

MISCONCEPTION OF ZAKAT AND DISTRIBUTIVE JUSTICE IN ISLAM: CASE STUDY OF ZAKAT INSTITUTIONS IN MALAYSIA

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ABSTRACT

The COVID-19 pandemic caused a multidimensional crisis in health, economic, social, and lifestyle due to the pandemic. Many people in various countries endure hardships and struggle to make ends meet. Hence, as an Islamic social fund, zakat plays a role in mitigating this problem by assisting communities directly affected by it. This study investigates the role of zakah and addresses the issues related to zakat misconceptions and management by demonstrating the importance of zakat through a variety of evidence undertaken by zakat institutions during the pandemic. This study adopts a qualitative research method by using secondary data and analytical approaches to achieve its objectives. Zakat distribution programmes conducted by all zakat institutions in Malaysia for zakat beneficiaries affected by Covid-19 have been one of the study's most important findings. This highlights the viability of zakat principles as one of Islam's distributive justice mechanisms in assisting and alleviating the burden imposed on society, particularly those in the asnaf categories due to the Covid-19 pandemic'. The study is limited to the focus on the zakat mechanism in the context of distribution justice from the Islamic perspective.

Keywords: Zakah, Viability, Misconception, Covid-19

1. INTRODUCTION

1.1 Background

Justice is a fundamental and essential concept in social life (Ahmad & Hassan, 2000). It encompasses all aspects of social interaction and gives social, political, religious, and legal organisations and practises legitimacy. When most individuals or people conceive about justice, they usually consider how resources will be distributed (Furqani, 2019). Therefore, the branch of moral philosophy concerned with these issues is known as distributive justice. According to social thinkers and philosophers, distributive justice is concerned with the fairness of resource allocations, focusing on the decision-making part of the process (Blau, 1964). Greenberg and Cohen (2014) state that distributive justice is connected to equity, equality, and need. These are the three independent justice standards or concepts that impact allocation decisions. If these institutions fail to establish their credibility to distribute the resources and are perceived as unjust, society instability will emerge (Ahmad & Hassan, 2000). Hence, the poor will be exploited by the rich, and the rich will become richer. In Islam, the spirit of distribution accordance Quran in Surah Al- Hashr verse 7: *“so that wealth is not circulated among the rich of you only [it should go to the whole segment of society]”*. This indicates that Islam encourages and promotes just social distribution of wealth, welfare, and incomes. Plus, Islam opposes the concentration, restriction, or prohibition of wealth, welfare, or income in the hands of a few people. As a result, in order to reduce severe inequalities, Islam provides moral checks.

For instance, the concept of zakat is primarily intended for resource redistribution, especially when the pandemic hits on a global scale. Generally, a contagious virus from Wuhan City Province of Hubei, China, was discovered in early 2020 (Haleem et al., 2020). The first case emerged in December 2019. However, the news only began to circulate in early January 2020, when it was confirmed by the United Nations' World Health Organization (WHO). Malaysia has suffered a significant economic impact due to the COVID-19 pandemic, especially among vulnerable or low-income households (World Bank, 2020). Hence, we can see that the zakat concept is one of the alternatives that can assist vulnerable people in meeting their fundamental needs, particularly during a pandemic.

1.2 Statement of Problem

In most countries, the zakat institution lacks an official structure and improved circulation procedures for the pooled zakat funds (Migdad, 2019). On the other hand, Malaysia is regarded as having one of the best zakat payment and distribution systems globally (Mohd, et al., 2016; Müller, 2017). Despite the positive outlook for the concept of zakat in promoting social justice, zakat as an Islamic financial assistant is still hampered by the various misconceptions and issues on zakat management. For example, when it comes to the permissible issue of zakat funds for non-Muslims, the funds are insufficient to be distributed to them due to a large number of recipients, the administrators of the zakat funds being biased and do not view zakah system as the institution that supports universally humanitarian works (Mohd et al., 2016; Müller, 2017). These are the issues, and misconception occurred before pandemic happened.

1.3 Objectives of Study

Therefore, the objective of this study is to identify the viability of the concept of zakat during pandemic Covid 19. It is vital for its potential to be realised and achieved, especially after the pandemic subsides. As such study researches the issues and misconceptions on zakat management before Covid 19 occurred. This may provide relevant parties with the information they need to ensure justice and fix the misconceptions, especially in pressing circumstances like the post-pandemic environment.

1.4 Research Questions

The Research questions for this research are:

- i. What are the concepts of zakat in distributive justices according to Islamic perspectives?
- ii. What are the misconceptions of zakat management? and
- iii. What are the performance or the assessments of the use of zakat in Malaysia in assisting or improving society condition during pandemic covid 19?

