

Micro Credit-Qard Hasan Financing Mechanism Through Zakat Funding By Baznas Indonesia

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ABSTRACT

The concept of qard hasan is an instrument in Islamic economics that emphasizes welfare aspects in its implementation. The concept of qard hasan has been developed into a zakat instrument and has been practiced by several modern Muslim countries, including the country with the largest number of Muslims, Indonesia. This study aimed to explore the implementation mechanism of micro credit-qard hasan financing through zakat fund by the National Amil Zakat Agency (BAZNAS) of Indonesia. This study used a qualitative approach involving a literature review of related books and journals. The materials obtained were analyzed using the document analysis method. The results of the study show BAZNAZ has a comprehensive mechanism in the implementation of micro credit-qard hasan financing through zakat fund, which includes the receipt of application letters, evaluation of eligibility, sectors worked by asnaf entrepreneurs, application debate, grant of funds, and also monitoring. Thus, it was found that this initiative not only helps asnaf entrepreneurs get capital to start and continue the business, but it is also able to save asnaf entrepreneurs from getting involved in usurious loans, improving the economy of small and medium entrepreneurs. The study found that BAZNAZ also faced several risks to the loans, including applicants falsifying

documents, borrowers not paying debt, and business being closed. This study also found that the micro credit-qard ḥasan financing through zakat fund is Sharia compliant and certified by many modern scholars such as al-Qaradawi.

Keywords: Micro-Credit, Qard Hasan, Indonesia, Zakat, BAZNAZ.

INTRODUCTION

Zakat management in various Muslim countries has brought multiple reforms that can increase the collection of zakat (Hasbulah et al., 2022; Halim et al., 2022). Among the efforts made is that zakat management increases the types of zakatable property, which includes income zakat, savings zakat, EPF zakat, takaful zakat, business zakat, investment zakat, gold and silver zakat, and agricultural zakat. This diversity has helped zakat institutions increase zakat collection over time (Paizin & Sarif, 2021; Mohamad et al., 2022).

Zakat collection no longer uses traditional methods as zakat institutions have provided various types of modern channels to facilitate zakat payers. Among the zakat payment channels are through zakat counters in branches, mobile zakat counters (vans or lorries), salary deduction schemes, banks (counters, internet banking, ATM machines), and post office counters. In addition, there are also various alternative channels consisting of virtual zakat payment methods (e-zakat pay), debit and credit cards, remittances, post-dated checks, Space Cooperatives, and others (Paizin & Sarif, 2021; Noor et al., 2022; Hasbulah et al., 2022).

From the perspective of zakat distribution, zakat institutions not only distribute zakat money on a one-off basis or simply become a livelihood platform for the asnaf group. They also carry out various initiatives such as building educational and business places, providing training courses, scholarships, capital in the form of money or equipment, and as well shelters that include various categories of asnaf. This is to give them the opportunity to change their lives

from the asnaf group to those who can contribute to the zakat fund as a result of their work or business (Paizin & Sarif, 2021; Asni, 2021).

Although there are various reforms implemented in the institution of zakat, some past studies suggest that the concept of qard hasan be included in zakat. This is as in the study of Adnan et al. (2017), where the researchers found that including qard hasan elements in zakat can provide greater maslahah (benefit). In a study done by Nurcahaya et al. (2019) also found that the provision of micro-credit through zakat funds by Baitul Qiradh BAZNAS has freed micro-entrepreneurs from the usury system. In addition, in a study by Haider Syed et al. (2020) proposed a model of artificial intelligence and Islamic financial technology based on Natural Language Processing (NLP) that combines zakat and qard hasan to help the economy by minimizing the impact of COVID-19 on individuals and Small and Medium Enterprises (SMEs).

