



ANALYSIS OF PRODUCTIVE ZAKAT IN MAQOSID ASH- SHARI'AH IBNU 'ASHUR'S PERSPECTIVE

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Abstract

Productive zakat is giving zakat to *mustahik* that are unsquandered for free but developed as capital to aid their efforts in generating works. Nonetheless, it still presents various problems regarding the type of administration to benefit *mustahik* zakat, like the concept of *Maqosid Asy-Shari'ah Ibnu 'Asyur*. The purpose of this research is to describe, from the perspective of Maqosid Asy-Shari'ah Ibnu 'Asyur, the concept of productive zakat and how to enhance the community's economy by redirecting productive zakat from a consumptive society to a productive society. This study uses library research that employs the descriptive analysis method, which entails gathering data, compiling or clarifying, and compiling and interpreting it in order to clearly describe the object under study naturally, both from the structure of the sentence, the structure of discourse, and the structure of the semantic. According to the findings of this study, Productive Zakat incorporates Maqid al-shari'ah through three elements: first, by using *Al-Maqm*. The second is *Al-Tamyz Baiyna Al-Waslah Wa Al-Maqud*, and the third is *Istiqra* (induction).

Keywords: Productive Zakat, Maqosid Asy- Syari'ah Ibnu 'Asyur, Productive Society

A. Introduction

Zakat is not recompensed for the wealthy to the indigent, but rather a gift from Allah SWT, so that if someone is rich and refuses to pay zakat, he can be banished by mustahik zakat since the property is his right. According to Allah in the Qur'an, Surah Al-Adz Dzaariyaat, 51:19: which means: *"And there is a right in their wealth for the poor who ask and for the poor who do not find happiness."*(QS. Al-Adz Dzaariyaat:19)

On the one hand, zakat is the realm of religious jurisprudence, so it is directly related to several rules of jurisprudence and principles related to worship and different from muamalah and one of the principles is "attaabbud" (constant self-servitude to God with regular based on the sharia guidelines that Allah SWT has set). However, it is a social economy to attain; from this perspective, zakat is ta'aqquly with one objective: to enrich the muzakky and impoverished, as well as those who mustahik zakat. According to this viewpoint, the goal of zakat is to enrich the indigent rather than to keep them in poverty.

According to its development, zakat does not always result in consumption; instead, it can lead to productive zakat, or zakat that generates intending to serve as seed funding for them, allowing them to escape poverty and avoid perpetual poverty with the use of that money. There provided to *Mustahik* Zakat either in the form of tamlik (which *Mustahik* Zakat owns) or a loan (Qordul Hasan), which is only a loan that eventually must be paid back to the capital source. Since the zakat assets essentially belong to them, whether used consumptively or as business capital by them, Ulama agrees that giving tamlik capital is acceptable.

B. Definition of Productive Zakat

Productive zakat consists of two syllables, namely zakat and productive. The word zakat is a *masdar* (noun) from *zakā yazkū zakātan*, which means growing, cleaning, and developing. While productive comes from the English "productive." Etymologically, in the Oxford Advanced Learner's Dictionary of Current English, the word productive means producing progress and development. In general, the definition of productive has more connotations of adjectives, which can be more explicit when combined with the adjective zakat. If combined, it will become productive zakat.

According to the terminology, productive zakat is the gift of zakat monies to mustahik that developed as funds to support their efforts in generating work rather than being spent for free. They are making this effort to eventually continually meet their everyday necessities.¹

Asrifin An-Nakhrawie claims that productive zakat uses zakat assets as profitable company coffers by giving productive mustahik circulating zakat.² Precisely a case in point, suppose *mustahik* receives a capital loan from zakat assets and is obligated to submit an accountability report on its use within a specific period and progressively pay back his business capital. Zakat monies must be used wisely and managed by organizations or groups that can guide, supervise, and support mustahik engaged in commercial operations to function well and advance.