2. METHODOLOGY

The study utilises a qualitative methodology through a critical review of literature. The descriptive analysis approach is adopted with an inductive strategy to track and gather information, materials and refer to the relevant references, such as books, research, papers, and reports. Furthermore, by evaluating the viewpoints of past researchers and the actions taken by zakat institutions in dealing with the Covid-19 situation in Malaysia, the analytical approach was used to investigate the concerns and factors associated with the topic.

3. LITERATURE REVIEW

3.1 Distributive Justice: The Islamic Perspective

Justice demands that people have what is rightfully theirs. As a result, property issues such as money and income and power and opportunity frequently take centre stage. These things are generally always allocated unequally, causing concern that people are being mistreated as a result of the inequality. In response to such worries, people often point out that there can be good reasons for the unfairness, such as, a reason involving the difference in need, effort or contribution. Islam, which means “peace and justice” has provided instructions on distributing personal resources (Ahmad & Hassan, 2000). To portray justice and equity, the Quran utilises three expressions. There is the emphasis on the concept of *adl*, which implies justice. Secondly, there’s the concept of *qist*, which translates to “equity” or “fairness.” Finally, there is *mizan*, which means “balance” or “scale” (Possumah, 2018). All of these words demonstrate that Islam has always prioritised justice in resource allocation.

The Prophet Muhammad (SAS) attributed his presence to upholding fairness and justice in society. The same can be said for Caliph Abu Bakar and Umar, who both emphasised the need for fairness and justice in society. For instance, Caliph Abu Bakar put down the “*al-Riddah*” apostate insurrection and imposed Islamic taxation (Rahim, 2013). He saw the reluctance to pay zakah as an unjustified attempt to destroy Islam’s core values. Furthermore, under the reign of Caliph Umar, who made particular distributions to individuals who fought in the first Islamic war at Badr during the Prophet’s lifetime. This show he emphasised the recipient’s equity or merit in Islam distributive justices (Ahmad & Hassan, 2000). Therefore, this demonstrates that Islam promotes equality and fairness in the distribution of resources among society. The three elements of the Islamic doctrine of distributive justice, according to Ahmad and Hassan (2000), are as follows. First and foremost, everyone’s basic requirements must be fulfilled. Secondly, personal income equity, but not equality. Thirdly, the elimination of excessive inequalities in personal income and wealth. The question of distribution in Islamic economics is not about the allocation of resources by itself.

The ultimate goal of Islamic theology cannot be based on any concept of maximising (Rahim, 2013). For example, the emphasis is not on maximising utility, profit, or money, but rather on the concept of the universe’s preservation and social responsibilities. This is because most secular and materialist worldviews place a greater emphasis on material wellbeing than spiritual wellbeing. They

frequently claim that the most significant way to achieve maximum material wellbeing is to provide complete freedom to the people in pursuing their own interests and maximising their want satisfaction in accordance with their own interests and preferences. In contrast, in Islamic viewpoints, both the material and spiritual components of human wellbeing are considered. According to Rahim (2013), three fundamental ideas have been well-established in Islam. The first principle is moderation, and Secondly is the principle of economic efficiency, and the third is the principle of social fairness.

In essence, Islam promotes a more equitable distribution of wealth and income to reduce the gap between the rich and the poor. According to Furqani (2019), in his study, there are three basic methods to wealth reallocation in Islam perspectives. Firstly, encouraging voluntary goal giving. For example, giving *sadakah* to the needy. Secondly, enforcing zakat leads by zakat management and authorities. Lastly, enforcing inheritance laws such as *faraid*. However, it is about just the distribution of resources. The distribution problem occurs from the aims that should be attained while assigning resources in society, which is justice. In other words, the issue is how to achieve distributive justice, which should take into account the dimensions of individual and public interest, right and duty, effort and surplus.

3.2 Distributive Justice and The Concept Of Zakat

Zakat is a form of worship and an essential aspect of serving God because it is one of the five pillars in Islam. As a result, zakat is spiritually significant (Qardawi, 1999). It is also a significant institution in Islam's socio-economic framework (Rahim, 2013). Zakat is not only regarded as an act of devotion, but it also serves as a variety of social and economic duties for Muslims. The role of zakat, for example, can assist the poor and needy by distributing the zakat pooled to these vulnerable populations (Rahmat & Nurzaman, 2019). The word zakat derives from the Arabic term zakat, which means "to purify" (Sadeq, 2002). In the Quran in Surah At-Tawbah verse 103, Allah swt says: "*take from their wealth so that you might purify and sanctify them*". A Muslim purifies the rest of his or her money by acknowledging that it is a gift from Allah (SWT) and giving away a portion of it to others. In a world where social and economic inequity is rampant, it is critical for Muslims to sustain zakat practices. Therefore, the concept of zakat is primarily intended for resource redistribution and the reduction of extreme imbalances.

