

CHAPTER IV

FINDINGS AND DISCUSSION

This chapter describes clearly the profile and the general condition of research object, followed by deeply analysis about the principles, mechanisms, and management of zakat in LAZNAS BSM viewed from Act Number 23 year 2011 on Management of Zakat and Islamic Law especially *Fiqh Zakat* according to Yusuf Qardawi.

A. Profile and General Conditions of Research Object

The research object is a variable or what the attention point of the research.¹ In this research, the object is management of zakat in LAZNAS BSM. Therefore, it is required exposure of the profile and general conditions LAZNAS BSM comprising: status and working area, the vision and mission, values, legal, organizational structure, and excellent programs.

1. Status and Work Area of LAZNAS BSM

Lembaga Amil Zakat Nasional Bangun Sejahtera Mitra Umat (the so called LAZNAS BSM) is an institution that manages funds of Zakat, *Infāq*, and *Ṣadaqah* (the so called ZIS) under the foundation Bangun Sejahtera Mitra Umat formed by Bank Syariah Mandiri. This institution is independently managed because the *‘āmil* is

¹Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik*, (Jakarta : Rineka Cipta, 2010), p. 15

not from the employees of Bank Syariah Mandiri.² LAZNAS BSM Office located at Ruko Mega Grosir Cempaka Mas Blok M1/56 Jalan Letjend. Soeprapto, 10640, Central Jakarta.³ LAZNAS BSM can be contacted via:⁴

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- b. Facsimile Number: (021) 4251017
- c. Care Line: (021) 71381444 or 081287678345
- d. E-mail: laznasbsm@bsm.co.id or LAZNAS bsm@gmail.co.id
- e. Website: <http://laznasbsm.or.id/>
- f. Facebook: LAZNAS BSM
- g. Twitter: @laznas_bsm

2. Vision and Mission of LAZNAS BSM

Vision of LAZNAS BSM is being trustworthy and public chosen manager of ZIS. While missions of LAZNAS BSM are as follows:

- a. Creating a professional management of ZIS fund and giving the sustainable benefits.
- b. Prioritizing the collection of ZIS fund through institution and the distribution oriented to the people empowering.
- c. Developing a professional *'āmil* in the environment and healthy work culture.
- d. Establishing cooperation with ZIS management institutions and other social institutions.

²Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

³The results of observation conducted by the researcher in LAZNAS BSM Office, Jakarta

⁴“Dari Redaksi”, *Zakat Plus*, Edition 01, Rabiul Awal-Rabiul Akhir 1436 H, p. 3

- e. Conducting operational institution in line with the standards of healthy ZIS management.⁵

3. Values of LAZNAS BSM

LAZNAS BSM tries to realize the values in the management of LAZ, as follows:⁶

- a. The tireless efforts to achieve the best and useful thing.
- b. Providing the best, opened, fast and efficient service.
- c. Actively self-developing as a learning organization.
- d. Firmly holding on the Islamic law as the basis of its activity.

4. Legality of LAZNAS BSM

To strengthen the institutional status, the following are some proofs of the LAZNAS BSM legality:⁷

- a. Decree of the Minister of Religion Affairs Number 406 year 2002
- b. Notary Act of Agus Madjid, S.H Number 85 on 21 November 2001
- c. Notary Act Syaifuddin Zuhri, S.H.,M.Kn Number 01 on 4 January 2012
- d. Decree of the Minister of Law and Human Rights Number AHU-1889.AH 01.04 year 2012
- e. Taxpayer Identification Number 03.193.881.4-021.000

⁵“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

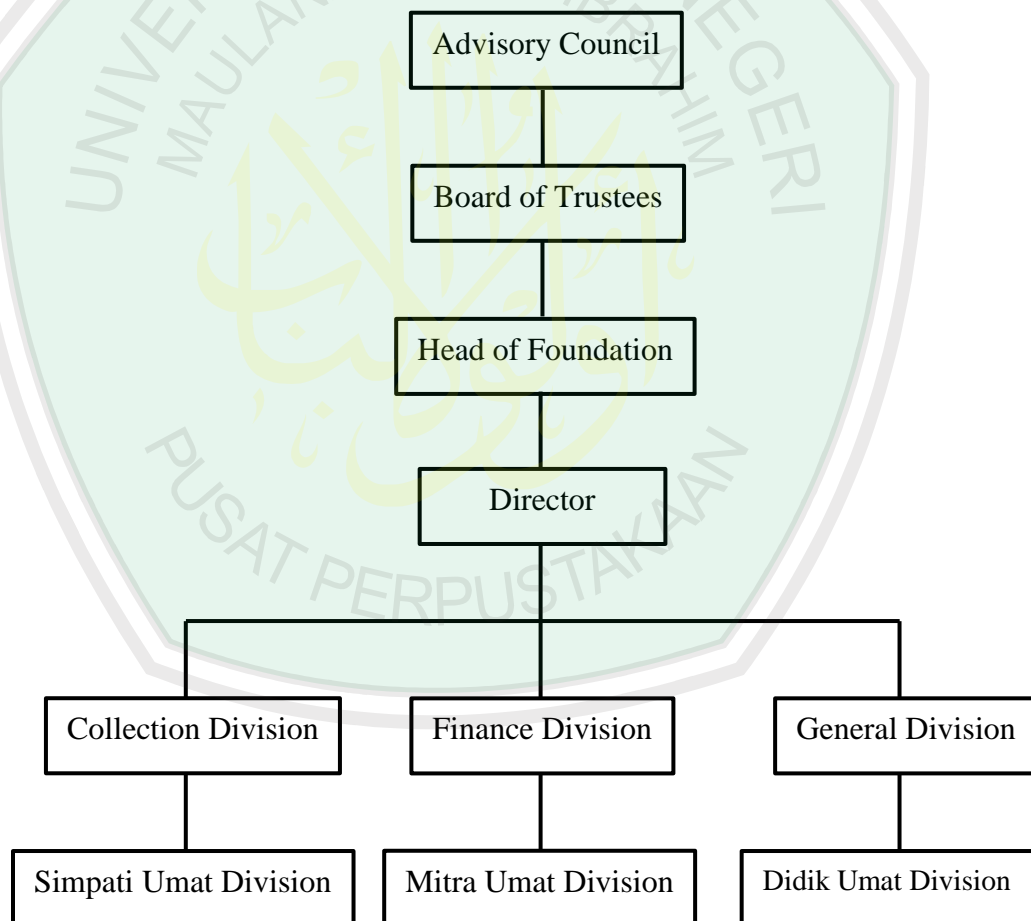
⁶“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

⁷“Legalitas”, <http://laznasbsm.or.id/content/legalitas>, accessed on 23 February 2015

- f. Director of General Tax Regulation Number PER-33/PJ/2011 the official institutions recognized as recipients of Zakat or Religion Donations and obligatory to be deducted from gross income.

5. Organizational Structure of LAZNAS BSM

There are two versions of organizational structure in LAZNAS BSM. The following is a version gotten from interview with one of *'āmil*, as follows:⁸



Scheme 4.1: Organizational Structure of LAZNAS BSM

⁸Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

While the organizational structure of LAZNAS BSM gotten from website is as follows:⁹

Advisory Council : 1. Hanawijaya
2. Zainal Fanani

Board of Trustees : 1. Priyono
2. Taufik Machrus

Head of Foundation : Achmad Fauzi

Secretary : 1. Nardi Winarno
2. Hermansyah

Treasurer : Musdar Ayub

Director : Kiagus M. Tohir

6. Program of LAZNAS BSM

a. Mitra Umat

This program contains many activities, such as: coaching, development and empowerment of economic through assistance of capital, training and mentoring of business. It is expected to create potential business units in order to get strong entrepreneurs who have extensive knowledge to be stand alone in the future.

- 1) Institute: microenterprise assistance in the form of capital and business training for Lembaga Keuangan Mikro Syariah (LKMS).
- 2) Individuals: capital and business tools to individual micro businesses.¹⁰

⁹“Manajemen”, <http://laznasbsm.or.id/content/manajemen>, accessed on 23 February 2015

¹⁰“Mitra Umat”, <http://laznasbsm.or.id/content/mitra-umat>, accessed on 23 February 2015

b. Didik Umat

This program provides basic educational assistance for the people who need and seeks the persistence of teaching and learning, especially for students who are from *mustahiq* group and get achievement. The distribution of educational cost assistance will be the basis capital of every human to improve their living standards in order to make a better future.

- 1) Scholarship for students in elementary school, junior high school, senior high school. This scholarship used for basic education for those who need and strived on it in order to continuing their learning activities.
- 2) Superior Schools: training to improve the teaching quality of teachers and school management.
- 3) Scholars for the intellectuals: this is conducted by mentoring and coaching periodically to ensure the learning achievement of students.¹¹

c. Simpati Umat

The activities carried out continuously to anticipate emergencies and actively to reduce the impact of social disasters or natural disasters. The disasters can change the condition of person's life immediately, so that he is required the helping from others.

- 1) Disaster Response Preparedness: recovering the victims of natural disasters and humanity conditions.

¹¹“Didik Umat”, <http://laznasbsm.or.id/content/didik-umat>, accessed on 23 February 2015

- 2) BSM Healthy House: providing health services and free medical cost for poor families based on *Majlis Ta'lim*. It also expected to provide more value from being active as the members in *Majlis Ta'lim*.
- 3) Healthy Clinic House: achievable and qualified health facilities.¹²

B. The Principles and Mechanisms of Management of Zakat in LAZNAS BSM

1. The Principles

In building a house, it requires a strong foundation in order to avoid the collapse. Similarly, in the management of zakat, foundation or in other words called principle is absolutely required for any activities related to the management of zakat. This is applied in order to appropriate with the guidelines that have been made previously. In addition, in the principle also included the goals to makes the process of management of zakat focused.

The principles used in the LAZNAS BSM can be seen in the values; as has been noted in the previous section. The first value is tireless efforts to achieve the best and useful thing.¹³ From this value, it is understood that the board of LAZNAS BSM strive to achieve the goals in carrying out the management of zakat maximally and usefully to the parties concerned both *muzakkī* and *mustahiq*. *Muzakkī* gets use value in the form of facility in order to paying zakat. While *mustahiq* is the party who feels the use value at most because he can demands his living needs through zakat.

