

**IMPLEMENTATION OF INFAQ FUND MANAGEMENT
ACCORDING TO LAW NUMBER 12 OF 2021 ON BAITUL MAL IN
PIDIE DISTRICT OF INDONESIA**

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Abstract

Indonesia has a state foundation, namely Pancasila. Caring for others is manifested through giving zakat, donations and giving alms. Interestingly, in Baitul Mal, income from infaq funds is regulated in Pidie Regent Regulation Number 12 of 2021 concerning infaq funds being charged. So in this work the researcher wants to look further into the implementation of Infaq management in Baitul Mal, Pidie Regency, how the Pidie Regency Regent's Regulation Number 12 of 2021 is compatible with Aceh Qanun Number 3 of 2021 and Islamic views with these regulations. The research method that the author uses in this discussion is the descriptive analysis method, namely to present a systematic and accurate description of the facts of the object to be studied, namely the description that the author will make based on data obtained from interviews with one of Baitul Mal Pidie and from several document sources and also open books which also contain how infaq management should be implemented. After seeing how infaq is regulated in Islam, and how infaq is regulated in Pidie Regent Regulation Number 12 of 2021. There is a gap here, which is why in the Regent's Regulations a reference is given to the level of Infaq and Islam does not regulate it, so that deducting Infaq from the monthly salary is not recommended because it violates one of the pillars of Infaq, namely that there is no element of compulsion in it.

Keywords: Baitul Mal, Fund Management, Pidie District, and
Philanthropy

Abstrak

Indonesia memiliki dasar negara yaitu Pancasila. Kepedulian terhadap sesama diwujudkan dengan berzakat, bersedekah dan berinfaq. Menariknya, di Baitul Mal, pemasukan dana infak telah diatur dalam Peraturan Bupati Pidie Nomor 12 Tahun 2021 tentang dana infak yang dipungut. Sehingga dalam penelitian ini peneliti ingin melihat lebih jauh bagaimana Implementasi pengelolaan Infaq di Baitul Mal Kabupaten Pidie, bagaimana kesesuaian antara Peraturan Bupati Kabupaten Pidie Nomor 12 Tahun 2021 dengan Qanun Aceh Nomor 3 Tahun 2021 dan pandangan Islam dengan peraturan tersebut. Metode penelitian yang penulis gunakan dalam pembahasan ini adalah metode deskriptif analisis, yaitu menggambarkan uraian secara sistematis dan akurat mengenai fakta-fakta dari objek yang akan diteliti, yaitu uraian yang akan penulis buat berdasarkan data yang diperoleh dari hasil wawancara dengan salah satu pihak Baitul Mal Pidie dan dari beberapa sumber dokumen dan juga buku-buku yang juga memuat tentang bagaimana seharusnya pengelolaan infak itu dilakukan, setelah melihat bagaimana Infak diatur dalam Islam, dan bagaimana Infak diatur dalam Peraturan Bupati Pidie Nomor 12 Tahun 2021. Setelah melihat bagaimana Infaq diatur dalam Islam, dan bagaimana Infaq diatur dalam Peraturan Bupati Pidie Nomor 12 Tahun 2021, terdapat kesenjangan disini, dimana mengapa Peraturan Bupati tersebut memberikan acuan kadar Infaq, sedangkan dalam Islam tidak mengatur hal tersebut, sehingga pemotongan Infaq dari gaji bulanan tidak dianjurkan karena melanggar salah satu rukun Infaq, yaitu tidak ada unsur paksaan didalamnya.

Kata kunci: Baitul Mal, Filantropi, Manajemen Keuangan, dan Kabupaten Pidie

INTRODUCTION

Some people only perform the obligation of zakat and do not give and give alms because these people only consider zakat as an obligation that must be done, while if *infaq* and alms are only fardu kifayah. *Infaq* is only in the form of material, but if sadaqah is not only in the form of material

but can also be in the form of non-material that can be used for benefits such as labour and thoughts.¹

The position of the government is quite powerful for better results regarding *Infaq* in Indonesia. The government's role in nurturing will have a better impact on the activities of the state at large. Therefore, the collection of *infaq* funds is of note for governments in Islamic countries. Rulers are obliged to inform their Muslim citizens to give *infaq*.²

