. Social realities, such as the discrimination women face in accessing financial resources, necessitate the adaptive allocation of Zakat. Precisely, dedicating Zakat to women reflects their unique economic challenges and highlights the need for specialized management structures to distribute productive Zakat effectively. This study contributes to the existing literature by demonstrating the practical application of Sharia Economic Law in Indonesia and social fiqh in addressing contemporary gender disparities in economic participation. The novelty lies in proposing a structured and professional management system for productive Zakat to empower women, fostering economic inclusivity.

Keywords: Productive Zakat, Women's Empowerment, Sharia Economic Law, Social Fiqh.

Mu'amalah : Jurnal Hukum Ekonomi Syariah

Website: <http://e-journal.metrouniv.ac.id/index.php/muamalah/index>

Received : 2024-01-07 | Reviewed : 2024-03-28 | Published : 2024-06-09.

DOI: <https://doi.org/10.32332/muamalah.v3i1.9248>



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Introduction

The role of women in the economic sector is enormous, especially in the micro, small and medium enterprises (MSMEs) sector. If you look at the existing data, MSMEs significantly contribute to the national GDP of 60.51%, absorb 96.92% of the workforce, and contribute 15.65% of non-oil and gas exports. 64.2 million business actors, or 99% of all businesses in Indonesia, are MSMEs, and women manage 37 million. Therefore, women play a role that cannot be underestimated in managing the economy.¹

Unfortunately, this contribution is not matched by women's easy access to formal financial financing. Only around 27% of women have access to financing from formal financial institutions. Therefore, developing a policy concept to encourage this figure through innovative and inclusive financing schemes is necessary. In 2022, the level of financial inclusion of women will be reached.²

Gender equality is part of a multidimensional issue that is one of sustainable development goals. However, this gap continues in various sectors, including the economic sector. Achieving national economic inclusion requires assistance from various parties, especially stakeholders, to promote equality between men and women in various sectors. Increasing women's access to finance is one of the factors that can reduce the gap. Therefore, other alternatives are needed that can become an acceleration program for women's economic inclusion, especially in access to financing.

One alternative that can be taken is to utilize Islamic philanthropy in Indonesia. The study results from the BAZNAS Center for Strategic Studies in 2020 stated that the potential for Zakat in Indonesia reached Rp. 327.6 trillion. Meanwhile, in 2022, the directorate of studies and development of the National Amil Zakat Agency (BAZNAS) mapped the zakat potential of each province in Indonesia, reaching Rp. 4.37 trillion.³ The massive potential of Zakat can be an alternative financing method for women's economic actors. To achieve the inclusive economy target of 90% in 2024, utilizing the potential of Zakat to become an alternative gender-friendly economic driver is necessary. Therefore, the most suitable concept to accommodate these needs is productive Zakat.

¹ Ministry of Communication and Information Technology, "No Title," 2021, <https://www.kominfo.go.id/content/detail/37795/pemerintah-dorong-umkm-perempuan-maksimalkan-potensi-lewat-digitalisasi-dan-sertifikasi-halal/0/berita>.

² Ministry of Finance of the Republic of Indonesia, "Upaya Peningkatan Akses Perempuan Terhadap Layanan Keuangan Formal," *Kementerian Keuangan RI*, 2022, 1–36.

³ (BAZNAS RI, 2022)

The distribution of Zakat is now not only about consumptive giving. Additionally, Zakat can be developed into a financial solution for the vulnerable with productive utilization. From a normative point of view, Zakat is defined as an obligation that must be performed by a Muslim who fulfills the necessary conditions and requirements to become Zakat obligatory. The obligation is sourced from the Qur'an, Hadith, and conventional fiqh books. However, a social paradigm is needed to understand how much and how Zakat can improve social welfare.⁴ Zakat, seen as only limited to meeting the needs of *Mustahik* with this new paradigm, can reach more than meeting temporary needs but can provide benefits on an ongoing basis.