¹ Asnainu, *Zakat Produktif Dalam Perspektif Hukum Islam*, Yogyakarta: Pustaka Pelajar, 2008, pp. 63-64.

² Asrifin An-Nakhrawie, *Sucikan Hati dan Bertambah Kaya Dengan Zakat*, Jakarta: Delta Prima Press, 2011, p.163.

An expert on zakat named Asnaini describes productive zakat as a gift given to a *mustahik* who can create something consistently. He also said that they could subsequently develop with the zakat monies they receive to enjoy the outcomes sustainably.³

Meanwhile, according to Abdurrahman Qadir, productive zakat is given to *mustahik* as capital to carry out an economic activity, namely to develop the economy and potential productivity of *mustahik*. There reinforced by Muhammad, who argued that zakat is the wealth taken from the assets of the wealthy with a trustful nature and then transferred to the indigent and other groups prescribed in the Qur'an.⁴

As can be inferred from the definition of productive zakat given above, productive zakat is used to fund the development of *mustahik* in the form of a business, the proceeds of which can utilize to fund future needs. The goal of productive zakat giving is to increase people's economic well-being rather than focusing on how much money the *mustahik* receives.

In addition to being a kind of *Maliyyah Ijtima'iyyah* devotion in Islam, zakat also comprises infaq, alms, and endowments. Zakat also has the potential to promote socioeconomic equality in society, which is the cornerstone of efforts to enhance welfare, move poverty, and advance a nation's economy.⁵ According to Poerwodarminto (1999: 887) in Hani'in and Fauroni (2017), welfare comes from the

³ Asnaini, *Zakat Produktif Dalam Perspektif Hukum Islam*, Yogyakarta: Pustaka Pelajar, 2008, p.63.

⁴ Abdurrahman Qadir, *Zakat Dalam Dimensi Mahdhah dan Sosial*, Jakarta: Zikrul Hikah, 2001, p. 78

⁵ Tika Widiastutik et.al, *Ekonomi Dan Manajemen Ziswaf* (Airlangga University Press, Surabaya, 2022), p. 75

word prosperous, which means safe, secure, prosperous, and safe (apart from all kinds of disturbances, difficulties), whereas according to Nafah welfare consists of increasing income and fulfilling needs as an effort to improve the welfare of the people (Nafah, 2015). Dzakt, Infak, and Sedekah (ZIS) can be used as an instrument in improving the welfare of the people if appropriately managed and productively at existing zakat institutions, this is following the results of Khomeini's research (2018) which says that productive zakat funds managed by BAZNAS have a positive effect on the welfare of the people (Khumaini, 2018). According to Mardiantarit (2019), there are two ways that the ZISWAF monies can distribute and managed in order to promote the welfare of the populace, namely:

1. Community economic growth achieves by providing consumptive assistance with ZISWAF coffers. Consumptive aid directly helps *Mustahik* by providing him with money or commodities. The *mustahik* can use this consumptive support, which has several advantages, to meet their daily requirements and alleviate economic issues like poverty. A few examples of consumptive aid money distribution programs are zakat fitrah, Eid presents, and the delivery of special sacrificed animal meat on Eid al-Adha for the underprivileged.
2. Community economic growth achieves by providing productive support with ZISWAF coffers. Giving or distributing zakat funds to *mustahik* for management and development is productive and helps *Mustahik's* company. Through these initiatives,

mustahik can sustainably and independently meet their basic requirements. The provision of revolving business capital using zakat funds illustrates how to use zakat to benefit mustahik. Mustahik is given loans for business capital and must be responsible for capital assistance. They are also obligated to repay the principal of the business capital assistance through installments or as mutually agreed upon at the beginning of the contract.

