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PAYING ZAKAT TO NON-MUSLIMS AND CHARITY ORGANIZATIONS

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STUDENT DECLARATION

بسم الله الرحمن الرحيم

We hereby acknowledge that in fact all of the work in the preparation of this academic work is the result of our own efforts and works except as expressly stated.

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1.0 Introduction

Zakat is an Islamic faith pillar that demonstrate the development of society and economy. Like the obligation to pray, zakat is clarified in general and not in detail in the Al-Quran. The Qur'an does not explain the rate, nisab, type of property subject to zakat, or zakat conditions, but the Hadith of Rasulullah s.a.w. does. However, the Al-Quran clearly states that zakat must be distributed to eight specific asnaf (Wahid, H., et al. 2010).

Based on Malaysian law, the authority to collect and distribute zakat is delegated to the state. The State Islamic Religious Council (MAIN) is in charge of the task. The Zakat Law Year 1374H (1955 AD) in the state of Kedah states in Section 9 that “there is no legal and *syarak* for any person or party to collect zakat in this state and there is no valid zakat given anywhere that person or party” (Saad, R., et al 2009). Therefore, self-distributing zakat without going through a government-appointed representative is a violation of the law under Section 16 (b) of the Shariah Criminal Offences Act (Federal Territory) 1997 (Act 559) and can be punishment if convicted. Even the National Fatwa Council Committee has ruled that those who distribute zakat on their own are in violation of the government’s instructions (Naquiuddin 2019).

According to (Setiawan, D., et al. 2011), zakat is the one pillar of faith in Islam and the main instrument in Islamic teachings that functions as a distributor of the flow of wealth from the rich to the needy, which has been established in Islam¹ and excludes the poor, who are not considered as Muslims which means non-Muslims. However, Malaysia is known as a country with a plural society and is unique in that it is made up of people of various races and nationalities. Based on population distribution (Department of Statistics Malaysia 2011), Malays (54.6%), Chinese (24.6%), and Indians (7.3%) are the main races in Peninsular Malaysia. These multiethnic communities are generally associated with their respective religions (Muda, K., et al. 2019). Malaysia has 61.3% Muslim population, 19.8% Buddhist population, 9.2% Christian population, and 6.3% Hindu population. However, there are groups of Chinese and Indian people who have accepted Islam and Christianity (Muda, K., et al. 2019).

This demonstrates that there are poor non-Muslims who are unable to support themselves, their families, or the country, which gives a negative impact on the national economy. Therefore,

¹ Eight specific asnaf; *fakir, miskin, fisabilillah, gharimin, riqab, muallaf, amil dan ibnussabil*