Sahal Mahfud, through the methodology of *fiqh social*, views Zakat today as productive and continues to be distributed consumptively. According to Sahal, Productive Zakat is a professional, targeted, sustainable, and prosperous Zakat management system. This interpretation can be summarized into three things. First, Zakat is not always given in its original form. Second, Zakat is given as capital. Third, there is a conceptual effort to empower the community through Zakat.⁵

Women in developing the economy can still be called vulnerable; looking at the data mentioned earlier, women have a considerable share in the development of the national economy through their role in MSMEs, but this is not matched by an optimal support system from the government and the private sector through the formal financial financing sector. Productive Zakat with a *fiqh social* paradigm can be a potential alternative to realize gender inequality in the economic field. Because Zakat should not be taken sides based on gender or other factors, considering how shara' has regulated how Zakat can be allocated and distributed.

From this exposure, researchers are interested in examining the role of productive Zakat with a *fiqh social* paradigm towards women in realizing an inclusive economy. The goal of economic inclusion of 90% by 2024 will undoubtedly be challenging to achieve if there are still inequalities in economic equity. Productive Zakat, from the perspective of *fiqh social*, aims to create overall and equitable welfare because achieving *Maslahah* is the goal of fiqh itself.

⁴ Dzulkipli Hadi Imawan, "Fiqh Sosial Dan Implementasi Zakat," 2022, 19–39.

⁵ Imawan.

Research on gender-based economic development has been done several times, including case studies by Tri Hariyono,⁶ Elsy Renie,⁷ and Samsul Arifin⁸, using panel data observation methods from 34 provinces. Researchers also found several studies on the concept of inclusive economics in general, such as research by Yuniar Sri Hartati⁹ and Siwage Dharma Negara.¹⁰ Both discuss inclusive economic growth in Indonesia in general without a gender approach.

It was also found that Jamal Ma'mur, Putri Qurrata A'yun, and Dzulkifli Hadi Imawan had conducted several studies¹¹ on productive Zakat from the perspective of fiqh social¹²—the same research with the comparative method between the thoughts of KH. Sahal and Yusuf Qardhawi are also found in the research of Maulida Khasanah¹³ and Yayuli, dkk.¹⁴ Both discuss productive Zakat as a means of community economic empowerment in general but have not explicitly discussed women's economic empowerment.

From the various studies we found, the paper that is close to the characteristics of this research is a study conducted by Nilda Susilawati with the title Women's Empowerment Through Productive Zakat Program in Bukit Peninjauan I Village, Sukaraja District, Seluma Regency.¹⁵ The research is field research with the locus of one of the villages in Seluma Regency. This research does not explicitly discuss the role of

⁶ Tri Hariyono, "Partisipasi Perempuan Desa Karang Sari Dalam Mewujudkan Pembangunan Inklusif," *Islamic Review: Jurnal Riset Dan Kajian Keislaman* 9, no. 2 (2020): 281–98, <https://doi.org/10.35878/islamicreview.v9i2.234>.

⁷ Elsy Renie, "Partisipasi Perempuan Dalam Ekonomi Inklusif," *Jurnal Analisis Gender Dan Agama*, 2019.

⁸ Samsul Arifin, "Kesetaraan Gender Dan Pertumbuhan Ekonomi Di Indonesia," *Kajian* 23, no. 1 (2018): 27–41.

⁹ Yuniar Sri Hartati, "Analisis Pertumbuhan Ekonomi Inklusif Di Indonesia," *Jurnal Ekonomi Dan Bisnis* 12, no. 1 (2021): 79–92, <https://doi.org/10.55049/jeb.v12i1.74>.

¹⁰ Siwage Dharma Negara, "Membangun Perekonomian Indonesia Yang Inklusif Dan Berkelanjutan," *Masyarakat Indonesia* 39, no. 1 (2013): 247–62.

¹¹ Jamal Ma'mur, "ZAKAT PRODUKTIF: STUDI PEMIKIRAN KH. MA. SAHAL MAHFUDH," *RELIGIA* 18 (2015).

¹² Imawan, "Fiqh Sosial Dan Implementasi Zakat."

