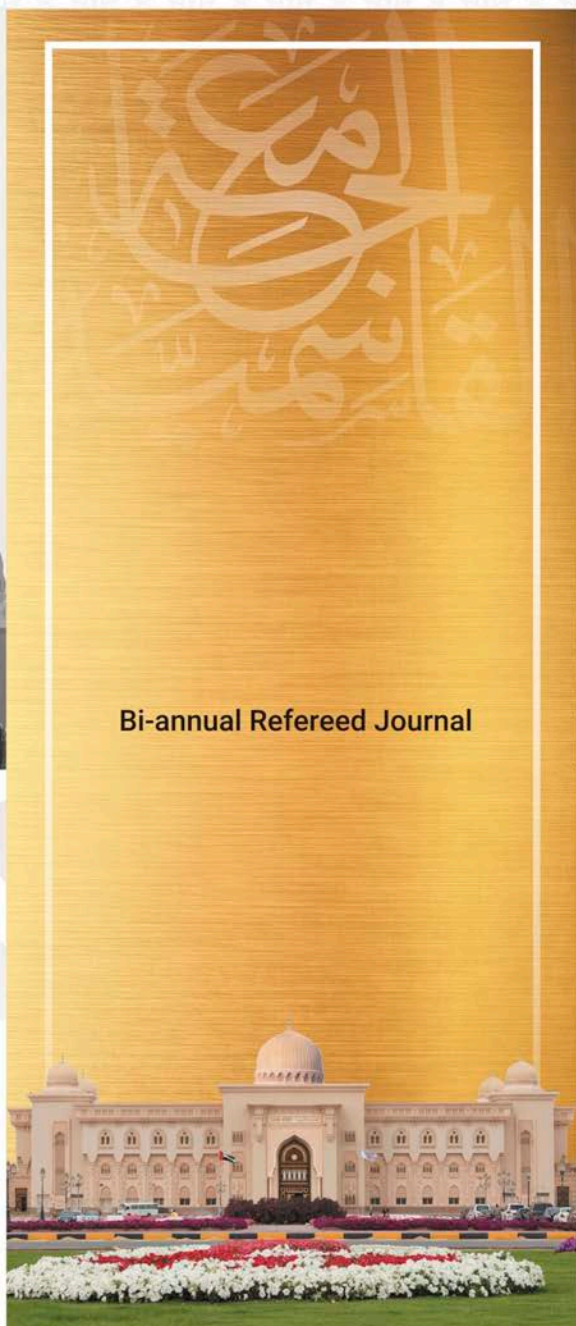


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نموذج تخصيص الزكاة للأغراض الإنتاجية

## A MODEL OF ZAKAT ALLOCATION FOR PRODUCTIVE PURPOSES<sup>1</sup>

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## الملخص

تهدف هذه الدراسة إلى بناء نموذج لتخصيص الزكاة للأغراض الإنتاجية. في هذا النموذج، تقترح هذه الدراسة فرض الحسن كمبدأ أساسي لعقد القرض. بناء على تحليل تطبيق هذا النموذج، وجدت هذه الدراسة العديد من النتائج. أولاً، يقترح نموذجاً لتخصيص الموارد يسمح بالتدفق السلس للموارد من أولئك الذين لديهم موارد زائدة إلى أولئك الذين لديهم موارد أقل. ثانياً، إن توافر القروض في المجتمع سيحسن الاقتصاد والمسؤولية الاجتماعية من خلال تقديم المساعدة المالية للغريمين. ثالثاً، تصبح مؤسسة التمويل الجزئي الشريك الأفضل نظراً لقدرتها على إشراك الفقراء بشكل مباشر في عملية التنمية. وبالإضافة إلى ذلك، يمكن أن يكون النمو في المشاريع الصغيرة وسيلة هامة لتوليد الدخل وتوليد فرص العمل.

## Abstract

This study aims to construct a model of *zakat* allocation for productive purposes. In this model, this study proposes *qardul hassan* as the basic principle for the loan contract. Based on the analysis of the application of this model, this study found several findings. First, it proposes a resource allocation model that allows the smooth flow of resources from those who have excess resources to those who have fewer resources. Second, the availability of loans in the community will improve the economy and social responsibility by giving financial assistance to *al-gharimin*. Third, the microfinance institution becomes the best partner due to its ability to directly engage the poor to participate in the development process. In addition, growth in micro-enterprises can be an important means of generating income and employment generation.