In addition, the study of Muhd Adnan and Che Roselam (2019) found that informal microfinance loan schemes have succeeded in recovering the financial problems faced by small traders and stall operators in urban areas in Bangladesh. Similarly, the implementation of qard hasan in Baitul Mal Aceh has proven successful when it can change the status of poor entrepreneurs to a better life, and successful payment transactions are carried out within the specified period (Muhd Adnan et al., 2015).

In general, the word qard hasan means a good loan. It is a manifestation of a person's concern to do good financially, by helping his brother who is in need. Therefore, the borrower only has to pay the amount borrowed without interest. The concept of goodness in this contract also leads to the tolerance and concern of the borrower who can give consolation in the form of money to the creditor when paying off his debt as a sign of appreciation to the creditor for providing help to him in a desperate situation (Aderemi & Ishak, 2023). Qard hasan has a general meaning which is intended to spend wealth in the way of God and give charity to the poor and needy. In addition, in its special meaning, it aims to owe according to Sharia principles, which are free from interest and far from increase and harm (Abdullah, 2015).

Although the concept of qard hasan is an instrument based on virtue and strongly encouraged by Islam, it is not widely implemented. In addition, when this instrument is new and not commonly exemplified by the Muslim community in the past, doubts arise from the point of view of the Sharia law, specifically about its legal status by many parties. Thus, this study will explore the implementation mechanism of micro credit-qarḍ ḥasan financing through zakat fund by the Indonesian National Amil Zakat Agency (BAZNAS).

LITERATURE REVIEW

Based on the discussion of the scholars regarding the legal status of micro credit-qarḍ ḥasan financing through zakat fund from the Sharia point of view, it was found that many scholars approve the scheme. Among them are Abū Zahrah, Khallāf, Ḥasan (al-Qaraḍāwī, 1977), al-Ḥaydar Ābādī (2003), al-Mawḍūdī, Abū Ghuddah (Ṣalāḥuddīn, 2014), al-Zuhaylī (2011), al-Ba'ī (2003), 'Abd al-Laṭīf (1993), al-'Ānī (1999), Al-'Ajmī (2009) and al-Qaraḍāwī (1977).

Al-Qaraḍāwī (1977) stated in the chapter on zakat that the evidence of qiyas and Maqasid Sharia allows giving qarḍ (debt) to those who wish from the asnaf gharimin section. Therefore, it is possible to establish a special fund from the zakat fund, where it can help fight against riba and practically eliminate the interest of riba through the zakat fund.

The official institution that applies and implements the MCZF scheme consists of the state of Kuwait through its zakat institution, called Bayt al-Zakāh. IFA-OIC Resolution no. 15 (3/3) at the third symposium by Bayt al-Zakāh states that the application of zakat distribution through qard hasan is permitted by Sharia (Mikail et al. 2014). In addition, the decision by the Indonesian Ulama Council (MUI) at the 7th Indonesian Fatwa Commission's Ijtima Ulama in 2021 about zakat in the form of qard hasan states that the law allows such a method based on more comprehensive benefits (Indonesian Ulama Council [MUI], 2021).

In addition, Algeria is one of the countries that enable the MCZF scheme distribution method through its

zakat institution called *Şundūq al-Zakāh*. *Qarḍ ḥasan* in Algeria utilizes zakat wealth from zakat payers across the country as a subsidy to help the deserving borrowers (Mohammed & Mohammed, 2006). Sudan also issued a new zakat law by placing *maqasid al-sharia* in zakat distribution. This allows zakat funds to be given priority to the poor and needy, as well as enabling microfinancing to be implemented comprehensively (Muhammad, 2011).

Meanwhile in Malaysia, it was found that the Selangor State Syara' Legal Consultative Committee through its fatwa in 1998, had decided that Sharia permits the *qard hasan* method of zakat distribution. It has been agreed with the acceptance of the renewal of the implementation of capital distribution through the concept of repaying half of the allocation of capital distribution in the Poor and Muallaf Trust Fund (DAM) (Muhd Adnan et al., 2021).