One of the initiatives to improve the inadequate's economy so they can escape the poverty line is the productive distribution of zakat to *mustahik*. According to Hasan (2020), several causes contribute to the formation of the problem of poverty in society. The first is access issues, where people lack access to essential social services for their health, education, and other basic requirements. Second, the issue of growth results in people needing more business funding, knowledge, and abilities to escape difficulty. Third, issues with social inequality, which prevent people from becoming self-sufficient.⁶

C. Dalil of Productive Zakat Management

Historical facts prove that the Prophet SAW and his companions produced zakat wealth like camels, cows, and goats. They put the animals in one a special place to keep, herd, breed, and provide people who take care of the livestock and reinforced by the hadith of the Prophet SAW:

⁶ Tika Widiastutik et.al, *Ekonomi Dan Manajemen Ziswaf* (Airlangga University Press, Surabaya, 2022), p. 76.

وَحَدَّثَنِي عَنْ مَالِكٍ ، عَنْ زَيْدِ بْنِ أَسْلَمَ أَنَّهُ قَالَ : شَرِبَ عُمَرُ بْنُ
الْخَطَّابِ لَبَنًا فَأَعْجَبَهُ ، فَسَأَلَ الَّذِي سَقَاهُ ، مِنْ أَيْنَ هَذَا اللَّبَنُ ؟
فَأَحْبَرَهُ أَنَّهُ وَرَدَ عَلَى مَاءٍ ، قَدْ سَمَّاهُ ، فَإِذَا تَعَمَّ مِنْ تَعَمِّ الصَّدَقَةِ
وَهُمْ يَسْقُونَ ، فَحَلَبُوا لِي مِنَ الْبَاهَا ، فَجَعَلْتُهُ فِي سِقَائِي فَهُوَ هَذَا
، فَأَدْخَلَ عُمَرُ بْنُ الْخَطَّابِ يَدَهُ فَاسْتَقَاءَهُ.

Meaning: *On the authority of Malik, the authority of Zaid bin Aslam, he said: Umar bin Khattab drinking milk; he was amazed, so he asked the one who gave the drink, where this milk came from? Then he told him that the milk was from his goat, and suddenly there were livestock from the zakat wealth, and they gave the animal water, then milk it and given to others to drink, then Umar put his hand in and spit it out.*

Another hadith, Prophet Muhammad SAW said:

عَنْ حَكِيمِ بْنِ حِزَامٍ : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ مَعَهُ
بِدِينَارٍ يَشْتَرِي لَهُ أُضْحِيَّةً ، فَاشْتَرَاهَا بِدِينَارٍ ، وَبَاعَهَا بِدِينَارَيْنِ ،
فَرَجَعَ فَاشْتَرَى لَهُ أُضْحِيَّةً بِدِينَارٍ ، وَجَاءَ بِدِينَارٍ ، إِلَى النَّبِيِّ صَلَّى
اللَّهُ عَلَيْهِ وَسَلَّمَ فَتَصَدَّقَ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَدَعَا لَهُ أَنْ
يُبَارَكَ لَهُ فِي تِجَارَتِهِ.

Meaning: *From Hakim bin Hazam that the Prophet SAW, He sent it to buy a sacrificial animal by giving one penny dinar, so he bought for one dinar and sold for two dinars, then he returned and bought a goat with one dinar and brought another dinar to the Prophet SAW. Then the Prophet donated one dinar to him and prayed for blessings in his trade.*

According to the hadith, Hakim buys and sells things not assigned to him, demonstrating his capacity to produce other people's property without their consent. The Prophet developed this capacity by supplicating economic blessings. The Prophet demonstrated through prayer that what the Judge did was something good and should be done, especially if it is possible to realize the benefit for the property owner.