الكلمات الدالة: الزكاة، نموذج تخصيص الموارد، الغريمين، القروض، التمويل الجزئي.

**Keywords:** *Zakat*, Resource Allocation Model, *al-Gharimin*, Loans, Microfinance.

## 1.0 Introduction

*Zakat* distribution is important at least in two aspects - the beneficiaries (*asnaf*) of *zakat*, and purpose of distribution. The *asnaf* are mentioned in the *Qur'an*: “*Zakat* expenditures are only for the poor (*Fakir*) and for the needy (*Miskin*) and for those employed for it (*Amil*) and for bringing hearts together [for Islam] (*Muallaf*) and for freeing captives [or slaves] (*Riqab*) and for those in debt (*Gharimin*) and for the cause of Allah (*Fisabilillah*) and for the [stranded] traveler (an obligation [imposed] by Allah (*Ibnussabil*)). And Allah is Knowing and Wise” (*Al-Qur'an*, 9:60). The *zakat* distribution aims to alleviate the suffering of the beneficiaries (*asnaf*). Part of the distribution program, as suggested by Alim (2015), covers the *zakat* distribution for productive purposes. However, the channeling of *zakat* for productive purposes which is normally in the form of a loan or revolving funds raises the following issues: (1) the validity of loans taken from *zakat* distribution, (2) the method of financing.

The first issue, which looks at the loan given from the *zakat* fund, was allowed by Abu Zahrah (1951), who stated that if the borrower died and his heirs are unable to pay the debt, the *zakat* fund can be used to pay the debt. More recently, Bank Negara also suggests a financing mechanism from the *zakat* fund (BNM, 2022, p.114). Therefore, *zakat* funds can be utilized to provide interest-free loans to individuals who are in need, indeed Imam Malik, Imam Shafi'i, and Imam Ahmad believed that the borrower's assets can be used to pay the outstanding balance. If inheritance is not enough, then the unpaid debt would be categorized as bad debt and it can be recovered from *zakat* funds. People who have debts and are unable to pay those debts are among those entitled to receive *zakat* (*Al-Qur'an*, 9:60).

On the second issue, although scholars such as Alim (2015), Kholis & Mugiayati (2021), suggest that loans (or debt) as a method of financing, a direct loan from the *amil* to *al-gharimin* raises *Shari'ah* and accounting issues involving a loan principal that should not be returned to the *amil* and there is no accounting standard for loans taken from *zakat* funds. It should be noted that one of the duties of the *amil* is to distribute *zakat* funds to those entitled to receive them, but no formulation of the duties of the *amil* has been found regarding the management of *zakat* funds for productive purposes.

Therefore, this study aims to construct a development model of *zakat* allocation for productive purposes. In the model, this study suggests that a *qardul hassan* is used as the underlying principle for the loan contracts because it does not involve interest. Indeed, a *qardul hasan* is an interest free loan, where the borrower is only required pay back the amount borrowed (Ismail and Possumah, 2010). In addition, it suggests that debt financing is based on the resource allocation model. The model has advantages such as the flow of resources, recognizing that Allah (s.w.t.) is the absolute Owner of resources, and facilitating the success of microenterprises. The model will also address the payment of loan instalments as per accounting standards and the *Shari'ah* compliance issues.

This study is organized into the following sections. Section 2 discusses the proposed model. The application of the model is presented in section 3, and section 4 provides some concluding remarks.

## **2.0 Resource Allocation Model of *Zakat***

In this section, this study suggests resource allocation as the basis for the derivation of the model. Therefore, we begin by analyzing issues relating to resource allocation. Furthermore, it will be followed by the construction of the *zakat* resource allocation model.