¹²“Simpati Umat”, <http://laznasbsm.or.id/content/simpati-umat>, accessed on 23 February 2015

¹³“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

This value is included in the usefulness principle¹⁴ which is explained that management of zakat is implemented to provide maximum benefits for *mustahiq*.

In addition, LAZNAS BSM carry out all activities hierarchically. Although the central office of LAZNAS BSM is only in Jakarta, but the collection and distribution of zakat can be done in various areas, both the scope of province and city. Because LAZNAS BSM cooperate with Bank Syariah Mandiri, which has branch offices in various cities in Indonesia. Therefore, the range of collection and distribution of zakat is very wide. This condition is the implementation of integrated principle.¹⁵ So, the first value of LAZNAS BSM has implemented usefulness principle which is listed in Article 2 point c Act of Zakat and integrated principles which is not explicitly mentioned in the first value but practiced in the management process. Integrated principle is mentioned in Article 2 point f Act of Zakat.

The second value is providing the best, opened, fast and efficient service.¹⁶ The best service can be provided if *'āmil* has trustworthy nature. This nature is absolutely needed because it is related to the submission of responsibility from *muzakkī* to *'āmil* for managing the social funds that will be given to *mustahiq*. In addition, this nature includes the principles that must be met by zakat manager as

¹⁴Article 2 point (c) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹⁵Article 2 point (f) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹⁶“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

regulated in Act of Zakat.¹⁷ Thus, *muzakkī* does not hesitate to pay the zakat in LAZNAS BSM because it applies trustworthy in managing the zakat.

The service provided by LAZNAS BSM is opened or in other word called transparent. It allows for others to control whether the performance of *'āmil* is in line with the existing rules and minimizes the suspicion and distrust of public.¹⁸ Transparency can be done by creating accountability in the form of reporting funds and programs that have been implemented so that it can be accessed by governments and society. This practice is the application of accountability principle.¹⁹ Thus, the second value of LAZNAS BSM is in compliance with the three principles, such as: trustworthy, transparent, and accountability.

The next value is actively self-developing as a learning organization.²⁰ This value can be understood that LAZNAS BSM wants the *'āmil* to develop himself continuously by learning the knowledge and job skills. This effort can make the professional *'āmil* of LAZNAS BSM. So in managing zakat funds, *'āmil* can work maximally and expect the optimum, effective, and efficient benefits.²¹

The last value is firmly holding on the Islamic law as the basis of its activity.²² This value is a necessity because the main object in this institution is one of the five pillars of Islam that must be met by Muslim and must be based on Islamic

¹⁷Article 2 point (b) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹⁸Umrotul Hasanah, *Manajemen Zakat Modern Instrumen Pemberdaya Ekonomi Umat*, (Malang: UIN Maliki Press, 2010), p.72

¹⁹“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

²⁰“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

²¹Hasanah, *Manajemen Zakat...*, p.72

²²“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

law. In addition, Act of zakat has clearly stated that the institution of zakat must meet the principles of Islamic law.²³ So, LAZNAS BSM uses Islamic law principle in the last value.

Beside values, the principles used by LAZNAS BSM are also reflected in its vision and mission. The vision of LAZNAS BSM is being trustworthy and public chosen manager of ZIS.²⁴ From this vision can be seen that LAZNAS BSM not only manages the zakat funds, but also manages *infāq* and *sadaqah* funds. This is done because all three of funds have the same characteristics in terms of social fund which is given by Muslim for those in need. In addition, this institution wants to be a trustworthy institution for the people. Thus, this vision meets the trustworthy principle that must be owned by every institution of zakat.²⁵

To reach the vision, LAZNAS BSM needs some missions. The first mission is creating a professional management of ZIS fund and giving the sustainable benefits.²⁶ By looking at the happened fact today, people are more develop in terms of science, technology, culture, and demand of the growing need, it is time for change a traditional zakat institution into a professional zakat institution. Traditional zakat institution is identical with part-time management and the managers are not hired. In fact, traditional zakat is rare in the form of institution; most of them are still in the

²³Article 2 point (a) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

²⁴“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

²⁵Article 2 point (b) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

²⁶“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

form of committee made by the people in the mosque or Islamic boarding. This committee is formed simultaneously referring to the past committee.²⁷

From the above explanation, it can be seen that the traditional zakat institution is formed periodically when there is a plan for conducting the collection and distribution of zakat which is usually conducted in Ramadan. In addition, the form of the committee shows that being *'āmil* of zakat only as a part time job, so that there is no specific target. Therefore, it needs a new breakthrough to make the zakat institution become a professional institution which can manages zakat funds more effectively and efficiently. LAZNAS BSM applies the professional principle in every process of zakat funds management, in terms of collection, distribution and utilization of zakat.

Additionally, LAZNAS BSM also wants the distribution of zakat funds can provide sustainable benefits for the *mustahiq*. From that expectation, LAZNAS BSM implements the usefulness principle.²⁸ The benefits must be provided maximally in order to reduce the burden of *mustahiq* and meet their needs. The benefits are not only focused on consumer needs fulfillment, but also can be allocated to the productive needs which give continuously benefit for *mustahiq*. LAZNAS BSM applies both of them in order to give sustainable benefits as stated in the fourth mission.

²⁷Hasanah, *Manajemen Zakat...*, p.151

²⁸Article 2 point (c) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

The second mission of LAZNAS BSM is prioritizing the collection of ZIS fund through institution and the distribution oriented to the people empowering.²⁹ LAZNAS BSM is an institution that is formed by decree of Minister of Religion Affairs Number 406 year 2002 on 7 September 2002. With the existence of decree, LAZNAS BSM is recognized by the state so that it can carry out all the operations well and remain in control of the National Sharia Board, The Indonesian Council of Ulama (DSN-MUI). Then, this institutional term applies the legal certainty principle as stated in article 2 point (e) Act of Zakat because there is a legality aspect.

In addition, the second mission also includes the usefulness principle especially in empowering the people. The people empowerment concept related to the utilization of zakat. Utilization of zakat fund is a form of resource utilization (zakat funds) maximally to achieve the benefit for the people. In other words, empowerment is an effort to strengthen the social and economic position with the purpose of strengthening the ability of the people through grant which is generally in the form of credit for productive enterprises, then *mustahiq* can increase his income and also pay his obligations (zakat) from the business outcome.³⁰ Therefore, the people empowerment is one of the main targets in the distribution of zakat in LAZNAS BSM and it is expected to provide great benefits like changing the dependency to the self-

²⁹“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

³⁰Hasanah, *Manajemen Zakat...*, p. 198-199

sufficiency the shortages to the wealthy or *mustahiq* to be *muzakkī* through multi benefit of zakat.³¹

In distributing zakat, *‘āmil* must be fair. Justice is not only focused on the equality of zakat funds which is distributed to *mustahiq*. However, it is adjusted to the needs of *mustahiq*. For example, there is a *mustahiq* who does not need zakat in the form of consumer goods because it has fulfilled, but he requires productive needs to improve his living standards. It can be understood that the justice principle is applied in that condition and it also stated in Act of Zakat.³² LAZNAS BSM also applies this principle because before it distributes the zakat, it analyzes the administrative and field condition.

The next mission is developing a professional *‘āmil* in the environment and healthy work culture.³³ Professionalism in a zakat institution is highly dependent on the *‘āmil* of zakat. As explained earlier that nowadays zakat institutions need to improve its performance to be a profession institution in order to its management can provide the optimum benefits. Professionals related to the person’s ability to carry out particular profession or occupation maximally. Therefore, if he wants to be a professional, he must continuously improve the knowledge and job skills, full time job and hired appropriately, so that all the potential to manage zakat funds can be

³¹Hasanah, *Manajemen Zakat...*, p. 204

³²Article 2 point (d) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

³³“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

well benefited.³⁴ LAZNAS BSM implements it properly because the *'āmil* works in full time and hired appropriately which is taken from the 12.5% of zakat.³⁵

The fourth mission is establishing cooperation with ZIS management institutions and other social institutions.³⁶ LAZNAS BSM has cooperated with BAZNAS to build healthy house. This cooperation has sporadic nature because there is no planning before.³⁷ Therefore, LAZNAS BSM can develop good relationship and make synergy with other institutions. In addition, each zakat institution can make a discussion and conduct information change about the implementation of zakat programs and the constraints faced.

The last mission of LAZNAS BSM is conducting operational institution in line with the standards of healthy ZIS management.³⁸ As a legal institution, it must apply the standard or guideline of zakat made by the Ministry of Religion Affairs. This guideline refers to Islamic law and Act of Zakat which discuss all matters of zakat operational.

2. Mechanism

Mechanism is a working method of organization. In zakat institutions, mechanism is used in the process of managing the zakat fund, such as: collection, distribution, and *'āmil* of zakat.

³⁴Hasanah, *Manajemen Zakat...*, p. 72

³⁵Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

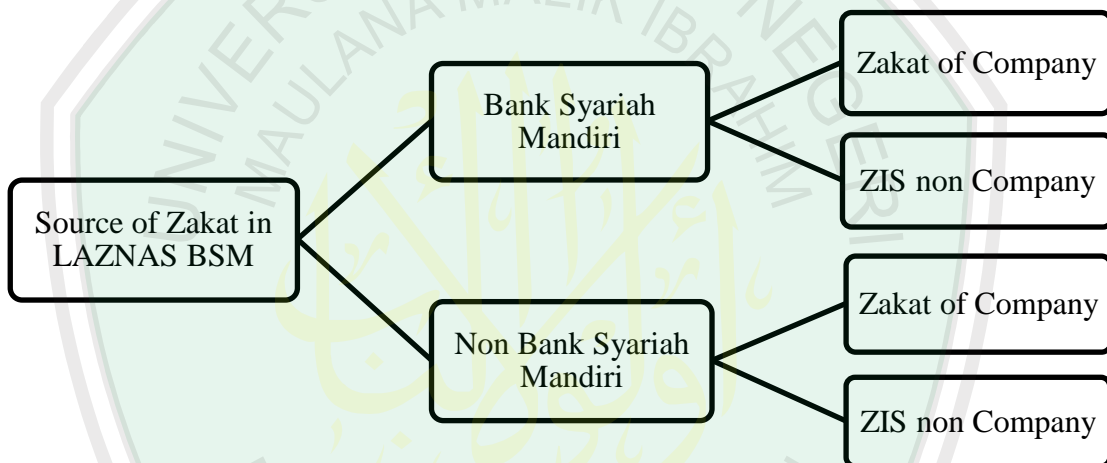
³⁶“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

³⁷Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

³⁸“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

a. Collection

Sources of zakat which are received in LAZNAS BSM are come from Bank Syariah Mandiri and non-Bank Syariah Mandiri. Each of the two sources is divided into two again: zakat of company and ZIS non-company.³⁹ This explanation can be illustrated in the following scheme:



Scheme 4.2: Source of Zakat in LAZNAS BSM

In calculating the zakat, LAZNAS BSM does not show how to calculate zakat of company, either through the website or interviews conducted by researcher. However, for non-company zakat, LAZNAS BSM shows how to calculate the zakat in the official website especially in the content of “Kalkulator Zakat”.⁴⁰ This content is used to measure whether the wealth of *muzakkī* shall be issued the zakat and

³⁹Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

⁴⁰“Kalkulator Zakat”, <http://lazznasbsm.or.id/content/kalkulator-zakat>, accessed on 8 March 2015

calculate the amount of zakat if his wealth has reached *niṣāb*. In this content, the non-company zakat in LAZNAS BSM are zakat of profession and zakat of wealth.