The zakat system in Islam is designed to address absolute poverty, which deprives people of their basic needs. In Islam, it is obligatory for the wealthy to give a portion of their wealth to any deserving member of society. This is evidenced from the Quranic directive in *Surah At-Taubah* verse 60, which mandates that zakat collection be donated to the eight *Asnaf* in order to support their livelihood and ease their economic circumstances (Wahab and Rahman, 2011). The following eight groups of persons are deemed zakat deserving (Muhamat, 2020):

1. *Masakin*. The really poor, who may have a source of income yet are still unable to meet their fundamental necessities;
2. *Fuqara*. A person who is poor and has no assets to support himself. The Quran in Surah At-Tawbah verse 60, "Zakat expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah . And Allah is Knowing and Wise". According to this verse the fuqaraa and masakeen are clearly entitled to get zakat. As a result, there is no argument among Islamic scholars as to the legitimacy of these two categories receiving zakat.

3. *Amilin*. The collector of zakat. There are several reasons for providing zakat to the al-Amilin Alayha, or zakat administrators. All endeavours require money to thrive. There are always expenses associated with advancement and efficiency. It is vital to maintain improving and upgrading operations in order to keep services to zakat payers and zakat recipients at an optimal level and in line with the context and culture in which they live. As a result, it's no surprise that Allah has allowed the zakat administrators to be paid in zakat;
4. *Al-riqab*. Slaves who have agreed to be freed by their masters. Al-Riqab is an asnaf in Islam that is based on Quranic verses. Since the time of Rasulullah, zakat has been distributed to this asnaf, and it has been continued by the ulama'. Nonetheless, this group no longer exists in today's world (Nordin & Khairuldin, 2018);
5. *Ibnu al-sabil*. Stranded traveller that requires financial aid in order to continue their journey. Ibnu al-sabil is a term used to describe a traveller who does not have enough money to complete his journey. Even if this person is wealthy in his or her own nation, he or she is qualified to collect zakat in order to complete his journey. If he or she is unable to access money during the journey, zakat might be given to them (UNHCR, 2021);
6. *Al-gharimin*. A person who is overburdened by debt. Those who are in debt and in need of assistance with debt relief fall into this category;
7. *Fisabilillah*. Those who endeavour to attain Allah's blessings. For example, continuing to study or fighting on the correct path of Islam, and others; and
8. *Muallaf*. Recently converted to Islam and in need of help to start a new life.

In terms of social relations, zakat serves as a link between the rich and the needy in the Muslim community (Muhamat et al., 2013). As a result, it fosters a sense of brotherhood among Muslims and shapes them into a humane culture. As a result, among the underprivileged, hatred, hostility, and jealousy can be lessened.

3.3 The Issues and Misconception of Zakat Management

Malaysia is a multiethnic country with a diverse population. Due to its uniqueness in terms of diverse religions, cultures, and the country's stability and numerous tourist attractions. Malaysia's population is comprised of people from numerous ethnic groups, including Malays, Chinese, Indians, and indigenous people. Malaysia's primary religion is Islam, which is practised by the country's majority population, the Malay ethnic group. On the other hand, non-Muslims make up the majority of Chinese, Indians, and indigenous ethnic groups. For example, the Chinese believe in Buddhism, while Indians believe in Hinduism, and the indigenous people believe in animism.

Thousands of Muslims in the country benefit from the zakat funds each year (Saad, Farouk, and Kadir, 2020). Despite this, the majority of Islamic scholars regard zakat funds as solely Muslim property. As a result, most people believe that zakat funds are only for Muslims. Hence, this issue leads to misconceptions about zakat, demonstrating that the objective of zakat is not to protect all people regardless of religion or race (Muhamat, 2020). Although, under some circumstances, such as during Islam's early history, zakat was distributed to non-Muslims living outside the country's borders on a regular basis (Hamat and Hanapi, 2017). According to Müller (2017), in a diversified country like Malaysia, the administrators of the zakat funds are continually criticised for being bias and failing to support universal humanitarian activities. For a country diverse in culture like Malaysia, this is not a favourable condition. Continuous seminars, public discussions, and community and political initiatives are required to respond to these criticisms.