### *2.1 Objective of resource allocation*

Allah (s.w.t.) provides the resources that may benefit all of His creation. Allah (s.w.t.) owns and governs everything (including resources) and is all-knowing and set forth in a clear record (*Al-Qur'an*, 6:59). He is also the Giver and the Sustainer of everything in the earth and the sky and all that is in between (*Al-Qur'an*, 2:255). In the *Qur'an*, Allah (s.w.t.) mentions that He is the Owner and Possessor of all affairs Who makes things subservient (for mankind) (*Al-Qur'an*, 7:58). This study focused on the greatness of Allah (s.w.t.) as the Creator of the universe including the heavens and the earth in six days, and then ascended His Throne; changing the night to cover the day and then the day swiftly pursues the night; creating the sun and the moon and the stars making them all subservient to His command (*Al-Qur'an*, 7:54), and the winds carry the clouds to a land that is dead, and with

the gift of rain becomes full of life, yielding all types of fruit (*Al-Qur'an*, 7:57). This shows that everything belongs to Him and He granted resources in abundance (*Al-Qur'an*, 72:12).

As the Giver, Allah (s.w.t.) provides resources from the land, ocean, and earth, including all types of minerals. By the Will of Allah (s.w.t.) the good and fertile land grows crops and plants with ease, and the poor and barren land barely grows anything. In the ocean, Allah (s.w.t.) allows the movement of ships that transports goods from one place to another, and we may also seek His bounties from resources in the ocean.

Furthermore, Allah (s.w.t.) asks us to spend on those out of from what He has provided, which is righteousness (*al-Birr*) (*Al-Qur'an*, 2:3; 2:177). We should spend, among others, in the cause of Allah (s.w.t.) (*Al-Qur'an*, 2:195), for parents and relatives, orphans, the needy, and the traveler (*Al-Qur'an*, 2:215), and spend in charity or *zakat* (*Al-Qur'an*, 14: 31).

In summary, Allah (s.w.t.) provides us with guidance that enables us to address social and economic matters, that involves the re-distribution of resources from those with excess to those in need. This necessarily upholds social justice (Rais, 1998) as a form of social responsibility (Qutb, 2000).

## 2.2 The Resource Allocation Model

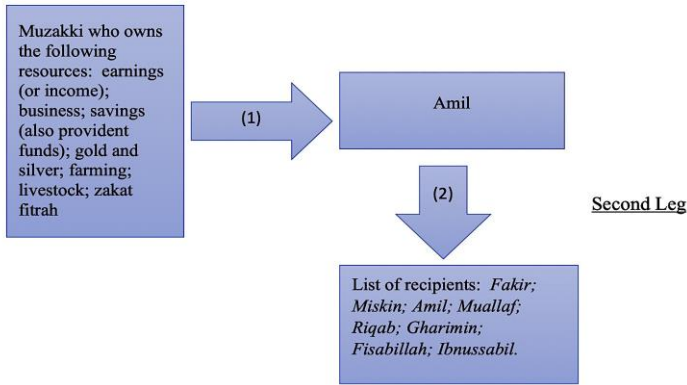
A resource allocation model that has been mentioned in Chenery, H. B., & Kretschmer, K. S. (1956), Rees (1990), Zhang (2021), and Anahideh, Kang, and Nezami (2022) try to answer the fundamental question “how to satisfy unlimited desires with limited resources in a specific domain?”. In many microeconomics textbooks, the resource allocation model is typically defined as “static or dynamic optimization problems with a resource budget serving as a primary constraint”. The model developed refers more to market mechanisms, or involves strategic interventions but is limited to certain target groups, so that the results cannot meet the expectations of those (groups) who actually really need it. Furthermore, several policy-related problems can be analyzed through the resource allocation model. However, this study deviates from those fundamental views in two aspects – resources are unlimited, and *zakat* is used as a tool for

resource allocation. In relation to *zakat*, Allah (s.w.t.) promises abundant resources. Therefore, as long as we acquire resources, indeed mankind always desires to acquire gold and silver in large quantities, fine branded horses, and cattle (*Al-Qur'an*, 3:14), and over time, Muslims are obliged to pay *zakat*. *Zakat* as a tool of resource allocation has been established by a number of scholars including Ismail, Abdullah and Zaenal (2022) and Ismail (2022). Therefore, this tool can be used as a transmission channel (via enterprises) to affect economic development.

In this model, this study assumes that resources are unlimited. Due to having abundant resources, we have to pay *zakat* that can be allocated to multi-groups. In addition, resource allocation happens in the presence of *zakat* as financial assistance or loan. The loan is given out under the principle of *qardul-hassan* – the borrower pays the principal amount of the loan without interest, markup, or a share in the business used for the loan.

