



## Adaptation of Fintech as a Means of Collecting Islamic Philanthropic Funds; Analysis of Legal Principles

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**Abstract:** The development of financial technology (fintech) has significantly transformed financial transactions from cash-based to non-cash systems. In Indonesia, the widespread use of technology highlights the growing importance of fintech across various sectors, including the collection of Islamic philanthropic funds such as Zakat, Infak, and Sedekah (ZIS). This study aims to analyze the payment of ZIS funds through digital platforms from the perspective of applicable legal principles. It also examines the legal status of zakat on money in Islamic law and the permissibility of paying zakat in monetary form. This research employs a normative legal method using conceptual and historical approaches, analyzed through deductive reasoning. The findings indicate that the majority of Islamic scholars and religious institutions agree on the obligation of zakat on money once its value reaches the nisab equivalent to gold or silver and fulfills the haul requirement. This view is based on the role of money as the primary indicator of wealth in the modern era. Hadiths that mention zakat obligations in the form of livestock or agricultural products are interpreted as referring to the value (qīmah) rather than the physical object ('ain). Furthermore, the use of fintech in ZIS fund collection is considered permissible as long as it complies with Sharia principles and avoids harmful elements. Digital technology in ZIS collection aligns with the principle of hifz al-māl (protection of wealth) by enhancing efficiency and expanding outreach. In cases of failed online zakat transactions, responsibility is determined based on negligence by the muzaki, zakat institution, or service provider. Such failures do not nullify the zakat obligation, which remains the responsibility of the muzaki to fulfill.

**Keywords:** Fintech, Money, Digital Platform, Zakat

## Introduction

Since the emergence of financial technology (fintech) in Indonesia, financial transactions have undergone a transformation from cash to non-cash.<sup>1</sup> Fintech is a technological tool for improving financial services and products digitally, encompassing various innovations, ranging from digital payment applications and online lending platforms to digital banking, investment, and the use of cryptocurrency. The goal is to make financial services more efficient, practical, and accessible to everyone.<sup>2</sup> By 2025, it is estimated that there will be more than 70 million users of digital financial services in Indonesia, including a significant growth in digital wallet users, which is projected to reach 95 million active users. This figure is driven by the rapid development of the fintech and digital banking sectors, which are expanding financial access to the community.<sup>3</sup>

The high use of technology in Indonesia shows the importance of fintech in all aspects, including the collection of Islamic philanthropic funds, namely Zakat, Infak, and Sedekah (ZIS).<sup>4</sup> According to Abdelkader (2017), the use of fintech for ZIS fund collection is a strategic step that has the potential to increase revenue and distribution for zakat institutions.<sup>5</sup> Aulia Rachman and Nur Salam (2018) also emphasize that fintech, used as a technology-based financial service, can be a major foundation in efforts to improve the efficiency and effectiveness of ZIS fund management.<sup>6</sup> Given that Indonesians' lifestyles now involve technology in their daily activities, in recent years, many zakat institutions have been collecting ZIS funds digitally through fintech.<sup>7</sup>

ZIS fundraising through fintech, also known as digital fundraising, is now widely used by zakat institutions in Indonesia, such as Dompet Dhuafa, LAZIS-MU, BAZNAS, and others. For example, some of the digital platforms used by BAZNAS to collect ZIS funds include M-Banking, QR Code, Website, OVO, and others.<sup>8</sup> During the COVID-19 pandemic, digital fundraising became one of the most effective alternatives for collecting ZIS funds, because at that time, people had to undergo isolation and could only use digital media for their daily activities.<sup>9</sup> The digital era should be a momentum for zakat institutions to introduce the concept of digital fundraising to the public, so that it is easier for them to pay zakat.

According to Sri Maulida, the presence of digital platforms as instruments for collecting ZIS funds still raises pros and cons among the public. Those who agree consider the convenience and benefits of paying ZIS through fintech, such as the emergence of trust, transparency in management, flexibility, and practicality. Meanwhile, those who disagree consider digital fundraising to be something unfamiliar, posing risks and difficulties, such as M-Banking disruptions, failed transfers, no legal basis for paying zakat virtually, account

<sup>1</sup> Budi Setiawan et al., "User Innovativeness and Fintech Adoption in Indonesia," *Journal of Open Innovation: Technology, Market, and Complexity* 7, no. 3 (2021): 1-18.

<sup>2</sup> Dona Budi Kharisma, "Urgency of Financial Technology (Fintech) Laws in Indonesia," *International Journal of Law and Management* 63, no. 3 (2021): 320-331.

<sup>3</sup> Asosiasi FinTech Indonesia (AFTECH), *Indonesia Fintech 2025 Report: Past Lessons and Future Opportunities* (Indonesia, 2025), 1-24.

<sup>4</sup> Irfan Syauqi Beik, Muhammad Hasbi Zaenal, and Abdul Aziz Yahya Saoqi, "The Optimization of Blockchain for Greater Transparency in Zakat Management," in *Islamic FinTech: Insights and Solutions*, ed. Mohd. Ma'sum Billah (Arab Saudi: Palgrave Macmillan Springer, 2021), 281-297.

<sup>5</sup> Osama Ahmed Abdelkader, "Significant Concerns Influence Online Pro Bono Volunteering of Faculty Members," *Computers in Human Behavior* 73, no. 8 (2017): 547-553.

<sup>6</sup> M. Aulia Rachman and Annisa Nur Salam, "The Reinforcement of Zakat Management through Financial Technology Systems," *International Journal of Zakat* 3, no. 1 (2018): 57-69.

<sup>7</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): 315-350.

<sup>8</sup> Hilmi Ridho, Ali Sodiqin, and Abdul Mujib, "The Evolution of Islamic Philanthropy in Indonesia's Digital Age (2016-2023)," *Al-Ahkam* 35, no. 1 (2025): 31-58.

<sup>9</sup> Indah Piliyanti, Hilman Latief, and Syamsur Anwar, "Technologizing Islamic Philanthropy During The Covid-19 Pandemic in Indonesia," *Journal of Muslim Philanthropy and Civil Society* 6, no. 2 (2022): 120-141, <https://scholarworks.iu.edu/iupjournals/index.php/muslimphilanthropy/article/view/4911>.

number fraud, and complicated applications.<sup>10</sup> This statement is in line with the findings of Najib Kailani and Martin Slama, which reveal that the lack of public willingness to pay ZIS through zakat institutions is influenced by internal and external factors. Internally, factors such as literacy, trust, and the ease of paying zakat through electronic payments greatly influence people's intentions. External factors such as openness, transparency, and good governance have a significant impact on how people view the condition of zakat management organizations (OPZ).<sup>11</sup>

All of the above negative perceptions pose a major challenge for zakat institutions to improve their management, from understanding zakat literacy to introducing ZIS fund payment applications and their legal use to the public. More than that, the most important education is to change their doctrine that always considers the object of zakat to be stagnant, as explained by the Qur'an and Hadith. Whether realized or not, the majority of Muslims in Indonesia especially rural communities still adopt classical zakat fiqh, so that if there is an understanding that they consider inconsistent with its teachings, it is considered wrong and deviant. This is because not all people understand the mechanism of paying ZIS funds through fintech and accept it as a new approach to applying Islamic principles in the digital era. Therefore, the shift in the management of zakat assets from the conventional era to the digital era requires a comprehensive fiqh study through an etymological approach and an objective sharia approach. The aim is to determine the priority aspects, whether the management of Islamic philanthropic funds needs to keep pace with digital advances or whether it is better to continue using conventional mechanisms, considering the challenges and problems faced, while also taking into account the aspect of public interest.

The purpose of this study is to analyze ZIS fund payments through digital platforms (fintech) based on applicable legal principles. In addition, it aims to determine the legal status of money as an object of zakat in Islam and the payment of zakat using money. The determination of money as an object of zakat needs to be discussed first, because the wealth of modern society today is synonymous with money, both physical and non-physical. Likewise, the payment of zakat using money also needs to be discussed in depth because zakat payments through fintech are made entirely using electronic money, which has the same value as cash. This study is conducted systematically in order to provide a good understanding to readers and the general public.

## Research Methods

This type of research uses normative legal research, which is a research method that examines applicable legal norms and doctrines to analyze and answer legal issues that arise.<sup>12</sup> The research approach uses a conceptual approach, which is a paradigm based on the views of legal experts to find ideas and develop legal concepts relevant to this research. In addition, it also uses a historical approach, which is an analytical method that examines legal norms by looking at developments, foundations, and changes that have occurred over time to understand the background of the formation of these laws. Meanwhile, the data consists of literature studies discussing the object of cash zakat, zakat payments using cash, and ZIS fund payments through digital platforms, whether found in journals, classical Islamic texts, or the opinions of scholars.