¹³ Maulida Khasanah, "Pemberdayaan Ekonomi Masyarakat Melalui Zakat Produktif (Studi Komparatif Pemikiran Yusuf Al-Qardhawi Dan Sahal Mahfudh)," *Skripsi*, 2017.

¹⁴ Yayuli Yayuli, Fauzul Hanif Noor Athief, and Dewi Nur Utari, "Studi Komparatif Pemikiran Yusuf Qardhawi Dan Sahal Mahfudh Tentang Zakat Produktif Sebagai Sarana Pemberdayaan Ekonomi," *Profetika: Jurnal Studi Islam* 23, no. 1 (2021): 98–113, <https://doi.org/10.23917/profetika.v23i1.16798>.

¹⁵ Nilda Susilawati, "Pemberdayaan Perempuan Melalui Program Zakat Produktif Di Desa Bukit Peninjauan I Kecamatan Sukaraja Kabupaten Seluma," *Hawa* 1, no. 1 (2019), <https://doi.org/10.29300/hawapsga.v1i1.2230>.

women in an inclusive economy but has the same goal, namely the welfare of women through productive Zakat.

Specifically, the research researchers discuss in this paper is economic inclusion for women through productive Zakat with the *fiqh social* paradigm as its foundation. The purpose of this research is to encourage the utilization of Zakat for the economic welfare of women through the concept of productive Zakat in *fiqh social* methodology.

Research Method

This article uses a qualitative research method with a thought study approach. This qualitative research aims to describe the role of productive Zakat in building an inclusive economy for women. The thought study approach used is Kyai Sahal Mahfud's thoughts on *fiqh social* methodology, especially theories that discuss productive Zakat. In qualitative research, data is obtained from various sources using various data collection techniques.¹⁶

The data in this study come from some literature related to inclusive economics and all literature that discusses Kyai Sahal's thoughts on *fiqh social* methodology. The data obtained is analyzed with inductive reasoning (empirical-rational or bottom-up). That is, this technique is used to obtain grounded theory derived from data, not from hypotheses.¹⁷

Results and Discussion

Women's Role in Building an Inclusive Economy

Women have tremendous economic development potential compared to the number of people who comprise almost 50% of the total population in Indonesia.¹⁸ His potential has been realized, among others, in the role of women in building micro, small, and medium enterprises (MSMEs). As many as 37 million MSMEs, or 64% of the total MSMEs in Indonesia, are run by women. Women's participation in MSMEs in the micro sector is 61%, in the small sector around 50%, and in the medium sector around 39%.¹⁹

As part of the community, women can be the driving force to empower themselves, explore their full potential, and give lessons to the community to develop it.

¹⁶ Sugiyono, *Metode Penelitian*, 2nd ed. (Bandung: Penerbit Alfabeta, 2022).

¹⁷ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktek* (Jakarta: PT. Rineka Cipta, 2002).

¹⁸ (Statistik, 2023.)

¹⁹ Coordinating Ministry for Economic Affairs, 2022.

Global Entrepreneurship Monitor research shows that Indonesia's number of women entrepreneurs reaches 14% of the total population. Compared to other countries, the number of women who become women entrepreneurs is relatively high.²⁰ Women entrepreneurs are a significant force in advancing the local economy. By building and developing micro and small businesses, women create jobs and become agents of change who inspire innovation.

Moreover, female entrepreneurial leaders not only mark the development of local economies but also define the essence of inclusivity in business practices.²¹ For example, Charina Prinandita, the Indonesian female entrepreneur behind the EATLAH brand, was included in Forbes 30 Under 30 in 2021. Medina Zein, an Indonesian female entrepreneur successful in the skincare business, has pocketed an online sales turnover of more than IDR 3 billion per month. An Indonesian fashion designer, Dian Pelangi has also successfully built her business and is listed in the Forbes 30 Under 30.²²