The model as presented in Figure 1 illustrates the basic circular flow of *zakat*. This process that comprises the first leg, which identifies three groups – the *amil* who receives *zakat* payments from *muzakki* (*zakat* payer) and then distributes it to *zakat* recipients (*mustahiq* or *asnaf*). Every Muslim who meets the minimum requirement (*nisab*) and ownership has reached the specified time limit (*haul*) is obliged to pay *zakat*. The payment is a certain percentage of economic resources that come from income; savings such as trust funds, provident funds, and deposits in financial institutions, the holding of gold and silver, and farming and livestock activities.

In the second leg, the *amil* interacts (step 2) with the recipients of *zakat*. The *amil* is a seeker and collector of *zakat* funds and then distributes it. Zaenal et al (2016) states that those who carry out the duties of an *amil* may include activities ranging from charities to the treasurer (i.e., reporting and disclosure) and custodian.

Figure 1: The Basic Circular Flow of *Zakat*First Leg:

Source: Authors

Since the *zakat* allocation aims for loans given for productive purposes, the loans are given to a person who is in debt or *al-gharimin* (Ismail, Ramli, and Shafiai, 2022), so that they can pay-off the debt they owe. In other circumstances, Imam Al-Sarakhsi (Hanafi jurist), states in his *Al-Mabsut*, that the *Baitulmal* has rights and obligations that may not yet be determined. For example, if the leader of an Islamic state has no money in the *kharaj* department (that is in charge of paying the salary) to pay his subordinates, the leader can obtain it from the *sadaqah* (*zakat*) department. However, the amount taken from the *sadaqah* department will be counted as a debt to the *kharaj* department. Revenue earned by the *Baitulmal* of a country has been placed by classical Islamic jurists into three categories: (i) *Zakat* and *sadaqah* revenues; (ii) *Ghanimah* revenue (or spoils of war); and (iii) *Fai* revenues such as *jizyah* and *kharaj*. In this case, *al-gharimin* is a person who is involved in microenterprise activities.

As reflected in Figure 1, the accounting standard for an instrument clearly states the principal amount of the loans should be returned to the lender. However, there is no accounting standard for *qardul-hassan*. Therefore, an entity needs to be established between *amil* and *al-gharimin*. However, the *amil* is not allowed to not receive the installment or lump-sum payments, as it may raise a *Shari'ah* issue.

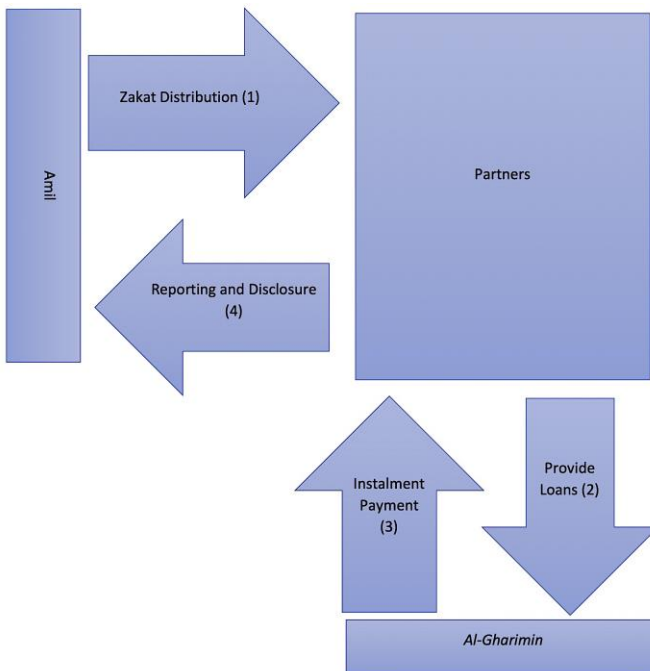


Hence, Figure 1 could be redesigned to include another stakeholder, that is, a partner.