1) Zakat of profession

Zakat of profession is a zakat on income derived from the self-potential development or the job of *muzakkī*, either as an employee, self-employed or entrepreneurs and capital owners based on Sharia.⁴¹ Some components for calculating the zakat of profession are: 1) income/salary (per month); 2) other income; 3) price of rice per kilogram; and 4) *niṣāb* (equivalent to 653 kg of rice).⁴²

As we know that *niṣāb* is a minimum measurement limit of wealth owned by Muslim so it shall be issued zakat. *Niṣāb* of zakat of profession/income is analogized with *niṣāb* of zakat of agricultural which is equal to 5 *wasāq* or 653 kg of grain or 520 kg of rice. If the price of rice is IDR 6 500/kg, then *niṣāb* of zakat of profession is 520 kg x IDR 6,500 = IDR 3,380,000, -.⁴³

The income of profession usually accepted in the form of money, in determining amount of its zakat, it is analogized with the amount of zakat of gold and silver 2.5% and it is issued at any time when receive the income. There are two ways to calculate zakat of profession:⁴⁴

⁴¹“Fiqh Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 10 March 2015

⁴²“Kalkulator Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 8 March 2015

⁴³“Fiqh Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 10 March 2015

⁴⁴“Fiqh Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 10 March 2015

a) From Gross Income

Zakat is calculated by 2.5% of gross income directly when the *muzakkī* receive it. It means that his wealth is cleaned first by issuing zakat before being used for other needs. Example calculation: Ahmad is a private employee with salary of IDR 3,750,000/month. His salary exceeds the *niṣāb* which is determined at the beginning of IDR 3,380,000, -. So, Ahmad is obliged to pay zakat of $2.5\% \times \text{IDR } 3,750,000,- = \text{IDR } 93,750,-$ and it is paid at the time of receiving it.

b) From Net Income After Deduction The Basic Needs

Zakat is calculated by 2.5% of salary after deductions the basic needs. Example calculation: Ahmad is a private employee. He has a wife and 2 children. His monthly salary is IDR 4,750,000,-. He spends it for the basic needs every month (food, debt, education costs, etc.) of IDR 3,250,000, - then he is obliged to pay zakat: $2.5\% \times (\text{IDR } 4,750,000 - \text{IDR } 3,250,000) = \text{IDR } 37,500,-$ and paid when receiving it.

From the above explanation, it can be analyzed that: *First*, refers to the zakat mechanism that have been described in Chapter II, the components in the content “Kalkulator Zakat” LAZNAS BSM is incomplete because there is no explanation of the concerned income which includes gross income (before deduction living cost and debt) or net income (after deduction living cost and debt). In addition, it can be added a component of “receivable” because it is included in the zakat of profession.

Second, there is a discrepancy between the content of “Fiqh Zakat” and “Kalkulator Zakat” LAZNAS BSM in terms of *niṣāb* of zakat of profession. In content of “Fiqh Zakat” mentioned that *niṣāb* of zakat of profession is 520 kg of rice,

while the content of “Kalkulator Zakat” is written 623 kg. Both of them are equated by zakat of agriculture, but the amount of them are different. Whereas, according to Yusuf Qardawi, *niṣāb* of zakat of profession is equated by *niṣāb* of zakat of money in the amount of 85 grams of gold. Therefore, *niṣāb* of zakat of profession used by LAZNAS BSM differ than the opinion of Yusuf Qardawi. *Third*, the amount of zakat of profession which is used by LAZNAS BSM was 2,5%. It is in accordance with the opinion of Yusuf Qardawi.

2) Zakat of Wealth

Zakat of wealth which is concerned by LAZNAS BSM can be called as zakat of savings wealth in the form of money, savings, deposits, gold, silver, precious jewelry and others. Zakat must be issued if it meets two requirements: *First*, it is reached its *niṣāb* (equivalent to 85 grams of gold). *Second*, it is full owned during one year (*haul*).⁴⁵ If the current gold price is IDR 400,000,- per gram, *niṣāb* of deposit is 85 grams x IDR 400,000,- = IDR 34,000,000,- It means that if the amount of deposit is equal to or more than IDR 34,000,000 for one year, it shall be issued zakat.

Some of the components to calculate zakat are: 1) savings; 2) deposits; 3) gold; 4) the price of gold per gram (currently); and 5) *niṣāb* (equivalent to 85 grams of gold).⁴⁶

The calculating of zakat of savings in Islamic Bank can be seen from the following example: Mr. Sabar has deposits in Bank Syariah Mandiri with an initial

⁴⁵“Fiqh Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 10 March 2015

⁴⁶“Kalkulator Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 8 March 2015

deposit on 20 Ramadan 1432 H is IDR 75,000,000, - with the amount of the profit sharing is IDR 3,850,000 per year. His zakat shall be issued on 19 Ramadan 1433 H, if the deposit exceeds the *niṣāb* in the amount of IDR 34,000,000, -. Thus, the zakat must be issued by Mr. Sabar is $\text{IDR } 75,000,000 + \text{IDR } 3,850,000 = \text{IDR } 78,850,000, - \times 2.5\% = \text{IDR } 1,971,250$. If the profit sharing of deposit in Bank Syariah Mandiri currently has through the cutting of zakat, the zakat must be issued from the deposit only without the profit sharing.

From the above explanation, it can be analyzed that: *First*, the type of wealth included in zakat of savings wealth in LAZNAS BSM is in line with Islamic law, such as gold, silver, and money especially in the form of savings and deposits. *Second*, the requirements of issuing the zakat of savings wealth in LAZNAS BSM are also in line with Islamic law which reach *niṣāb* of 85 grams of gold and has been owned for one year. *Third*, the content “Kalkulator Zakat” should be added a component of “receivables” because it is in the form of money, although still borrowed by others. Moreover, in issuing zakat, *muzakkī* should be free of debt. It can also be added a component of “debt” as a reduction in the “Kalkulator Zakat” LAZNAS BSM to anticipate whether *muzakkī* is really free of debt or not.

b. Distribution

Before distributing the collected zakat funds, there are several steps that must be passed: LAZNAS BSM receives a request of ZIS from the society or through the information of *‘āmil*. Then, LAZNAS BSM checks the administration completeness of the submitted request, in terms of the amount of *mustahiq*, their

needs (kind and amount), location and so on. After that, LAZNAS BSM conducts field surveys to the area that needs assistance and analyzes whether the surveyed society in the category of *mustahiq* or not. Furthermore, the analysis is presented to the committee to be reviewed whether they can be given zakat or not. If the result is “they can be given zakat”, LAZNAS BSM distributes the zakat to them. LAZNAS BSM monitors and evaluates whether the given assistance can be exploited and utilized by the public or not. It is done by visiting to the area that previously is given the assistance and documents the facts that occurred in the field.⁴⁷

Zakat funds which are collected by LAZNAS BSM are distributed to *mustahiq* as regulated in Islam.⁴⁸ It can be seen in the financial report made by LAZNAS BSM per year. In the report, it shows that there are 7 *aṣṇāf* who are given zakat: the indigent, the poor, ‘*āmil*, *gārimūn*, converts, *sabīlillāh*, and *ibnu sabīl*.⁴⁹ One *aṣṇāf* who is not being targeted of LAZNAS BSM in distributing zakat is *riqāb* or slave because currently he cannot to be found anywhere.

The poor get the most portion of the distribution of zakat, as recorded in the financial report of the period in 2014 IDR 29,740,157,030,-.⁵⁰ It happens because the first target of zakat is warding off or eliminating poverty and destitution in society. The distribution of zakat can be in the form of consumptive and productive goods according to their needs. Therefore, LAZNAS BSM implemented well zakat

⁴⁷Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁴⁸Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

⁴⁹“Laporan Keuangan”, *Zakat Plus*, First Edition , Rabiul Awal-Rabiul Akhir 1436 H, p. 41

⁵⁰“Laporan Keuangan”, *Zakat Plus*, First Edition , Rabiul Awal-Rabiul Akhir 1436 H, p. 41

distribution mechanism because the selected target of zakat is in accordance with Islamic law and there is priority scale in the zakat distribution which is given to the the poor.

c. *‘Āmil of Zakat*

In mechanism of zakat, there are five functions that are related to zakat: 1) Management Function; 2) Zakat Collection Function; 3) *Mustahiq* Services Function; 4) Financial Accounting Function; and 5) Computer Information Systems Function. If it analyzed with the practice in the LAZNAS BSM, it produces some findings as follows:

1) Management Function

This function is analyzed in depth in the next section.