D. Biography of Ibnu Asyur

Ibnu Asyur is a Contemporary Maqashid Syariah figure born in Tunisia. He is a successor and a complement to the mashed concept initiated by his predecessors, such as Imam al Shatibi, al Ghazali, and Izudin Bin Abd. Salam, Ibnu Taymiyah, Ibnu Qayyim al Jauziyah and others. In the hands of Ibnu Asyur, sharia maqashid is easy to apply to contemporary problems so that Islamic sharia will always be able to answer the challenges of the Age or, in other words, *shalihun likulli zaman wa al makan*. There are several reforms carried out by Ibn Asyur in the field of sharia maqashid; among them are all good laws that are muamalah (transactional) or worship (ritual), and all of them have at (cause) in operationalizing the theory of maqashid he adheres to three basic principles, namely Maqam Khitab Al Syar'iy (situation and condition of shari'i preaching), al tamyiz baina al wasilah wa al-maqshud (Distinguishing between infrastructure and purpose), *istiqro'* (Induction).⁷

Ibnu Ashur has the full name of Muhammad at Tahir Ibnu Muhammad bin Muhammad at Tahir bin Muhammad

⁷ Sutisna et.al, *Panorama Maqashid Syariah*, (Penerbit Media sains Indonesia, bandung: 2021), pp. 118-119

bin Sheikh Muhammad as Syadzili bin Abdul Qadir bin Muhammad bin Ashur. His mother was the daughter of Muhammad al-Aziz Bin Muhammad al-Habib Bin Muhammad at-Tayyib Bin Muhammad Bu'atur and continued until 'Abdul Kafi Buatur, one of the descendants of Usman Bin Affan. Muhammad al-Aziz was a scholar appointed the first Grand Vizier during the French colonial period. Thus in Muhammad at-Tāhin Bin Asyūr, the blood of scholars from his father and nobles from his mother. He was born near the capital of Tunisia in the year 1296 H/ 1879 AD. Ibnu Ashur grew up in a family that loved knowledge. He memorized the Quran to Sheikh Muhammad al Khivari and, at the age of 14, entered Zaitunah University. In this university, he learned about the resistance to the taqlid attitude and was invited to the renewal of thinking.

Some of the scholars who became his teachers were Sheikh Ahmad bin Badr al Kafy; he learned from him the rules of the Arabic language, read in nahwu and (ad-diry), Maliki fiqh from Sheikh Ahmad Jamaluddin, studied translation, literature, mathematics, history, and geography to Sheikh Salim Bawahajib. In 1907, M/1325 H, when Bnu Ashur held a central position at Zaitunah University, he actively pitched reform ideas in the field of education. He presented them to the government until Ibnu Ashur could implement his programs. Ibn Ashur is a very productive contemporary scholar. From this teacher, Bin Asyūr learned a lot about systematic thinking that is thorough, visionary, and broad-minded.

His monumental works are Maqashid as Syariah al-Islamiyah (Ushul Fiqh) and at-Tahrir wa at Tanwir (Tafsir). In addition, there are still other titles, namely Ushul Nidham

Al-Ijtima'i Fil Islam (Social System in Islam), and Syarh al Muqaddimah al Adabiyah (Introduction to Literary Studies).⁸

E. The Concept of *Maqāṣid al-Sharī'ah* Ibnu 'Āsyūr's Perspective

Etymologically, *maqāṣid al-sharī'ah* (*maqāṣid al-syarī'ah*) is a combination of two words: *maqāṣid* (*maqāṣid*) and *الشريعة* (*al-sharī'ah*). *Maqāṣid* is the plural form of purpose (*maqṣud*), *kasud* (*qaṣd*) purpose (*maqṣid*) or *قسود* (*quṣūd*), which is a derivation from the verb *قصد يقصد* (*qaṣada yaqṣudu*), with various meanings such as going in a direction, goal, middle ground, fair and not exceeding limits, straight path, the middle ground between excess and deficiency.⁹

While *syarī'ah*, etymologically means the way to spring, the road to this spring can also be said to be the way to the source of life. *Sharī'ah* in terminology is *Al-Nuṣūṣ Al-Muqaddasah* (sacred texts) from the Qur'an and al-Sunnah, which is *mutawātir* which has not been mixed at all by human thought. The content of *sharī'ah* in this sense, includes *aqidah*, *amaliyah*, and *khuluqiyah*.¹⁰