The data analysis technique uses deductive logic, which is a reasoning process that starts from general legal principles and applies them to more specific legal facts, thereby producing specific conclusions about how the law should apply. In normative legal research, deductive logic can be interpreted as the application of general principles or rules (major

<sup>10</sup> Sri Maulida et al., "Post-Pandemic Digital Transformation in Zakat Management: Insights From Maqāṣid Syari'ah in South Kalimantan," *El-Mashlahah* 14, no. 2 (2024): 281–302.

<sup>11</sup> Najib Kailani and Martin Slama, "Accelerating Islamic Charities in Indonesia: Zakat, Sedekah and the Immediacy of Social Media," *South East Asia Research* 28, no. 1 (2020): 70–86.

<sup>12</sup> Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana Prenada Group, 2007), 21, <https://books.google.co.id/books?id=CKZADwAAQBAJ&printsec=copyright#v=onepage&q&f=false>.

premises) to specific cases (minor premises) to draw definite legal conclusions. In other words, general legal rules and opinions of scholars are applied to cases of ZIS fund payments through fintech, the legality of which has not yet been determined, before a conclusion is finally drawn. To maintain data validity, the author verified the data sources and research analysis. Data validity was measured through careful interpretation of legal materials, ensuring that the conclusions drawn were in accordance with applicable legal principles and supported by primary legal materials in this study.

## Results and Discussion

### The Object of Zakat Money and Its Position in Islam

The normative verses in the Qur'an that discuss the theoretical and operational concepts of zakat are only universal in nature, without any more specific explanations. This universality then becomes the task of the scholars to explain in detail so that the community understands the obligation of zakat correctly, starting from the types of property that are subject to zakat, the amount of nisab, and the percentage of zakat that must be paid. However, the scholars did not discuss in detail its management, both in terms of the technicalities of collecting zakat funds and distributing them to mustahik.

The concept and management of zakat should be elaborated and developed in accordance with the times so that its management can be adaptive to the current situation. In fact, what has been decreed by the scholars regarding zakat can sometimes change due to differences in time and changing geographical conditions in the world. Therefore, technical issues such as this are generally left to the customs of the community, which change with the times. Meanwhile, customs or traditions among the community can be used as a basis for law. This is in accordance with the universal fiqh principle (*al-qawāid al-fiqhiyyah al-kulliyyah*), which states that *al-'ādah muhakkamah* (community traditions can be used as a basis for law).<sup>13</sup>

Ibn Qayyim said that scholars from the four schools of thought agreed that five types of wealth are subject to zakat, namely: [1] Gold and silver; [2] Livestock (camels, cows, goats); [3] Mining and treasure; [4] Trade goods; [5] Agriculture (wheat, grapes, dates, rice, corn).<sup>14</sup> However, each country has different types of assets for which zakat is required. Sometimes, the objects of zakat in one region are not commonly found in other regions, such as date palms, which are not commonly found in Indonesia. Although they grow in some areas, dates are not used as a main source of income or staple food by the community. Moreover, in the modern era, the majority of people have various professions that generate wealth more quickly than the professions of farmers, planters, and other agricultural workers as in the past.<sup>15</sup>

Whether we realize it or not, most of society's wealth today is in the form of cash or electronic money (e-money). This raises the question of whether money is subject to zakat. Considering that money is a valuable medium of exchange and can fulfill all of a person's needs, the issue of the value of money has attracted the attention of scholars to formulate the law of zakat on paper money or its equivalent. Some scholars do not require zakat on paper money because what is actually prescribed is gold and silver. This opinion was expressed by Sheikh Alisyi, an Egyptian mufti who issued a fatwa stating that *kigid* (paper

<sup>13</sup> Hilmi Ridho, Hamim Maftuh Elmi, and Muhammad Sibawaihi, "Fiqh Al-Aqalliyat; Jurisprudence For Muslim Minorities As A Guide To Living In Non-Muslim Countries," *Syariah: Jurnal Hukum dan Pemikiran* 23, no. 1 (2023): 93–106.

<sup>14</sup> Ibnu al-Qayyim Al-Jauziyyah, *I'lām Al-Muwaqqi'īn 'an Rabb Al-'Ālamīn* (Beirut: al-Maktabah al-'Aṣriyyah, 2004), Juz I, 217.

<sup>15</sup> Hilmi Ridho and Abdul Wasik, *Zakat Produktif; Konstruksi Zakatnomics Perspektif Teoretis, Historis, Dan Yuridis*, ed. Fauzan Adhim, 1st ed. (Malang: Literasi Nusantara, 2020), 35.

bearing the sultan's signature), which is equivalent to dirhams and dinars, is not subject to zakat, unless its value reaches the value of gold or silver and meets the haul requirement.<sup>16</sup>

Responding to the value of paper money, scholars from the four schools of thought have the following opinions: [1] The Shafi'i school of thought states that, before being circulated by banks, paper money is a bank debt. As an institution ready to pay, banks are required to pay zakat. The absence of ijāb and kabul is not an issue, as it is adjusted to the traditions of the community that show willingness, either in words or actions. [2] The Hanafi school of thought argues that if the valuable paper can be exchanged directly for silver, then zakat is obligatory. [3] The Mālikī school of thought argues that even if it is in the form of a debt receipt, if the bank note can be converted into silver and its value is equal to gold as a medium of exchange, then zakat must be paid. [4] The Hanbālī school of thought emphasizes that there is no obligation to pay zakat on paper money, unless it is converted into gold or silver and meets the requirements for zakat.<sup>17</sup>

The four opinions above are essentially the same, namely that if paper money has the same value and can be measured by the value of gold or silver, then zakat is obligatory. This is because paper money is very valuable and can be used as a medium of exchange to meet basic daily needs. Similarly, securities and electronic money (e-money) that are equivalent in value to paper money are also subject to zakat, such as stocks, bonds, checks, and so on. Meanwhile, the zakat that must be paid is 2.5% and the nisab must reach 85 grams of gold and exceed one year (haul). In ushul fiqh, this provision is called the *qiyās* (analogy) method, which equates the obligation of zakat on money with gold and silver because of their valuable nature and their use as a medium of exchange. The following table shows the differences in opinion among scholars and religious institutions regarding the nisab for gold and silver after conversion to grams.

Table 1. Nisab for Gold and Silver According to Scholars and Religious Institutions

Objects	Nisab	Conventions	Opinions
Gold	20 Dinars	77,50 gr	Shafi'i School of Thought
			Malikiyyah School of Thought
			Hanabilah School of Thought
		107, 75 gr	Hanafi School of Thought
		85 gr	Yusuf Al-Qardhawi
			Wahbah Al-Zuhaily
			BAZNAS RI (Indonesian National Zakat Agency)
			Indonesian Ulema Council (MUI)
			Muhammad Bin Sholeh Al-'Utsaimin
			LAZIS Muhammadiyah (Muhammadiyah Social Welfare Agency)
			LAZ NU (Nahdlatul Ulama Social Welfare Agency)
		77,57 gr	M. Hasbi Ash-Shiddieqy
		92 gr	KH. Sahal Mahfudh
Silver	200 Dirhams	543,35 gr	Sheikh Bin Baz
			Shafi'i School of Thought
			Maliki School of Thought

<sup>16</sup> Yusuf Al-Qardlawi, *Fiqh Al-Zakah; Dirasah Muqaranah Li Ahkamiha Wa Falsafatiha Fi Daw' Al-Qur'an Wa Al-Sunnah* (Beirut: Muasasah ar-Risālah, 1991), 80.

<sup>17</sup> Yusuf Al-Qardlawi, *Syari'ah Al-Islam Salihah Li Al-Tatbiq Fi Kulli Zaman Wa Makan* (Kairo: Dar al-Sahwah, 1993), 124.