2) Zakat Collection Function

In running this function, there are five functions that must be implemented by LAZNAS BSM:

a) Process

The process of collecting zakat in LAZNAS BSM can be done in several ways, including: opening the counter of zakat, by transfer, and pick the zakat.⁵¹ It can be seen that LAZNAS BSM used a particular design which can attract *muzakkī* to pay his zakat in LAZNAS BSM. In addition, this institution also utilizes technology such as: ATM, websites, social media, and so forth. Not only that, the facilities which are provided by LAZNAS BSM for *muzakkī* can be felt especially by customers of Bank

⁵¹“Cara Donasi”, <http://laznasbsm.or.id/content/cara-donasi>, accessed on 23 February 2014

Syariah Mandiri, because these two institutions are related to each other. The customers can pay zakat in many ways, such as when he makes a deposit either in cash or through ATM or it can be done by transfer.⁵² Thus, the *muzakkī* can easily pay his zakat.

b) Capacity

LAZNAS BSM held a working meeting every year especially in the first month to discuss plans for the next year.⁵³ At the working meeting, the board usually makes a timetable and programs what will be done and the necessity that must be met to realize the program. The necessity includes the facility and it can use zakat funds.

c) Stock

LAZNAS BSM manages the zakat funds and other social funds properly and regularly because every year it makes annual financial report audited by public accountant.⁵⁴ The stock of zakat funds in LAZNAS BSM can be seen from the ending balance of zakat funds contained in the financial report.⁵⁵ While the number of *muzakkī* can be seen from transfer receipt, proof of zakat payment, and confirmation of *muzakkī*.⁵⁶ LAZNAS BSM can find out what and how much the needs of *mustahiq* from the request submitted by *mustahiq* or the information of LAZNAS BSM board after doing survey in the field.⁵⁷

⁵²“Ramadhan Gemilang Amal”, Mitra Zakat, Edition of July 2011, p. 28

⁵³The results of observation conducted by the researcher in LAZNAS BSM Office, Jakarta

⁵⁴Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

⁵⁵“Laporan Keuangan”, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 41

⁵⁶It is taken from variety of sources

⁵⁷Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

d) Labor

LAZNAS BSM establishes several requirements for someone who wants to be *'āmil*, including: understanding law of zakat, being creative, having integrity, being able to analysis, and so forth.⁵⁸ LAZNAS BSM requires skilled labor in order to maximize the performance of the collection and distribution of zakat. Quality of skills can be seen from a person's creativity in planning a program that will be implemented. In addition, if he is faced with a new problem, he can do well analysis. In addition, *'āmil* also must have integrity because he can conduct his work consistently in accordance with the values and principles. Thus, he can get the trust from other people easily.

e) Quality of Service

In terms of service to *muzakkī* and *mustahiq*, LAZNAS BSM prioritizes and give the best for them. It is looked from many ways provided to facilitate *muzakkī* to pay zakat and many utilization of zakat which are well realized in accordance with the plan.⁵⁹ Additionally, LAZNAS BSM also participated in the scientific field besides giving scholarships to *mustahiq*, it also accepts students who want to do research in LAZNAS BSM. Then, LAZNAS BSM implemented the zakat collection function in accordance with the mechanism.

⁵⁸Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

⁵⁹It is taken from variety of sources

3) *Mustahiq* Service Functions

The purpose of zakat institutions establishment is contributing to the welfare of the poor and other needy people. Therefore, the *mustahiq* service function must be filled by running five activities below:

a) *Mustahiq* Analyst

Before distributing zakat, '*āmil* of LAZNAS BSM conducts a survey into the field after receiving the request from *mustahiq*.⁶⁰ This survey is aimed to find out whether people who need are eligible to get zakat. Thus, the submitted request can be proven clearly and avoid scams. In addition, if '*āmil* will distribute the zakat, he gets an image of the condition and location of *mustahiq*. It is certainly provide convenience and peace because previously it has examined thoroughly.

b) Stock of Zakat Fund

The discussion of this term has been discussed in the previous section.

c) Product Selling and Planning

The mentioned products are programs that run in a zakat institution. As explained earlier that LAZNAS BSM has three programs: Simpati Umat, Didik Umat, dan Mitra Umat.⁶¹ The term “selling” above is not appropriate to use in the zakat product because it impressed profit oriented. Therefore, researcher more agree to use the term “offering” and it has been implemented by LAZNAS BSM through print and electronic media. The print media is the magazine “Mitra Zakat” which is

⁶⁰Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁶¹Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

changed its name to “Zakat Plus”. The electronic media is the official website of LAZNAS BSM and social media.

d) Distribution

LAZNAS BSM distributes the collected zakat to *mustahiq* in various areas, both domestic and abroad. The distribution in domestic is more easily done because in every area there are Bank Syariah Mandiri offices as key partners of LAZNAS BSM. The distribution in abroad is in the form of giving donation to the Palestine people.⁶²

e) Research Collection and Distribution of Zakat

This research related to the systematically analysis of the poor.⁶³ It has been done by LAZNAS BSM before distributing zakat. The parties involved are not only *‘amil* who served in the field, but also the committee because all parties must agree with the distribution.

4) Financial Accounting Function

As command in Article 19 Act of Zakat that LAZ must report the audited implementation of zakat management to BAZNAS.⁶⁴ Thus, accounting knowledge is required to read the development of zakat collection results and needs of *mustahiq* in tackling poverty.⁶⁵ LAZNAS BSM implemented financial accounting function

⁶²Rubrik Pendayagunaan, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 16-22

⁶³Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁶⁴Article 16 Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁶⁵Sahri Muhammad, *Mekanisme Zakat dan Permodalan Masyarakat Miskin: Pengantar Untuk Rekonstruksi Kebijakan Pertumbuhan Ekonomi*, (Malang: Bahtera Press, 2006), p. 177

properly. It can be seen from the annual financial report which is audited by a public accountant.

5) Computer Information Systems Function

With information, people know what is happening in the world. Currently, the information access has been growing; one of them is by using a computer. LAZNAS BSM provides information to the general public on all matters related to the management of zakat on his official website. In addition, the information can be accessed through social media, such as Facebook and Twitter.⁶⁶

From the discussion above, it can be confirmed that the *'āmil* zakat function in LAZNAS BSM is implemented well and professional. Thus, LAZNAS BSM has applied Article 18 paragraph (2) point e Act of Zakat which reads: *“memiliki kemampuan teknis, administratif, dan keuangan untuk melaksanakan kegiatannya”*.⁶⁷

C. Management of Zakat in LAZNAS BSM

As one of nationwide zakat institutions, LAZNAS BSM is required to run its duties based on professionalism. Therefore, the application of management science is prevalence in order to all aspects related to the management of zakat can be properly run. As described in Chapter II, according to Stoner, the management can be divided into four activities: planning, organizing, actuating, and controlling. The fourth activity is also used in zakat institutions to manage zakat fund and other social funds.

⁶⁶“Dari Redaksi”, Zakat Plus, First Edition , Rabiul Awal-Rabiul Akhir 1436 H, p. 3

⁶⁷Article 18 paragraph (2) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

1. Act Number 23 Year 2011 on Management of Zakat Perspective

LAZ is a recognized zakat institution in Indonesia. Therefore, all its activities shall be in line with Act of Zakat which regulates on the management of Zakat generally. Here is presented the practice of zakat management in LAZNAS BSM viewed from Act of Zakat.

a. Planning

The first stage that must be passed in a management is planning. In LAZ, planning activities are divided into two: institutional strategic planning and institutional purpose planning.

1) Institutional Strategic Planning

Institutional strategic planning is concerned with the required period of time to implement the program that has been designed. There are three periods of time which usually used: short term, medium term, and long term. LAZNAS BSM implements a working meeting once a year to discuss the programs for the next one year which is also included the period of time.⁶⁸

2) Institutional Purpose Planning

LAZNAS BSM conducts institutional purpose planning in two forms: the vision and mission of the organization in which also includes institutional purposes and the launched programs. The vision and mission of zakat organizations must meet the principles set out in the Act of Zakat.

⁶⁸The results of observation conducted by the researcher in LAZNAS BSM Office, Jakarta

The vision of LAZNAS BSM is being trustworthy and public chosen manager of ZIS.⁶⁹ This vision has met the criteria developed by the Ministry of Religion Affairs, as described in the Chapter II because it is clear, concise, compact, easy to remember and can be understood by the board and the society. In addition, it also reflects the achievement and can grow the commitment of a person because if it wants to be trust institution, it needs the commitment among the boards. If there is a board that does not have the commitment to be a trustworthy person, it will damage the public trust for the institution and its existence becomes questionable.

The mission of LAZNAS BSM also has met the requirements because its formulation is simple, clear, unambiguous and in line with the vision. In addition, it also illustrates function or job that can be implemented within a certain period because it contains the efforts to realize its vision and always begins with a verb such as: prioritizing, developing, establishing, and conducting.⁷⁰ All of these missions become the basis for making the organization programs with its certain period of time so that the implementation is clear.

The most concrete form of planning is the existence of the program. LAZNAS BSM has three main programs: BSM Didik Umat, BSM Mitra Umat, dan BSM Simpati Umat. Then LAZNAS BSM has met the requirements as LAZ which gets the permission from the Minister of Religion Affairs to manage the zakat.⁷¹

⁶⁹“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

⁷⁰“Visi Misi”, <http://lazznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

⁷¹Article 18 point (g) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

If the programs of LAZNAS BSM are analyzed with the program group which is arranged by the Ministry of Religion Affairs, it generates the following results:

- a) BSM Didik Umat is included the category of educational programs that are usually implemented in giving scholarships and educational facilities.
- b) BSM Mitra Umat is included the category of economic programs because it contains programs for economic empowerment of the middle to lower people, such as: giving or lending the capital, giving production tools and other facilities that support the work of *mustahiq*.
- c) BSM Simpati Umat is included both the social programs and preaching programs because it is realized in many forms, such as: the assistance for natural disasters victims, procurement of healthy home, implementation of circumcision, assistance for the construction of Islamic boarding schools, and so forth.

It can be clarified that the vision and mission of LAZNAS BSM has met the principles which are regulated in the Article 2 Act of Zakat, which reads: “*Pengelolaan zakat berdasarkan: syariat Islam, amanah, kemanfaatan, keadilan, kepastian hukum, terintegrasi, dan akuntabilitas*”. The integrated principle is not explicitly stated in the vision or missions of LAZNAS BSM. But, in the implementation, it uses the integrated principle. Although the LAZNAS BSM office is only located in Jakarta, it can collect and distribute the zakat in the hierarchical terms to various areas by its cooperation with Bank Syariah Mandiri.

