

When the State Takes Over: The Centralization of Zakat and the Limitation of the Role of Civil Society

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Abstract

This study examines how the Indonesian government manages zakat by tracing the history of legal policies and their relationship with the state's efforts to unify the zakat management system. In contrast to other Muslim countries that have diverse zakat management systems, the direct involvement of the Indonesian government in administering zakat has caused rejection from Islamic community groups. The Islamic community does not want government interference in zakat affairs because this is contrary to the habits they have been practicing since before Indonesia's independence. This study uses historical research methods and analyzes information by applying the theory of prismatic laws developed by Fred W. Riggs. The results of the study show that the government's reason for unifying the management of zakat is to maximize the use of zakat funds more effectively. However, this policy actually reduces the participation of the Muslim community in carrying out zakat management based on their traditional heritage. Thus, this study concludes that the government's efforts to consolidate the management of zakat are inappropriate because they ignore the practice of zakat that has been integrated with the history and culture of the Indonesian Islamic community.

Keywords: Zakat, Islamic legal politics, civil society.

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INTRODUCTION

The zakat management system in various Muslim countries shows significant diversity (Wibisono, 2015). This difference is rooted in the diverse views among Muslims regarding the nature of zakat, namely whether zakat is seen as a doctrinal teaching or as a traditional religious practice (Salim, 2008). Another factor influencing this variation is the continuous interaction between Islamic values and the dynamics of social change, community conditions, local traditions, and cultural aspects in the context of Muslim life (Rofiq, 2015).

The approach to zakat management varies between countries. Malaysia and Pakistan apply a centralization model where the government has full authority in collecting, managing, and distributing zakat (Hefner, 2000). In contrast, Indonesia, which relies on the active role of Islamic community organizations in the management of zakat, although it still involves the government in the administrative aspect (Latief, 2014). However, in a number of Muslim countries that do not make religion the basis of state ideology, government intervention in the

management of zakat often creates conflicts of interest with Islamic civil society organizations (Jahar, 2006).

Indonesia, as a country that adheres to a voluntary zakat management system, tries to take an active role in regulating zakat, but this step has reaped rejection from Muslims. The year 2011 was an important moment when the government gave official authority to the National Amil Zakat Agency (BAZNAS)—a non-structural government institution—to control the management of zakat centrally based on Article 6 of Law No. 23 of 2011 concerning Zakat Management, which stipulates BAZNAS as the sole authority for managing zakat at the national level (Syahroni et al., 2019).

This policy of centralizing zakat management triggered a strong reaction from elements of Islamic civil society, especially the Zakat Forum (FOZ) which is a member of the Indonesian Zakat Community Coalition (KOMAZ), which expressly rejected the regulation (Fauzia, 2013). Responding to the resistance that arose, the House of Representatives of the Republic of Indonesia for the 2019-2024 period then included a plan to revise the Zakat Management Law No. 23 of 2011 into the agenda of the National Legislation Program (Prolegnas) (Secretary General of the House of Representatives, 2023).

The dynamic relationship between Islamic community organizations and the government in regulating the distribution of zakat has not received in-depth study from academics. Previous researchers have examined certain aspects such as the concept of ownership in the Islamic zakat system (Nurlaelawati, 2010), the relationship between zakat and the tax system (Djarmiko, 2019; Syahbandir et al., 2022), as well as its implementation in the Islamic banking sector (Alfitri, 2022). In Indonesia, the juridical dimension of zakat has triggered discussions about legal developments (Bariyah, 2016), bureaucratic systems (Jahar, 2019), strengthening regulations (Faisal et al., 2023), and zakat for certain professions (Latief, 2014). In addition, a number of academics also research the historical development of zakat in Indonesia (Fauzia, 2013).

Based on the results of previous research, it can be seen that there is a complicated relationship and conflict of interest between the government and the Islamic civil society in managing zakat. This paper complements previous research by examining the historical roots of the politics of zakat law and its relation to government policies that centralize the management of zakat in Indonesia. The author argues that the policy of centralizing zakat management by the state is wrong because it limits the active role of Islamic civil society. In fact, the practice of zakat management in Indonesia has strong roots in the historical tradition of Islamic civil society.

METHOD

This study aims to examine the reasons behind the state's decision to centralize zakat management, which ultimately reduces the participation of the civilian Muslim community that had practiced zakat long before Indonesia's independence. This study adopts a literature review method with a historical perspective. Primary data sources in the study include various government regulations related to zakat in Indonesia, records of government hearings, and court rulings, while secondary data consists of relevant literature, academic publications,

newsletters, research reports, and official websites that support the study. All the data collected were then analyzed using the legal theory framework developed by Fred W. Riggs (Riggs, 1958).

This theoretical framework is used to explore the relationship between the formation of law and the development of the political history of zakat law in Indonesia. In this theoretical framework, it is crucial that the legal basis that is the reference for the formation of zakat regulations is able to represent the diversity of zakat management practices in the community. Thus, the process of formalizing zakat law should recognize the importance of the historical roots of the practice of zakat management in the Muslim community as an essential legal basis.