		Hanbali School of Thought
	752,66 gr	Hanafi School of Thought
		Wahbah Al-Zuhaily
		Yusuf Al-Qardhawi
		BAZNAS RI (Indonesian National Zakat Agency)
		Indonesian Ulema Council (MUI)
	595 gr	LAZIS Muhammadiyah (Muhammadiyah Social Welfare Agency)
		LAZ NU (Nahdlatul Ulama Social Welfare Agency)
		M. Hasbi Ash-Shiddieqy
	543,35 gr	KH. Sahal Mahfudh

Source: Author's formulation from various studies

More specifically, KH. Sahal Mahfudh, a contemporary Indonesian scholar, concluded that money is subject to zakat. This conclusion was reached after he studied the book of fiqh on the four madhhabs by Abdurrahman Al-Jazairi, namely *al-Fiqh 'Alā al-Mazāhib al-Arbaah*. Mahfudh used the *qiyās* method to determine the obligation of zakat on paper money by analogizing the value of money with the value of gold and silver, which both function as a medium of exchange in a transaction. In fact, he said that money is more practical and has its own advantages compared to gold and silver, because it can be exchanged for anything at any time without difficulty. Mahfudh refers to zakat on paper money as *zakāh al-aurāq al-māliyyah*.<sup>18</sup>

Similarly, M. Hasbi Ash-Shiddieqy, an Indonesian Muslim scholar, said that paper money must be subject to zakat because it can be used in transactions just like gold and silver. According to him, the reason for the obligation of zakat on money is its high value and the fact that it is needed by everyone in this day and age. Meanwhile, those who do not require zakat are guided by the *illah* of the absence of *ijab* and *kabul*, which is very weak.<sup>19</sup> KH. Afifuddin Muhajir, a scholar of usul fiqh, also said that if the ownership of money has reached haul and its value is equivalent to gold and silver, then zakat must be paid. This determination is based on *qiyās*, which equates the obligation of zakat on money with gold and silver. The reason (*illah*) is that the value of money today is equivalent to that of gold and silver as a medium of exchange, just as it was in the past.<sup>20</sup>

Wahbah Al-Zuhaily, a contemporary scholar from the Middle East, has issued a fatwa on zakat on money. In his book *Mausū'ah al-Fiqh al-Islamī wa al-Qaḍāyā al-Mu'āsirah*, Al-Zuhaily states that paper money (*al-aurāq al-naqdiyyah*) that is equivalent in value to gold and silver is subject to zakat.<sup>21</sup> This fatwa is supported by Yusuf Al-Qardhawi, who devotes a special chapter to it in his book *Fiqh al-Zakāh*. According to him, government-issued paper money used for sales transactions or as income in every country is subject to zakat. Al-Qardhawi also emphasized that the issue of zakat on money does not mean that it is not supported by classical fiqh schools of thought. This is because paper money did not exist in

<sup>18</sup> Sasongko Tedjo, *Dialog Dengan KH. Sahal Mahfudh: Telaah Fiqh Sosial* (Semarang: Yayasan Karyawan Suara Merdeka, 1997). Read more: Putri Qurrata A'yun and Dzulkifli Hadi Imawan, "Sahal Mahfudh's Thoughts On Social Fiqh And The Implementation Of Productive Zakat," *Ijtihad: Jurnal Hukum dan Ekonomi Islam* 16, no. 1 (2022): 19–39.

<sup>19</sup> Muhammad Hasbi Ash-Shiddieqy, *Pedoman Zakat* (Semarang: PT. Pustaka Rizki Putra, 1996). Read more: Atika Rukminastiti Masrifah and Fajrin Intan Safitri, "The Impact of Zakat on Money Demand Function: Evidence From Muzakki in Indonesia," *Jurnal Ekonomi dan Bisnis Islam (Journal of Islamic Economics and Business)* 7, no. 2 (2021): 308–326.

<sup>20</sup> Afifuddin Muhajir, *Membangun Nalar Islam Moderat: Kajian Metodologis* (Situbondo: Tanwirul Afkar, 2018), 40.

<sup>21</sup> Wahbah Al-Zuhaily, *Mausū'ah Al-Fiqh Al-Islamī Wa Al-Qaḍāyā Al-Mu'āsirah*, 3rd ed. (Damaskus: Dar El-Fikr, 2012), Juz II, 580.

their time, so it does not mean that the four schools of thought do not support it. This statement is a rejection of some people who claim that zakat on money is not supported by classical fiqh schools of thought.<sup>22</sup>

Abdul Aziz bin Abdillah bin Baz, also known as Sheikh Bin Baz, issued a fatwa in the book *Majmū' Fatāwā wa Maqālāt Mutanawwi'ah* that zakat on money is obligatory if it has reached the lowest nisab of gold and silver.<sup>23</sup> The same opinion was also expressed by Sheikh Muhammad bin Shalih Al-Utsaimin, who said that the prevailing opinion is that money used for trading or other purposes is absolutely subject to zakat. The word "absolutely" here is not limited by any conditions.<sup>24</sup>

In addition to the opinions of scholars, global religious organizations such as Lajnah Daimah Lil Ifta', Hai'ah Kibar Ulama, and Majma' Fiqih Islami Rabithah al-'Alam al-Islami have also established the law of zakat on money when it reaches the nisab and haul requirements.<sup>25</sup> In fact, the NU's Bahstul Masail Institute (LBM) had already formulated the ruling on the obligation of zakat on money in the 8th NU Congress Decision in Jakarta, dated 12 Muharram 1352 H / May 7, 1933 AD. In the congress, it was stipulated that money that is saved must be subject to zakat every year as long as the amount reaches the nisab requirement. The argument used by the NU's Bahstul Masail Institute is *qiyās*, analogizing money to gold and silver, whose value can change every year.<sup>26</sup>

After in-depth analysis, the majority of classical and contemporary scholars use the *qiyās* method to determine the obligation of zakat on money. This method is used to determine the law of zakat on assets that are not explicitly explained in the Qur'an and Hadith by comparing them with existing zakat objects. In other words, the obligation of zakat on money is equated with zakat on gold because both serve as a medium of exchange in sales transactions. In *uṣūl al-fiqh*, this similarity is referred to as *'illat* (legal reason). Once the *'illat* is found, the legal provisions applicable to gold zakat (*maqīs 'alaih* or *aṣl*) can be applied to money zakat (*maqīs* or *far'u*), such as the nisab (85 grams), the zakat rate (2.5%), and the time of payment (haul).

Equating money with gold is not the only *qiyās* method for determining the obligation of zakat on money; it can also be analogized with trade assets. However, the author agrees more with analogizing monetary zakat with gold zakat for several reasons: [1] The function of money and gold has always been equally valuable as a medium of exchange, so the analogy method is closer to gold than to trade assets. [2] The measure of wealth in modern society today is money and gold, both in physical and non-physical forms, such as e-money and e-gold. [3] Gold has intrinsic value and long-term stability due to its scarcity, while the value of money comes from trust and support from the government and central banks. [4] Money and gold are influenced by market fluctuations, monetary policy, and global economic conditions.

The above description shows that the majority of scholars and religious institutions agree on the obligation to pay zakat on money that has reached the nisab value of gold and silver and meets the haul requirement. The author also agrees with the decision of these scholars because money is now the benchmark of a person's wealth. In fact, some people have a lot of non-physical money stored in digital wallet applications, such as Dana, M-Banking, OVO, and so on. This should also prompt a special discussion on the legal provisions of digital money (e-money) and its methodology. Should it be treated the same as gold and silver, or should it be analogized to trade zakat (*tijārah*)? This is because the e-

<sup>22</sup> Al-Qardlawi, *Fiqh Al-Zakah; Dirasah Muqaranah Li Ahkamiha Wa Falsafatiha Fi Daw' Al-Qur'an Wa Al-Sunnah*, 273.

<sup>23</sup> Abdul Aziz bin Abdillah bin Abdurrahman bin Baz, *Majmū' Fatāwā Wa Maqālāt Mutanawwi'ah* (Riyadh: Riyasah Idarah al-Buhuts al-Ilmiyah wa al-Ifta', 2003), Juz XIV, 125.

<sup>24</sup> Muhammad bin Shalih Al-Utsaimin, *Syarh Al-Mumti' 'Ala Zad Al-Mustaqqni'* (Arab Saudi: Dar Ibn al-Jauzi, 2001), Juz VI, 95.

<sup>25</sup> Ahmad Sarwat, *Zakat Uang*, ed. Fatih (Jakarta: Rumah Fiqih Publishing, 2019), 20-24.

<sup>26</sup> Lembaga Bahtsul Masail PBNU, *Keputusan Muktamar Nahdlatul Ulama (NU) Ke-8* (Jakarta, 1933), 137.

money stored in digital wallet applications by some people is used to manage their businesses.

The author argues that, in the modern era, electronic money (e-money) is as valuable as paper money, so people who hold wealth in the form of e-money stored in digital wallet applications are also required to pay zakat under the provisions of the law on zakat for money above. If e-money wealth is subject to zakat, then the income of digital activists or content creators from digital platforms in the form of e-money is also subject to zakat. As stated in the results of the 8th Ijtimā` Ulama of the Indonesian Ulema Council (MUI), the income of digital activists and other actors in the digital creative economy is subject to zakat at a rate of 2.5%.

Social justice in professional zakat is realized through the redistribution of wealth from high-income individuals to those in need, creating economic equality and reducing social inequality. This concept is based on the Islamic principle of spending a portion of one's wealth on others, and scholars uphold it to ensure that modern professions also contribute to helping society. From the perspective of *maqāṣid al-syāri‘ah*, professional zakat becomes a means of managing and purifying the wealth owned by professionals by distributing zakat to those who are entitled to it in order to help balance wealth ownership, reduce inequality, and prevent the accumulation of wealth among certain groups.