Additionally, LAZNAS BSM also has programs to utilize zakat, such as: Didik Umat, Simpati Umat, dan Mitra Umat. All of these programs aimed for the social welfare, especially for the needy. Thus, LAZNAS BSM has met the requirements to obtain the permission from the Minister of Religion Affairs which is regulated in Article 18 point (g) Act of Zakat, which reads: “*memiliki program untuk mendayagunakan zakat bagi kesejahteraan umat.*”

b. Organizing

LAZNAS BSM has an organizational structure which consists of: Advisory Council, Board of Trustees, Head of Foundation, Director, Collection Division, Finance Division, General and Human Resource Division, Simpati Umat Division, Mitra Umat Division, and Didik Umat Division. The task of Advisory Council, Board of Trustees, Head of the Foundation, and Director are same with other institutions⁷² as has been described in Chapter II that Advisory Council plays role to run considerations functions, issued a fatwa and recommendations to the Board of Trustees and the Executive Agency about the development of law and the concept of zakat management, and determine the general policy line on the program that will run by Executive Agency. Board of Trustees plays role and function to control the operation of undertaken activities.⁷³

Executive Agency in the organizational structure of LAZNAS BSM consists of Head of Foundation, Director, and 6 divisions as described before. The collection

⁷²Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁷³Hasanah, *Manajemen Zakat*,... p. 162

division is divided into Fund Raising and Public Relations. The duty of Finance Division is to create the financial report and become the cashier who accepts the direct donations at the counter of zakat. General and Human Resource Division served as personnel and manage the general things. While the 3 last divisions have duty to distribute the zakat in accordance with each programs.⁷⁴ From these explanations it can be seen that the Executive Agency of LAZNAS BSM has a policy function in the collection, distribution, and utilization of zakat and submit the accountability reports.

In addition, LAZNAS BSM has met three factors related to the coordination of the organization as described by Eri Sudewo: leadership, quality of members, and systems.⁷⁵ Leadership in BSM LAZNAS called Head of Foundation and Director.⁷⁶ The quality of members in LAZNAS BSM is proven because there are some special requirements that must be met for being *'āmil*: understanding the law of zakat, being creative, have integrity, for the core board he must get at least bachelor degree and loves the job.⁷⁷ The existing system in LAZNAS BSM has been going well because it includes organizational structure, division of labor, bureaucratic mechanisms, communication systems, and budget transparency.

The organizing also related to the legality of institution. In zakat institution, the equality is part of requirements which must be met to establish LAZ. LAZNAS

⁷⁴Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁷⁵Eri Sudewo, *Manajemen Zakat*, (Jakarta: Institut Manajemen Zakat, 2004), p. 106-107

⁷⁶Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁷⁷Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

BSM is a foundation engaged in the social field by notarial deed of Agus Madjid SH Number 85 on 21 November 2001 and notarial deed of Syaifuddin Zuhri SH.MKn Number 01 on 4 January 2012. In addition, this institution also formed as legal entity with the Decree of the Minister of Law and Human Rights Number AHU-1889.AH01.04 year 2012.⁷⁸

Thus, in terms of organization, there are three findings based on the analysis of researcher, as follows:

- 1) The organizational structure of LAZ is not specifically regulated in the Act of Zakat. It implies that LAZ is given discretion to establish the organizational structure that suits with its needs. However, there are three parties that must be present in every LAZ as described in the book of *Manajemen Zakat Modern Instrumen Pemberdaya Ekonomi Umat* written by Umrotul Hasanah: Advisory Council, Board of Trustees, and Executing Agency. LAZNAS BSM has met all three with some development such as the presence of three Program Implementation Division, General and Human Resource Division, Collection Division, and Finance Division.
- 2) LAZNAS BSM is a foundation engaged in the social field by notarial deed of Agus Madjid SH Number 85 on 21 November 2001 and notarial deed of Syaifuddin Zuhri SH.MKn Number 01 on 4 January 2012. Therefore, LAZNAS BSM meet the Article 18 paragraph (2) point (a) Act of Zakat, which reads:

“terdaftar sebagai organisasi kemasyarakatan Islam yang mengelola bidang

⁷⁸“Legalitas”, <http://laznasbsm.or.id/content/legalitas>, accessed on 23 February 2015

pendidikan, dakwah, dan sosial.” It also met Article 18 paragraph (2) point f Act of Zakat which reads: “*bersifat nirlaba*”.

- 3) LAZNAS BSM is a zakat institution which is formed as legal entity with the Decree of the Minister of Law and Human Rights Number AHU-1889.AH01.04 2012. It is in accordance with the requirements set out in Article 18 paragraph (2) point (b) Act of Zakat which reads: “*berbentuk lembaga badan hukum*”.
- 4) After all requirements had met, LAZNAS BSM received permission to establish LAZ with the Decree of the Minister of Religion Affairs Number 406 year 2002. It is in accordance with Article 18 paragraph (1) Act of Zakat, which reads: “*Pembentukan LAZ wajib mendapat izin Menteri atau pejabat yang ditunjuk oleh Menteri*”.

c. Actuating

The actuating in zakat management is divided into three main activities, such as: collection, distribution, and utilization. The following is the practice of actuating in LAZNAS BSM viewed from Act of Zakat:

1) Actuating of Zakat Collection

There are three strategies of zakat collection which is compiled by the Ministry of Religion Affairs as described in the Chapter II: establishment of zakat collection unit, opening the zakat reception counter, and opening a bank account.⁷⁹ Establishment of zakat collection unit (*Unit Pengumpulan Zakat/UPZ*) is only done

⁷⁹Departemen Agama, *Manajemen Pengelolaan Zakat*, (Jakarta: Direktorat Pengembangan Zakat dan Wakaf, 2005), p. 33-34

by BAZNAS as organizational unit that helps to collecting zakat. As regulated in Article 16 paragraph (1) Act of Zakat, which reads: “BAZNAS, BAZNAS provinsi, dan BAZNAS kabupaten/kota dapat membentuk UPZ pada instansi pemerintah, badan usaha milik negara, badan usaha milik daerah, perusahaan swasta, dan perwakilan Republik Indonesia di luar negeri serta dapat membentuk UPZ pada tingkat kecamatan, kelurahan atau nama lainnya, dan tempat lainnya”. Therefore, LAZNAS BSM does not use this strategy in collecting zakat.

LAZNAS BSM implemented both opening the zakat reception counter and opening a bank account as described in the explanation of “Cara Donasi” in LAZNAS BSM: *muzakkī* can pay zakat by coming to the LAZNAS BSM office or through branches of Bank Syariah Mandiri and other banks in Indonesia. LAZNAS BSM also receives zakat through transfer via ATM Bank Syariah Mandiri, ATM Mandiri, or ATM Bersama with Account Number 700-1322-308 for zakat.⁸⁰ In addition, *muzakkī* can also pay zakat through auto debit from accounts of Bank Syariah Mandiri customers.⁸¹ This method is an additional innovation made by LAZNAS BSM.

There is another way which makes *muzakkī* easier to pay zakat because he does not required to come to the LAZNAS BSM office, but the ‘*āmil* of LAZNAS BSM will visit the location where the *muzakkī* is. This method is called by “Jemput Donasi”, *muzakkī* only contact via call center at 021-42801220 or via SMS to the

⁸⁰“Cara Donasi”, <http://laznasbsm.or.id/content/cara-donasi>, accessed on 23 February 2015

⁸¹“Ramadhan Gemilang Amal”, Mitra Zakat, Edition of July 2011, p. 28

number 081287678345 (SMS). This service is intended only for Jakarta district and with a minimum donation of IDR 1,000,000, -.⁸²

Before paying the zakat, we need to know how much should we pay. Act of Zakat regulates the zakat calculation in Article 12, which reads: “(1) *Dalam rangka pengumpulan zakat, muzakkī melakukan penghitungan sendiri atas kewajiban zakatnya. (2) Dalam hal tidak dapat menghitung sendiri kewajiban zakatnya, muzakkī dapat meminta bantuan BAZNAS*”. Textually, LAZ is not listed in that article, but LAZ can also implement the substance of the article because functionally LAZ is formed by the society to help BAZNAS in zakat management in Indonesia.

LAZNAS BSM gives freedom for *muzakkī* to calculate his zakat or if he cannot to calculate, he can ask for help to the *‘āmil* of LAZNAS BSM to calculate his. If the *muzakkī* calculates his zakat by himself, LAZNAS BSM does not care what version of *fiqh* that used by *muzakkī* because LAZNAS BSM only as a receiver and distributor of zakat. The most important is the obligation of zakat of *muzakkī* already paid.⁸³ Additionally, LAZNAS BSM also provides facilities in the form of “Kalkulator Zakat” which is available on the website of LAZNAS BSM. The way to use it is simply by entering the nominal amount of owned wealth and what kind of zakat desired. After that, automatically the amount of zakat which must be issued will appear then *muzakkī* transfers the zakat to the available account number.⁸⁴

⁸²“Jemput Zakat”, <http://laznasbsm.or.id/content/jemput-zakat> , accessed on 23 February 2015

⁸³Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁸⁴“Kalkulator Zakat”, <http://laznasbsm.or.id/content/kalkulator-zakat>, accessed on 8 March 2015

After paying the zakat through LAZ, *muzakkī* shall be given a zakat payment proof.⁸⁵ This payment proof can be used as a deduction from taxable income.⁸⁶ In LAZNAS BSM, the *muzakkī* who has paid zakat, will be given the zakat payment proof if the *muzakkī* asked before. But most of them do not ask the zakat payment proof because they think that the zakat obligation has been paid and do not need to be remembered back.⁸⁷ In this case, LAZNAS BSM implemented its obligations partly because this institution only gives the zakat payment proof if the *muzakkī* ask it. LAZNAS BSM should give the zakat payment proof to *muzakkī* although previously the *muzakkī* does not ask it, because it is the obligation of LAZ. If *muzakkī* pay income tax, the taxable income must be reduced by the amount of zakat which has been issued as stated in the zakat payment proof. It is done in order to *muzakkī* does not feel burdened with the tax obligation because he had already reduced the income by the issued zakat.

