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ZAKAT AS A SUPPORTING STATE REVENUE AND EXPENDITURE **BUDGET FOR TAXES**

Niken Baramurti Evieta Enggar Sandyı¹

Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia (240504210001@student.uinmalang.ac.id)

Khusnudin

Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia (khusnudin@pbs.uin-malang.ac.id)

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ABSTRACTS

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This research discusses instruments that can support state revenues apart from taxes in the State Revenue and Expenditure Budget (APBN). Taxes, which are the main source of state income, are in reality still unable to fulfill the APBN, which ultimately has not been able to overcome economic problems in Indonesia, such as the problem of poverty. As a country with the largest Muslim population in the world, one of the instruments that can support the APBN in Indonesia is zakat. This research uses a qualitative research method with a secondary research approach. The aim of this research is to identify other instruments that can replace taxes in supporting the APBN, in this case, Zakat. The results of this research show that zakat cannot completely replace taxes as a supporting instrument for the APBN, due to limitations in its distribution. However, taxes and zakat can go hand in hand to fill each other's gaps and deficiencies in meeting the needs of the State and improving the welfare of society. The difference between this research and similar previous research is that this research discusses other alternative instruments that can help support the APBN apart from taxes. Academically, this research can enrich the literature in the field of public economics by providing a deeper understanding of sources of state income outside of taxes. Meanwhile, practically, this research can provide policy recommendations for the relevant government on optimizing sources of state income other than taxes to increase the sustainability of the APBN.

¹ Correspondence Author

A. INTRODUCTION

The Ministry of Finance released information related to the design of the 2024 State Revenue and Expenditure Budget (APBN), which has the theme "Accelerating Inclusive and Sustainable Economic Transformation." State revenue in 2024 increased by IDR 76.9 trillion compared to 2023. State revenue in 2023 was IDR 2,725.4 trillion, while in 2024, it was IDR 2,802.3 trillion. The primary state revenue, in this case, is tax revenue, which is then supplemented by other instruments, such as Non-Tax State Revenue (PNBP) and grants (Kementerian Keuangan, 2024).

State revenues obtained from these sources will then be used for the state budget, distributed for central government spending, and transferred to the regions (Nisak, 2022). The total state budget in 2024 increased by Rp. 203.2 trillion compared to 2023. In 2023, the state budget was Rp. 3,121.9 trillion, while in 2024, it was Rp. 3,325.1 trillion (Kementerian Keuangan, 2024).

As for the state budget, central government spending and transfers to regions have the same function and purpose, namely the welfare and welfare of the community. However, according to data from the National Central Statistics Agency (BPS), in 2023, there will still be around 9.36% or around 25,898.55 thousand Indonesians living below the poverty line (Statistik, 2024). The causes of poverty in Indonesia are very diverse and complex and also involve many factors, such as low income, limited access to health and education services, and injustice in distribution and subsidies (Hardini, Joy, Lidya Maharani, Rizky Airlangga, & Asnanti, 2024).

In this case, tax policy can help combat poverty. The government can collect sufficient funds for social programs that help people experiencing poverty through a fair and effective tax system. However, Indonesia still needs to implement tax policies affecting poverty alleviation efforts. Some need more public awareness of tax obligations and tax avoidance practices. In addition, non-progressive tax policies can also worsen social and economic disparities because the lower middle class experiences a more significant tax burden (Hardini et al., 2024).

As is commonly known, Indonesia is a country with the largest Muslim population in the world. There are around 245,973,915 people, or 87.08% of the total population in Indonesia, which is around 282,477,584 people.(Muhamad, 2024) This makes Islam the majority religion in Indonesia, where the significant population results in a tendency towards something (Tanjung & Panggabean, 2022).

With the majority of the population in Indonesia being Muslim, there are several other social instruments in the economic sector to ease the burden of the poor, which also be used to reduce or even eradicate the level of poverty in Indonesia, including the instruments of zakat, infaq, and sedekah. It has been proven that during the reign of the Prophet Muhammad, *khulafaurrasyidin*, and the Islamic government after that, zakat, infaq, and sedekah funds are one of the most significant state revenues that can overcome various state problems, one of which is poverty (Nur Kholid, 2019). In this case, the instrument that is the same as tax revenue is the zakat instrument.