The role of women is not limited to sectors of the economy that are directly measurable through self-employment. Women also play a crucial role in driving sustainable consumption. Women's World Banking notes that, as consumers, women are loyal customers. Women are more reliable as businesswomen. This is often the case with women's retail businesses, especially online ones. Data shows that women are the majority of buyers and sellers in online stores in Indonesia, with the proportion of female buyers at 66.28% and female sellers at 55.75%.²³ The purchasing decisions made by women also often shape eco-friendly consumption trends, encouraging manufacturers to adopt more environmentally responsible business practices.²⁴

The tangible role of women in the economy above shows that women are essential in improving the country's economy. Women's increased access to education and training now opens doors of opportunity for them in various economic sectors and significantly boosts economic growth. Women's role in these economic growth activities not only

²⁰ Womenpreneur Community, "Pertumbuhan Wirausaha Wanita Di Indonesia Dan Kontribusinya Bagi Ekonomi," Womenpreneur Community, 2022.

²¹ UNICEF, "Mengatasi Hambatan Gender Dalam Kewirausahaan Dan Kepemimpinan Bagi Anak Perempuan Dan Perempuan Muda Asia Tenggara," 2021.

²² Adisty Titania, "17 Perempuan Ini Berhasil Bangun Kerjaan Bisnisnya, Kisahnya Inspiratif," n.d.

²³ Setyowati, "Keterlibatan Perempuan Dalam Inklusi Keuangan Dapat Meningkatkan Kontribusi Ekonomi Secara Luas."

²⁴ Yusriani Sapta Dewi, "Peran Perempuan Dalam Pembangunan Berkelanjutan Woman in Sustainable Development Volume XII Nomor 02 September 2011 ISSN 1411-1829 Volume XII Nomor 02 September 2011 ISSN 1411-1829" XII, no. September (2011): 61–64.

strengthens the economic resilience of families and communities but can also reduce the effects of economic fluctuations, help reduce poverty, and ensure sustainable economic growth.

Education and skills are the foundation on which women's role in inclusive economic development is based. Investments in education and training open doors to the skills needed in various sectors and empower women to reach their full potential. They are not just consumers or workers but significant players in shaping the economic narrative.

In contrast, in economic practice, women still experience more complex challenges than men in achieving economic welfare. In entrepreneurship, for example, women often find it difficult to access assistance from the government. A United Nations Development Program (UNDP) report shows that only 15 percent of women entrepreneurs received social assistance from the government throughout 2020.²⁵ Limited information and ineligibility are the main factors in this inequality.²⁶

The potential, actual roles, and challenges of women call for women's empowerment in building an inclusive economy. In an inclusive financial system, all stakeholders must see the role of every member of society equally. Women's empowerment aims to ensure that women and men have equal duties, access, and control in all areas of development. Women's empowerment programs by the government and society are efforts to realize the equitable distribution of economic development for men and women.²⁷ The existence of gender equality in economic aspects will strengthen the country's development and reduce poverty effectively.²⁸

One of the mandates in Presidential Instruction (Inpres) No. 9 of 2020 on the Implementation of Gender Mainstreaming (PUG) is the importance of equality and inclusion. This mandate also continues the Constitution of the Republic of Indonesia, which states that everyone has the right to live in prosperity and be free from discriminatory treatment. The advancement of women and gender equality that is being

²⁵ "Human Development Report," 2022.

²⁶ Nur Halimah Anjani, "Potensi Dan Tantangan Wirausaha Perempuan Dalam Perekonomian Indonesia," 2021.

²⁷ Marwanti and Sri Astuti, "Model Pemberdayaan Perempuan Miskin Melalui Pengembangan Kewirausahaan Keluarga Menuju Ekonomi Kreatif Di Kabupten Karanganyar.," *Sepa* 19, no. 1 (2012).

²⁸ Susilawati, "Pemberdayaan Perempuan Melalui Program Zakat Produktif Di Desa Bukit Peninjauan I Kecamatan Sukaraja Kabupaten Seluma."

promoted with various policies must provide significant benefits in terms of the economy and quality of life of the community through the policies of institutions and organizations with gender-responsive structures and systems.