2) Actuating of Zakat Distribution

Zakat distribution is related to the *mustahiq* that has been set in Islamic law, such as: indigent, poor, *‘āmil*, converts, *riqāb*, *gārimūn*, *sabīlillāh*, and *ibnu sabīl*. LAZNAS BSM distributes the zakat to 7 people without *riqāb* or slave because

⁸⁵ Article 23 paragraph (1) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁸⁶ Article 23 paragraph (2) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁸⁷ Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

nowadays, *riqāb* cannot be found anywhere.⁸⁸ Thus, LAZNAS BSM distributes zakat to the *mustahiq* which is in line with Islamic law as stipulated in the Act of Zakat.⁸⁹

In addition, the distribution of zakat should be based on priority scale by pay attention with the principle of equalization, justice, and territorial.⁹⁰ The equalization principle can be realized by smooth zakat distribution and in accordance with each *aṣnāf*. LAZNAS BSM implements this principle because it can be proven by looking at the financial report and the utilization of zakat.⁹¹ In addition, *‘āmil* should be selective in choosing the target of zakat in order to not be given to the wrong people and to avoid duplication or accumulation of assistance to the same *mustahiq*.⁹² LAZNAS BSM always checks the *mustahiq* before distributing the zakat.⁹³

The second principle is justice which is realized in the form of the distribution of zakat to the *mustahiq* in line with their needs. LAZNAS BSM uses this principle in BSM Didik Umat program; especially in giving the scholarships to the poor students who have achievements in the form of school grades that must be reached above 7. If the student does not meet the criteria, the scholarship is taken by LAZNAS BSM and transferred it to another student who is more worthy.⁹⁴

⁸⁸“Laporan Keuangan”, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 41

⁸⁹Article 25 Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁹⁰Article 26 Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁹¹“Laporan Keuangan”, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 41

⁹²Fakhruddin, *Fiqh dan Manajemen Zakat di Indonesia*, (Malang: UIN-Malang Press, 2008), p. 313

⁹³Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

⁹⁴Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

The last principle is territorial. LAZNAS BSM has distributed the zakat to several areas throughout Indonesia. It can be seen from the utilization of zakat which can be accessed on the website of LAZNAS BSM and Zakat Plus magazine. Thus, LAZNAS BSM has implemented these three principles well.

'*Āmil* also gets part of the collected zakat fund as his salary on management of zakat which has been done. Salary is one of the forms of operational cost in the institution. In zakat institution, the operational cost is taken from '*āmil* rights as stated in Act of Zakat.⁹⁵ LAZNAS BSM takes 12.5% of all collected zakat funds for '*āmil* rights which are divided into: salary of '*āmil*, general administrative cost, collection and distribution costs, and depreciation costs.⁹⁶

3) Actuating of Zakat Utilization

As explained earlier that the utilization of zakat in LAZNAS BSM is realized by three main programs: BSM Didik Umat, BSM Mitra Umat dan BSM Simpati Umat.⁹⁷ If it is analyzed according to zakat utilization compiled by the Ministry of Religion Affairs in the book of *Manajemen Pengelolaan Zakat*, it results the following analysis:

a) Traditional Consumptive

Program of LAZNAS BSM which is included in the traditional consumptive is BSM Simpati Umat. However, LAZNAS BSM does not receive zakat *fiṭrah* and

⁹⁵Article 1 point (11) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

⁹⁶"Laporan Keuangan", Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 41

⁹⁷Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

only receive the zakat of wealth.⁹⁸ Therefore, utilization of zakat in traditional consumptive in LAZNAS BSM is realized in the form of providing assistance to the victims of disaster in domestic and abroad. One of BSM Simpati Umat program that has been implemented in the country is providing assistance to the refugees who are affected by the eruption of Mount Sinabung in Medan, North Sumatra.⁹⁹ BSM Simpati Umat program which is channeled abroad is providing assistance to the Palestinians who were attacked by Israel.¹⁰⁰

b) Creative Consumptive

LAZNAS BSM program which is included in creative consumptive is BSM Simpati Umat and BSM Didik Umat. One of utilization of zakat on BSM Simpati Umat in the form of creative consumer is establishing Klinik BSM Umat for the society.¹⁰¹ One of utilization of zakat on BSM Didik Umat program is awarding scholarships to a high school student named Wanda Melani Larasati until she can continue her study to the Faculty of Social and Political Sciences, University of Indonesia (UI).¹⁰²

⁹⁸Abdy Irawan, *interview via telephone*, (Jakarta, 24February 2015)

⁹⁹“LAZNAS BSM Beri Bantuan”, *Zakat Plus*, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 22

¹⁰⁰“Love & Care Palestine”, <http://www.laznasbsm.or.id/sites/default/files/foto%20palestine.pdf>, accessed on 25 February 2015

¹⁰¹“Klinik BSM Umat”, *Zakat Plus*, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 15

¹⁰²“Tak Menyangka Bisa Lolos Masuk UI”, *Zakat Plus*, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 20-21

c) Conventional Productive

LAZNAS BSM program which is included in the conventional productive is BSM Mitra Umat. One of utilization of zakat on this program is the providing working capital in the form of a new pedicab to ten residents in Cirebon.¹⁰³

d) Creative Productive

LAZNAS BSM program which is included in the creative productive is BSM Mitra Umat. One of utilization of zakat on this program is providing the capital in the amount of IDR 30,000,000 to the 30 crafters mat in Yogyakarta.¹⁰⁴

LAZNAS BSM has realized the utilization of zakat which is in line with zakat manual. It also has met the utilization of zakat rules stipulated in the Act of Zakat that zakat must be utilized for productive enterprises after the consumptive needs have fulfilled.¹⁰⁵

Thus, it can be affirmed that if the actuating of the zakat management in LAZNAS BSM viewed from Act of Zakat, it produces some findings:

- 1) LAZNAS BSM gives freedom for *muzakkī* to calculate his zakat, if he cannot calculate, *‘āmil* of LAZNAS BSM can help him directly or through an automatic calculation tools available on the official website of LAZNAS BSM named “Kalkulator Zakat”. So, LAZNAS BSM has implemented Article 21 Act of Zakat.

¹⁰³“Becak Baru Pak Suwardi”, Mitra Zakat, Edition of July 2011, p. 17

¹⁰⁴“Bantuan Dana Segar untuk Perajin Tikar Mendong Yogyakarta”, <http://laznasbsm.or.id/content/bantuan-dana-segar-untuk-perajin-tikar-mendong-yogyakarta>, accessed on 25 February 2015

¹⁰⁵Article 27 Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

- 2) LAZNAS BSM provides zakat payment proof if only the *muzakkī* requests it. It is not in accordance with the Article 23 paragraph (1) Act of Zakat: “*BAZNAS atau LAZ wajib memberikan bukti setoran zakat kepada setiap muzakkī*”. Because the mandatory purposes of providing the zakat payment proof is as a proof of deduction from taxable income as stipulated in Article 23 paragraph (2) Act of Zakat.
- 3) The zakat target in LAZNAS BSM is the seven of eight *aṣṅāf*. One of *aṣṅāf*, named *riqāb* cannot be found nowadays. So, LAZNAS BSM is in line with the teachings of Islam and implements the contents of Article 25 Act of Zakat which reads: “*Zakat wajib didistribusikan kepada mustahiq sesuai dengan syariat Islam.*”
- 4) In distributing zakat, LAZNAS BSM uses the priority scale and pay attention to the principles of equity, justice, and territorial. Thus, LAZNAS BSM has implemented the contents of Article 26 Act of Zakat, which reads: “*Pendistribusian zakat, sebagaimana dimaksud dalam Pasal 25, dilakukan berdasarkan skala prioritas dengan memperhatikan prinsip pemerataan, keadilan, dan kewilayahan*”.
- 5) LAZNAS BSM takes 12.5% of all collected zakat funds for ‘*āmil*’ rights which are included salary of ‘*āmil*’, general administrative cost, collection and distribution costs, and depreciation costs. Therefore, LAZNAS BSM has implemented the financing in accordance with Article 32 Act of Zakat, which

reads: “LAZ dapat menggunakan Hak Amil untuk membiayai kegiatan operasional”.

- 6) Utilization of zakat in LAZNAS BSM is done to fulfill the consumptive needs and productive enterprises for *mustahiq* by implementing the three programs. LAZNAS BSM has fulfilled the contents of Article 27 Act of Zakat, which reads: (1) *Zakat dapat didayagunakan untuk usaha produktif dalam rangka penanganan fakir miskin dan peningkatan kualitas umat.* (2) *Pendayagunaan zakat untuk usaha produktif sebagaimana dimaksud pada ayat (1) dilakukan apabila kebutuhan dasar mustahiq telah terpenuhi.”*

d. Controlling

As explained previously in Chapter II that there are two types of controlling the performance of LAZ: internal controlling and external controlling. Internal controlling is performed by the Board of Trustees included in the organizational structure of LAZ. LAZNAS BSM has two Board of Trustees named Priyono and Taufik Machrus. It also has two Advisory Council named Hanawijaya and Zainal Fanani.¹⁰⁶

Beside them, LAZNAS BSM also has a Sharia Council named Yusuf Siddik.¹⁰⁷ He validates the program created by zakat institution. If it is found irregularities in the application of program, this council can control and stop the

¹⁰⁶“Manajemen”, <http://laznasbsm.or.id/content/manajemen>, accessed on 23 February 2015

¹⁰⁷“Tanya Ustadz: Zakat Tabungan Haji dan Umroh?”, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 14

program.¹⁰⁸ It indicates that the LAZNAS BSM comply with Article 18 point (c) Act of Zakat.¹⁰⁹

The controlling of LAZ performance is also performed by external parties, such as: the Minister and the governor or regent/mayor.¹¹⁰ All of them are authorized to control and coach the LAZ in the form of facilitation, socialization, and education.¹¹¹ The form of controlling is by receiving the report of zakat management from LAZ periodically.¹¹² The report is submitted to the government and BAZNAS every 6 (six) months and the end of the year.¹¹³

Before submitted to the government and BAZNAS, the ZIS management implementation report must be sharia and financial audited.¹¹⁴ Sharia audit is conducted by the ministry which held government affairs in the field of religion.¹¹⁵ The financial audit is carried out by a public accountant.¹¹⁶

¹⁰⁸Sudewo, *Manajemen Zakat*, p. 141

¹⁰⁹Article 18 point (d) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹¹⁰Article 34 paragraph (1) and (2) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹¹¹Article 34 paragraph (3) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹¹²Article 29 paragraph (3) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹¹³Article 73 Regulation of Government Number 14 Year 2014 on Implementation of Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2014 Number 38

¹¹⁴Article 75 paragraph (1) Regulation of Government Number 14 Year 2014 on Implementation of Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2014 Number 38

¹¹⁵Article 75 paragraph (2) Regulation of Government Number 14 Year 2014 on Implementation of Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2014 Number 38

¹¹⁶Article 75 paragraph (3) Regulation of Government Number 14 Year 2014 on Implementation of Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2014 Number 38

In every year, LAZNAS BSM submits the ZIS management implementation reports which is audited by accounting firms. This report is made by experts in the field of accounting and administration.¹¹⁷ It seems that LAZNAS BSM is not maximized in the reporting, because it is only done every year and financial audited. The report should not only made each year but also every 6 (six) months. In addition, the sharia audit also should be done besides financial audit as regulated earlier.