RESULT AND DISCUSSION

The Transformation of Indonesian Zakat Management: From the Hands of Individuals to State Control

The genealogy of zakat management in Indonesia can be traced at least as follows:

Management of individual zakat

Based on the guidance of Islam, the zakat payers (muzakkī) have an incentive to distribute zakat to the beneficiaries who are entitled (mustahiq). The obligation to pay zakat for Muslims is a religious practice that has been deeply rooted in the traditions of the Indonesian Muslim community since Islam first entered the archipelago (Widyawati, 2011). This is in line with the process of spreading Islam in Indonesia which occurred gradually, starting from the beginning of the 7th century (Abubakar, 2006). Initially, Muslim communities were formed in small groups that later developed and formed kingdoms (Fauzia, 2016). Nevertheless, the individual zakat management system is maintained.

Here is a paraphrase of the paragraph:

Islamic texts in the archipelago show the practice of zakat management carried out privately. One example is Bukhārī al-Jawharī's work entitled *Tāj al-Salāṭīn*, which demonstrates how the principles of generosity in Islam, including zakat, play a role as a driver of important transformations in the lives of civil society in the archipelago (Daulay, 2020). In the text, there is a teaching that states that a leader should give greater appreciation and honor to the poor and those who need help than the rich, and always put himself with them (Azra, 2006). This text criticizes Muslims who are stingy (bahkīl) while praising their generosity. Although this message is specifically addressed to the rulers, the spirit of generosity contained in the teachings of Islam, including the practice of zakat, also applies and must be practiced by all levels of Muslim society.

A similar concept is evident in the work *Adat Raja-Raja Melayu* by Panuti H. M. Sudjiman. This article describes how the kings gave zakat and alms to the poor through religious rituals combined with palace celebrations, such as birth events, hair-shaving processions, and the fulfillment of vows. The giving of zakat or alms in the form of gold, silver, and clothing is carried out at these ceremonies. The actions of these rulers are intended to strengthen the legitimacy of their power in front of the people (Sudjiman, 1986). Likewise, the work *Wejangan* of Sheikh Bārī, written by Sheikh Yusuf al-Makassari, which emphasizes that

the implementation of zakat includes giving alms secretly and secretly, which only Allah SWT knows (Azra, 2006).

Zakat management through mosques and Islamic boarding schools

Along with the development of the Muslim community, a zakat management system emerged centered on mosques and Islamic boarding schools. The mosque not only serves as a place of worship, but also becomes the center of various activities such as zakat management, the spread of da'wah, and educational activities. In the era of the Islamic Kingdom that ruled in Aceh, Sumatra, and Java, the construction of mosques was generally the result of collaboration between rulers and religious figures. This is especially evident on the island of Java, where major mosques are erected in strategic locations close to the square, and their development has received support from the government. Some real examples are the Gedhe Mosque of the Yogyakarta Palace, the Demak Square Mosque, and the Banten Palace Mosque. Mosques built on the initiative of the government are under the supervision of the headman, while mosques built by community initiatives are led by the kyai (Fauzia, 2016).

Islamic boarding schools play a vital role in the spread of Islam through education. The kyai collaborated with the local government to establish places of worship, deliver da'wah, and develop the spiritual life of the people. Religious fundraising is carried out through mosque and pesantren administrators to support operational activities. For example, K.H. Zarkasi, who led the Mafatihul Ulum Islamic Boarding School in 1870, succeeded in collecting funds independently from the students and followers of the tarekat for the construction of a mosque (Fauzia, 2016). This effort indirectly shows the function of pesantren as a community fundraising institution.

During the Dutch colonial period, the rulers carried out various duties, including being religious judges (*qādi*), legal advisors in the court (*mufti*), officers who took care of marriages, zakat management officers (*āmil zakat*), and mosque administrators (*marbot*). Although they were officially appointed as religious employees in 1832, the compensation they received was not in the form of a fixed salary, but came from zakat cash. Scholars such as kyai, ajengan, and reciting teachers also receive a share of zakat because they are included in the category of *fisabilillah* (for the benefit of the religion of Allah). The collection of zakat funds is a stable source of income, but only a small portion is really allocated to help eligible groups such as the poor, converts, and travelers (Adriaanse, 1992). Meanwhile, the village head as the ruler at the local level also gets part of the task of managing zakat that they carry out (Salim, 2006).

The year 1882 marked a significant change when the rulers changed their status to become employees of the Dutch colonial government and lost their authority in administering zakat (Fauzia, 2016). However, zakat collection activities have actually increased through mosques, with the coordination of princes who collaborate with local government officials to enforce zakat collection. To deal with this problem, the government issued Staatblad 1866 No. 1892 which expressly prohibited the practice of forcible zakat collection by princes and officials. This policy had an impact on the financial difficulties experienced by the princes. Meanwhile, the zakat funds collected are mostly allocated to ustadz, kyai, santri, and other related parties

(Adriaanse, 1992). In this development, mosques play a role as the main center for collecting zakat funds.