Presidential Regulation (Perpres) Number 114 of 2020 on the National Strategy for Financial Inclusion discusses financial inclusion specifically. This regulation discusses ways to achieve the goals, objectives, and targets of financial inclusion by promoting economic growth, improving poverty reduction, and reducing disparities between individuals and regions to realize the welfare of the Indonesian people.

Women's access to financial services is a pillar in building an inclusive economy. The availability and ease of women's access to financial services through policies can trigger rapid economic growth at the community level. Based on women's footprint in the economy, women are shaping the future of an inclusive economy and demonstrating that inclusiveness is not just a concept but also a necessary foundation for healthy and sustainable economic development. The transformation towards a more just and inclusive society can continue through women's involvement and active role.

Productive Zakat as an Acceleration of Women's Economic Empowerment

Empowerment refers to vulnerable or weak community groups, namely those victims of development dynamics.²⁹ The presence of women in this empowerment is significant because empowering the community is an effort to increase the dignity of layers of society who are currently unable to escape the trap of poverty and underdevelopment.³⁰

Women's economic empowerment has been an important issue that has been the main focus of social and economic development in Indonesia. Over the years, the government has endeavored to ensure that development benefits are distributed equitably between men and women. Balanced economic empowerment is an effort made optimally

²⁹ Dewi, "Peran Perempuan Dalam Pembangunan Berkelanjutan Woman in Sustainable Development Volume XII Nomor 02 September 2011 ISSN 1411-1829 Volume XII Nomor 02 September 2011 ISSN 1411-1829."

³⁰ Nurfitri Mutmainah, "Peran Perempuan Dalam Pengembangan Ekonomi Melalui Kegiatan UMKM Di Kabupaten Bantul," *WEDANA: Jurnal Kajian Pemerintahan, Politik Dan Birokrasi* 6, no. 1 (2020): 1–7.

to improve the ability of individuals, groups, and society in a particular environment to improve the ability and quality of life independently, especially in the economic field.³¹

One method of integrating humanitarian values and economic empowerment in Islam is regulated through the zakat mechanism. Zakat is one of the ways Islam alleviates poverty and realizes equal welfare distribution. Therefore, effective zakat management is needed for people's economic development and to maximize the potential of Zakat to increase the income of *mustahik*. Zakat management needs to be updated because most people still consider Zakat as a form of worship only, regardless of economic and social issues. The current concept of Zakat should be viewed as a source of economic power that can be used to resolve economic and social differences.³²

Indonesia has the largest Muslim population, accounting for 85.82% of Indonesia's 236,000,000 population³³ With a large number of Muslims, the potential utilization of Zakat, especially in efforts to improve welfare, is also substantial. The government established a legal umbrella related to Zakat: Law No. 23 Year 2011 No. 23 on Zakat Management to accommodate this. To encourage the implementation of this law, the government also established the National Amil Zakat Agency (BAZNAS), which is tasked with managing Zakat, infaq, and sadaqah in various regions in Indonesia.

Currently, efforts to maximize the potential of Zakat in increasing the income of *mustahik* are carried out in two ways, namely, consumptive and productive management of Zakat. Consumptive zakat management is the collection and distribution carried out to meet the basic economic needs of the *mustahik* in the form of providing foodstuffs and others and is a gift for direct consumption. However, the distribution of consumptive Zakat in practice has been less effective in reducing poverty because it only lasts in the short term, so the utilization of Zakat is not optimal.³⁴

Another alternative to zakat management through zakat distribution is productive Zakat.³⁵ Productive zakat management is the management of Zakat with the aim of empowerment. It is usually carried out using entrepreneurial capital assistance, coaching,

³¹ Marwanti and Astuti, "Model Pemberdayaan Perempuan Miskin Melalui Pengembangan Kewirausahaan Keluarga Menuju Ekonomi Kreatif Di Kabupten Karanganyar."

³² Susilawati, "Pemberdayaan Perempuan Melalui Program Zakat Produktif Di Desa Bukit Peninjauan I Kecamatan Sukaraja Kabupaten Seluma."