The government can also provide coaching for LAZ.¹¹⁸ However, in the practice, the government has never done the coaching for LAZNAS BSM. It happens because the coaching is only addressed to BAZNAS.¹¹⁹ Instead, according to the researcher, coaching is very necessary both for BAZNAS and LAZ as stipulated in Act of Zakat. With the coaching, the zakat organization will be more easily carry out the management of zakat because it is facilitated by the government. It also assisted in the dissemination of information about the zakat and zakat institutions to the public through socialization. The education coaching is can be realized in upgrading the understanding of zakat for *'āmil*, such as: by holding seminars, training, providing free reference and guidelines of zakat to every zakat institution.

Other parties from external groups who can control the performance of LAZ are society. Role of them is same with the government both controlling and coaching

¹¹⁷Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

¹¹⁸Article 34 paragraph (3) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹¹⁹Abdy Irawan, *interview*, (Jakarta, 10 February 2015)

to the LAZ.¹²⁰ Coaching is done in order to increase the public awareness to pay zakat through LAZ and provide suggestions for improving the performance of LAZ.¹²¹ Monitoring can be done in the form of information access about the management of zakat in LAZ and information delivery about the irregularities in the management of zakat in LAZ.¹²²

The coaching from society to LAZNAS BSM can be done by providing critiques and suggestions directly or through printed or electronic media. The contact telephone number is (021) 4228999 and fax number (021) 4251017. The critiques and suggestions also can be submitted via e-mail: lazbsm@bsm.co.id or Facebook: <https://www.facebook.com/LaznasBsm>.¹²³

Society can control LAZNAS BSM through LAZNAS BSM official website which is related to zakat management reports and other matters. In addition, LAZNAS BSM also publishes Mitra Zakat magazine which is renamed Zakat Plus now. In the magazine includes the financial report and utilization of zakat reports. The magazine is sent to all donors of LAZNAS BSM so that they can know their zakat or donation actually distributed to the needy.¹²⁴ Thus, LAZNAS BSM has proven to provide an opportunity for the society to monitor its activities in hopes of grabbing people's trust and improve the performance in the management of zakat.

¹²⁰Article 35 paragraph (1) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹²¹Article 35 paragraph (2) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹²²Article 35 paragraph (3) Act Number 23 Year 2011 on Management of Zakat State Gazette of The Republic of Indonesia Year 2011 Number 115

¹²³“Dari Redaksi”, Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H, p. 3

¹²⁴Zakat Plus, First Edition, Rabiul Awal-Rabiul Akhir 1436 H

It can be reiterated that the practice of controlling in LAZNAS BSM viewed from Act of Zakat produce some findings as follow:

- 1) LAZNAS BSM always submits financial report audited by public accountant and utilization of zakat reports to the government and BAZNAS annually. It is in accordance with the contents of Article 19 Act of Zakat, which reads: “*LAZ wajib melaporkan pelaksanaan pengumpulan, pendistribusian, dan pendayagunaan zakat yang telah diaudit kepada BAZNAS secara berkala*” dan Article 29 paragraph (3): “*LAZ wajib menyampaikan laporan pelaksanaan pengelolaan zakat, infak, sedekah, dan dana sosial keagamaan lainnya kepada BAZNAS dan pemerintah daerah secara berkala*”.
- 2) LAZNAS BSM has Sharia Council, one of them named Yusuf Siddik. Therefore, LAZNAS has met the requirements for the institution of zakat in particular on Article 18 paragraph (2) point d Act of Zakat which reads: “*memiliki pengawas syariat*”.
- 3) The government controls the LAZNAS BSM through receiving the annual reports. However, the government does not provide coaching to the LAZNAS BSM. Therefore, LAZNAS BSM implements partially the Article 34 paragraph (1) Act of Zakat in terms of controlling, the contents of this article is: “*Menteri melaksanakan pembinaan dan pengawasan terhadap BAZNAS, BAZNAS provinsi, BAZNAS kabupaten/kota, dan LAZ*”.
- 4) The society can control and coach the performance of LAZNAS BSM. It can be delivered directly or through printed and electronic media. Thus, LAZNAS BSM

has implemented the contents of Article 35 Act of Zakat, which reads: “(1) Masyarakat dapat berperan serta dalam pembinaan dan pengawasan terhadap BAZNAS dan LAZ. (2) Pembinaan sebagaimana dimaksud pada ayat (1) dilakukan dalam rangka: a. meningkatkan kesadaran masyarakat untuk menunaikan zakat melalui BAZNAS dan LAZ; dan b. memberikan saran untuk peningkatan kinerja BAZNAS dan LAZ. (3) Pengawasan sebagaimana dimaksud pada ayat (1) dilakukan dalam bentuk: a. akses terhadap informasi tentang pengelolaan zakat yang dilakukan oleh BAZNAS dan LAZ; dan b. penyampaian informasi apabila terjadi penyimpangan dalam pengelolaan zakat yang dilakukan oleh BAZNAS dan LAZ”.

2. Islamic Law Perspective

As one of the principal worship in Islam, all the matters of zakat set up in the Qur'an and hadith. In addition, with the development of science and human civilization, the scholars have done *ijtihad* regarding zakat. One of them is Yusuf Qardawi. He wrote the most complete book about zakat entitled “*Fiqh Zakat*”. Therefore, the researcher uses this book to analyze the practice of zakat management in LAZNAS BSM.

a. Planning

At the time of the Prophet and the Caliph after him, *‘amil* is sent directly by the imam or caliph to collect and distribute zakat to the *mustahiq*.¹²⁵ The planning in

¹²⁵Yusuf Qardawi, *Hukum Zakat*, translated by Salman Harun, etc., ed.12, (Bogor: Pustaka Litera AntarNusa, 2011), p. 545

that condition is can be looked at the election of people who can be the *'āmil* and location where the zakat should be collected and distributed to the needy.

The *'āmil* of LAZNAS BSM is not chosen directly by the President because this institution is not like BAZNAS which established by the government. However, this institution gets the permission to manage zakat by the issuing of Decree of the Minister of Religion Affairs Number 406 year 2002.¹²⁶ So, the *'āmil* of LAZNAS BSM can run his duties as *'āmil* based on Islamic Law and Act of Zakat. This practice has appropriated with the certainty of Islamic law.

To be *'āmil* of zakat, Islam has determined some requirements which must be fulfilled, such as: Muslim, *mukallaf*, has trustworthy and honest nature, understands the law of zakat, and has ability to perform the task well.¹²⁷ In LAZNAS BSM, the requirements that must be met to be *'āmil* of zakat are: understands law of zakat, has trust, creative and integrity nature, and loves the job.¹²⁸ In the online application form which is available in the website of LAZNAS BSM, there are some specific things that needed to know, such as: filling the curriculum vitae from the name, address, sex, place and date of birth, religion, phone number, the last education, skills possessed, work experience, organizational experience, accomplishments that have been achieved, and language skills.¹²⁹ In general, it appears that LAZNAS BSM has used the requirements according to Islamic law, such

¹²⁶“Legalitas”, <http://laznasbsm.or.id/content/legalitas>, accessed on 23 February 2015

¹²⁷Qardawi, *Hukum Zakat*, p. 551-552

¹²⁸Abdy Irawan, *interview*, (Jakarta, 10February 2015)

¹²⁹“Form Pelamar Online”, <http://laznasbsm.or.id/content/karir>, accessed on 25 February 2015

as: Muslim, has a trustworthy and honest nature, understands the law of zakat, and has ability to perform the task well. It adds other requirements, such as: has creativity, integrity and formal education at least on SMP/ MTs/equal.

The Prophet recommends the '*āmil*' to have good manners and refined in speech.¹³⁰ It is also applied in LAZNAS BSM as stated in one of the values: providing the best service.¹³¹ An attitude of good manners and refined in speech is an important indicator to providing the best service. If this indicator is not applicable, it can make animosity and lead disputes between '*āmil*' and other parties.

Specifically in collecting the zakat of fruits, the Prophet chooses friends who are experts in assessing the fruits to avoid cheating from wealth owners.¹³² LAZNAS BSM only receives zakat of wealth savings, zakat of income, and zakat of company.¹³³ Therefore the fruit assessor cannot be found in this institution.

Thus, it can be reiterated that the planning of zakat management in LAZNAS BSM viewed from Islamic produce some findings, as follow:

- 1) In Islam, the '*āmil*' is chosen directly by the government. However, in Indonesia nowadays, the appointment of '*āmil*' by government is only conducted for BAZNAS. Whereas for society who want to be '*āmil*' and establish LAZ, they have to get permission from the Ministry. LAZNAS BSM got the Decree of the

¹³⁰Qardawi, *Hukum Zakat*, p. 560

¹³¹“Visi Misi”, <http://laznasbsm.or.id/content/visi-misi>, accessed on 23 February 2015

¹³²Qardawi, *Hukum Zakat*, p. 560

¹³³Abdy Irawan, *interview via telephone*, (Jakarta, 24February 2015)

Minister of Religion Affairs Number 406 year 2002.¹³⁴ So, the *'āmil* of LAZNAS BSM can run his duties as *'āmil*. This practice has appropriated with the certainty of Islamic law.