Ibn Ashur divides the *maqāṣid sharia* into two factions: *Maqāṣid Al Ammah* (universal) and *Maqāṣid Al Khassah* (particular). A goal is not simply particular to one law is called

⁸ Julian Maharani et.al, Pemikiran Ibnu Asyur Tentang Maqāṣid Syariah Dalam Ekonomi Kontemporer, *Jurnal Ilmiah Ekonomi Islam*, UIN Maulana Malik Ibrahim Malang: 2022, p. 2

⁹ Halil Thahir, Ijtihad maqosidi: Rekonstruksi Hukum Islam Berbasis Interkoneksitas Masalah, (Yogyakarta, PT. LKIS Pelangi, 2015), p. 15

¹⁰ Ade Gunawan, Monograf Pengukuran Literasi keuangan Syariah Dan Literasi Keuangan syariah dan Literasi Keuangan, (Medan, Unzu Press, 2022) p. 80

the Maqasid al-Ammah (universal aim) of the Sharia of all laws. Since the goal of worship is to praise Allah Ta'ala, to fear Him, to have complete faith in Him, and to entrust all of life to Him. All laws, whether they form mandates or prohibitions, are intended to help people worship God by doing good and forbidding wrong, making things more accessible, and removing obstacles (Habib, 2006, p. 224). In addition to upholding the people's goodness which comprises goodness of thought, deeds, and goodness of the environment Maqasid al-Ammah also safeguards the order of the environment.¹¹

1. Limitation *Maqāsid Al'Āmmah*.

The fact of *maqāsid al-āmmah* is limited to four. The first condition is permanent (*al-thubūt*), which means al-maqāsid al-'ammah is permanent. Second, clear (*al-Zuhur*), i.e., nature does not cause disagreement in explaining the meaning, such as taking care of the offspring as the purpose of its shari'ah marriage. Third, measurable (*inḍibat*) means having detailed limitations such as keeping reason as a goal prescribed flogging when drunk. Fourth, authentic (*iṭrād*), that is, a goal of shara' is not debated with regional, ethnic, or time differences, such as purpose compatibility in the association of husband and wife, which is the purpose of the requirement of Islam and balance (kafa'ah) in

¹¹ Idhar, Konsep Maqasid Syari'ah Perspektif Muhammad Thahir Ibnu 'Asyur, (*Qonun Jurnal Hukum Islam dan Perundang-undangan*, UINSI: 2021), pp. 158-159

marriage, according to the opinion of Imam Malik and a group of jurists.¹²

2. General Purpose of Permitted Conditions.

The purpose of sharia, in general, is to protect the world's order and preserve the good that humans do. To maintain this purpose includes faith and human actions in community life because the good that is the goal is personal, sound, and group. Maṣlahah, according to Ibnu 'Āshūr's term, is the nature of an act that can realize good or benefit forever, both in general and individually.

Ibn Ashur divides the maslahat which is the purpose of syar'a as follows:

a. Maslahat Analyzed on the Integrity of the Ummat.

In this sense maslahat is divided into ḍarūriyāt, hajjiyāt and tahsīniyāt. Maslahat ḍarūriyāt is the society that should get these benefits both as a group and as an individual. The order of society will not be upright with the disappearance of that emergency and break the human condition like an animal. This maslahat refers to kulliyat al-khamsah and who perfects it. This Kulliyāt pictured in the care of religion, soul, mind, property, and lineage. Taking care of this kulliyāt means caring for the people individually and in groups.

¹² Alimuddin, *Pemikiran Fiqh Ulama Dayah Aceh Tentang Zakat Tanaman: Study Analisis Berdasarkan Nilai-Nilai Maqosid Al-Syariah*, Ar-Raniry Press: Banda Aceh, 2020. pp: 78-79

Maṣlahat al-hājiyāt is the maṣlahah needed by people to uphold the rules. If this maṣlahah is out of order, life is not broken but disordered. An example from maṣlahat al-hājiyāt is guarding the honor and guarding descent and things allowed in muamalah and marriage laws, such as the obligation of guardians, witnesses, and post-marriage.