B. METHOD

The method used in this study is qualitative and uses a literature study approach. Qualitative research is more descriptive, where the data collected is words or images, without focusing on research based on numbers. The library sources used in this study are previous research articles with the same content and discussion. Qualitative research with a literature review approach then analyzes various previous studies related to the material discussed in this study. This study utilizes data from secondary sources, namely articles, proceedings, conferences, news, and official websites with keywords or relationships with the research topic (Abubakar, 2021).

In this study, the data collected and used were in the form of articles and previous research that discussed the potential of zakat in Indonesia, the management of the State Budget, tax management as the main source of the State Budget in Indonesia, and the management of zakat as a source of State revenue in the past. In addition, articles and data that discuss taxes, the State Budget, and zakat in Indonesia released by official institutions, such as articles and data about taxes taken on the website of the Directorate General of Taxes, articles and data about the State Budget taken on the website of the Ministry of Finance of the Republic of Indonesia, as well as articles and data about zakat taken on the website of the National Amil Zakat Agency (BAZNAS).

C. RESULT AND DISCUSSION

Zakat

The definition of zakat according to Law of the Republic of Indonesia No. 23 of 2011 concerning the management of zakat article 1 paragraph 2, "Zakat is a property that must be issued by a Muslim or business entity to be handed over to the party entitled to receive, in accordance with the provisions of Islamic law". Zakat according to the language is sacred, growing, blessing, and praiseworthy (Aulia & Dasuki, 2024). Meanwhile, in terminology, zakat is a right that must be issued on property that has reached the predetermined nisab and with certain conditions followed (Candrakusuma & Wahrudin, 2024).

The definition of zakat, according to the Maliki madhhab, is to spend a small part of the wealth that has been sufficient and attained nisab and then give it to those who are entitled to it. The harmony of ownership of the property is perfect and has been owned for a predetermined period, except for some other property, such as mining goods, plants, and found goods. According to madzhab Hanafi, Zakat is the ownership of part of assets that are issued and intended for individuals and groups by the provisions of sharia and only expect a return from the Pleasure of Allah Swt (Fadilah & Zen, 2024).

Another opinion about the definition of zakat is that a person owns that part of the property under several conditions that Allah SWT has determined. Then, after the conditions are met, it must be handed over to the party entitled to receive it.(Hafidhuddin, 2002). Zakat has two important instruments, namely mustahiq and muzakki. Mustahiq is a person who has the right to receive zakat, which Allah SWT has determined in His word, where there are eight groups or asnaf who are entitled to

receive zakat. Muzakki is a person or business entity that should give zakat. This zakat is mandatory if the person or business entity has met the requirements in terms of both nisab (the amount of property) and haul (the length of ownership of the property) (Setiawan & Hidayatullah, 2024).

State Revenue and Expenditure Budget (APBN)

According to the Ministry of Finance (MoF), the State Revenue and Expenditure Budget (APBN) is "an annual financial plan made by the Government of Indonesia and approved by the House of Representatives. The State Budget includes a structured and detailed list containing the state's revenue and expenditure plans for one fiscal year". The source of the State Budget in Indonesia consists of taxation, Non-Tax State Revenue (PNBP), and grants. The State Budget's functions are the Authorization function, the Planning function, the Supervision function, the Allocation function, the Distribution function, and the Stabilization function (Indra & Anggaran, 2024).

As the acronym implies, the State Budget consists of state revenue and spending. Based on Law No. 17 of 2003 concerning State Finance, "State revenue is a right recognized by the central government as an increase in net worth value. Meanwhile, state spending is an obligation of the central government which is recognized as a deduction of net worth" (Kurniawan, 2024).

Tax

Taxes, according to the Law on General Provisions and Taxation Procedures (KUP Law), are "Mandatory contributions that individuals or entities must pay to the state, are binding and do not receive direct returns, and are used for the benefit of the state for the welfare and prosperity of the community" (Pajak, 2022).