The Malacca Fatwa Committee in 2011 allowed the MCZF scheme conditionally. According to the Committee, the *qard hasan* business loan assistance scheme from *asnaf ghārimīn* can be opened to anyone regardless of the applicant's income, as long as the business conducted does not conflict with Sharia law. However, due to limited zakat funds, zakat administrators need to set certain conditions in granting business loans based on the *awlawīyah* (priority) method. This is to ensure that zakat money can be distributed fairly to all entitled *asnaf*. Therefore, they suggest that this method is only suitable for applicants who meet two requirements, namely i) applicants who want to start a business and ii) applicants who are unable to obtain a loan from any financial institution based on Sharia (Muhd Adnan et al., 2021).

Badan Amil Zakat Nasional (BAZNAS)

The Republic of Indonesia's Badan Amil Zakat Nasional (BAZNAS) serves as the primary governing body responsible for managing zakat-related matters. The *qard hasan*'s implementation may be categorized into two distinct areas: the implementation in North Sumatra City BAZNAS and South Sumatra City BAZNAS. The rationale behind this separation stems from the variations in operational

procedures employed by individual BAZNAS entities throughout different areas.

The establishment of Badan Amil Zakat Nasional (BAZNAS) is a result of the formal decision made by the President of the Republic of Indonesia, as stated in Presidential Decree No. 8 of the year 2001. The organization operates as a centralized entity responsible for the collection and allocation of zakat, infaq, and charitable money (ZIS) on a nationwide scale. The function of BAZNAS, which serves as a prominent institution in the national administration of zakat, may be further reinforced via the implementation of Law No. 23 of 2011 pertaining to the management of zakat. In the legal context, BAZNAS refers to a non-structural government agency that operates independently and has accountability to the President through the Minister of Religion. According to BAZNAS (2019), both BAZNAS and the government have a significant role in overseeing the administration of zakat in accordance with Sharia principles. This responsibility includes ensuring confidence, promoting utility, upholding justice, establishing legal clarity, fostering integration, and ensuring accountability.

BAZNAS has a well-defined objective about the purpose of its founding. It is crucial to ensure that the activities of the organization align with the initial objectives set out at its establishment. Hence, BAZNAS has identified and outlined a comprehensive set of 21 objectives to effectively accomplish the organization's overarching aims. The establishment of BAZNAS aims to achieve several objectives. First, it seeks to enhance the quality of service provided to zakat payers, recipients, and stakeholders. Second, it aims to promote the growth of the national zakat collection. Third, it aims to develop the national zakat management and management system. Lastly, it aims to strengthen research endeavors in order to develop zakat management products and wisdom.

Regarding the vision and purpose of BAZNAS, the organization's mission is articulated as "To serve as the primary institution dedicated to the advancement of the ummah." The missions encompass several objectives: i)

enhancing the development of BAZNAS, a non-structural government agency responsible for zakat management, by making it more robust, dependable, and contemporary, ii) consistently improving the competence, professionalism, integrity, and welfare of the national zakat amil, iii) reinforcing the planning, control, reporting system, accountability, and coordination of the national zakat management, and iv) actively participating and serving as a global reference for the zakat movement.

BAZNAS has an extensive network and findings in BAZNAS (2019) found that there are 34 regional BAZNAS, 463 district BAZNAS, 28 National Amil Zakat Boards, and 23 International Zakat in total. All of these networks have a similar purpose, which is to facilitate processes related to the administration of zakat by establishing BAZNAS as the central authority in the Republic of Indonesia. This research aims to elucidate the operational framework of qard hasan using zakat funding in two specific regions, namely North Sumatra and Semarang City.

METHODOLOGY

This study used a qualitative approach, involving a literature review of relevant books and journals. Then, the researchers identified the views of the jurists regarding the status of micro credit-qard ḥasan financing through zakat fund as well as the implementation of mechanism by the National Amil Zakat Agency (BAZNAS) of Indonesia. The data obtained was analyzed using the content analysis method by identifying, filtering, interpreting, and dividing the data into the categories of micro credit-qard ḥasan financing mechanisms by the National Amil Zakat Agency (BAZNAS) of Indonesia (Lebar, 2018).