Maṣlahat tahsīniyah is perfection. The people can realize the order. This maṣlahah is because other people are interested in interacting with Muslims. A concrete example is noble morals, self-care, and manners that do not conflict with the principles of syarī'ah.

- b. *Maṣlahah* Analyzed from connection with the people in general, groups or individuals.

This *maṣlahah* is divided into two, namely: *maṣlahat kulliyah*, and *maṣlahat juz'iyah*. *Maṣlahat kulliyah* is the maṣlahah of the ummah general and large groups, such as the population of an area. An example of maṣlahah is like keeping a group from division and damage. *Maṣlahat juz'iyah* is a benefit for an individual or several individuals, as in law of *muāmalah*.

- c. *Maṣlahah* Analyzed on the Realization of Needs or Damage Prevention.

This *maṣlahah* is divided into three parts as follows: First, *Maṣlahat qaṭ'iyah*, this maṣlahah

is known by the existence of a definite text and is supported by the theory of induction or logic. In its realization that there is excellent good or vice versa, there will be great danger, such as killing people who refused to pay zakat at the time of Abu Bakr. Second, Maṣlahat dzanniyyah can be known by common sense, such as keeping a house guard dog at the time of arrest, and there is evidence of ḍanniyy like the words of the Prophet SAW: *la yaqḍī al-Qāḍī wa huwa ghaḍbān*. Third, Maṣlahat wahmiyah: it assumed that there are benefits and goodness, but after looking at them, they turn into damage and goodness into evil. Like consuming drugs. Drugs do good for some people, but it does not bring benefits for him.

F. Productive Zakat Perspective *Maqāṣid Al-Syarī'ah* Ibnu 'Āsyūr

Maqāṣid al-syarī'ah in Ibnu 'Āsyūr's perspective through three elements, namely:

First, by using Al-Maqām, Al-Maqām is one of the devices in limiting the purpose of shariah because the character of this limitation is to set one the purpose of lafadz and ignore other things that are not the purpose of syara.' In this case, the theory used in analyzing the verse of zakat is by way of Tafsīr Al-Lughawiy Li Ihtimāliyati Al-Khiṭāb Al-Syarī'y (language interpretation because Khiṭāb yar'y contains several possibilities).

By using the interpretation of this language we will be able to see the desired meaning in surat al-Taubah verse 60

which reads:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ
قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَإِذَا السَّبِيلِ فَرِيضَةً
مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Meaning : *The zakat is only for the needy, the indigent, administrators of zakat, converts whose hearts are persuaded to (liberate) slaves, people who are in debt for the way of Allah, and people who are on the way, as something obligatory by Allah; and Allah is All-Knowing, All-Wise.*

According to *Jumhur ulama*, giving zakat to the eight groups is not legally obligatory; however, it is tolerable to give to some depending on the need *mustahiq*. *Jumhur ulama*' said the letter *lām* in the letter *al-Tawbah* (9); 60 does not mean *li al-tamlīk*, but *Li Ajl* means *Li Ajli Al-Maṣraf* (for distribution). Therefore, according to Hanafiyah, it is permissible to distribute zakat to all groups and may only distribute to one the group only because the purpose of the verse is to explain that the group of zakat recipients who may give zakat is not a determination to give zakat.

In other words, the distribution of zakat assets does not have to be leveled to all *mustahiq* groups however may only be assigned to one group.

On the other hand, historical facts prove that Rasulullah SAW and his companion's productive zakat assets, such as camels, cows, and goats. They put the animals in a special place for guarding, herding, and breeding and provided a person who takes care of the livestock, and this was strengthened by

the hadith of the prophet SAW narrated by Malik from Zaid bin Aslam.

This hadith demonstrates *hakim's* ability to create other people's goods without the owner's consent since the Prophet established his permissibility by praying for blessings in his enterprise. Hakim is shown to be able to sell and acquire things not represented to him. The Prophet prayed that what hakim did was something excellent and sunnah, significantly if it recognized the benefit for the property owner.