### **Paying Zakat Using Money**

Basically, fulfilling the obligation of zakat must be done using property as stipulated by Islamic law. For example, if gold that has reached the nisab of 85 grams, then the zakat that must be paid is 2.125 grams. However, with the development of the times, scholars have allowed zakat mal to be paid in the form of money (*qīmah*). Therefore, the value of gold zakat must be converted into rupiah according to the highest price on that day. Eight types of assets are subject to zakat, namely agricultural products, gold, silver, grapes, dates, camels, cows, and goats. For trade assets, zakat must follow the provisions for gold and silver because it is closely related to their value (*qīmah*).<sup>27</sup> Scholars who permit this, such as the Hanafi school of thought, argue that the mention of the form of assets in the hadith is intended to make it easier for the muzaki, not to require the payment of these assets. This differs from the reasoning of the majority of scholars who say that it is not permissible because the text explains in detail and specifically the assets that are subject to zakat.<sup>28</sup>

The permissibility of paying zakat in the form of money using the *ta‘wīl* method, which is to transfer the *haqīqī* (actual) meaning to the *majāzī* (metaphorical) meaning. This means that the hadith command explaining the obligation to pay zakat in the form of goats, camels, dates, and others is understood as a command to pay its value (*qīmah*) and not necessarily the item itself ('*ain*). The application of this theory in *uṣūl al-fiqh* is known as *ma‘nā al-naṣ* (essential understanding). Meanwhile, scholars who prohibit paying zakat with money apply the theory of *ma‘nā zāhir*, which is to understand the command of zakat textually. Thus, zakat cannot be paid in the form of money, because the command in the Qur'an and Hadith is very clear that it must be in the form of goods ('*ain*), not their value (*qīmah*). For example, the command to give one *ṣā‘* of dates for *zakat al-fitr*. This theory is called '*ain al-naṣ* (textual understanding).

These two theories of *ijtihad* represent two different perspectives, but both are based on valid principles in understanding the Qur'an or Hadith. The methodological basis of the *ma‘nā al-naṣ* theory is *maqāṣid al-shari‘ah*, which is to fulfill the needs of the *mustahik* by giving zakat.<sup>29</sup> Meanwhile, to help them in their lives, it is not necessary to pay zakat in

<sup>27</sup> Muhammad ibn Umar Al-Jāwi, *Nihayah Al-Zain Fi Irsyadi Al-Mubtadiiin* (Beirut: Dar al-Fikr, 2001), 168.

<sup>28</sup> Muhyiddin Yahya bin Syaraf Al-Nawawi, *Al-Majmu’ Syarh Muhadzdzab* (Jeddah: Maktabah al-Irsyad, 1999), Juz V, 429.

<sup>29</sup> Hilmi Ridho, "Pemberdayaan Ekonomi Masyarakat Berbasis Zakat Komunitas Perspektif Maqashid As-Syariah Ibnu Asyur (Studi Kasus Di BAZNAS Kab. Jember)," *Proceedings of Islamic Economics, Business, and Philanthropy* 1, no. 2 (2022): 656-679.

kind, but it can be in the form of money equivalent to the value of the zakat. This is because, in this day and age, the basic needs of the mustahik vary from one person to another, so distributing zakat in the form of money is more beneficial than in kind and will not cause them difficulties. Meanwhile, the theory of '*ain al-naṣ*' is based on the text directly without the need to divert the original meaning to another meaning. However, according to the author, a more relevant understanding of the commandment of zakat in modern times is to apply the theory of *ma'nā al-naṣ* because it is more flexible in realizing the interests of the mustahik.

In this day and age, paying zakat using money seems to be a more beneficial consideration, especially in Indonesia. This consideration is not considered to contradict the provisions of the law and can even be said to be more relevant to realizing the objectives of Sharia law. First, paying zakat using money is more beneficial because its use is more practical in meeting the basic needs of each recipient who is in dire need of money. Second, paying zakat using goods can reduce the value of the benefit for the recipient and is not in accordance with the objectives of Sharia law. For example, a material trader who is obliged to pay zakat must give his goods in the form of sand, cement, paint, iron, or other items that may not necessarily be needed by the mustahik. Similarly, it would be quite difficult for an *ibnu sabīl* if he had to receive zakat in the form of rice for his travel needs. This is because rice is not a ready-to-eat staple food, and even if it were given in the form of cooked rice, it would not last long and would quickly spoil.

The author agrees more with the scholars who permit the payment of *zakat al-mal* using money because it is more beneficial and has real value in meeting the needs of the mustahik. However, the question now is whether it is also permissible to pay *zakat al-fitr* using money? This is still a matter of debate among scholars because the essence of *zakat al-fitr* is to purify oneself after a month of fasting during Ramadan. The debate over whether *zakat al-fitr* must be paid using the staple food of a region or whether it is permissible to pay money (*qīmah*) is not new. Imam Shafī'i and the majority of scholars think that *zakat al-fitr* must be paid in the form of staple foods such as dates, grapes, wheat, raisins, dried milk, grains, or rice.<sup>30</sup> Abu Bakar Al-'Amasyi expressed a similar opinion, stating that paying wheat as *zakat al-fitr* is preferable to paying money (*qīmah*), as it is more in line with the commandment written in the hadith and avoids differences of opinion among scholars.<sup>31</sup>

Unlike the opinion of Imam Abu Hanifah and his school of thought, which states that *zakat al-fitr* may be replaced with something of equal value to one *ṣā`* and does not have to be in the form of staple foods. More explicitly, Abu Ja`far said that it is preferable to pay *zakat al-fitr* using money because the mustahik (recipients) can buy various kinds of staple foods according to their needs.<sup>32</sup> Historically, Ibn 'Umar once said that whoever pays *zakat al-fitr* using money has violated the provisions of the Sharia and abandoned his obligation, and that it is not counted as *zakat al-fitr*.<sup>33</sup> In the author's opinion, this debate requires clarification from contemporary scholars to assess the benefits of paying *zakat al-fitr* in the form of money. This is because times have changed and the basic needs of the mustahik are very diverse due to advances in civilization, science, and technology. Moreover, staple foods vary from region to region, and geographical conditions are not the same. As a contemporary scholar, Yusuf Al-Qardhawi explains what is meant by *qīmah* according to the Hanafi school of thought. According to him, the meaning is to pay *zakat al-fitr* using something equivalent in value to black wheat, wheat, or dates. In other words, it is better to pay *zakat al-fitr* using something equivalent to one *ṣā`* of staple food in a particular region. Al-Qardhawi sees a difference of opinion among the Hanafi school regarding the preference

<sup>30</sup> Sayyid Sābiq, *Fiqh Al-Sunnah* (Beirut: Dār al-Fikr, 1985), 292. Read more: Muḥammad ibn Idrīs Al-Syāfi`i, *Al-Umm* (Baerut Lebanon: Dār al-Ma`rifah, 1990), 89.

<sup>31</sup> Muhammad bin Ahmad Al-Sarakhsī, *Al-Mabsuth* (Beirut: Dar al-Makrifah, 1993), Juz III, 107.

<sup>32</sup> Abu Bakr Ibn Mas'ud Al-Kasani Al-Hanafi, *Badā'i' Al-Ṣanā'i' Fi Tartib Al-Syāra'* (Beirut: Dar al-Fikr, 1996), 110.

<sup>33</sup> Wahbah Al-Zuhaily, *Al-Fiqh Al-Islām Wa Adillatuhu* (Suriah: Dār al-Fikr, 2004), Juz II, 911.

for paying *zakat al-fitr* using staple food or *qīmah*. After analysis, Al-Qardhawi concluded that *zakat al-fitr* must be paid in a form that is in accordance with the interests of the poor. If the poor need staple foods, then that is more important than giving their *qīmah*. Conversely, if they need something other than staple foods, then giving money is more important because it is very useful for them to meet their other needs.<sup>34</sup>

Al-Qardhawi's argument regarding his statement allowing the payment of *zakat al-fitr* using money refers to several reasons. First, the word *aghnūhum* (suffice their needs on Eid al-Fitr) in the hadith of *zakat al-fitr* can be done by paying money because it is more important. The reasoning is that the basic needs of the poor during Eid al-Fitr may already be met, so if the muzaki still pays *zakat* with staple foods, the poor will have to sell them again to meet their other needs. Therefore, it is better to give money because they can spend it to buy necessities during the holiday, such as clothes, food, and so on.