³³ "Muslim Population by Country 2023," n.d.

³⁴ Baznas Center for Strategic Studies, *Panduan Pengelolaan Zakat, Infaq, Dan Sedekah Berbasis Pesantren*, 2021.

³⁵ Baznas.

free education through scholarships, and accessible health services. Productive Zakat given to *mustahik* in the form of business capital or others that are used for productive businesses can improve the standard of living of *mustahik*, with the hope that a *mustahik* will be able to become a *muzakki* if he can use the zakat treasure for his business. Zakat given to *Mustahik* will support their economic improvement if it is channeled into productive activities.

Zakat essentially aims to fulfill the needs of its consumers, including education, housing, and clothing.³⁶ From here, the model of zakat service to *mustahik* can not only be spent but can also be fruitful. Productive utilization of Zakat is understood more broadly as giving Zakat funds to its target, which is the goal of Shara. In the same vein, Yusuf Qardhawi argues that it is permissible for the Islamic government to build factories or companies out of zakat money and then transfer ownership and profits to benefit people experiencing poverty so that their needs will always be met. The role of the government here can be replaced by a strong, trustworthy, and professional Amil Zakat Agency or Institution.³⁷

The increase in *mustahik* income is always influenced by the increase in productive zakat utilization, and vice versa; when productive zakat utilization decreases, *mustahik* income also decreases.³⁸ The utilization of Zakat must positively impact *mustahik*, both from an economic and social perspective. From an economic point of view, Zakat provides *mustahik* with the needs for a decent and independent life, and from a social point of view, Zakat encourages them to improve social equality. Therefore, Zakat is given for consumptive and *mustahik's* creative and productive needs.³⁹ Productive Zakat is a form of Zakat managed and invested to build an economy that transforms conventional Zakat into a driving force for sustainable development. In this context, the focus is on using Zakat to create opportunities and increase the capacity of women in various economic sectors.

³⁶ Ina Paojiah, "Manajemen Pendayagunaan Zakat Produktif (Studi Kasus Di Badan Amil Zakat Nasional Pusat)," *Skripsi Universitas Muhammadiyah Jakarta*, 2020.

³⁷ Yusuf Al Qardawi, *Fiqh Al Zakah*, Terj. (Amazon Digital Services, 2020).

³⁸ Sela Nur Fitria, "Analisis Pendayagunaan Dana Zakat Produktif Dalam Peningkatan Pendapatan Mustahik," *Skripsi UIN Raden Intan Lampung*, 2017.

³⁹ Suratno, "Pengaruh Pendayagunaan Zakat Produktif Terhadap Pemberdayaan Mustahiq," *Skripsi UIN Raden Intan Lampung*, 2017.

Lack of capital and limited access are not the only weaknesses of women in building their businesses, but also the willingness to move forward, mental readiness, and business management readiness. In the early stages of zakat distribution, especially productive Zakat, the *amil zakat/BAZ/LAZ* provides empowerment to women in the form of guidance, namely educating and directing *mustahik* to have the desire to progress and develop, then assisting *mustahik* in running their business so that their business activities can run well and so that *mustahik* will further improve the quality of their faith and Islam.⁴⁰

A key aspect of productive zakat distribution is providing business capital to women starting or expanding their businesses. By providing access to financial resources, productive Zakat provides opportunities for job creation and empowers women as economic agents. Training and education programs are also integral to the productive zakat model. Through a holistic approach, women gain access to capital and the knowledge and skills necessary to succeed in business. This creates an enabling environment for sustainable growth and ensures that empowerment is financial but also scientific and skill-based.

The importance of inclusiveness is also reflected in productive Zakat. This productive Zakat is designed to include women from different walks of life, including those living in rural or marginalized areas. Thus, urban women and those with limited access to economic resources benefit. However, more than just empowering individual women, productive Zakat also creates a broad social impact. Enterprises supported by productive Zakat often become catalysts for local economic development. The communities that benefit from these programs witness positive changes that extend beyond the scope of the women directly involved.