RESULT AND DISCUSSION

The implementation mechanism of qard hasan through zakat funds will be detailed in two parts, namely at BAZNAS North Sumatra Province and BAZNAS Kota Semarang, Indonesia.

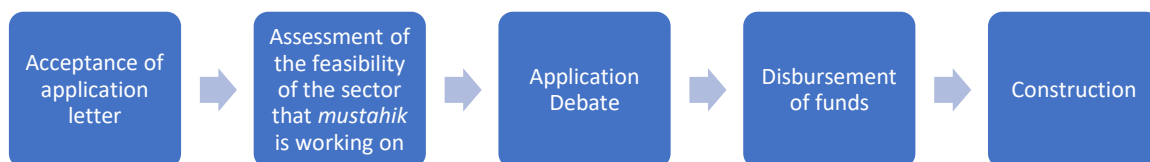
i. BAZNAS North Sumatra Region

The infaq and charity fund distribution system in BAZNAS North Sumatra is generally divided into two categories, which are consumptive and productive. The distribution of endowment and charity funds in a consumptive way is a fund that is given without taking into account the aspect of the development of the zakat fund given. While the productive distribution is given with a clear purpose so that the recipients can develop the fund and foster creativity among the recipients to change their standard of living to people who no longer depend on zakat funds. In line with the mission set by BAZNAS North Sumatra Region, which is to optimize the distribution and use of zakat to eradicate poverty, improve social well-being and ease the gap, BAZNAS has made the qard hasan instrument as one of the instruments that move towards achieving that purpose. However, it should be understood that loans given using zakat funds are only for those who need additional funds to run a business, not to finance living costs (Jalal, 2019).

Loan disbursement method

In order to obtain a loan through this zakat fund, applicants are required to follow several procedures that have been set. The purpose of these procedures is to ensure that only those who are entitled to receive a loan will be given a loan according to a certain rate. Among the procedures for the implementation of fund distribution are as follows:

Figure 1: Implementation Process of Fund Distribution (Saputra, 2019)



a. Acceptance of application letter

For those who want to apply for a loan, it is necessary to ensure that the basic conditions are met. This is because

BAZNAS North Sumatra has listed the main conditions to ensure that only those who are truly eligible are given permission to apply. There are several main conditions that need to be met, namely; 1) Be Muslim and have piety to Allah SWT, 2) Own a business that can be proven by a Certificate of Business Ownership from the village head or the Head of the Mosque Prosperity Body (BKM), stating that the applicant is a regular member of the congregation of a mosque, musholla, or a member of an Islamic community organization, 3) Enterprise groups that are developed under the coordination of mosques and Islamic community organizations must have official written confirmation by BKM Mosques or community organizations, 4) Register goods, purchase and sale prices, register the needs of goods and capital that will be used to improve the company's standards (Saputra, 2019). Next, the applicant who has completed the application letter must submit it to BAZNAS North Sumatra.

b) Feasibility assessment of the sector that mustahiq is working on

At this stage, BAZNAS will observe and evaluate the applications that have been sent. The assessment is intended to determine the applicant's eligibility whether he is eligible to obtain a loan or not based on the company being run. If eligible, the next determination is related to the form of capital provided, either funds in the form of cash or machines.

c) Application Debate

In the third stage, applications that have met the eligibility requirements will be brought to the manager or Head of BAZNAS North Sumatra to obtain approval at the final stage. At this stage, the decision depends entirely on the manager or the Head of BAZNAS North Sumatra to consider whether or not the funding is approved.

d) Disbursement of funds

Then, BAZNAS North Sumatra will carry out the disbursement process for each application that has been approved. Basically, BAZNAS has allocated as much as Rp. 250,000,000 per year for the use of credit card financing. Each eligible applicant will get financing with a minimum rate of Rp.1,000,000 and a maximum of Rp.5,000,000. After

obtaining the loan funds, repayment of the funds must be completed within ten months.

e) Construction

This is a procedure that functions as a monitor of the work of the recipient of the fund. The purpose is to ensure that the recipients actually use the funds for the purpose of building their company.