Taxation, according to Rochmat Soemitro, is "The transfer of wealth from the community to the state treasury carried out based on the Law, which is carried out and intended for state purposes, without giving direct compensation to taxpayers, in this case, it is called a taxpayer" (Umamah et al., 2024).

According to the Directorate General of Taxes (DGT), two taxes are classified based on the collection agency: central and regional taxes. Central taxes are several types of taxes managed directly by the Central Government, in this case, the Directorate General of Taxes and the Ministry of Finance, where the proceeds from this tax collection will be used to finance state expenditure needs. Meanwhile, regional taxes are taxes managed by the Regional Government at the provincial, district, or city levels. The types of central taxes are Income Tax (PPh), Value Added Tax (VAT), Luxury Goods Sales Tax (PPnBM), Stamp Duty, PBB Plantation, Forestry, and Mining. Meanwhile, the types of regional taxes include Restaurant Tax, Entertainment Tax, Motor Vehicle Tax, Land and Building Rights Acquisition Duty (BPHTB), Rural and Urban United Nations, etc (Pajak, 2022a).

Zakat and Its Legal Foundation

In Islam, zakat is only for productive assets such as livestock, gold, plantations, trade, and professions. This zakat and the obligation to pay taxes must be paid according to state regulations. In this case, zakat must be paid by those who can afford it. The person who is responsible for the management and collection of zakat is called amil, where zakat will later be distributed to eight asnaf or groups, namely the poor, the poor, slaves, people who are wrapped in debt, convert, fighters in the way of Allah, Ibn Sabil, and amil (Amelia & Nengsih, 2024).

As for the legal foundation for the obligatory fulfilment of zakat, it is stated in the words of Allah Swt in Surah at-Taubah verse 103:

"Take, [O Muḥammad], from their wealth a charity by which you purify them and cause them increase, and invoke [Allāh's blessings] upon them. Indeed, your invocations are reassurance for them. And Allāh is Hearing and Knowing." (At-Taubah/9:103)

According to the National Amil Zakat Agency (BAZNAS), "Zakat is part of the amount of property of a Muslim who is obliged to issue zakat if the property is after the specified conditions are achieved". Zakat will be issued for the property owned by a Muslim. However, not all types of property are required to be subject to zakat because the property that must be zakat has several conditions, including:

- 1. Halal goods obtained in a halal way
- 2. Property is the full property of the owner
- 3. Property is a type of property that can grow
- 4. Has reached nisab according to its type
- 5. Has reached the haul
- 6. The property owner is not currently in debt, which must be repaid in the short term.(Nasional, n.d.)

Apart from the condition of property that must be zakati, Islam also regulates who these zakat funds are given to. As stated in the words of Allah SWT in Surah at-Taubah verse 60:

"Zakāh expenditures are only for the poor and for the needy and for those employed for it and for bringing hearts together [for Islām] and for freeing captives [or slaves] and for those in debt and for the cause of Allāh and for the [stranded] traveler - an obligation [imposed] by Allāh. And Allāh is Knowing and Wise." (At-Taubah/9:60).

According to Gustian (2006), some of the purpose of zakat include:

- 1. To improve the standard of living of people with low incomes and also to help relieve them from hardship
- 2. To help solve the problems faced by zakat recipients
- 3. To narrow and eliminate gaps that occur in a social environment
- 4. To foster and increase community social responsibility, especially for those who have advantages
- 5. To educate the discipline of the community in carrying out their duties and issue the right of mustahiq contained in some of their assets
- 6. To be a medium in equalizing income to achieve social justice.(Hadinata, 2023)

Zakat is also one of the pillars that Muslims must fulfil. As mentioned in the hadith of the Prophet Muhammad PBUH narrated by Bukhari, Zakat is one of the main pillars in upholding Islam, which explains the obligatory provision of part of one's property for social benefits. The importance of the role of zakat in economic activities, which also plays an instrument of economic development, is evidenced by the large amount of literature that examines the law, management, potential, and role of zakat in poverty alleviation. One of the important aspects of zakat in building the community's economy is that it is a source of funds for economic, social, defence, and security development, as well as other development programs, by the needs of the State (Suprayitno et al., 2023).