Zakat management through Islamic religious organizations

The common understanding of the civil Muslim community in the Indonesian archipelago has created a division between religious-based nationalist views and secularist nationalists. The religious-based nationalist orientation was manifested through the formation of associations such as the Islamic Trade Union (1905), Jami'atul Khairat (1905), Muhammadiyah (1912), Nahdlatul Ulama (1926), Al-Irsyad (1914), and other similar institutions. Mukti Ali marked these Islamic organizations as a symbol of the rise of Islam in Indonesia (Ali, 1971). On the other hand, secular nationalist ideology expressed itself through the formation of Budi Utomo in May 1908 (Ricklefs, 2008). Islamic mass organizations lead initiatives in the education, health services, and social assistance sectors as strategic instruments to achieve Indonesia's independence (Latief, 2013). These institutions, which are components of Islamic civil society, have developed into very significant socio-religious movements. Over time, their activities have expanded to a wider extent, facilitating humanitarian efforts that are beyond the capacity of the government (Azra, 2006).

In this discussion, the author focuses on two large organizations that have existed for a long time, namely Muhammadiyah and Nahdlatul Ulama. The fundamental distinction between the two organizations lies in the way they manage Islamic philanthropic resources. Since its establishment, Muhammadiyah has developed a structured institutional system and consistently mobilized funds to overcome the problem of poverty. On the other hand, Nahdlatul Ulama which was formed in the colonial era experienced various obstacles in the education and economic sectors.

Muhammadiyah became the first organization to be studied in this discussion. This organization was established on November 18, 1912 on the initiative of Ahmad Dahlan who was encouraged by the suggestions of his students and a number of Budi Utomo figures (Noer, 1982). Muhammadiyah is recorded as the first modern organization that is non-political and prioritizes the interests of the small people through programs in the education, health, and community sectors (Nakamura, 1983). Dahlan's educational background in the aristocratic environment of the Yogyakarta Palace also shaped his deep social concern. This explains why Dahlan continuously emphasizes the practical aspects of Islamic teachings in various theological dimensions (Latief, 2017).

When it was first established, the function of Muhammadiyah's renewal in the Islamic realm was not so significant. This organization prioritizes philanthropic activities in Islam, especially in collecting zakat and alms funds (van Bruinessen, 2009). In subsequent developments, Muhammadiyah developed into a leading organization in social movements and contemporary education systems, not only at the Indonesian national level but also on an international scale. Bruinessen made a comparison between Muhammadiyah and the Muslim Brotherhood, which is an Islamic organization centered in Egypt (van Bruinessen, 2017).

Dahlan's views on zakat show a progressive vision, especially in his firm stance against the practice of misappropriation of zakat funds by traditional figures such as traditional leaders,

modin, and ulama for their individual gain. This view is different from the traditional concept of the distribution of zakat contained in classical Islamic teachings (Fauzia, 2016). Dahlan emphasized the importance of allocating zakat funds mainly to help the poor and the poor. Through the use of his wealth to disseminate and develop compassion, Dahlan created an example similar to the ministry efforts carried out by Christian social and religious organizations (van Bruinessen, 2009).

The Muhammadiyah organization utilizes zakat funds as the backbone of the organization's financing. In the financial accountability document issued by the Central Executive of Muhammadiyah in 1934, it was recorded that the gulden was the main component of fund income (*Oeang Masoek*) (ICECRD and Documentation of the Voice of Muhammadiyah Yogyakarta, 1934). This was strengthened in the Muhammadiyah Articles of Association published through Soeara Muhammadiyah in 1944, where zakat and community contributions were mentioned as part of the various sources of financing for the organization. In Article 8 it is stated: "The capital of the Partnership is sourced from: a. ioeran and support; b. zakat and donations; c. Property and Property; d. the proceeds obtained from the property rights of the association; and e. others that are halal," (Reglement Moehammadijah, n.d). From these funds, Muhammadiyah finances various social programs, charitable businesses, da'wah activities, and the field of education.

After the independence of the Republic of Indonesia, the Muhammadiyah organization carried out reforms in the zakat administration system by changing the name of the institution previously known as the Zakat Affairs Management Agency (BPUZ) to the Muhammadiyah Amil Zakat, Infak and Alms Institution (LAZISMU) in 2002. This institutional change received official legitimacy through the Decree of the Minister of Religion of the Republic of Indonesia Number 457 of 2002, which stipulated LAZISMU as a concrete manifestation of the zakat movement within Muhammadiyah. This institution managed to maintain its strategic position even when the Law on Zakat Management Number 23 of 2011 was enacted, as confirmed through the Decree of the Minister of Religion Number 730 of 2016 (Lazizmu, 2025).

The second Islamic religious organization studied was Nahdlatul Ulama. The institution, which was founded by K.H. Hasyim Asy'ari in 1926, implements a personal zakat and generosity management system, without using formal institutional mechanisms. Nahdlatul Ulama is known as a movement that preserves Indonesia's traditional heritage, cultural values, and local customs. In the Nahdlatul Ulama community, the distribution of zakat generally takes place directly between the giver of zakat (*muzakki*) and the recipient of zakat (*mustahiq*), with the involvement of scholars who teach in suraus and mosques, kiai pesantren and underprivileged groups as an inseparable element of the civil community that handles zakat affairs (Salim, 2008).