Monitoring Methods

According to Anisyah (2020), BAZNAS North Sumatra faces high risks during the implementation of this program due to several factors. Basically, factors that come from the institution itself and factors that come from the borrower would lead to the risk of granting the loan. For the factors that come from BAZNAS North Sumatra, it is due to the lack of research when checking the authenticity of documents from the applicants, while for the applicants, it involves the issue of careless attitude in repaying the loan, and there is a possibility of those who have not succeeded in making a profit from the loan resulting in failure to repay the loan.

From a monitoring point of view, the BAZNAS of North Sumatra plays less of a role in carrying out fund collection activities from loans that have expired from the set period (Saputra, 2019). The same is true of monitoring companies that are run whether they are still operating or not. Therefore, the objectives of this program cannot be achieved as best as possible.

The reality at the BAZNAS North Sumatra level is clearly against Law No. 23 of 2011 and the Target Results of the North Sumatra BAZNAS Productive Loan Program, which mentions that the North Sumatra BAZNAS is responsible for the implementation of the recovery of loans given and the monitoring of borrowers starting from the time of obtaining loan funds until the stage of repaying the loan (Sudewo, 2004).

Thus, there are several studies that suggest improvements to BAZNAS North Sumatra so that the implementation of qard hasan achieves its objective of changing their lives from the status of zakat recipients to

zakat payers. Among them is based on Saputra's study (2019) outlining three main guidelines: i) carrying out inspections and controls on borrowers involving businesses that are run so that they can generate profits and repay loans, ii) investigating applications as best as possible before approving the granting of funds to borrowers so that only those who are eligible are given the loan, and iii) carrying out research and collection of funds continuously in order to achieve the objective of disbursing loan funds.

ii. BAZNAS Semarang City, Indonesia

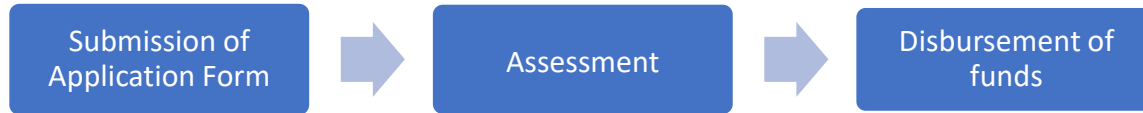
Various efforts have been made by BAZNAS Kota Semarang in relation to the distribution and collection of zakat so that the benefits to the asnaf can be achieved. One of the programs introduced to achieve this goal is the Independent Partnership Building Program, which is a productive economic empowerment program that is managed systematically, intensively and continuously. Here, the beneficiaries will be given revolving funds, entrepreneurial guidance, and nurtured to implement their own enterprises. In addition, they are also given awareness to make savings and cultivate morals and character in order to become independent (Wahyu, 2021).

According to Awami dan Hastuti (2018), this program is implemented for the people of Semarang City so that they can own a business regardless of whether it is a small or medium enterprise through the provision of interest-free capital loans that can be applied for either individually or in groups. Thus, through this program, it can be clearly understood regarding the implementation of microcredit financing through the zakat fund practiced in BAZNAS Kota Semarang.