The institution that should be authorised to manage *Infaq* funds in Aceh is Baitul Mal. Baitul Mal is also referred to as the mandate of Law No. 11 of 2006 concerning the Government of Aceh, the Government of Aceh and District / City Governments must fulfil legal safeguards for waqf land, religious property and other sacred purposes as Regional Original Revenue (PAD) and managed by Baitul Mal and its implementation provisions are regulated in Qanun.³

The income of funds so far in Baitul Mal Pidie Regency only comes from *Infaq* income and services from Civil Servants (PNS) in the Pidie Regency area which are set aside directly from their income salaries and very little income from other zakat. When viewed through the duties and authority of Baitul Mal in article 28 of Qanun Number 3 of 2021, it is appropriate for Baitul Mal of Pidie Regency to be able to carry out zakat socialisation, as well as explore the potential of zakat which is used to maximise zakat income in the Pidie Regency area.⁴

The amount of *infaq* fund collection is more clearly also circulated in the form of a circular letter intended for the Heads of SKPK within the Pidie Regency Government. Considering the above background that the author has put forward, the author is interested in examining more deeply the management of *Infaq* Funds at Baitul Mal Pidie which will be written under

¹ Wahyu Akbar et al., "Optimization of Sharia Banking Regulations in Developing the Halal Cosmetic Industry in Indonesia," *Jurnal Ilmiah Al-Syir'ah* 22, no. 1 (June 30, 2024): 1, <https://doi.org/10.30984/JIS.V22I1.2611>.

² Misbahul Munir Makka, Chairul Fahmi, and Jefry Tarantang, "Religiosity of Muslim Customers as a Motivation to Save at Bank Syariah Indonesia," *Kunuz: Journal of Islamic Banking and Finance* 4, no. 1 (June 30, 2024): 1-16, <https://doi.org/10.30984/KUNUZ.V4I1.838>.

³ Chairul Fahmi, "The Snouck Hurgronje's Doctrine in Conquering the Holy Revolts of Acehnese Natives," *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 10, no. 2 (2021), <https://doi.org/10.31291/hn.v10i2.628>.

⁴ Tutik Haryanti, "Kewenangan Pengadilan Agama Dalam Penyelesaian Sengketa Ekonomi Syariah," *Tahkim* IX, no. 1 (2013).

the title "Implementation of Infaq Fund Management according to Pidie Regent Regulation Number 12 of 2021 (Research Study at Baitul Mal Pidie Regency)."

In conducting this research, the author must be able to demonstrate that the scientific work is written that its originality belongs to the author and is not the result of plagiarism and reproduction by others. The following authors describe the mapping of studies related to the author's research subject which is related but not substantially the same as that conducted by the author.

The first thesis written by Ridha Illah, one of the students of UIN Ar-Raniry "*Analysis of the Management and Utilisation of Infaq and Alms Funds at Syiah Kuala Cemetery in the Perspective of Islamic Law*". This research discusses how the management of Infaq and alms performed by the board at Syiah Kuala Cemetery and to find out the supporting and inhibiting factors in the implementation of infaq and alms management. With good management, public trust increases and all activities carried out are more optimal. The fundamental difference with the author's research is the place of the object to be studied, in the thesis the location is the Syiah Kuala Tomb and the thesis focuses on its utilisation while the thesis that the author examines the location is Baitul Mal, and also the core of the author's research is the law on the regulation

The second thesis of UIN Ar-Raniry students written by Muzakir "*Analysis of Productive Management of Zakat, Infaq, and Shadaqah (ZIS) in the Economic Empowerment of the People of LAZ DT Peduli Aceh*". This research shows that productive ZIS management is carried out by providing capital to mustahiq so that it can be used as a source to develop a business. DT Peduli Aceh provides training so that it can provide benefits and improve the mustahiq economy which in turn is expected to become muzakki. The role played by DT Peduli Aceh includes three aspects, namely the collection, distribution and supervision of productive ZIS. The ZIS funds obtained are channelled not only for consumptive zakat, but also productive zakat which is expected to improve the people's economy. The difference with what the author researched is in the focus of the things that are researched that this thesis focuses on zakat while the author focuses on infaq.