The harmony between productive Zakat and women's economic empowerment indicates an evolution towards a sustainable approach combining religious values with modern economic development demands. By understanding that women's empowerment is the responsibility of individuals and society, productive Zakat becomes a powerful tool in building an inclusive and sustainable economic foundation.

⁴⁰ Suratno.

***Fiqh Social* as a Paradigm for Productive Zakat for Women**

Zakat is not only seen in terms of worship value. More than that, the ordinance of Zakat has a social dimension. As al-Qaradhawi argues, Zakat is a social insurance instrument (*al-dhamaan al-ijtima'i*).⁴¹ Meanwhile, according to Nurcholis Madjid, Zakat is a form of social concern. It can be used to encourage the progress and development of Muslims. However, there are two obstacles in managing Zakat in Indonesia. First, there is a lack of awareness of It. Second, the confinement of ancient concepts is irrelevant to the current situation.⁴²

Responding to the Indonesian problem, Kyai Sahal has a progressive and fresh concept of Islamic philanthropy. Zakat, an influential investment and instrument to reduce human poverty, requires effective management and governance to achieve the goals of Zakat optimally. KH. Sahal stated that three things related to Zakat must be adequately managed to optimize the results. First, the level of zakat awareness on the part of zakat obligors must be optimized. Second, Mustahiq must have solid entrepreneurial skills requiring vital provision, experience, and expertise. Third, contemporary LAZIS management is responsible for inventorying and identifying the potential of community members so that zakat development can be carried out using the Basic Needs Model.⁴³

According to Kyai Sahal and Zakat, in the context of *fiqh social*, it does not have to be directly distributed in goods or cash; it can be given as business capital in economic activities⁴⁴. This is based on the concept of *fiqh*, which aims to obtain *maslahah* with the *maqasid as-shari'ah* approach⁴⁵. The concept of Zakat is oriented to the priority scale to improve the community's welfare through utilizing Zakat productively⁴⁶, conceptually,

⁴¹ Yusuf Al-Qaradlawi, *Musykilah Al-Faqri Wakaifa Alajaha Al-Islam*. (Kairo: Maktabah Wahbah, 1986).

⁴² Nurcholis Madjid, *Dialog Ramadhan Bersama Cak Nur* (Jakarta: Paramadina, 2000).

⁴³ Imawan, "Fiqh Sosial Dan Implementasi Zakat."

⁴⁴ Ahmad Zaenurrosyid and Siti Sulikhah, "Paradigma Fiqh Sosial Atas Kemiskinan Dalam Gerakan 'Empowering' Menuju Kemakmuran Umat," *Slamic Review: Jurnal Riset Dan Kajian Keislaman* 6, no. 2 (2017): 169–94.

⁴⁵ Mu'adil Faizin, "Hak Asasi Manusia Dalam Pemikiran Yusuf Qaradhawi," *Al-Mazahib* 5, no. 1 (June 2017), <http://ejournal.uin-suka.ac.id/syariah/almazahib/article/view/1388>.

⁴⁶ Suud Sarim Karimullah, "EXPLORATION OF MAQASID AL-SHARIAH CONCEPTS IN THE DEVELOPMENT OF ISLAMIC ECONOMIC POLICIES," *Mu'amalah: Jurnal Hukum Ekonomi Syariah* 2, no. 2 (December 4, 2023): 153–72, <https://doi.org/10.32332/MUAMALAH.V2I2.7747>.

and sustainably with a professional management system so that the community can positively welcome it. Ultimately, the concept of productive Zakat, combined with Kyai Sahal's fiqh social paradigm, aims to optimize Zakat through community empowerment.

Kyai Sahal's social movement driven by *fiqh social* did not just appear. This idea emerged as a reflection of the social situation around him. The influence of social conditions on thought is natural because thought is a product of its era, and the result of thought itself is the basis for social change or transformation.⁴⁷

Jurisprudence itself is a product of thought, so, unsurprisingly, differences in times and places can have implications for fiqh products. So that the ushul *al hukmu* rule *yadûru ma al'illati wujûdan wa 'adaman*⁴⁸ (the law adjusts the presence or absence of 'illat) is interpreted as the law continues to be dynamic according to the times. Kyai Sahal is a progressive uama' in looking at fiqh; he views fiqh not from mere normative dogma but as an active and progressive law.