Furthermore, Wahid (2009) has deliberated the issue of management or administration of zakat in Malaysia is inefficient and perform below its true potential. This is due to the fact that zakat administration is largely managed by people who have received a *sharia* education but are not qualified to manage zakat funds. As a result, zakat distribution is inefficient and ineffective. Imtiaz (2000) also says that zakat funds should be managed by people who can be trusted, qualified, and have the required knowledge in zakat distribution and management. The zakat manager not only distributes zakat, but also believes that if there is an excess of zakat money, which should be invested in *mudharabah* in specified projects, with the earnings finally being allocated to *asnaf*. Hence, if zakat institutions do not address this issue, they will see a decline in zakat payments as zakat payers lose confidence and trust in the effectiveness of zakat management to manage the funds. As a result, the zakat payers may lose trust and tend to give their allocation of zakat payment to the *asnaf* directly.

Given these matters mentioned, especially on the misconceptions of zakat management, the study identifies the viability of the concept of zakat to address the socio-economic issues arising from the Covid 19 pandemic. This is done by

4. FINDINGS AND DISCUSSION

Since the beginning of 2020, many countries have gone into lockdown and restricting people's movement in the hopes of curbing the spread of the virus. Malaysia's authorities began to be on high alert and take precautionary measures. Malaysia's Prime Minister issued a Movement Control Order (MCO) for 14 days, from March 18 to March 31. The Malaysian government then extended the MCO to May 12, 2020. Since everyone was required to stay at home during the lockdown, social and economic contacts were limited and restricted. As a result, businesses have had to take drastic steps to stay afloat, such as staff retention, layoffs, and more (Aitken-Fox, E. et al., 2020). Hence, many everyday individuals, including many from the categories of *Asnaf* who rely on daily income were adversely impacted by MCO. The government and zakat institutions must act quickly because the lives and wellbeing of the population, especially the *Asnaf* are in harm and trouble.

4.1 Zakat Institutions' Roles and Actions During Covid-19

The Control Movement Order (CMO), which started in early March 18, 2020, has hampered the population's ability to engage in social and economic activities in Malaysia (Aziz, 2020). Therefore, during the Covid 19 period, zakat institutions took the initiative to design a multitude of schemes to assist society, primarily *asnaf* categories in improving their welfare, medical personnel, and others. According to Muhamat (2020), he explained briefly from his study, there are many initiatives from zakah institutions to assist the society during Covid-19:

1. When the Control Movement Order was imposed, the zakat institution in Penang provided urgent financial support of **RM 500** to **small traders** who were directly affected by the Covid19 outbreak.
2. The Federal Territories Islamic Religious Department (JAWI) and its collaborators have donated meals to the **University of Malaya Medical Centre's** medical and security forces (frontliners).
3. The zakat institution in Perlis has **developed strategies** to assist *Asnaf* who have been affected by the country's Movement Control Order as a result of Covid-19.
4. **Asnaf** in Terengganu will receive **RM 3 million** in order to assist them with the country's Movement Control Order.
5. Zakat institution in Selangor (LZS) has given **RM 15 million** to help with the community's daily life

and medical needs. Plus, the zakat institution in Selangor also given some fund to assist hospitals that treat Covid-19 victims.

6. This zakat institution in Kedah has distributed **funds** to help the state's Asnaf, as well as giving **three ventilators** to the state's general hospital for use by Covid-19 patients.
7. Following the outbreak of Covid-19, **RM 3.27 million** would be allocated to seven hospitals in the federal regions to acquire health and medical equipment.
8. The Selangor Zakat Board (LZS) has agreed to grant and disburse a special allocation of **RM 15 million** to hawkers, small merchants, and low-wage workers affected by the Covid-19 epidemic to guarantee that their medical requirements and welfare are met.
9. Due to the Control Movement Order as a result of the Covid-19 epidemic, the Zakat Collection Centre of the Federal Territory Islamic Religious Council (MAIWP) provided **RM 200 in cash and RM 300** for daily needs to the Asnaf for the #MusaadahCOVID19 project.
10. The state government of Johor has allocated an additional **RM 600,000** to expand the food bank programme for the B40 (poor people), which includes beneficiaries of welfare programmes such as zakat, e-kasih, and others.
11. Zakat institution in Perak has allocated **RM 11.95 million** for a special zakat fund distribution to aid the Covid-19-affected population.
12. The state government of Penang provides various financial help, including RM 500 to Covid-19 sufferers and RM 1,000 to each of the relatives of those who died as a result of Covid-19, **RM 3 million** in zakat support to the Asnaf, and a few more programmes.
13. Bank Rakyat has allocated **RM 100,000** in zakat funding to 10 public institutions to help feed students who are stranded on campus and unable to return home due to the CMO.
14. The zakat fund in Penang has contributed **RM 6 million** to those who have been affected by the Covid-19.