Figure 2 shows that partners are created to perform the institutional role of allocating financial assistance to *al-gharimin*. These differences are simplified in Figures 1 and 2 to provide ease of understanding. The allocation of *zakat* is explained as follows:

- (a) Step 1 – *Amil* appoints a microfinance institution as a representative to distribute *zakat*.
- (b) Step 2 – Based on the criteria (discussed in Section 3), microfinance institutions will provide loans to *al-gharimin*.
- (c) Step 3 – *Al-gharimin* will pay the installment to a microfinance institution.
- (d) Step 4 – Microfinance prepares the report and submits it to the *amil*.

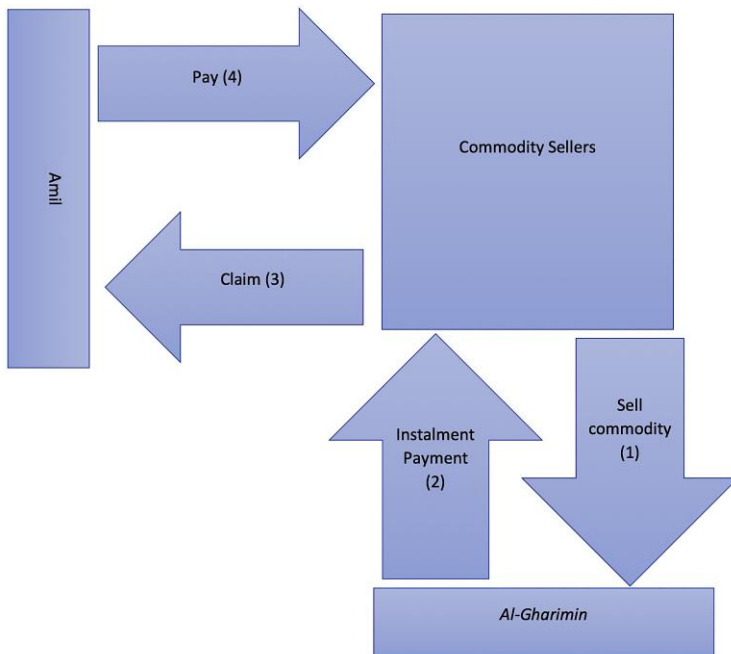
Figure 2: Resource Allocation Model of *Zakat* Fund via Microfinance Institution



Source: Authors

Alternatively, the partner as shown in Figure 3 could be a commodity seller. In this figure, a commodity seller produces goods and services, which they sell to *al-gharimin* in return for payments. Steps 1 and 2 represents the two sides of the product market, which provides goods and services, in which *al-gharimin* have demand and the commodity sellers reflect supply. Then, commodity sellers claim the debt that is owned by *al-gharimin* from the *amil*. The final step 4 involves a transfer payment from the *amil* to the commodity seller. This represents the two sides of the exchange market, in which the *amil* pays debts and *al-gharimin* receives goods. This version reveals the essential features of the resource allocation model in order to illustrate how the allocation of *zakat* works in the economy.

Figure 3: Resource Allocation Model of *Zakat* Fund via Commodity Sellers Commodity Sellers



Source: Authors

The basic model detailed in Figures 1 and 2 can be expanded to introduce more real-world institutions, such as financial markets, governments, or interactions with other stakeholders (overseas humanitarian assistance). When analyzing economic issues economists may refine an available theory as a basis for solving problems. Theories can typically be expressed in the form of a figure or diagram in order to solve a problem (Papandreou, 1959). Thus, the above figures serve as a model for making inferences about behavior.

In summary, this study suggests a resource allocation model as a simplified version of reality. The model allows us to observe, understand, and make predictions about the economic behavior of the *amil* and other stakeholders in the resource allocation of *zakat*. The proposed model is expected to take a complex, real-world situation and tailored to its own requirements. In addition, the model can provide the user a more nuanced understanding of a situation and any related problems. Hence, the model provides an applied or empirical solution. Furthermore, the model is developed to ensure a fair, efficient, and transparent allocation of *zakat* for every *asnaf*. In the next section, we analyze various applications for the resource allocation model.

### 3.0 Applications of the Resource Allocation Model

Figures 1 and 2 present the theoretical model of resource allocation. The model identifies four important elements – *zakat* as sources of loans, the *amil*, *al-gharimin* as enterprises, and an entity acting as an intermediary between the *amil* and enterprises. This section will discuss the application of each element that leads towards a workable model.