RESEARCH METHODS

type of research used in writing this scientific work is descriptive analysis, namely analysis carried out to solve problems by looking for facts and phenomena that occur either directly in the field or theory, as well as in the form of data and books related to the discussion of related topics. The data sources of this research are primary data and secondary data. The data collection techniques used in this research are interviews and documentation. After all the processed data is collected, then the data is analysed using descriptive research⁵. This method is intended to collect actual, detailed information, identify problems, so that an appropriate conclusion is found and can be a guide in establishing future plans.⁶

RESULTS AND DISCUSSION

A. Infaq and Legal Basis

Infaq comes from the Arabic *anfaqa-yunfiqu* which means spending or collecting money. According to the Big Indonesian Dictionary, infaq means to offer or donate gladly in the form of property or the like. Infaq can also be interpreted as any form of expenditure (spending), whether for personal, family or other purposes.

In addition, the word Infaq can be interpreted as spending the wealth given by Allah SWT, giving something to others solely for the pleasure of Allah SWT. Thus, Infaq is a form of spending wealth in accordance with the guidance of Sharia. In addition, Infaq can also be interpreted as something that is issued in addition to zakat, which is voluntary without compulsion set aside from one's property or wealth for public benefit or to help others in need. Infaq is giving part of the property or income / income for the benefit of what is ordered in Islamic teachings. Infaq means spending some of the wealth for humanitarian needs in accordance with Islamic teachings.

According to the KBBI (Kamus Besar Bahasa Indonesia) Infak is "the giving of donations of property (other than mandatory zakat) in this case of kindness for the public interest." And the word "menginfakkan harta" means "to give property donations in terms of virtue for the public interest. In Islamic teachings, the implementation of zakat, infaq and alms is an act

⁵ Moh. Nazir, *Metode Penelitian*, 2015.

⁶ Muhammad Siddiq Armia, *PENENTUAN METODE & PENDEKATAN PENELITIAN HUKUM*, ed. Chairul Fahmi (Banda Aceh: Lembaga Kajian Konstitusi Indonesia, 2022).

of worship that has two benefits. The first is a form of monotheism, which is a form of obedience from a servant to the commands of Allah SWT. The second is a form of worship and social responsibility of an individual to the individuals around him.

Infaq can also be interpreted as donating or giving sustenance or spending something to others based on sincerity and solely for the sake of Allah. or it can be interpreted as spending alms every time a Muslim receives sustenance from Allah in the amount he wants and is able to.

According to Imam Fakhruddin ar-Razi Infaq is using or spending property for virtue, such as to go on Hajj, Umrah, provide for the family, pay zakat, and so on. Therefore, a person who squanders or who wastes his property cannot be called munfiq (one who gives). M.Qurais Shihab in his tafsir al-Misbah says, people who mention kindness in front of people in need are like people who give with the motive of fame and want to be praised. They do not believe in Allah and the Last Day. The example of the *riya'* person is like a slippery stone on which there is soil, as soon as heavy rain falls on the stone, the soil disappears. Similarly, the reward of infaq or sadaqah will be lost because of *riya'* and offence. There is not the slightest benefit from it.

The difference between Infaq and zakat can be seen from the time of spending, in zakat there is a nisab while Infaq does not exist, whether he has a high income or a low income. Zakat is given only to the eight asnaf, while Infaq can be given to anyone, for example to families, orphans, and others who are in need. Infaq is also not specified in terms of type, amount and form, as well as the time of delivery.

From the explanation above, it can be concluded that Infaq can be given to anyone, which means spending money for the benefit of something. Whereas according to shari'a terms, Infaq is spending some of the wealth ordered in Islamic teachings for the public good and can also be given to the closest friends, parents, and other closest relatives.

B. Conformity of *Infaq* Fund Management According to Pidie Regent Regulation Number 12 of 2021 with Qanun Number 3 of 2021

So far, the procedure for managing zakat and infaq in Baitul Mal Pidie has followed the regulations stipulated in the Regent's Regulation, which states that infaq is taken from the income and services of Civil Servants (PNS) / non-civil servants and private employees of Pidie Regency who are

deducted directly from their salaries, providers of goods or services and medical personnel of BLUD Public Hospitals.

Furthermore, in the Pidie Regent Regulation Number 12 of 2021 concerning Baitul Mal in Article 8 there is no mention of the amount of Infaq collection for holders of land rights and / or other objects on it as contained in the Qanun⁷

C. The Management of *Infaq* Funds in Baitul Mal Pidie and its Conformity with Islamic Law

After looking at the suitability of infaq management regulated in the Pidie Regent Regulation and Qanun, we must also look at how Islam regulates its management⁸. In Islam, the amount of wealth that must be donated is also regulated, when when we have to pay zakat, and when we have how much wealth has reached hisab so that zakat must be issued⁹

The author explains that the amount of Infaq in Pidie Regency has been stipulated in Regent Regulation Number 12 of 2021, namely the amount of Infaq for partners / providers of goods or services 0.5% (zero point five percent) of the value of work with transaction values starting from IDR 50. After seeing how Infaq is regulated in Islam, and how Infaq is regulated in the Pidie Regent Regulation Number 12 of 2021.