Unlike Muhammadiyah which allows the use of zakat for recipients outside the eight categories of zakat recipients (*aṣnāf*) that have been determined in the Qur'an, the fiqh view of Nahdlatul Ulama actually provides a restriction on this flexibility (van Bruinessen, 1994). An important turning point occurred when the Nahdlatul Ulama Congress took place in Situbondo in 1984, where a decision was made that each branch of Nahdlatul Ulama was

obliged to form a zakat management institution. However, the response from various parties to this decision was less enthusiastic (Fauzia, 2016). After waiting for twenty years, Nahdlatul Ulama established NU CARE in 2004, after the 31st Nahdlatul Ulama Congress at the Donohudan Hajj Dormitory, Boyolali. With the status of a non-profit organization based on the Decree of the Minister of Religion Number 65 of 2005, NU CARE has the task of serving the community through the management of Zakat, Infaq, Alms, and Waqf (ZISWAF) funds. In 2015, NU CARE changed its name to NU CARE-LAZISNU. Today, NU CARE-LAZISNU has expanded its activities to 12 countries, 34 provinces, and 376 districts/cities throughout Indonesia (NU Care-LAZISNU, 2025).

Zakat management through BAZNAS and LAZNAS

The establishment of BAZNAS and LAZNAS reflects the initial model of zakat management before Indonesia became independent. BAZNAS is guided by religious leaders who have links to the government structure through the heads in state mosques. On the other hand, LAZNAS is controlled by ulama who are connected to the community through the kyai pesantren, kyai desa, and kyai of local mosques. The presence of zakat management institutions such as BAZ and LAZ began at the same time as the era of the New Order government led by President Soeharto. Although Suharto did not explicitly issue an order to establish a BAZ, the governors took the initiative to establish a BAZ in their respective provinces. Ali Sadikin, as the Governor of DKI Jakarta, started this step in 1968, which subsequently inspired governors in other regions to follow in his footsteps (Baznas Basis DKI Jakarta, 2025).

The formation of BAZ at the provincial level has also encouraged the establishment of zakat institutions in a number of corporations, including state and private companies. The year 1994 was an important moment when Bank Negara Indonesia presented BAMUIS (Yayasan Baitulmal Ummat Islam Bank Negara Indonesia), while PT Bontang LNG pioneered LAZ Yaumil and Baitul Maal Pupuk Kujang. At the same time, the civil Muslim community is also active in establishing zakat management organizations, such as the Al Falah Social Fund Foundation which was established in 1987, Dompot Dhuafa Republika in 1994, Rumah Zakat Indonesia in 1998, Pos Keadilan Peduli Umat (PKPU) in 1999, and Dompot Peduli Ummat Darut Tauhidin in 1999. These institutions came to be known as LAZNAS which represented the movement of the Muslim civil society. Through the Zakat Management Law No. 38 of 1999, the positions of BAZ and LAZ are placed in an equal position. However, the next regulation, namely Law No. 23 of 2011 concerning Zakat Management, changes the provision that BAZ and LAZ no longer require permission from the Minister of Religion (Zakat Management Law No. 23 of 2011 Article 18). According to BAZNAS records in 2022, there are 35 national-scale Zakat Management Organizations (OPZs) that have been verified, 62 OPZ at the provincial level, and 507 OPZ at the district/city level (BAZNAS, 2022).

The Political Dynamics of Zakat Law in Indonesia: Between State Control and the Autonomy of the Ummah

The ratification of Law No. 38 of 1999 concerning Zakat Management in the post-reform period was enthusiastically welcomed by Muslims as an achievement in building a legal basis

for zakat governance. The presence of this law reflects the government's political recognition of the significant contribution of Islamic community organizations in regulating zakat. This success is inseparable from the hard work of BAZ as a representative of Islamic civil society who plays an active role in fighting for the regulation. In this system, BAZ and LAZ get a balanced position in accordance with the aspirations of the FOZ. FOZ consistently rejects the application of coercive rules in zakat regulations and seeks to prevent government interference in zakat management. Consequently, BAZ and LAZ both have the authority to strategize, collect, distribute, utilize, and report zakat funds (Wibisono, 2015).

On January 17, 2001, the government officially established BAZNAS based on Presidential Decree Number 8 of 2001, by establishing BAZNAS as a national institution responsible for the management of zakat. This action can be interpreted as a sign of the government's desire to centralize zakat administration at the national level. The indication of the consolidation effort was even clearer when H. Tulus, who is an employee of the Ministry of Religious Affairs, proposed a revision of the Zakat Management Law Number 38 of 1999 at the third FOZ National Conference in Balikpapan on April 25-28, 2003. H. Tulus emphasized the urgency of unifying the zakat management system and simplifying related institutions to ensure maximum accuracy of distribution and use (Tulus, 2003). Then in 2006, the government re-evaluated the Zakat Management Law Number 38 of 1999, where an official of the Ministry of Religious Affairs, M. Nasrun, proposed the idea of BAZNAS becoming the sole body for managing zakat, which was likely to result in the liquidation or transformation of LAZ into a Zakat Collection Unit (UPZ) (Harun, 2010).