Second, according to Al-Qardhawi, the practice of paying *zakat al-fitr* using *qīmah* was once done by the Companions of the Prophet. Abu Sa'id Al-Khudriy recounted that when the Prophet Muhammad was still alive, we paid *zakat al-fitr* in the form of one *ṣā'* of food, one *ṣā'* of wheat, one *ṣā'* of dates, one *ṣā'* of cheese, or one *ṣā'* of raisins. However, when Mu'awiyah bin Abi Sufyan came to perform the Hajj and Umrah, he gave a speech on the pulpit stating that two mud of Syrian wheat were equivalent to one *ṣā'* of dates. From that time onward, the Muslims followed Mu'awiyah bin Abi Sufyan's view, but Abu Sa'id Al-Khudri did not agree with it and continued to pay *zakat al-fitr* as he had always done until the end of his life.<sup>35</sup>

Third, Al-Qardhawi believes that paying *zakat al-fitr* in the form of money is easier in this day and age. This is because the lifestyle of modern society is inseparable from financial circulation and industry, so money is more useful for the poor. Even though it is paid in money, Al-Qardlawi still requires the muzaki to have the intention when paying *zakat al-fitr*.

Fourth, according to Al-Qardhawi, there are two reasons why the Prophet Muhammad prescribed *zakat al-fitr* to be paid in the form of staple foods, namely: [1] The circulation of money among the Arab community at that time was still rare and was not considered a daily necessity. [2] The value of currency in Arab society at that time fluctuated, unlike staple foods, whose value has remained the same until now, and is more useful for them to meet their daily basic needs.<sup>36</sup>

For comparison, Wahbah Al-Zuhaily also expressed his opinion regarding the controversy of paying *zakat al-fitr* using *qīmah* (money). To answer this, Al-Zuhaily performed *istinbāt al-ahkām* (legal ruling) by applying the comparative method. In his book entitled *al-Fiqh al-Islāmī wa Adillatuhu*, Al-Zuhaily explains the differences of opinion among scholars of the madhhab regarding the payment of *zakat al-fitr* in the form of assets equivalent to staple foods, along with the arguments and reasoning used. He elaborates on the Hanafi school of thought regarding the permissibility of paying *zakat al-fitr* using money based on *qiyās*, which equates money with staple foods in terms of value, which is considered sufficient to meet the needs of the poor. Al-Zuhaily then compares the opinion of the Hanafi school of thought with that of the majority of scholars who say that staple foods must still be used in accordance with what has been stipulated by the text. He said that the arguments of the majority are more valid and superior than those of the Hanafi school of thought. Al-Zuhaily favored the opinion of the majority by quoting their opinion that if someone violates the argument, then he has abandoned an obligation.<sup>37</sup>

<sup>34</sup> Al-Qardlawi, *Fiqh Al-Zakah; Dirasah Muqaranah Li Ahkamiha Wa Falsafatiha Fi Daw' Al-Qur'an Wa Al-Sunnah*, 895.

<sup>35</sup> One *ṣā'* is equal to four mud, while one mud is equivalent to the full size of two palms of an adult male of normal stature. See: Muslim Ḥajjāj, *Sahīḥ Muslim* (Lebanon: Dār al-Kutub al-Ilmiyah, 2011), 985.

<sup>36</sup> Al-Qardlawi, *Fiqh Al-Zakah; Dirasah Muqaranah Li Ahkamiha Wa Falsafatiha Fi Daw' Al-Qur'an Wa Al-Sunnah*, 896.

<sup>37</sup> Al-Zuhaily, *Al-Fiqh Al-Islām Wa Adillatuhu*, 911.

From the above description, the author sees that the difference of opinion between Al-Qardhawi and Al-Zuhaily is due to a difference in the method of determining the law (*istinbāt al-ahkām*). Al-Zuhaily says that the hadith about *zakat al-fitr* is the main argument for the obligation to pay *zakat* using staple foods. He agrees more with the majority of scholars (Malikiyyah, Shafi'iyyah, Hanabilah) than with the Hanafi school of thought because the evidence is stronger. According to him, even though the hadith clearly mentions staple foods as *zakat al-fitr*, it can be analogized with staple foods in a particular region. Meanwhile, the measurement remains one *ṣā'* and cannot be replaced with money equivalent to that amount.

Al-Zuhaily does not reject the use of reason absolutely in understanding textual arguments. This can be seen from his opinion, which follows the Shafi'i school of thought, that *zakat al-fitr* must be in the form of staple foods in a particular region. In other words, he does not determine the law of *zakat al-fitr* based on the textual argument that mentions a specific type of staple food, but rather uses the *qiyyās* method, which combines reason and argument. The following is Al-Zuhaily's framework of thinking in determining the obligation of *zakat al-fitr* using staple foods with the *qiyyās* (analogy) method.

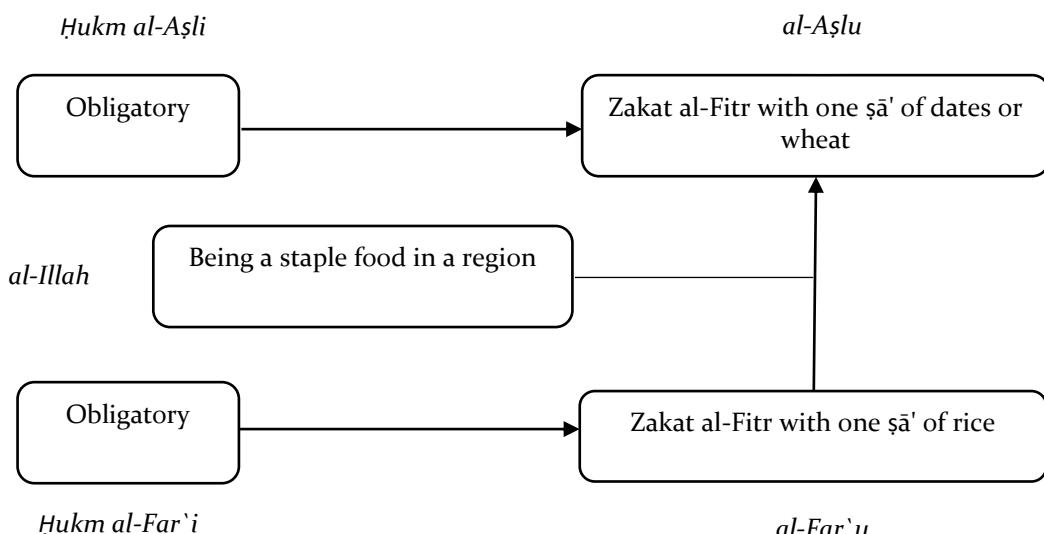


Figure 1. Analogy (*Qiyyās*) of *Zakat al-fitr* with Money to Staple Foods<sup>38</sup>

Source: Author's formulation of the *qiyyās* method

Unlike Al-Qardhawi, who uses the hadith about *zakat al-fitr* as a guideline to allow *zakat* to be paid with something other than staple foods equivalent to one *ṣā'*. To strengthen his argument, he elaborates on the arguments that explain the purpose of *zakat al-fitr* as a means to fulfill the needs of the poor on Eid al-Fitr, one of which is *aghnūhum 'an al-masalah fī miṣli hāža al-yaum* (suffice them from begging on this day).<sup>39</sup> There are two methods used, namely *ijtihād al-intiqā'i* and *ijtihād al-insyā'i*. However, in some cases, he applies both models of *ijtihad* simultaneously.

<sup>38</sup> In *usul al-fiqh*, scholars agree that there are four pillars of *qiyyas*, including: [1] *Al-aslu* is a legal case whose legal ruling has been explained in the Qur'an or Hadith. [2] *Al-far'u* is a new case for which there is no legal ruling, either in the texts or in the opinions of scholars. [3] *Hukm al-asli* is the Sharia law that has been established in the text and becomes the basis for determining the law on the *al-Far'u* case. [4] *Al-illah* is the characteristic that becomes the reason for determining the law on *al-aslu*, which is then applied to *al-far'u* that has a similar *illah*. See: Zakariyyā Al-Anshārī, *Ghāyat Al-Wuṣhūl Syarh Lubb Al-Ushūl* (Semarang: Maktabah Hidayah, 2000), 96. Hilmi Ridho et al., "Adaptation of Siyasah Fiqh as a Strategy to Prevent Money Politics in Elections," *Indonesian Journal of Law and Islamic Law (IJLIL)* 6, no. 2 (2024): 30–49.

<sup>39</sup> Al-Qardlawi, *Fiqh Al-Zakah; Dirasah Muqaranah Li Ahkamiha Wa Falsafatiha Fi Daw' Al-Qur'an Wa Al-Sunnah*, 896.

*Ijtihād al-intiqā'i* is the process of selecting several opinions of earlier scholars written in various fiqh turās to determine the most superior opinion (*rājih*). This process is not limited to choosing an opinion based on the whims of a mujtahid, but rather, he must understand the arguments used in that opinion. Meanwhile, *ijtihād al-insyā'i* is the process of establishing a new law on a case because no scholar has discussed it yet.<sup>40</sup> To establish the law on the permissibility of *zakat al-fitrah* using money, Al-Qardhawi applied the *ijtihād al-intiqā'i* method, which is to compare the opinions of the Hanafi school of thought and the majority of scholars. After that, he compared the two opinions and chose the opinion that he considered superior (*arjāh*) based on the arguments, namely the Hanafi school of thought, which allows the use of money equivalent to one *ṣā'* of staple food.