#### 3.1 Payment of Zakat to Al-Gharimin

Those who are entitled to obtain *zakat* funds are divided into eight groups. However, in the context of loans for productive purposes, this study suggests *al-gharimin* becomes the targeted group due to two main reasons – (i) they are in debt, and (ii) debt is caused due to some reasons. Furthermore, this study also suggests the following categories of debtors adapted from Imam Nawawi's *Minhaj Ath-Thalibin*.

First, those who owe for themselves or for the benefit of their family. They include: (i) people who are in debt and unable to pay it;

The debt may be due to prioritizing their family needs. These needs are categorized as basic needs such as food, medicine, education, shelter, clothes, transportation, and business debt. The debts of the poor, the needy, and *muallaf* (non-Muslims who recently embraced Islam) are prioritized from *zakat* funds. The payment of *zakat* is also permissible if a person's liabilities exceed the zakatable and surplus assets; (ii) the debt must be for good deeds or necessity and not for something forbidden or sinful, such as drinking alcohol or fornication; (iii) *zakat* is only for current debts that need to be settled immediately.

Second, those who owe on behalf of others. For example, the debtor uses his money to build orphanages, mosques, and hospitals. It benefits the public at large. Even though *al-gharimin* may be well-off, they are included in the category of those who can receive *zakat* funds to settle their outstanding debts.

Third, those who act as a guarantor for others. Neither the guarantor nor the debtor could repay the debt. There are also some cases where the guarantor is entitled to receive *zakat* to repay the debt (Muslim, no.1044) stated that: (i) if the guarantor can not to pay off his debt but the debtor can, the guarantor has the right to receive *zakat* to pay off his debt (when he becomes the guarantor without the permission of the debtor); and (ii) if the guarantor can pay off the debt, but the debtor cannot, only the debtor is entitled to receive *zakat* to pay off his debt.

### 3.2 Selection of An Entity – Implementation of Partners

There are two important partners in implementing the resource allocation model: *Al-gharimin* as an entrepreneur and an entity as a loan provider.

*Al-Gharimin* as entrepreneur: the poor and the needy use microenterprise facilities to escape poverty. They have limited skills and education which hinder them to compete in the formal sector. Hence, they see the economic opportunities in microenterprises as business owners and employees. In addition, women-owned businesses are one of the fastest-growing segments of microenterprises. In Malaysia, Indonesia, and other developing countries, women own and operate 30-60 percent of microenterprises. Women with high incomes will invest in health, education, and

household needs for their families (OECD, n.d.). It shows that microenterprises make a significant contribution to their income and create reliable social safety nets for their families. Therefore, loans can be used to start and expand their business and hence, it will improve their standard of living.

They need various supports to grow and develop. Many of them are poor and have limited access to financial assistance. They do not use funding from formal institutions. This means micro-business owners prefer to borrow from non-formal institutions. They are mostly unable to prepare loan applications, and they have insufficient knowledge/training on financing issues. They are reluctant to owe money to formal financial institutions, given the high rates and longer processing times compared to non-formal institutions. In addition, the loan scheme should be able to provide fast, easy, and convenient access to business financing of up to a certain amount without collateral from a loan provider (Ismail and Possumah, 2010).

Loan Provider: *al-gharimin* as a business actor has the option of choosing equity or debt as a financing method and a list of the potential loan provider. In the real world, there are many potential loan providers that could perform the task between the *amil* and *al-gharimin*, such as the *amil*, a microfinance institution, and commodity seller (henceforth, we propose a microfinance institution and commodity supplier). The equity might be used to buy an asset such as a machine and other fixed assets.

Practically, the loan provider should be given a checklist to ascertain the status of *al-gharimin*. *al-gharimin* should go through qualitative and financial screenings. Table 1, in columns 1 and 2 shows the proposed screening variables and criteria, respectively.