At this time, there were two opposing factions in an effort to revise the Zakat Management Law Number 38 of 1999. The first faction is a government institution chaired by the Ministry of Religious Affairs, while the second faction is a Muslim community organization represented by the FOZ. The Ministry of Religious Affairs wants centralization in the administration of zakat, as reflected in the Problem Inventory List (DIM) contained in the Zakat Management Bill (RUUPZ). This draft law establishes BAZNAS as a non-structural government institution that has the authority to control the administration of zakat at the national level (Director General of Islamic Community Guidance and Directorate of Zakat Empowerment, Ministry of Religion, 2010).

In the DIM working committee meeting, Bahrul Hayat as the Secretary General of the Ministry of Religion stated that the performance of BAZNAS was constrained due to the lack of authority to conduct audits of zakat management organizations, especially LAZ. Therefore, the unification of the zakat management system is seen as crucial to increase effectiveness (Minister of Religion, 2011). On the other hand, FOZ is of the opinion that the administration of zakat must remain the domain of the Muslim community as the implementer, while the government only functions as a regulator through the Zakat, Infaq, and Alms Management Agency (BPZIS), BAZNAS, and LAZ. FOZ also proposed the merger of BAZNAS into LAZNAS (Commission VIII of the House of Representatives (DPR) of the Republic of Indonesia, 2008).

October 27, 2011 marked the passage of the Zakat Management Bill into Law No. 23 of 2011 through a plenary meeting chaired by Radityo Gambiro at the Nusantara II Building

with the support of the Government (Buletin Parlementaria, 2011). However, the enactment of this law has negative consequences for the participation of Islamic community organizations. This new regulation stipulates that zakat managers in mosques, prayer rooms, Islamic boarding schools, and similar locations are prohibited from administering zakat unless they obtain approval from the competent authorities, with the risk of being subject to criminal sanctions (Zakat Management Law No. 23 of 2011 Articles 38 and 41). The government reasoned that the centralization of zakat management is the best method to maximize the management and distribution of zakat funds. Disapproval of this policy motivated Islamic community groups to submit a judicial review to the Constitutional Court. Although the Constitutional Court granted the request for revision of a number of articles in the regulation, the exception only applies to zakat managers who are in areas that are difficult to reach by the Amil Zakat Agency or the Amil Zakat Institution. In fact, various zakat managers from the Islamic community continue to carry out informal zakat management activities (Susilowati & Setyorini, 2018).

The Shadow of Centralization: How BAZNAS Dimmed the Role of Islamic Civil Society

The enactment of Law No. 23 of 2011 concerning Zakat Management has drastically changed the legal and political dynamics in zakat management, thereby shifting the direction of the national zakat policy in Indonesia. This regulation strengthens BAZNAS' position as a non-structural government institution that has the main authority in controlling and regulating the zakat system at the national level. However, this policy change had a negative impact on the existence of LAZNAS, where their status was reduced to just a supporting partner of BAZNAS in zakat fundraising activities. The perspective of Islamic civil society organizations considers that the revision of Law No. 38 of 1999 is a government strategy to minimize the strategic role of LAZNAS in Indonesia's zakat management ecosystem. In particular, Law No. 23 of 2011 also stipulates criminal sanctions for the management of zakat carried out independently by mosques, Islamic boarding schools, and other Islamic organizations without obtaining official permission from the Ministry of Religion (Law on Zakat Management No. 23 of 2011 Articles 38 and 41).

The revision of Law Number 38 of 1999 concerning Zakat Management should pay attention to the historical traces of the zakat management system that has been deeply rooted in the Indonesian Muslim community. From a historical perspective, these systems can be grouped into four models: individuals, centered on mosques and Islamic boarding schools, Islamic religious institutions, BAZNAS, and LAZNAS. However, Law Number 23 of 2011 concerning Zakat Management has not succeeded in accommodating the juridical reality that the zakat management system has a foundation in the Indonesian Muslim community. As Gillssen and Gorle say, from the point of view of the sociology of law, the laws that apply in society are the main laws (Gillssen & Gorle, 2007). Thus, the initiative that is currently underway under the leadership of the House of Representatives together with FOZ to revise Law Number 23 of 2011 concerning Zakat Management is obliged to accommodate this

historical fact. Law that acts as an instrument and representation of people's cultural values cannot be ruled out in the process of future legal development (Kusumaatmadja, 2002).

From a multidimensional legal perspective, these legal traditions are fundamental legal references and require legitimacy in the formation of national law in the future through legal codification. Law is closely tied to the social structure of society and becomes an essential element in the dynamics of collective life (Lukito, 2008). The law is obliged to represent principles that are rooted in the community and uphold the concept of justice that is embraced (Ehrlich, 1936), especially in the domain of zakat law which rests on the foundation of Pancasila which expressly opposes various forms of discriminatory treatment (Latif, 2017). Thus, the synchronization of the legal order within the framework of the pluralistic Indonesian legal system is crucial (Ma'arif, 2009).