The number of initiatives by zakat institutions to help the community during Covid-19 demonstrates and indicates that zakat institutions have developed and announced many ways to help the community. These initiatives are also highlighted almost every day as many news were published on numerous zakat institutions in Malaysia conducting and managing support programmes to assist the vulnerable people during pandemic hit. According to the Muhamat (2020) study, support programmes from zakat institutions can be divided into two categories: Asnaf (Muslims) and needy community (including the non-Muslims). This demonstrates that zakat funds are distributed to all vulnerable groups, both Muslims and non-Muslims. Even though the zakat institutions are not specifically or explicitly mentioned for the non-Muslims, but assistance or aid is given to individuals involved in CMO operations, such as medical personnel, small traders, and others, regardless of ethnicity or religion.

According to Ahmad (2020), during the Movement Control Order (MCO), a total of RM153.24 million zakat was paid to zakat beneficiaries across the country. This indicates that the zakat institutions' initiatives are in accord with the Malaysian government's "Prihatin" economic stimulus programme, which will benefit both households and businesses. According to Al Anshory et al. (2020), the zakat institution has a crucial and strategic role in assisting the government in combating Covid-19. Hence, from all the discussion above, we can conclude that zakat institutions assisted hawkers or small traders, employees affected by the pandemic, students stranded at universities, and individuals affected by their source of income to survive during this period. Zakat institutions perform admirably, and they cover all of the communities affected by Covid 19.

5. CONCLUSION AND RECOMMENDATIONS

Zakat has become a crucial Islamic fiscal tool to address the social injustices in society. Zakat is one of Islam's five pillars. It is an act of ibadah and an act of assisting people in meeting their fundamental needs. A person who does not pay the required amount of zakat or refuses to pay it might be punished and penalised by a Muslim government. It's no wonder that the first Caliph Abu Bakr declared war against individuals who refused to pay zakah in the early days of his rule. The lowest stage of spiritual development is called *nafs e ammar*. This term is nearly identical to homo economics in economic theory, which implies that an individual's purpose maximises pleasure. As a result, it will lead to selfishness and intolerance to the needs of others. Allah has already provided us with the remedy and antidote to break the desire of materialism. The solution is to give away the things we cherish and love the most. As a result, this act will heal and cure the heart of various ailments. If we are privileged to have power or wealth, we must use it to aid and assist the poor and oppressed. For instance, paying zakat is one of the mechanisms for purifying our hearts and achieving the goal of Islamic economic progress.

The findings of this study demonstrate that zakat can be used to help everyone, regardless of their religion, ethnicity, or race. The zakat institutions' approach in assisting the population is admirable, appropriate and excellent in the context of the present circumstances. Nonetheless, after the situation has stabilised, the public should be reminded that zakat has its own set of rules and procedures to which institutions must respect. The initiatives taken by zakat institutions have addressed and answered the misconceptions and challenges that have arisen from zakat management. Basri and Khalil (2014) put this issue in context by stating that, in today's world, zakat can be a diverse welfare system that can be used to improve the socio-economic status of Muslims while also assisting non-Muslims. As a result, wealth inequality will be reduced, and poverty will be eliminated in Muslim-majority countries. According to Qardhawi (2005), zakat is an Islamic social security fund that is needed by the community, particularly by the vulnerable. As a result, zakat institutes must pay attention to society's requirements and meet their basic necessities, such as food and health. The notion of zakat is a vital foundation for Islamic economics, as it seeks to achieve a balance between rich and poor individuals while also strengthening the nation's economy as a whole (Al-Mamun & Haque, 2015).

On the other hand, the zakat institutions need to be concern about the issue of inefficient management in zakat institutions or the execution of zakat will fell short of its true potential. This is because zakat is administered by people who have earned a sharia education yet are unqualified to manage zakat funds. From these issues, we can see that the role of technology is vital. According to Santoso (2019), information management technology based on digitisation technology can assist zakat management while also support modernisation and innovation. Furthermore, due to social distancing policies that limit the space for people, the digitalisation of zakat can be optimised in the collection, management, and distribution of funds during the Covid-19 pandemic. As a result, zakat institutions will need more skilled workers to handle zakat funds appropriately and make them accessible to the society. For example, zakat institutions require workers with technical skills, marketing skills, and other associated abilities to communicate and provide accurate statistics on the functioning of zakah institutions.

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