In addition to *ijtihād al-intiqā'i*, Al-Qardhawi also uses the *ta'lil* and *tafsir* methods to strengthen his analysis in determining the law. The *ta'lil* method serves to reveal the *maqāṣid al-syarī'ah* of *zakat fitrah*, both individually and collectively. Meanwhile, the *tafsir* method serves as a means to see the wisdom behind the Sharia law of *zakat al-fitrah*. He explicitly states that the hadith about *zakat al-fitrah* is *mu'allal* (has a reason), namely to fulfill the needs of the poor during Eid al-Fitr. However, fulfilling their needs does not have to be in the form of staple foods, but can also be in the form of money and other things. According to him, money may be more beneficial for them because conditions are different from those in the past. The needs of modern society today can mostly be met with money, and its function is more flexible than staple foods. This is different from the people of Medina in the past, who were not very familiar with the function of money and needed staple foods more.

The author agrees more with Al-Qardhawi's thinking than Al-Zuhaily's, who tends to be textual in understanding the hadith about *zakat al-fitrah*. The consideration is that in this era of digitalization, what the community needs can be fulfilled with money through sales and purchase transactions, and it is rare to use a barter system, as was the tradition in the past. Thus, the poor can buy whatever they need with the money to welcome Eid al-Fitr. This is because the essence of the obligation of *zakat al-fitrah*, which must be paid during Ramadan until before the Eid al-Fitr prayer, is to bring joy to their hearts and prevent them from begging. Moreover, currently, the management of *zakat* is mostly digital, so payments must be made using electronic money (e-money), not staple foods or the like. In fact, in Indonesia, the management of Islamic philanthropic funds is not limited to *zakat*, but also includes *infaq*, *sadaqah*, *kafarat*, *fidyah*, and other religious social funds, all of which are also digital-based. Given this transformation in management, it seems more relevant to apply the opinion of Yusuf Al-Qardhawi, who follows the Hanafi school of thought, rather than Wahbah Al-Zuhaily, who adheres to the opinion of the majority of scholars. However, the question is: what is the opinion of the scholars regarding the collection of Islamic philanthropic funds through digital platforms, as has been practiced in Indonesia?

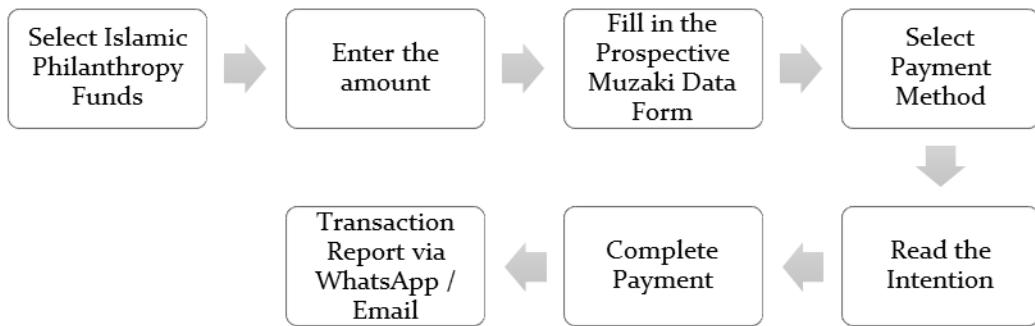
### Payment of ZIS Funds Through Digital Platforms; Analysis of Legal Principles

The transformation of ZIS fund management based on digital technology shows practical changes, especially in terms of payment through fintech. This practice is certainly different from conventional payments, which involve direct interaction with the people who are entitled to receive Islamic philanthropic funds. In digital ZIS fund payments, a muzaki must pay *zakat* using money equivalent to the *zakat* rate. This is because it has been stipulated in the *nas* and agreed upon by the *ulama*. After that, the muzaki is required to transfer the money to the *zakat* institution's account or use other payment methods that have collaborated with digital wallet applications, such as Shopeepay, OVO, Dana, QRIS, and others. However, before completing the payment, the muzaki must first declare their intention, whether it is to pay ZIS, *fidyah*, *kafarat*, or Other Religious Social Funds (DSKL).

<sup>40</sup> Yusuf Al-Qardawi, *Al-Ijtihad Fi Al-Syar'i'at Al-Islamiyah Ma'a Nazharat Tahliliah Fi Al-Ijtihad Al-Mua'shir* (Kuwait: Dar al-Qalam, 1985), 69.

For example, below is the flow of Islamic philanthropy fund payments at BAZNAS RI through the website.

Figure 2.  
ZIS Payment Flow Through the BAZNAS Website



Source: <https://bayarzakat.baznas.go.id/>

The payment process above needs to be examined in depth according to Islamic law, especially in terms of expressing intentions. In addition, it is necessary to analyze the benefits and security of using digital platforms as a tool for collecting Islamic philanthropic funds. There are at least nine principles that need to be understood to answer these questions. First, the theory of intention (*nażariyyah al-niyyat*). As explained earlier, every transaction depends on its purpose and intention, not its wording and form. This is referred to as the fiqh principle of *al-'ibrah fi al-'uqūd li al-maqāṣid wa al-ma'ānī lā li al-alfāz wa al-mabānī*. The basis of this rule is guided by the hadith *innamā al-a'māl bi al-niyyāt* (every deed depends on its intention). If the deed is intended correctly and has a good purpose, then it will be considered worship and can bring rewards.<sup>41</sup> In the field of zakat, intention is the first step to achieving the objectives of management, both in terms of distribution and collection, which must meet certain conditions.

Asmawi said that three conditions must be met in intention, including: [1] The wording used must have a broad meaning according to Arabic usage. [2] There must be equivalence in the apparent meaning of the wording, and there must be indications that reinforce the position of the intention. [3] The legal consequences arising from the intention are lower than the apparent meaning of the words. If this is not the case, then the intention is not taken into account.<sup>42</sup>

Second, the theory of expression of desire (*nażariyyah al-ta'bīr al-irādah*). A person's desires cannot be known because they are abstract and reside in the heart. However, they can be seen from their signs, such as words or gestures. Meanwhile, legal rulings must be based on the intention of the heart, not words. This theory is in line with the fiqh rule that says *i'māl al-kalām aulā min ihmālihi* (acting on a statement is better than ignoring it).<sup>43</sup>

Third, the theory of maintaining benefit (*nażariyyah murāah al-maṣlaḥah*). Basically, maslahat is something relative because sometimes what is considered maslahat actually contains elements of mafsat, and vice versa. In the rules of fiqh, it is stated that *lā darara wa lā dirāra* (it is not permissible to cause harm, and it is forbidden to retaliate with similar harm). This is because there is no difference between the person who causes harm and the person who retaliates. Therefore, in transactions, a person is not allowed to commit fraud, forgery, or uncertainty (*gharar*).<sup>44</sup>

<sup>41</sup> Muhammad ibn Isma'īl Al-Bukhārī, *Ṣaḥīḥ Buḥkārī* (Maroko: Dār Thuq an-Najah, 2005), 6.

<sup>42</sup> Juhaya S. Pradja, *Ekonomi Syariah* (Bandung: CV. Pustaka Setia, 2012), 19.

<sup>43</sup> Muhammad Mustafa Al-Zuhaily, *Al-Qawā'id Al-Fiqhiyyah Wa Taṭbiqātuhā 'Alā Al-Maẓāhib Al-'Arba'ah* (Damaskus: Dar al-Fikr, 2006), 210.

<sup>44</sup> Ahmad Ar-Raysuni, *Nadhariyatū Al-Maqashid 'Inda Al-Imam Asy-Syatibi* (Beirut: al-Ma'had al-Alami, li al-Fikr al-Islamiy, 1990), 32.