Kyai Sahal's thinking style cannot be separated from the five (5) main principles surrounding it—*first*, contextual interpretation of fiqh texts. *Second*, the pattern of qauli (textual) is changed to *manhaji* (methodological). *Third*, the fundamental verification between the central teachings (*ushul*) and the branches (*furu'*). *Fourth*, fiqh is presented as social ethics, not positive state law. *Fifth*, introducing philosophical thinking methodologies, incredibly social and cultural issues. Contextualization of fiqh texts is a valuable lesson for Islamic jurists to understand fiqh texts to fit the dynamics of the times.⁴⁹

In the context of sharia, Zakat is distributed to specific groups according to the existing *nash*. However, interpreting the eight *mustahik* zakat groups is part of *ijtihad*. History has recorded that during the time of Caliph Umar, there was a policy of trimming *mustahik* zakat by not distributing Zakat to the *muallaf* group (one of the eight *asnaf*) because Islam had strengthened at that time. From this phenomenon, it can be seen that sociological aspects can negate or give rise to a legal 'illat.

⁴⁷ Zaenurrosyid and Sulikhah, "Paradigma Fiqh Sosial Atas Kemiskinan Dalam Gerakan 'Empowering' Menuju Kemakmuran Umat."

⁴⁸ Mu'adil Faizin, *Hukum Perikatan Islam Di Indonesia* (Kolaborasi Pustaka Warga, 2022), <https://books.google.co.id/books?id=ILXLDwAAQBAJ>.

⁴⁹ Zaenurrosyid and Sulikhah, "Paradigma Fiqh Sosial Atas Kemiskinan Dalam Gerakan 'Empowering' Menuju Kemakmuran Umat."

In this case, women MSME actors are vulnerable and can be classified as one of the eight *asnaf* Zakat. Of course, the conditions must be met by a group of fakir or poor people. The allocation of Zakat specifically for women reflects the economic situation of women who experience discrimination in access to financing, so this situation can be why the utilization of Zakat for women's economic actors is essential. Productive Zakat, which is based on *fiqh social ghīrah*, is expected to be a solution to this problem. The concept of *dīn al maslaha* must be interpreted as an impartial and friendly benefit to all groups regardless of gender. The principle of *maqasid sharia* as an approach from *fiqh social* includes five primary Islamic goals that are comprehensive for anyone.

Inclusive and professional management is needed to provide empowerment efforts focused on women MSMEs. This empowerment can take the form of individuals or communities. One of the private zakat institutions in Indonesia has practiced this kind of empowerment directly and has been proven to improve women's economic status. The women's empowerment program owned by Rumah Zakat is one example of the success of inclusive zakat management.⁵⁰ Similar programs are expected to be implemented in other zakat institutions throughout Indonesia to achieve economic inclusion for women. Women's economic empowerment is part of achieving national economic empowerment.

Conclusion

Women have tremendous economic development potential compared to the number of people who comprise almost 50 percent of the total population in Indonesia. Unfortunately, this potential is not supported by easy access to financing. Achieving an inclusive economy requires support from various sectors without favoritism and discrimination. The vast potential of Zakat in Indonesia can be an alternative to overcome this crisis. With proper and professional management, Zakat can be utilized for national economic development, especially for the vulnerable. The concept of productive Zakat with a *fiqh social* paradigm is expected to be the best solution in making gender-friendly productive Zakat management by reducing the gender economic gap as financial support for women as economic actors.

⁵⁰ United Nations Development Programme (UNDP) Indonesia, *Zakat Untuk Perlindungan Sosial Dan Pemberdayaan Perempuan* (Jakarta: Innovative Financing Lab UNDP Indonesia, 2021).

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