Regulations on the management and distribution of zakat in Indonesia are also regulated in the following laws and regulations and decisions:

- 1. Republic of Indonesia Law Number 23 of 2011
- 2. Government Regulation of the Republic of Indonesia Number 14 of 2014
- 3. Regulation of the Minister of Religion of the Republic of Indonesia Number 69 of 2015
- 4. Regulation of the Minister of Religion of the Republic of Indonesia Number 5 of 2016
- 5. The Decision of the Chairman of the National Zakat Amil Agency Number 016 of 2015
- 6. The Decision of the Chairman of the National Zakat Amil Agency Number 142 of 2017
- 7. The Decision of the Chairman of the National Zakat Amil Agency Number 036 of 2020
- 8. The Decision of the Chairman of the National Zakat Amil Agency Number 014 of 2021
- 9. The Decision of the Chairman of the National Zakat Amil Agency Number 022 of 2022
- 10. The Decision of the Chairman of the National Zakat Amil Agency Number 001 of 2023
- 11. The Decision of the Chairman of the National Zakat Amil Agency Number 001 of 2024
- 12. The Decision of the Chairman of the National Zakat Amil Agency Number 010 of 2024.(Baznas, 2024)

Taxes and Its Legal Foundation

At present, taxes have been implemented in almost all countries around the world. Since taxes form a large part of the state budget, taxes significantly contribute to the state's sustainability. Taxes are seen as a way to fulfill justice. Thus, funds generated from tax payments will be used by the state for the benefit of the community. In terms of tax administration, each country has its regulations. For Indonesia, the law regulates the harmonization of tax regulations (Ahmad, 2023).

The definition of tax as stated in Law Number 28 of 2007 Article 1 Paragraph 1 concerning General Provisions and Tax Procedures (UU KUP) is a contribution required by the State to individuals or bodies that are mandatory based on the Law, which does not receive direct compensation, and is used for State purposes to improve general welfare (RI, 2007).

Tax is one of the sources of income in a country that is used to provide a budget for government operations and development activities. Overall, it is for the prosperity of the people. Tax officials strive to increase the amount of funds the state receives as much as possible through the budgetary function. The government always tries to increase tax revenues yearly because they realize how essential state revenues are from the tax sector. To achieve national development, the Indonesian government has yet to reach its target to increase domestic revenue sources, especially in the tax sector (Daryanti, Asriyana, & Hasti, 2024).

The taxation system in Indonesia is regulated by several laws, including:

- 1. Republic of Indonesia Law Number 6 of 1983
- 2. Republic of Indonesia Law Number 7 of 1983
- 3. Republic of Indonesia Law Number 8 of 1983
- 4. Republic of Indonesia Law Number 12 of 1994
- 5. Republic of Indonesia Law Number 10 of 2020. (Pajak, 2021)

Similarities and Differences between Tax and Zakat

According to the National Alms Agency (BAZNAS), several things differentiate taxes and zakat, as well as several things that are the same between the two, including:

- 1. In taxes and zakat, both are mandatory and binding on assets owned by the people of a country
- 2. Both taxes and zakat must be paid to the official institution that manages them to achieve efficiency in withdrawal or collection and distribution allocation
- 3. Both of these things aim to overcome economic issues and reduce the level of poverty that afflicts society.