Since Rasulullah and his Companions have primarily produced zakat assets and traded them, it is clear from the above arguments that maqam al-khitb in surah al-Taubah verse 60 indicates that it is permissible. Rasulullah even prayed for the well-being of a friend who transacts in his wealth for blessings in buying and selling. It results in maqid al-khiabiyah (designating a lafad) by permitting zakat assets to be productive from maqim al-khitb.

Second, Al-Tamyz Baiyna Al-Waslah Wa Al-Maqud. Whichever way, its work is as follows: waslah to realize There are three *waslah* for the transfer of assets: the first is an internal wasilah guard (Hifd), the other two are wasilah for facilitating (Taysir), and there are three waslahs for continuity and continuity (Al-Dawm Wa Al-Tamkin). Waslah is under watch as per the prescribed contracts in transactions to ensure a fair distribution of property rights with compensation (mu'wa'ah) or without compensation (tabarru'), and the results of the contracts depend on the presence of ighat in the contract. There are also several requirements for the benefit of two moral people.

While the legitimacy of contracts involving gharar, such as *mughrasah*, *salm*, *muzra'ah*, and *qird*, demonstrates the convenience of waslah. Waslah for continuity and sustainability (*istimrriyah wa al-dawm*) consists of two waslah: the first is the circulation of assets through trade, the exchange of money and zakat, and the distribution of one-fifth of the ghanmah's assets while the owner of the property is still alive. Second, if there is a third will that is not a relative, the assets that remain after the death of the person seeking the property by inheritance. There are two waslah in maqsud (*Hifd al-mi*) for asset protection:

First, it relates to exchanging goods with other person, which is limited by the government in trade laws. Second, about assets owned by Muslims, this wasilah is regulated in shari'ah laws relating to market rules, *ihtikār* (hoarding), distribution of zakat, *ghanīmah*, endowments in general, especially regarding the obligation to look after people who manage assets others.

In other words, the two waslah of *muawadzah* (trade) and *tasrif al-zakat* (distribution of zakat) are used to achieve the purpose of *maqud hifdz al-ml* (holding assets). Briefly put, zakat's primary goal is to safeguard money so that it does not just belong to the wealthy, temporarily removing wasilah by allocating zakat funds to productive uses, in line with the teachings of in the Qur'an:

ما أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ
وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ
دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ

Meaning: Whatever spoils (fai-i) Allah gave to His Messenger from the inhabitants of the cities, then it is for Allah, the Messenger, the relatives of the Apostle, orphans, the poor, and those on a journey. So that wealth does not circulate only among the rich among you.

Third, Istiqra (induction). Public benefit induction is a method that is recognized in the hujjahan maslahah kulliyah to problems that have occurred to the people and have not the law is known through qiyas to kulliyah al-tsābitah (general things that have legal provisions) in syarī'ah by inducing its arguments.

Induction is collecting laws that have clear arguments, namely the law of trading orphans' assets, and then qiyas-kan on the law makes zakat assets productive for which there is no evidence from the Qur'an or Al-Sunnah. More details are as follows:

عَنْ النَّبِيِّ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- قَالَ: «مَنْ وَلِيَ لِيَتِيمٍ مَالًا فَلْيَتَّجِرْ بِهِ وَلَا يَدْعُهُ حَتَّى تَأْكُلَهُ الصَّدَقَةُ»

Meaning: *Whoever takes care of the orphan's property, then trade it and do not let it run out because of zakat.*

From the two hadiths above, it can be understood that trading the orphan's property is advisable if the trade is for the benefit of orphans. Qiyas with orphans are mustahiq zakat, which taşarruf Imam against the people are dependent

on the benefit, so take care of the benefit of indigent and *mustahiq* is the responsibility for the guardian *al-amri* or the government, their position is like an orphan guardian for his people. If the benefit *mustahiq* This can be realized by delaying the distribution of zakat by being productive for the public benefit, then this is the essence of the benefit itself.