Fourth, the theory of original law (*nazariyyah al-akhži bi al-istišhāb*). In *usul al-fiqh*, *istišhāb* is one of the methods of *ijtihad* that is still disputed by scholars. It works by determining the law on a new issue based on the existing law, as long as there is no other argument that changes it. The meaning of this theory is similar to the fiqh rule *al-yaqīn lā yuzālu bi al-syakk* (certainty cannot be removed because of doubt). Meanwhile, according to the *uṣūlī* (scholars of *usul al-fiqh*), there are five levels of perception, including: [1] *Yaqīn*, which is something that brings peace to the heart because of certainty. [2] *Ẓann*, which is when one side is stronger than the other. [3] *Syakk*, which is a state of balance that indicates that neither side is stronger or weaker than the other. [4] *Wahm*, which is when one side is weaker than the other. In other words, *wahm* is the opposite of *Ẓann*.<sup>45</sup>

Fifth, the theory of the limits of *ijtihad* (*nażariyyah ḥawābiṭ al-ijtihād*). *Ijtihad* is the exertion of all one's abilities to solve a problem to arrive at a legal conclusion, and the person who does this is called a *mujtahid*. In general, two models of *ijtihad* are often used by scholars, namely: [1] Directly understanding the meaning of the Qur'an and Hadith because the text is universal and open to multiple interpretations. [2] Comparing new cases with cases whose laws have already been established in the text through the *qiyās* (analogy) method or arguments that are still debated among scholars. For example, *maṣlaḥah al-mursalah, istihsan, istišhāb, 'urf, mažhab al-ṣaḥābī*, and *syar' u man qablanā*.<sup>46</sup>

Sixth, the theory of guardianship or representation (*nażariyyah al-wilāyah*). Guardianship is the granting of authority by the Sharia to a person to act as a representative with legal limitations and conditions. As the fiqh rule says, *manzilah al-imām min al-ra'iyyah manzilah al-waliy min al-yatīm* (the position of an imam before his people is the same as the position of a guardian over an orphan). This rule reinforces the rule that *taṣarruf al-imām 'alā al-ra'iyyah manūṭun bi al-maṣlaḥah* (a leader's policy towards his people must be based on the public interest).<sup>47</sup>

Seventh, the theory of clarity (*jaliyah*) in contracts. This condition must be present in a transaction and must be mentioned by both parties, in addition to the provisions stipulated by Sharia. This statement is in accordance with the fiqh rule *yalzamu murā'ah al-syarṭi bi qadr al-imkān* (it is obligatory to fulfill the conditions according to one's ability). So, if the conditions proposed have become a tradition in society, then they can be accepted. However, if the opposite is true, then these conditions are not considered and the transaction becomes *fāsid* (void). To emphasize this, the scholars created a rule regarding the relevance of tradition and conditions, namely *al-ma'rūf 'urfan ka al-masrūṭ syarṭan* (something that has become a tradition is considered like a written condition). In other words, what is generally accepted and established in society, as long as it does not conflict with the norms of Sharia law, is considered to have legal force, just like a written agreement made by individuals.<sup>48</sup>

Eighth, the theory of *tawābi* (followers). Basically, something cannot stand alone; it follows the existence of something else. According to Al-Zarqa, something can potentially be a follower if it fulfills one of the following four reasons: [1] Because it is an inseparable part of something else, and if separated, it will cause harm, such as the skin attached to an animal. [2] Because it is a part that is generally together, but can be separated at certain times and does not cause harm, such as a fetus from its mother. [3] Because it is a characteristic of the follower, such as a building on a piece of land. [4] Because its existence is a necessity, such as a key with its lock.<sup>49</sup> The rules derived from this theory include: *al-tābi' tābiun* (the follower must follow), *al-tābi' lā yataqaddamu 'alā al-matbū'* (the follower

<sup>45</sup> Jalaluddin Asy-Suyuthi, *Al-Ashbah Wa An-Nadzair Fi Al-Furu'* (Semarang: Toha Putra, 1991), 21.

<sup>46</sup> 'Abdul Wahhāb Khallāf, *'Ilmu Uṣūl Al-Fiqh* (Mesir: Maktabah Dakwa Islamiyah, 2010), 25.

<sup>47</sup> Muhammad Muṣṭafa Al-Zuhālī, *Al-Wajīz Fi Uṣūlī Al-Fiqh* (Beirut: Dār al-Khāir, 1997), 267.

<sup>48</sup> Suud Sarim Karimullah, "Agus Moh. Najib's Project and Ushul Fiqh Redesign: Interlinking of Islamic Law and Legal Sciece," *Al-Mazaahib: Jurnal Perbandingan Hukum* 11, no. 2 (2023): 139–159.

<sup>49</sup> 'Ali Ahmad Al-Nadawi, *Al-Qawā'id Al-Fiqhiyyah; Maṭhūmuḥā Wa Nas'yātuhā Wa Tathawwuruhā Wa Dirāsat Muallifatuhā Wa Adillatuhā Wa Muhimmatuhā Wa Tathbīquhā* (Damaskus: Dār al-Qalam, 1994), 64.

does not precede the one being followed), *al-tābi' lā yufradu bi al-hukmi* (the follower cannot be separated from the ruling), and so on.

Ninth, the theory of guarantee (*nażariyyah al-ḍamān*). In the rules of fiqh, it is stated that *al-kharāj bi al-ḍamān* (profit follows responsibility). From this rule, it can be understood that anyone who dares to take risks is entitled to profits. For example, the owner of goods is entitled to the proceeds because he is fully responsible if the goods are damaged. However, some scholars have added a note to the above rule, so that it reads *al-kharāj bi al-ḍamān mā lam yakun ḍamān al-ta'addiy wa al-taqṣīr* (the proceeds are instead of responsibility as long as it is not intentional or negligent). This means that the person responsible for an item is entitled to any benefits or profits as long as the item is not damaged or the damage is not caused by their actions. However, if the item is damaged due to his negligence or intentional act, then he is not entitled to the profits.<sup>50</sup>

Table 2. Analysis of Legal Principles Regarding the Practice of Online ZIS Payments

Theory	Practice	Analysis
Intention ( <i>Nażariyyah al-Niyyat</i> )	Digital platforms are used as instruments to manage ZIS funds, including collection, distribution, and educational tools.	BAZNAS' actions do not violate Islamic zakat rules. However, the principle of intention cannot be applied to online ZIS payments. This is because it is not known whether the muzaki (donor) recites their intention when paying ZIS funds through a digital platform or not, so it cannot be used as a binding legal basis for both parties. Meanwhile, the distribution of ZIS to mustahik (recipients) through ATM Beras is considered legally valid.
Expression of Desire ( <i>Nażariyyah al-Ta'bīr al-Irādah</i> )	Payment of ZIS funds through e-commerce.	The sincerity of the muzaki can be clearly seen when paying ZIS through e-commerce. Following the payment process, it shows sincerity, making it legally valid.
Maintaining Prosperity ( <i>Nażariyyah Murāah al-Maṣlahah</i> )	The digitization of ZIS fund management aims to provide convenience for muzaki or donors.	As long as it does not cause harm and provides benefits, the use of digital technology for ZIS fund management is acceptable according to Islamic law.
Primordial Law ( <i>Nażariyyah al-Akhži bi al-Istiḥāb</i> )	The benefits of a digital platform for ZIS fund management include facilitating payment transactions for muzaki, accelerating the calculation of zakat amounts, streamlining distribution to mustahik, and creating better	The digital platform is only a means of paying ZIS funds; there is no binding agreement for muzaki. If there is doubt (syakk) or suspicion (żann) that ZIS funds will be misused by mustahik or institutions, then it is not

<sup>50</sup> Al-Zuhaily, *Al-Qawāid Al-Fiqhiyyah Wa Taṭbīqātuhā 'Alā Al-Maẓāhib Al-Arba'ah*, 71.

	governance innovations for zakat institutions.	obligatory to replace the zakat as long as there is no element of negligence. This is because, in essence, the zakat institution (BAZNAS) only carries out the mandate ( <i>yad al-amānah</i> ) of the sharia, and the mustahik are the rightful recipients. Proof that the muzaki has paid ZIS funds through a valid digital platform cannot be revoked even if there are doubts.
Limits of Ijtihad ( <i>Naṣariyyah Ḍawābiṭ al-Ijtihād</i> )	The emergence of the digitization of Islamic philanthropic funds is due to advances in technology and information.	According to Abdul Wahhab Khallaf, advances in technology and information have led to consensus among scholars. In this regard, the MUI fatwa on sharia-based information technology financing services No. 117/DSN-MUI/IX/2018 and the MUI fatwa on sharia electronic money No. 116/DSN-MUI/IX/2017. These two fatwas constitute a consensus on the permissibility of paying ZIS through digital platforms.
Guardianship or Representation ( <i>Naṣariyyah al-Wilāyah</i> )	The purpose of blockchain technology is to increase transparency in management at zakat institutions. In addition, it is to increase the trust of muzaki in distributing ZIS through BAZNAS.	If the mustahik grants guardianship rights to another person who is eligible to withdraw ZIS funds through the Rice ATM or Digital Qurbani, then that person's actions are considered valid. Meanwhile, the party that holds the guardianship authority of the muzaki who pays ZIS or performs qurbani through the digital platform is BAZNAS. As a representative, BAZNAS has the legal authority to manage these ZIS funds.
The Requirement of Clarity ( <i>Jaliyah</i> ) in Contracts	Online ZIS payments via cashless methods make transactions using smartphones easier. It also increases the use of social media and cashless payment methods.	The jaliyah requirement cannot be fully applied to online ZIS fund payments, as there is no agreement between the two parties. However, with the advancement of technology and as it has become a tradition in society, the use of fintech is considered to be legitimate and a

		valid transaction.
Follower ( <i>Tawābi'</i> )	The presence of digital platforms as a means of managing ZIS funds is fully based on the rules of zakat fiqh. If it violates the existing provisions, the transaction is invalid.	The status of digital media in fiqh rules is that of <i>tābi'</i> (follower), and the rules of zakat fiqh are <i>matbū'</i> (followed). Therefore, the law of <i>tābi'</i> cannot be separated from <i>matbū'</i> . If muzaki or mustahik follow the rules of zakat fiqh in terms of payment and receipt of ZIS funds, then the use of such digital platforms is legally valid.
Guarantee ( <i>Naṣariyyah al-Damān</i> )	There is no guarantee in ZIS fund payment transactions through digital platforms.	Online ZIS fund payments are not sales or rental transactions aimed at making a profit. Therefore, there is no <i>kharāj</i> (profit) for BAZNAS because it only acts as a trustee ( <i>yad al-amānah</i> ). If an error or negligence occurs during a digital transaction, there is no guarantee of a refund, and BAZNAS is not liable to the muzaki.