The differences between zakat and tax are:

1. The definition of zakat in the Big Indonesian Dictionary (KBBI) is the obligation of a Muslim to give part of his wealth to an institution or party that manages it and then give it to groups entitled to receive it. Sharia has determined these groups. While tax is a required levy, it is a payment that is generally in the form of money and must be made by the community as a

- mandatory contribution to the state, which is related to income, ownership, price of goods, and other aspects
- 2. According to its legal basis, the obligation to pay zakat is based on the Qur'an and Sunnah, while taxes are based on the Law of a State
- 3. The motivation for paying zakat is because of the command of Allah SWT to His servants to pay zakat for those who have excess wealth with certain conditions, such as His word in QS. Al-Baqarah verse 267. While the motivation for paying taxes is an obligation as a citizen
- 4. Allah SWT determines the amount of zakat, which is absolute. The amount of tax is determined by the state, which is relative and can change according to the state's provisions and policies
- 5. Zakat is imposed on productive assets and has reached the predetermined *nisab* and *haul*. While taxes are imposed on all assets
- 6. In its allocation and distribution, zakat has spesific groups of zakat recipients called eight *asnaf* or groups, while taxes are allocated to all citizens, development interests, and the State budget (Karanganyar, 2015).

Taxes According to Islamic Law

In Islam, the term tax appears with several different terms in its mention. The most famous is the term *dharibah*. *Dharibah* comes from Arabic, from the word , ضرب, ضربا, which means to require, determine, establish, explain, hit, burden, and so on.(Munawwir, 2002) Meanwhile, according to the term, dharibah means the obligation of the government or state to collect assets (Hakim, 2021).

Apart from *dharibah*, other terms for tax in Islam are *jizyah* and *kharaj*. *Jizyah* and *kharaj* are forms of tax applied during the reign of Islam in ancient times, both during the reign of the Prophet Muhammad SAW or the reign of the *Khulafaurrasyidin*. As for the three terms, *dharibah*, *jizyah*, and *kharaj* all have similarities and differences, which generally refer to tax collection. Several scholars have their definitions of the concept of tax, one of which is Yusuf Qardhawi. The definition of tax put forward by Yusuf Qardhawi is an obligation imposed on taxpayers and paid to the State where the income from the payment of taxes is used to fund the needs of the State, in the economic, social, and political fields (Ahmad, 2023).

According to the Islamic view, tax is one of several forms of muamalah in the economic field. Suppose zakat, infaq, and sedekah, which are sources of state income, cannot meet the state's needs. In that case, the state leader can issue a decree that tax functions as an additional income instrument and patch up the shortage or emptiness of the state treasury (Fitria & Supriyono, 2019).

The concept of tax or *dharibah* has a solid philosophical foundation based on Sharia principles. In the Islamic view, taxes are the community's obligation to contribute to financing development and the implementation of the state for the benefit of the community itself. However, in their implementation, taxes must also be based on fairness, transparency, and accountability principles (Mulyana, Hamid, & Syaripudin, 2024).

The Potential of Zakat as State Revenue in Islamic Government

During the reign of Islam, both in the time of the Prophet Muhammad Saw, the era of the *Khulafaurrasyidin*, and after, the source of state revenue and in fiscal policy, the most reliable aspect is zakat. The obligation to pay zakat in religious orders is one aspect that makes it easier to collect it. The function of zakat, a social function, is also one of the reasons for *muzakki* to fulfill his obligations and can help ease the burden of his fellow men in need, in this case is, *mustahiq* (Minarni, 2020).

During the reign of Rasulullah Saw, zakat was established as a source of state revenue, which government institutions managed. At that time, Rasulullah Saw appointed Umar bin Khattab, Ibnu Qais, and 'Ubadah bin Tsamit to become zakat amil at the regional level, whose task was to guide the community in their obligation to pay zakat (Fathonih, 2019).

During the time of Caliph Umar bin Khattab, state revenues from zakat would first be distributed to eight *asnaf*. If there is still a surplus of income, then it will be distributed again to the poor to help finance their needs, whether from the Muslim group or not, then used to pay pension funds, workers' wages, government needs in the military field, caring for abandoned children, and other social funds. Based on this policy, during the reign of Caliph Umar, zakat had a socio-economic purpose in achieving the goals of justice and prosperity of the State Community. (Rukiah & Daulay, 2022) The management of state finances at this time was carried out in Baitul Maal, the concept of which was almost similar to the concept of tax at this time. The management of Baitul Maal had previously been implemented during the reign of Caliph Abu Bakar As-Shiddiq (Ahmad, 2023).