Funding Channeling Method

Applicants who want to get financing through this zakat fund need to follow the procedures that have been set. This is to ensure that the funding is only given to eligible applicants. Among the procedures for disbursing financing funds are as follows:

Figure 2: Flow Chart of Fund Distribution Implementation Process (Wahyu, 2021)



a) Application form submission

Applicants who wish to submit a financing application form must complete the conditions set by BAZNAS Kota Semarang. Among the conditions set by BAZNAS Kota Semarang is that the applicant must be a citizen of Semarang City and when filling out the application, they need to attach a photo of the company being run as proof.

b) Assessment

After receiving the application form, BAZNAS Kota Semarang will evaluate it. One of the forms of assessment that will be done is to come and see the location of the applicant's company to determine whether the applicant is eligible to obtain the funding.

c) Disbursement of funds

If the applicant has passed and succeeded in the evaluation, the funding process will be carried out by BAZNAS Kota Semarang. Regarding the amount of funding, the applicants will be given as much as R.p. 500,000 regardless of the sector of the company being developed. Then, they are asked to repay the loan within ten months. The applicant can apply for the next loan when the loan has been completed. The increase in loan amount will increase by R.p. 500,000 at each level until it reaches R.p. 2,000,000 due to the performance of a good payment record that has been proven (Rosyid, 2018).

Monitoring method

From a monitoring point of view, BAZNAS Kota Semarang has examined three main points to distribute the funds according to the actual financing objectives (Wahyu, 2021). The first thing is the utilization of funds, which is in general a financial analysis instrument on behalf of BAZNAS Kota

Semarang to evaluate borrowers who apply for financing. It ensures that the funds given are used to advance the company.

The second thing is about repayment of financing in installments, where the installments payments for loans taken out only involve the amount of funds borrowed without taking loan interest. The loan repayment period is for ten months in ten installments. When the payment has been completed, they are entitled to obtain a loan at the second level with an increase in the loan value of Rp. 500,000 for each level.

The third thing is the evaluation of the applicant's performance. At this point, BAZNAS will examine in depth whether this program has reached the set level. The evaluation method is based on three stages: the initial stage of providing financing, the evaluation when obtaining financing, and the evaluation at the end of the payment whether it shows success or not (Pusdaristina, 2019).

BAZNAS established Baitul Qiradh to distribute loans to worthy zakat recipients. Baitul Qiradh Baznas is a program from prosperous Indonesia and part of the ZIS empowerment program to improve the welfare of the needy and poor. Baitul Qiradh Baznas implements a profit sharing or Sharia pattern, so that micro and small businesses are free from the interest system (riba). The products managed by Baitul Qiradh BAZNAS are savings and financing that use Sharia principles. Baitul Qiradh BAZNAS is expected to help improve the economy of small communities through the Sharia economic system, especially qard hasan. The source of Baitul Qiradh Baznas funds are funds collected by BAZNAS in the form of zakat, infaq, and sadaqah as well as other funds collected by BAZNAS.

CONCLUSION

The concept of qard hasan is an instrument in Islamic economics that emphasizes welfare aspects in its implementation. The concept of qard hasan has been developed into a zakat instrument and has been practiced by several modern Muslim countries, including the country with the largest number of Muslims, Indonesia. This study aims to explore the implementation mechanism of micro

credit-qardḥasan financing through zakat fund by the National Amil Zakat Agency (BAZNAS) of Indonesia.

The results of the study show that BAZNAZ has a comprehensive mechanism in the implementation of micro credit-qardḥasan financing through zakat fund, which includes the receipt of application letters, evaluation of eligibility, sectors worked by asnaf entrepreneurs, application debate, grant of funds, and also monitoring. Thus, this initiative was detected not only to help asnaf entrepreneurs get capital to start and continue the business, but it is also able to save asnaf entrepreneurs from getting involved in usurious loans, while also improving the economy of small and medium entrepreneurs. The study found that BAZNAZ also faced several risks to the loans, including applicants falsifying documents, borrowers not paying the debt, and borrowers' businesses being closed. This study confirms the micro credit-qardḥasan financing through zakat fund is Sharia compliant and recognized by many modern scholars such as al-Qaradawi.

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