There is a gap here, which is why the Regent Regulation gives a reference to the level of Infaq and Islam does not regulate this. Pak Husaini as PLT Head of the Secretariat of Baitul Mal Pidie said that: "The Regent Regulation on Infaq was issued with the Aceh Qanun as a reference, and the Aceh Qanun was also regulated after consultations and deliberations with the Aceh Ulama Consultative Assembly (MPU).

It is certain that this regulation was issued because many people do not really understand about Infaq because what the majority of people know is zakat¹⁰. Mr Marzuki added "All the regulations that we have implemented until now have guidelines, namely Qanun and the approval of the Aceh Ulama Consultative Assembly (MPU), so that what we do is in accordance with Sharia". Both correspondents also confirmed that their monthly income has been reduced by 1% (one per cent) infaq and this has

⁷ "Peraturan Bupati Pidie No. 12 Tahun 2021" (2021).

⁸ Qurais Shihab, *Sedekah Pengubah Nasib*, 2020.

⁹ Dahlan dan Abdul Aziz, *Ensiklopedi Hukum Islam* (Jakarta: PT Ichtiar Baru Van Hoeve, 1999).

¹⁰ M. Arief Mufraini, *Akuntansi Dan Manajemen Zakat*, 2006.

been going on for more than 2 years, and there are no obstacles with the rules in the Regent Regulation.

In Islam, there are several laws regarding infaq, as the author explained in Chapter II that Infaq can be said to be obligatory, sunnah, and haram. *Infaq* is said to be obligatory when spending money on things that are obligatory, for example, supporting a wife and family. *Infaq* can be said to be sunnah, namely issuing infaq for people in need. Meanwhile, *infaq* can be said to be permissible, namely spending money on permissible things, for example for trade or so on. *Infaq* can also be said to be haram, that is, the infaq treasure is issued for haram things, such as what the disbelievers did to prevent the spread of Islam.¹¹ The author here sees and draws conclusions from several readings, which are that the rules in Regent Regulation Number 12 of 2021, in terms of deducting Infaq from his monthly salary are not recommended because they violate one of the pillars of Infaq, namely that there is no element of compulsion in it

CONCLUSIONS

In Qanun Number 3 of 2021 concerning Baitul Mal, it is stated that Baitul Mal is an institution of speciality and specificity in the Government of Aceh and District / City Governments which in carrying out its duties is independent and has the authority to safeguard, maintain, manage and develop zakat, infaq, waqf property, and other religious assets, and supervise guardianship based on Islamic law. Judging from the beginning of the formation of Baitul Mal Pidie, the activities of the Pidie Regency Baitul Mal Agency in terms of distributing infaq, infaq are channeled to those entitled to receive infaq, according to with mustahiq data that has been strictly selected and channeled directly to the mustahiq. The Baitul Mal of Pidie Regency annually distributes zakat to mustahiq who are entitled to receive it. In 2013, Baitul Mal Pidie also built 72 units of duaafa houses in collaboration with the provincial Baitul Mal. Meanwhile, the income of zakat in Pidie Regency is still very small. The district Baitul Mal's income is from the infaq of civil servants in the Pidie area, and is the main income of Baitul Mal.

¹¹ Neilul Masyitah et al., "Factors of Exchange of Waqf Property According to Positive Law and Islamic Law in Indonesia: A Case Study in Pidie District of Aceh Province," *AJIEL - Ar-Raniry Journal of Islamic Economic Law* 1, no. 2 (December 1, 2024): 97-118, <https://jim.ar-raniry.ac.id/ajiel/article/view/725>.

The procedure for managing zakat and infaq at Baitul Mal Pidie has followed the regulations set out in the Regent's Regulation, which states that infaq is taken from the income and services of Civil Servants (PNS)/non-Civil Servants and private employees of the Pidie Regency area who are deducted directly from their salaries, providers of goods or services and BLUD General Hospital medical personnel. This regulation is based on Aceh Qanun Number 3 of 2021.

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