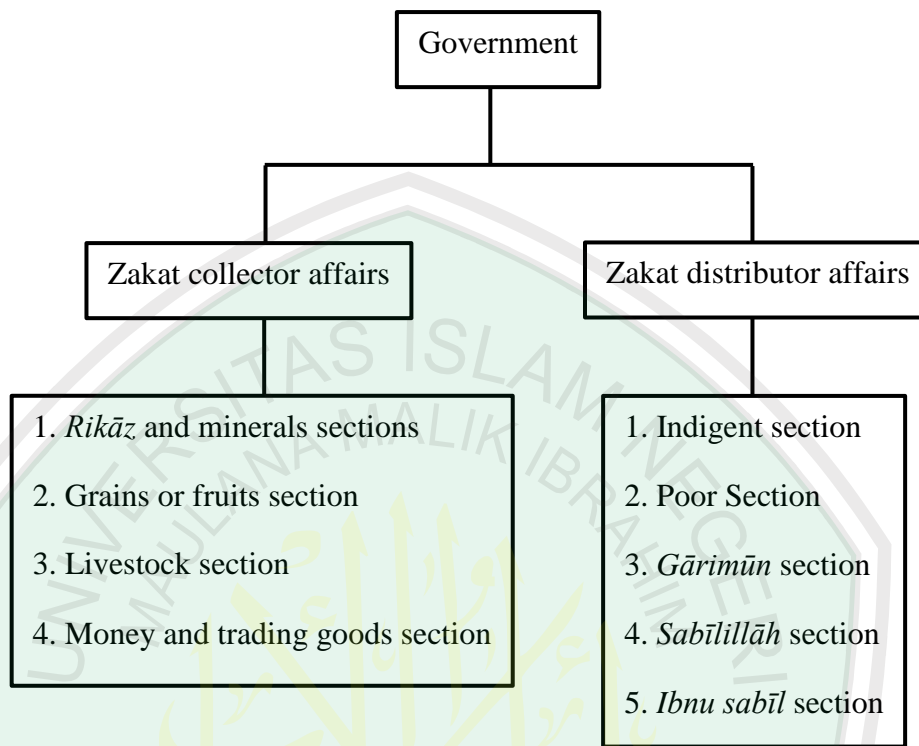
- 2) Generally, the requirements of *'āmil* in LAZNAS BSM are in accordance with the requirements stipulated by Islamic law. In fact, there are some additional requirements in order to realize the professional *'āmil*.
- 3) Special for *'āmil* of zakat of fruits, the Prophet adds a requirement that they must be able to assess the fruits. LAZNAS BSM not receive zakat of fruits, therefore the requirement is not used.

b. Organizing

According to Yusuf Qardawi, nowadays means of zakat can be divided into two principal affairs: zakat collector affairs and zakat distributor affairs.¹³⁵ It can be created in the scheme as following.

¹³⁴“Legalitas”, <http://laznasbsm.or.id/content/legalitas>, accessed on 23 February 2015

¹³⁵Qardawi, *Hukum Zakat*, p. 546



Scheme 4.3: Organizational structure according to Yusuf Qardawi

In the scheme above shows that the two zakat affairs is directly under the government to establish general policies and control all activities related to the management of zakat. So in this case, the government also acts as advisory council and board of trustees.

‘*Āmil* of zakat in Islam is only divided into two: zakat collector affairs and zakat distributor affairs which each of them have some sections. Zakat collector affairs are concerned with *muzakkī* and types of zakat which must be issued. These affairs are divided into some sections based on the types of zakat. While zakat distributor affairs are concerned with *mustahiq*. Therefore, these affairs are divided into some sections related to *mustahiq*.

The division in LAZNAS BSM consists of six divisions: Collection Division, Finance Division, General and Human Resource Division, Simpati Umat Division, Mitra Umat Division, and Didik Umat Division. The task of collection division is collecting zakat from *muzakkī*. The task of finance Division is creating the financial report and being the cashier who accepts donations directly at the counter of zakat. General and Human Resource Division served as personnel and managed the general things. While the 3 (three) last division tasked to distribute and utilize zakat in accordance with their respective programs.¹³⁶ The differences of division between organizational structure in LAZNAS BSM and organizational structure according to Yusuf Qardawi is the additional of three divisions related to utilization of zakat and other divisions that are not directly related to the collection and distribution of zakat such as: Finance Division, General and Human Resource Division.

Thus, it can be stated again that the organizing in LAZNAS BSM viewed from Islamic law has result in findings that organizational structure of LAZNAS BSM is more complex than the organizational structure created by Yusuf Qardawi because the additional board like Advisory Council and Board of Trustees. The task of both boards in Islam is conducted by the government. In addition, there is the addition of another division that is not directly related to the main task of *'āmil* like General and Human Resources Division and Finance Division. It is not found explicitly in the organizational structure created by Yusuf Qardawi.

¹³⁶Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

c. Actuating

The actuating of zakat management according to Yusuf Qardawi can be seen from the description of the *'āmil's* duties. The task of zakat collection affairs which are needed to be held in each place and area, as follow:¹³⁷

- 1) Conducting the census of people who are obligated to zakat, knowing the kinds of their wealth, and calculating the amount of wealth that must be subject to zakat
- 2) Collecting the zakat from the *muzakkī*
- 3) Keeping and maintaining the wealth of zakat
- 4) Submitting the collected zakat to the zakat distribution affairs

From the above description, there is a task of zakat collection affairs which does not applied in LAZNAS BSM: conducting census of the people who is required to pay zakat. It happens because LAZNAS BSM only served as recipients of zakat from *muzakkī*. However, this institution provides several facilitations for *muzakkī* who wants to pay his zakat. While according to Yusuf Qardawi, conducting census of the people who must be pay zakat is needed because the government has rights to collect zakat from *muzakkī*. If the *muzakkī* does not pay the zakat, he can be pressured to pay the zakat.

While the task of zakat distribution affairs are as follows:¹³⁸

- 1) Choosing the best way to know the *mustahiq* of zakat

¹³⁷Qardawi, *Hukum Zakat*, p. 546

¹³⁸Qardawi, *Hukum Zakat*, p. 547

- 2) Implementing classification against them and stating their rights
- 3) Counting the number of their needs and living costs.
- 4) Determining the healthy foundations in the distribution of zakat according to the amount of *mustahiq* zakat and social conditions.

In general, the above duties are same as the duties of *'āmil* in LAZNAS BSM. Before distributing the zakat, there are several steps that must be done by the board of LAZNAS BSM. One of them is checking the people in an area whether included in the category of *mustahiq* or not.¹³⁹

Thus, it can be reiterated that the actuating of zakat management in LAZNAS BSM viewed from Islamic law has results of findings that the task of *'āmil* described by Yusuf Qardawi has been carried out by the *'āmil* of LAZNAS BSM. There is only a task which does not conducted by LAZNAS BSM. It is conducting census of the people that must be pay zakat.

d. Controlling

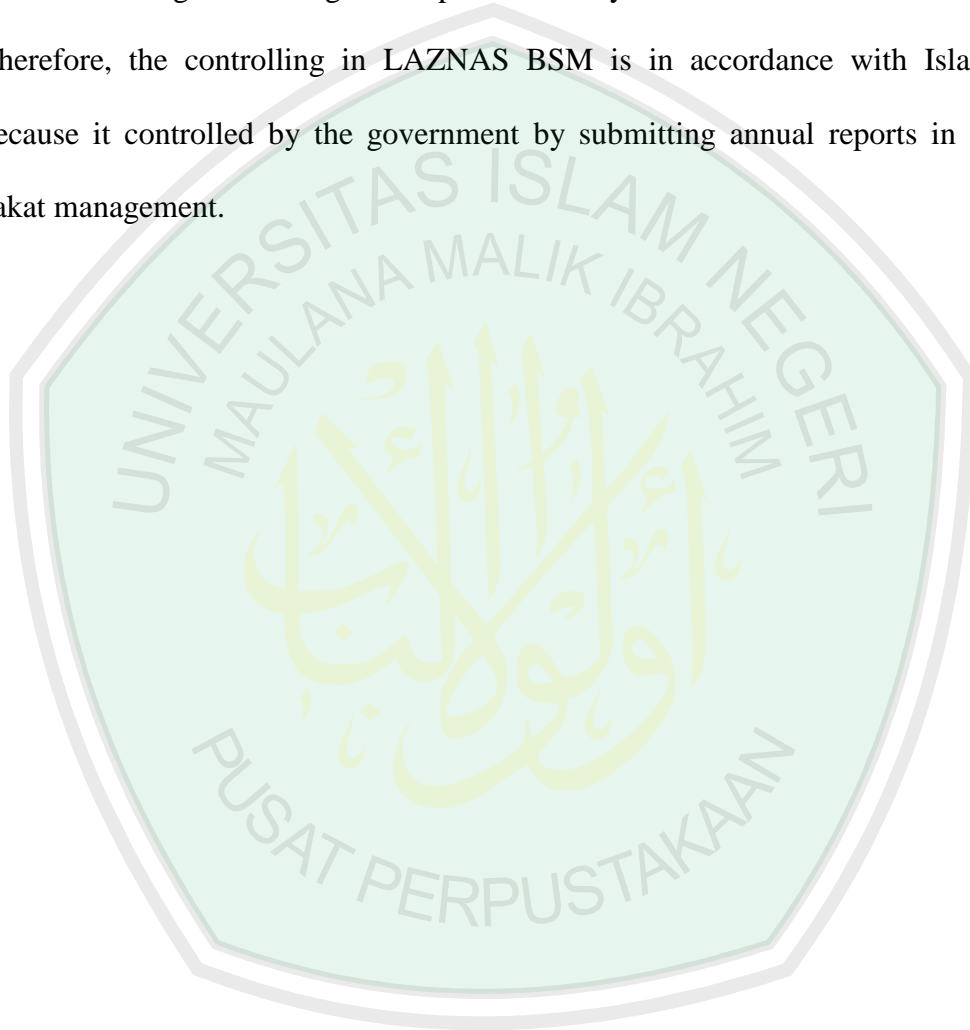
In Islam, the government should control the implementation of zakat which is conducted by *'āmil*.¹⁴⁰ In addition, the Prophet also commands to the job executor to report his results of working, either a little or a lot.¹⁴¹ So in this case, it can be seen that the attention of Islam is not only in terms of the implementation of zakat but also in controlling.

¹³⁹Abdy Irawan, *interview via telephone*, (Jakarta, 24 February 2015)

¹⁴⁰Qardawi, *Hukum Zakat*, p. 733

¹⁴¹Qardawi, *Hukum Zakat*, p. 557

The management of zakat in LAZNAS BSM is controlled by internal and external parties. Government is in the external category that controls the management of zakat through receiving the report made by the board of LAZNAS BSM.¹⁴² Therefore, the controlling in LAZNAS BSM is in accordance with Islamic law because it controlled by the government by submitting annual reports in terms of zakat management.



¹⁴²Abdy Irawan, *interview*, (Jakarta, 10 February 2015)