The regulation of zakat born during the Reform period ideally reflects the fundamental transformation of the period in which the rules of zakat were legislated, so that it requires a close relationship with the social historical context that surrounds it (Ichwan, 2006). However, the centralization of zakat administration has led to the neglect of zakat management mechanisms that have taken root in the community, including those that take place in various mosques, suraus, and Islamic boarding schools. These mechanisms are laws that have been internalized in people's lives, illustrating the dedication of the civilian Muslim community in implementing their religious values. This classification confirms that the administration of zakat in Indonesia is essentially closely related to the civilian Muslim community, which positions them as the main foundation of the national zakat management system. Facing the continuous changes in social dynamics, the revision of the Zakat Management Law No. 23 of 2011 is an urgent need to accommodate the legal demands of the community that continues to develop. Nevertheless, it is crucial to identify various areas that are still not clearly defined regarding their roles, obligations, and functions that have not been regulated in the structure of the Zakat Management Law No. 23 of 2011.

Thus, the transformation of the juridical and political structure in the regulation of zakat after the implementation of the Zakat Management Law Number 23 of 2011 has overhauled the orientation of zakat administration. The change shows a move from a decentralized system to a more centralized mechanism, thus causing a negative impact on the functioning of the National Amil Zakat Institute (LAZNAS). When revising this legal regulation, it is fundamental to appreciate the natural characteristics of the zakat management system that has been deeply embedded in the Indonesian Muslim community. In the construction of positive law, it remains essential to consider the legal traditions that are alive and thriving in society while still maintaining the principles of justice. Realizing synchronization in the national legal order is an urgent need oriented towards the acceptance of the existing legal diversity. Recognition and support for zakat management facilitated by the civil society must be strengthened to ensure effective and impartial distribution of zakat funds. However, it is worth underlining that tensions often arise between the influence of the Muslim community and the power of the government when each side fights for its own agenda.

CONCLUSION

The development of zakat regulations in Indonesia has made BAZNAS a non-structural government institution that has the authority to centralize the administration of zakat nationally, as stated in Article 6 of Law Number 23 of 2011 concerning Zakat Management. Although this concentration of authority is intended to optimize the effectiveness and utilization of zakat funds, this strategy has drawn opposition from Muslim civil society, as it hinders their involvement in the administration of zakat that is deeply rooted in their cultural and religious heritage. This condition is contrary to the tradition of pluralistic zakat management and has been firmly embedded in the Indonesian Muslim community for decades.

The track record of implementing zakat law in Indonesia illustrates the abundant plurality in the Muslim community. Initially, zakat was managed individually, but in its development, zakat evolved into a more systematic governance through mosques, suraus, Islamic boarding schools, and Islamic institutions. Before Indonesia's independence, BAZ and LAZ emerged as a pattern of zakat management, where BAZ was influenced by *kiai* related to the ruler and LAZ was led by clerics affiliated with the Muslim civil community. After the reform era, the Zakat Management Law Number 38 of 1999 prepared a legal basis that recognized BAZ and LAZ as institutions that have the same position in zakat administration. However, the government's efforts to centralize the administration of zakat by establishing BAZNAS have caused tension with the Muslim civil society community who want to maintain the independence of zakat management. Considering this historical background, any plan to amend the Zakat Management Law Number 23 of 2011 must accommodate the diversity of zakat management traditions and respect the historical treasures of the Muslim civil society in Indonesia. Recognition and appreciation of the diversity of zakat management practices is fundamental because it reflects the complexity of the socio-religious panorama in Indonesia.

BIBLIOGRAPHY

- Abubakar, I. (Ed.). (2006). *Filantropi Islam & keadilan sosial: Studi tentang potensi, tradisi, dan pemanfaatan filantropi Islam di Indonesia* (1st ed.). Jakarta: Center for the Study of Religion and Culture, UIN Syarif Hidayatullah.
- Ahmad Rofiq. (2015). *Hukum perdata Islam di Indonesia* (Rev. ed.). Jakarta: PT Raja Grafindo Persada.
- Alfitri. (2022). *Islamic law and society in Indonesia: Corporate zakat norms and practices in Islamic banks*. London: Routledge.
- Ali, A. M. (1971). *Alam pikiran Islam modern di Indonesia*. Yogyakarta: Yayasan Nida.
- Azra, A. (2006). Filantropi dalam sejarah Islam di Indonesia. In K. N. Aflah & M. N. Tajang (Eds.), *Zakat dan peran negara* (pp. 15-30). Jakarta: FOZ.
- Bariyah, N. O. N. (2016). Dinamika aspek hukum zakat dan wakaf di Indonesia. *AHKAM: Jurnal Ilmu Syariah*, 16(2), 197-212.
- BAZNAS. (2022). *Laporan kinerja Januari-Juni tahun 2022*. Jakarta: BAZNAS.