Apart from zakat, other instruments in state revenue and income at this time include *kharaj* or land tax, *ghanimah* or war booty, *fa'i* or enemy wealth taken without going through war, *'usr* or trade tax, *jizyah* or tax that was paid by non-Muslims to guarantee protection, and so on (Oktaviana & Harahap, 2020).

Zakat Replaces tax in Indonesia

In Islam, zakat is a type of worship that greatly influences a person's income. As a tool of redistribution, zakat is expected to overcome economic inequality, make efforts to improve the community's quality of life, and support a country's economic growth, as anticipated in Indonesia. Zakat functions in various ways to encourage economic development, including social, financial, and fiscal (Maulida & Ulfah, 2023).

From the social function aspect, zakat is one of the obligations of people who have property to issue financial donations with certain conditions, which are then given to the poor or in need, which in this case is through an intermediary, namely the zakat management agency.

Furthermore, from the economic aspect, in this case, it is to increase public consumption. In this case, zakat, which has been distributed to the recipient, commonly referred to as mustahiq, is usually used to meet the basic needs of mustahiq regarding clothing, food, and board.

From a fiscal aspect, zakat has a direct contribution to economic growth. As for Indonesia, the official institutions that manage zakat, from collection to distribution, include the Amil Zakat Agency (BAZ) and the Amil Zakat Institute (LAZ). In distributing

them, these institutions not only distribute them to mustahiq but can also distribute them to economic and social development sectors, such as education, health, and disaster management. The funds collected by these institutions are usually not only zakat funds but also infaq, alms, and grants whose distribution is not tied to eight groups or asnaf such as zakat (Syadali et al., 2023).

According to the National Amil Zakat Agency (BAZNAS) in the National Zakat Management Report, the potential for zakat collection in Indonesia has increased yearly, as has happened in the last five years. In 2019, the total collection reached Rp. 10.2 Trillion, and in 2020, it reached Rp. 12.4 Trillion despite the constraints of the COVID-19 pandemic, in 2021, it reached Rp. 14.1 Trillion, in 2022, it jumped significantly to Rp. 22.43 Trillion, and in 2023, it reached Rp. 33 Trillion. In 2024, Baznas targets the potential for Zakat to manage to reach Rp. 41 trillion and Rp. 50 trillion in 2025 (P. B. RI, 2024).

Based on the law of the Republic of Indonesia No. 23 of 2011 Article 3b, it is stated that "The management of zakat aims to increase the benefits of zakat to realise community welfare and poverty alleviation".(Keuangan, n.d.) The purpose of taxes and zakat is the same. That is, they both aim for justice, benefit and welfare of the community. Even now, this goal has not been achieved.(Minarni, 2020). Yusuf Qardhawi mentions in his book that zakat is one way to alleviate poverty. Not all poor people have relatives who can help (Al-Qardhawi, 1995).

He also mentioned that in addition to alleviating poverty, zakat also has a role in helping fellow communities and one another. Looking at the differences between zakbetween and taxes, it can be mentioned that taxes and zakat are not the same, where taxes cannot replace the obligation to pay zakat. In other words, if someone has paid taxes, it does not mean their obligation to pay zakat has just fallen. Likewise, if someone has paid zakat, it does not mean his obligation to pay taxes has just fallen (Karanganyar, 2015).

D.CONCLUSION

Indonesia has a majority Muslim population, so the relevant government should consider the opportunity for zakat as one of the sources of state revenue. Because the source of state revenue only comes from taxes, PNBP, or grants, the state budget is still not fully fulfilled, even experiencing a budget deficit. Likewise, the number of Indonesian people still below the poverty line. One of the objectives of distributing the State Budget is in the economic sector and for the community's welfare. That way, the existence of zakat is not an instrument instead of taxes, but zakat is more precisely positioned as an additional instrument that complements taxes in fiscal policy. Later, these taxes and zakat can go hand in hand to strengthen socio-economic functions, alleviate poverty, and support the government's social welfare programs without eliminating any of them.

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