Table 1: Zakat Screening Criteria

| Variables                        | Screening Criteria   |
|----------------------------------|--|
| Panel A:<br>Qualitative Variable | <ul style="list-style-type: none"> <li>• The applicant is Muslim.</li> <li>• Applying to the <i>amil</i> with <i>Shari'ah</i>-based reasons.</li> <li>• The beneficiary is an individual in need and not just a service. <i>Zakat</i> cannot be used to fund services to people directly unless the</li> </ul> |

|  |  |
|--|--|
|  | <p>beneficiary consents to use their <i>zakat</i> payment to fund a service.</p> <ul style="list-style-type: none"> <li>• The applicant does not pay for running costs and overheads of schools, mosques, etc.</li> <li>• The applicant is not from the family of Prophet Muhammad (s.a.w.s.). They are honored with <i>sadaqah</i>.</li> <li>• The applicant does not become an immediate family member of any <i>zakat</i> payer through the <i>amil</i>.</li> </ul> |
| <p>Panel B:<br/>Financial Variable</p> | <ul style="list-style-type: none"> <li>• The applicant is considered a <i>faqir</i> (the poor) based <i>Shari'ah</i> perspective on the definition of poverty by Hanafi.</li> <li>• To meet the <i>zakat</i> requirement, the applicant's net worth must meet the <i>nisab</i> of gold.</li> <li>• In the context of <i>zakat</i>, poverty is ascertained.</li> </ul>  |

In panel B, poverty should also be ascertained. Therefore, the applicant should also provide the following information: (a) the applicant's assets values that cover the value of gold and silver assets, cash assets, business stock, receivables of loans and sales, also investments and zakatable assets; (b) the applicant's total debt that covers any outstanding *Shari'ah*-compliant debt which is payable within the calendar month, and any amount saved to pay off a *Shari'ah*-compliant debt which is payable within the next 12 months. If the net value of assets minus the value of debt is below the *nisab* of gold, the applicant is entitled to receive *zakat*. The nature of *qardul hassan* does not permit the principal payment of the loan to the *amil*. Therefore, a microfinance institution and commodity seller are considered as two options that could perform the task between the *amil* and *al-gharimin*.

Table 2: The Task of Microfinance Institution and Commodity Seller

|                         | <b>Microfinance Institution</b>  | <b>Commodity Seller</b>   |
|-------------------------|--|---|
| Type of Engagement      | <ul style="list-style-type: none"> <li>• Provide a direct loan</li> </ul>                            | <ul style="list-style-type: none"> <li>• Sell commodities based on installment</li> </ul>               |
| Assessment of applicant | <ul style="list-style-type: none"> <li>• Referring to Table 1 (Screening Criteria)</li> </ul>        | <ul style="list-style-type: none"> <li>• Referring to Table 1 (Screening Criteria)</li> </ul>           |
| Governance              | <ul style="list-style-type: none"> <li>• Less control from the <i>amil</i></li> </ul>                | <ul style="list-style-type: none"> <li>• Less control from the <i>amil</i></li> </ul>                   |
| Best core principle     | <ul style="list-style-type: none"> <li>• Standard of reporting and disclosure requirement</li> </ul> | <ul style="list-style-type: none"> <li>• No standard on reporting and disclosure requirement</li> </ul> |
| Due diligence           | <ul style="list-style-type: none"> <li>• Yes</li> </ul>  | <ul style="list-style-type: none"> <li>• Yes</li> </ul>   |

In Table 2, microfinance institutions, such as *Baitulmal wa tamwil*, have an important role in providing a direct loan to *al-gharimin*. *Al-gharimin* who traditionally lacked access to mainstream sources of finance from banking institutions, regard microfinance institutions as partners. In addition, the loan is not secured by any collateral and requires repayment in weekly rather than monthly installments. This needs to be done to ensure smooth repayment of funds from *al-gharimin*. Therefore, in terms of applicant assessment the screening criteria, as well as the best core principles of reporting (for example provision on non-performing loans) and disclosure are part of the regulatory framework in a microfinance institution. These elements do not exist in the resource allocation model involving commodity sellers.

#### 4.0 Conclusion

This study has proposed a model of *zakat* allocation for productive purposes. The analysis of the application of the model involves three aspects. First, we suggest a resource allocation model that allows the smooth flow of resources from someone who has excess resources to those who have fewer resources. Second, the availability of loans in the community potentially improves the economy and social

responsibility by helping *al-gharimin* with financial assistance. Third, we would suggest that microfinance institutions are the best partner because of their ability to directly include the poor to participate in the development process (financial inclusion). In addition, growth in microenterprises can be an important means of income and employment generation.

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