- Baznas Bazis DKI Jakarta. (n.d.). Baznas Bazis DKI Jakarta. Retrieved May 4, 2023, from <https://baznasbazisdki.id/sejarah>
- Bruinessen, M. van. (1994). *NU: Tradisi, relasi-relasi kuasa, dan pencarian wacana baru* (F. Wajdi, Ed.). Yogyakarta: LKIS-Pustaka Pelajar.
- Bruinessen, M. van. (2009). Liberal and progressive voices in Indonesian Islam. In S. Hunter & S. T. Hunter (Eds.), *Reformist voices of Islam: Mediating Islam and modernity* (pp. 187-207). New York: Routledge.
- Bruinessen, M. van. (2017). Prawacana: Globalisasi neoliberal dan kedermawanan Islam. In H. Latief (Ed.), *Melayani umat: Filantropi Islam dan ideologi kesejahteraan kaum modernis* (Rev. ed., pp. xvii-xviii). Yogyakarta: Suara Muhammadiyah.
- Buletin Parlementaria*. (2011). DPR setuju RUU zakat, infaq, dan shodaqoh (ZIS) menjadi undang-undang.
- Commission VIII of the Indonesian House of Representatives. (2008). *Draft bill of the Commission VIII of the Indonesian House of Representatives (DPR RI) initiative on zakat management*.
- Daulay, S. P. (2020). *Filsafat politik Melayu: Kajian filologis dan refleksi filosofis terhadap kitab Taj al-Salatin karya Bukhari al-Jauhari* (1st ed.). Yogyakarta: Penerbit Litera.
- Director-General of Islamic Community Guidance and Directorate of Zakat Empowerment, Ministry of Religious Affairs. (2010). *List of problem inventory for the draft law on amendments to Law No. 39 of 1999 concerning zakat management proposed by the government*. Jakarta: Kementerian Agama.
- Djarmiko, H. (2019). Re-formulation zakat system as tax reduction in Indonesia. *Indonesian Journal of Islam and Muslim Societies*, 9(1), 135-162. <https://doi.org/10.18326/ijims.v9i1.135-162>
- Ehrlich, E. (1936). *Fundamental principles of the sociology of law* (W. L. Moll, Trans.).
- Emzaed, Ali Murtadho, Kamsi, K., & Lubis, A. A. A. M. R. (2020). A politics of recognition: The legislation of zakat law in a transition of New Order and reform era. *Ulumuna*, 24(2), 320-347. <https://doi.org/10.20414/ujs.v24i2.404>
- Faisal, F., Mukhlis, M., Jamaluddin, J., Manfarisyah, M., & Maghfirah, F. (2023). Strengthening zakat rules in Indonesia: A legal study of the law on the government of Aceh. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 7(1), 126-145. <https://doi.org/10.22373/sjhk.v7i1.13993>
- Fauzia, A. (2013a). *Faith and state: A history of Islamic philanthropy in Indonesia*. Leiden: Brill.
- Fauzia, A. (2013b). *Faith and the state: A history of Islamic philanthropy in Indonesia* (Brill's Southeast Asian Library). Leiden: Brill.
- Fauzia, A. (2016). *Filantropi Islam: Sejarah dan kontestasi masyarakat sipil dan negara di Indonesia* (1st ed.). Yogyakarta: Gading Publishing.
- Foucault, M. (2002). *Archaeology of knowledge*. London: Routledge Classics.
- Gillissen, J., & Gorle, F. (2007). Historische inleiding tot het rech. In F. Tenker (Ed.), *Sejarah hukum* (p. 23). Bandung: PT Refika Aditama.