G. Conclusion

Productive zakat is the provision of zakat funds to *mustahik*, which are not spent for free, but these funds are developed in the form of capital to assist their efforts in producing works. So that with this effort, they can meet the needs of daily life continuously in the long term. This is carried out because there is *maslahah* or goodness in it. As stated by Ibn Assyria.

Ibn Asyur divides *maslahat*, which is the aim of *syara'*, into four parts: *Maslahat* in terms of its influence on the upholding of the Ummah, *Maslahah* in terms of its relationship with the people in general, groups or individuals, *Maslahah* in terms of the realization of needs or preventing damage.

Productive Zakat which contains *Maqāṣid al-syarī'ah* in the perspective of Ibn 'Āsyūr through three elements, namely: First, by using *Al-Maqām*, which aims that the distribution of Zakat is adjusted to the needs of the *mustahiq*. Second, *Al-Tamyīz Baiyna Al-Wasīlah Wa Al-Maqṣud*, whose way of working has three *wasīlahs*, the first *wasīlah* in guarding (*Hifd*), the second *wasīlah* in facilitating (*Taysir*), and the third *wasīlah* in continuity and continuity (*Al-Dawām Wa Al- Tamkin*). Third, *Istiqrā'* (induction) is oriented to the common good.

REFERENCES

- Abdurrahman, Qadir. 2001. *Zakat Dalam Dimensi Mahdhah dan Sosial*, Jakarta: Zikrul Hikah.
- Ade, Gunawan. 2022. Monograf Pneuukuran Literasi keuangan Syariah Dan Literasi Keuangan syariah dan Literasi Keuangan, Medan, Unzu Press.
- Alimuddin. 2020. Pemikiran Fiqh Ulama Dayah Aceh Tentang Zakat Tanaman: Study Analisis Berdasarkan Nilai-Nilai Maqosid Al-Syariah, Ar-Raniry Press: Banda Aceh.
- Asnainu. 2008. *Zakat Produktif Dalam Perspektif Hukum Islam*, Yogyakarta: Pustaka Pelajar.
- Asrifin An-Nakhrawie. 2011. *Sucikan Hati dan Bertambah Kaya Dengan Zakat*, Jakarta: Delta Prima Press.
- Halil, Thahir. 2015. Ijtihad maqosidi: Rekontruksi Hukum Islam Berbasis Interkoneksi Masalahah, (Yogyakarta, PT. LKIS Pelangi.
- Hilmi, Ridho, M.H., M.Ag. & Abdul Wasik. 2021. *Zakat Produktif Konstruksi Zakatnomics: Perspektif Teoretis, Historis, dan Yuridis*, Literasi Nusantara, Malang.
- Hornby, AS. 1987. *Oxford Advaced Learner's Dictionary of Current English*, London: Oxford Uneversity Press.
- Idhar. 2021. Konsep Maqasid Syari'ah Perspektif Muhammad Thahir Ibnu 'Asyur, (Qonun Jurnal Hukum Islam dan Perundang-undangan, UINSI.
- Maharani, Julian. et.al, 2022. Pemikiran Ibnu Asyur Tentang Maqashid Syariah Dalam Ekonomi Kontemporer, Jurnal Ilmiah Ekonomi Islam, UIN Maulana Malik Ibrahim Malang.

Rizal, et al, 2021. Filantropi Islam Solusi Atas Masalah Kemiskinan Akibat Pandemi Covid 19, Jurnal: Al-Manhaj:Jurnal Hukum dan Pranata Sosial Islam: INSURI Ponorogo.

Sutisna, et.al, 2021. *Panorama Maqoshid Syariah*, Penerbit Media sains Indonesia, bandung.

Widiastutik, Tika. et.al, 2022. Ekonomi Dan Manajemen Ziswaf, Airlangga University Press, Surabaya.