*Source: Author's analysis based on data and theory*

There are several things that need to be understood regarding the payment of ZIS funds through digital platforms, based on the table above. First, reciting the intention when paying zakat online is mandatory, just like paying zakat in person. Reciting the intention can be done silently in your heart using a language that is easy to understand if you have difficulty reciting the intention in Arabic, such as reciting the intention for zakat in Indonesian. The intention remains the most important pillar of zakat, even more important than the payment mechanism. This is because the method of paying zakat is only a means and does not affect the validity of the intention. Even if zakat is paid online, the intention is still valid, and the zakat is accepted if it is done sincerely and distributed through a trusted zakat institution. In addition, the mechanism of paying zakat online does not require explicit *ijāb-qabūl* (acceptance). This means that the payment of zakat does not require direct *ijāb-qabūl* as in buying and selling, so it is not necessary to explicitly say that the funds given are zakat. This is because *ijāb-qabūl* is not one of the requirements for valid zakat payment. Therefore, *ijāb-qabūl* can be done in any way, not only by shaking hands. Confirming after transferring zakat funds to a trusted zakat institution is part of *ijāb-qabūl*.

Second, according to the principles of *Naṣariyyah al-Damān*, if there is a failure in the online zakat payment transaction, several things need to be considered, including: [1] If the transaction fails and the funds have already been deducted from the zakat institution's account, the zakat administrator must be responsible for returning the funds to the muzaki. The zakat institution is responsible for ensuring that its system runs smoothly, in accordance with sharia, and provides solutions if problems arise during the payment process. [2] If the transaction fails and the funds have been deducted but have not been transferred to the zakat institution's account, the service provider partnering with the zakat institution is responsible for returning the funds to the muzaki. In addition, the service provider is also responsible for maintaining the security of the muzaki's personal data

during the transaction process. [3] If the transaction fails and the funds are not deducted, the muzaki is responsible for retrying the payment transaction. A failed transaction in online zakat payment does not negate the obligation; rather, it is the muzaki's responsibility to fulfill their obligation.

Third, Islamic philanthropic payment applications (digital wallets), such as OVO, Shopee, Go-Pay, and so on, are considered substitutes for amil in online zakat payments according to the fiqh rule that states, "*Li al-Wasā'il Ḥukm al-Maqāṣid* (the means are the same as the ends)". This means that anything that can lead to the fulfillment of the obligation of zakat is also obligatory. In this case, digital wallet applications act as a trustworthy intermediary (*wakālah*), where zakat funds are distributed through trusted official institutions, rather than being given directly by the muzaki to the mustahik. The digital wallet platform used must not contain any elements of usury or other haram matters prohibited by Islam. Thus, online zakat payments through digital wallets are permissible and lawful, as they follow the principle of ease in worship, provided they are made through official zakat institutions and fulfill the pillars and conditions of valid zakat.

From the table above, the author identifies several weaknesses in ZIS payments through the digital platform at BAZNAS. First, intention cannot be used as a binding legal basis for BAZNAS, muzaki, or mustahik. There is no guarantee that the ZIS funds received by mustahik will be used optimally to meet their daily needs. Based on the theory of *naṣariyyah al-ta'bīr al-irādah*, a person's desires are abstract and hidden. This is because, in essence, the desires of mustahik in their hearts may be influenced by their desires or simply to meet their basic needs. Both clearly have different objectives that will ultimately impact the welfare of the mustahik.

Second, BAZNAS's use of digital platforms aims to carry out Sharia law, which is to properly manage Islamic philanthropic funds. This means that technology provides benefits for institutions, muzaki, and mustahik, so its use is acceptable as long as it does not cause harm. To clarify, digital technology is only a means of payment and distribution, so there is no legal provision that requires BAZNAS to return ZIS funds to muzaki if the welfare of mustahik declines. Similarly, mustahik are not bound by law if their welfare does not improve after receiving the distribution of ZIS funds productively.

Third, the application of digital technology in the management of ZIS funds at BAZNAS is in line with the objectives of zakat. However, if its use imposes conditions that burden muzaki or mustahik, then the transaction is invalid (*fāsid*). The halal certification issued by MUI for online ZIS fund payment transactions does not guarantee security and reliability. According to the Financial Services Authority (OJK), the use of digital technology is prone to data misuse, fraud, and hacking. Therefore, BAZNAS needs to take proactive steps to prevent this by encrypting sensitive data, regularly updating systems and software, restricting data access, and being aware of phishing information.

From the above description, it can be concluded that the use of digital technology for the purpose of developing ZIS management is permissible as long as it does not violate Sharia norms and principles and does not contain elements of harm. However, this digital innovation has not been fully realized in regional and local BAZNAS. The use of blockchain technology and internet-based media in socializing programs in a number of regional BAZNAS also tends to be low. One of the reasons for this is the operational costs that must be incurred by BAZNAS and the fact that the internet network has not yet spread to all regions in Indonesia, especially remote areas. This is because a weak internet connection can affect the implementation of digital technology in the management of ZIS funds. Moreover, during Ramadan, the number of Muslims increases by more than 100%, which causes errors due to unsupportive networks and servers.

However, behind the challenges and problems of online zakat payments lie benefits that can be felt by zakat institutions and mustahik, especially those related to the principles of *maqāṣid al-syarīah*. The convenience and efficiency offered by digital platforms for online zakat payments are more beneficial than the complexity of conventional zakat fund

collection. In essence, the online zakat payment system is in line with the principle of *hifz al-māl* (preserving wealth) in terms of efficiency and collection reach. Through digital platforms, zakat fund collection can be more efficient and reach more Muslims in various regions, including areas that are difficult to visit. In terms of security, the use of digital platforms that implement encryption technology and strong authentication systems can protect assets from cyber threats and hacking. In addition, online systems can encourage a more equitable, rapid, and even distribution of zakat to beneficiaries in need.

## Conclusion

The majority of scholars and religious institutions agree on the obligation to pay zakat on money that has reached the nisab (minimum amount) of gold and silver and meets the haul (time period) requirements. This is because money has become a measure of a person's wealth in the modern era. Most people today have a lot of non-physical money stored in various digital wallet applications. Meanwhile, the permissibility of paying zakat in the form of money using the *ta'wil* method, which is to transfer the *haqīqī* (actual) meaning to the *majāzī* (metaphorical) meaning. This means that the hadith commandment explaining the obligation to pay zakat in the form of goats, camels, dates, and others is understood as a commandment to pay its value (*qīmah*) and not necessarily the item itself ('ain). This is because money may be more beneficial to the mustahik (recipients) under current conditions compared to the past. The needs of modern society can mostly be met with money, and it is more flexible than staple foods. Moreover, nowadays, the management of zakat is mostly digital, so payments must be made using electronic money (e-money), not staple foods or the like.

The use of fintech for the purpose of collecting ZIS funds is permissible based on legal principles as long as it does not conflict with Sharia rules and does not contain elements of harm. The presence of fintech provides benefits for zakat institutions to expand the reach of the ZIS fund collection from muzaki and accelerate its distribution to mustahik. The application of digital technology in ZIS fund collection is in accordance with the principle of *hifz al-māl* (preserving wealth) in terms of efficiency and collection reach. If a transaction failure occurs in online zakat payments, the responsible party could be the muzaki, the zakat institution, or the service provider, depending on the negligence caused by the three parties. Transaction failures in online zakat payments do not negate the zakat obligation, but rather become the responsibility of the muzaki to fulfill their obligations. This study highlights the importance of the massive use of fintech for the purpose of collecting ZIS funds. Further research is needed on the development of e-money zakat objects and strategies for collecting ZIS funds through fintech.

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