- Gobee, E., & Adriaanse, C. (1992). *Nasihat-nasihat C. Snouck Hurgronje semasa kepegawaiannya kepada pemerintah Hindia Belanda 1889-1936* (Vol. 7). Jakarta: INIS.
- Harun, N. (2010). Kami tidak berniat membubarkan LAZ. *INFOZ*.
- Hefner, R. (2000). *Civil Islam: Muslim and democratization in Indonesia*. Princeton: Princeton University Press.
- Ichwan, M. N. (2006). *Official reform of Islam: State Islam and the MORA in contemporary Indonesia 1966-2004* (Doctoral dissertation, Universiteit van Tilburg).
- Jahar, A. S. (2006). The clash of Muslims and the state: Waqf and zakat in post-independence Indonesia. *Studia Islamika*, 13(3), 353-395. <https://doi.org/10.15408/sdi.v13i3.556>
- Jahar, A. S. (2019). Bureaucratizing sharia in modern Indonesia: The case of zakat, waqf and family law. *Studia Islamika*, 26(2), 207-245. <https://doi.org/10.15408/sdi.v26i2.7797>
- Kailani, N., & Slama, M. (2020). Accelerating Islamic charities in Indonesia: Zakat, sedekah and the immediacy of social media. *South East Asia Research*, 28(1), 70-86. <https://doi.org/10.1080/0967828X.2019.1691939>
- Kryger, M. (1986). Law as tradition. *Journal of Law and Philosophy*, 5(2), 240.
- Kusumaatmadja, M. (2002). *Konsep-konsep hukum dalam pembangunan*. Bandung: PT Alumi.
- Latief, H. (2013). *Politik filantropi Islam di Indonesia: Negara, pasar, dan masyarakat sipil*. Yogyakarta: Ombak.
- Latief, H. (2014). Contesting almsgiving in post-New Order Indonesia. *American Journal of Islam and Society*, 31(1), 16-50. <https://doi.org/10.35632/ajis.v31i1.292>
- Latief, H. (2016). Philanthropy and 'Muslim citizenship' in post-Suharto Indonesia. *Southeast Asian Studies*, 5(2), 269-286. https://doi.org/10.20495/seas.5.2_269
- Latief, H. (2017). *Melayani umat: Filantropi Islam dan ideologi kesejahteraan kaum modernis*. Yogyakarta: Suara Muhammadiyah.
- Latif, Y. (2017). *Negara paripurna: Historisitas, rasionalitas, dan aktualitas Pancasila* (6th ed.). Jakarta: PT Gramedia.
- Lazismu. (n.d.). Latar belakang. Retrieved May 4, 2023, from <https://lazismu.org/view/latarbelakang>
- Lukito, R. (2008). *Tradisi hukum Indonesia*. Yogyakarta: Teras.
- Ma'arif, A. S. (2009). *Islam dalam bingkai keindonesiaan dan kemanusiaan: Sebuah refleksi sejarah*. Bandung: Mizan.
- Ministry of Religion. (2011, June 16). *Minutes of the working committee meeting for the draft law on zakat, infaq, and sadaqah*.
- Nakamura, M. (1983). *The crescent arises over the banyan tree: A study of the Muhammadiyah movement in a central Javanese town*. Yogyakarta: Gajah Mada University Press.
- Noer, D. (1982). *Gerakan modern Islam di Indonesia 1900-1942*. Jakarta: LP3ES.
- NU Care-LAZISNU. (n.d.). Sekilas NU Care-LAZISNU. Retrieved May 4, 2023, from https://nucare.id/sekilas_nu
- Nurlaelawati, E. (2010). Zakat and the concept of ownership in Islam: Yusuf Qaradawi's perspective on Islamic economics. *Al-Jami'ah: Journal of Islamic Studies*, 48(2), 365-385. <https://doi.org/10.14421/ajis.2010.482.365-385>

- Syahroni, O., et al. (2019). *Fikih zakat kontemporer*. Jakarta: Rajawali Pers.
- Puslitbang dan Dokumentasi Suara Muhammadiyah Yogyakarta. (1355 H). Laporan keuangan pengurus pusat Muhammadiyah tahun 1934. *Suara Muhammadiyah*, 4.
- Reglement Moehammadijah penolong kesengsaraan oemoen (PKO) Hindia Timoer di Djokjakarta*. (n.d.). Yogyakarta: Persatoean Moehammadijah.
- Ricklefs, M. C. (2008). *Sejarah Indonesia modern 1200-2008*. Jakarta: Serambi Ilmu Semesta.
- Riggs, F. W. (1958). *Administration in developing countries: The theory of prismatic society*. Boston: Houghton Mifflin Company.
- Salim, A. (2006). The influential legacy of Dutch Islamic policy on the formation of zakat (alms) law in modern Indonesia. *Pacific Rim Law and Policy Journal*, 15(3), 683-701.
- Salim, A. (2008). *Challenging the secular state: The Islamization of law in modern Indonesia*. Honolulu: University of Hawai'i Press.
- Setjen DPR. (n.d.). Legislator dukung revisi UU pengelolaan zakat masuk prolegnas. Retrieved May 2, 2023, from <http://www.dpr.go.id/berita/detail/id/26654>
- Sudjiman, P. H. M. (1986). *Adat raja-raja Melayu*. Jakarta: UI Press.
- Susilowati, D., & Setyorini, C. T. (2018). Efektivitas tata kelola dana zakat. *Jurnal Akuntansi Multiparadigma*, 9(2), 346-364. <https://doi.org/10.18202/jamal.2018.04.9021>
- Syahbandir, M., Alqarni, W., Abbas, S., Ali, B., & Samad, F. (2022). State and Islamic law: A study of legal politics on zakat as a tax deduction in Aceh. *AHKAM: Jurnal Ilmu Syariah*, 22(1), 161-184.
- The decision of the Indonesian Constitutional Court No. 86/PUU-X/2012. (2013, October 31).
- Tulus, H. (2003, April 25). Amendemen undang-undang no. 38 tahun 1999 tentang pengelolaan zakat: Tinjauan konstitusi kaitannya dengan badan amil zakat dan lembaga amil zakat. *The 3rd Congress of the Zakat Forum (FOZ)*.
- Wibisono, Y. (2015). *Mengelola zakat Indonesia: Diskursus pengelolaan zakat nasional dari rezim undang-undang no. 38 tahun 1999 ke rezim undang-undang no. 23 tahun 2011* (1st ed.). Jakarta: Kencana.
- Widyawati. (2011). *Filantropi Islam dan kebijakan negara pasca-Orde Baru: Studi tentang undang-undang zakat dan undang-undang wakaf UIN Syarif Hidayatullah Jakarta* (Doctoral dissertation, UIN Syarif Hidayatullah Jakarta).
- Zakat Management Law No. 23 of 2011. (n.d.). Retrieved May 3, 2023, from <http://peraturan.bpk.go.id/Details/39267/uu-no-23-tahun-2011>