

Pros and Cons of Professional Zakat

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Abstrak: Zakat itu adalah hak yang wajib dalam harta tertentu yang diberikan pada kelompok tertentu pada waktu tertentu. Ulama berbeda pendapat tentang hukum harta yang didapatkan dari gaji atau profesi, apakah hukumnya wajib dizakati atau tidak? Jumhur ulama' (sebagian besar ulama fiqh kontemporer) berpendapat bahwa harta yang didapatkan dari hasil profesi dan karyawan wajib dikeluarkan zakatnya. Sebagian ulama berpendapat bahwa harta yang didapatkan dari profesi dan gaji tidak wajib membayar zakat. Ulama' beda pendapat tentang nishab harta yang didapatkan dari profesi dan gaji. Ulama' berpendapat bahwa nisab harta yang didapatkan dari profesi dan gaji karyawan sama dengan nisabnya zuru' (tanaman), yaitu 5 ausuk atau 653 kg beras atau gandum. Ulama berpendapat nisab zakat profesi dan gaji karyawan sama dengan nisabnya emas dan perak, yaitu 20 mitsqal Dinar (emas) atau 200 dirham (perak).

Kata kunci: zakat profesi, nishab zakat profesi dan gaji karyawan

INTRODUCTION

The practice of zakat is one of the pillars of Islam mandatory for every Muslim. Therefore, individuals whose wealth exceeds a certain threshold,

known as *nisab*, must give zakat. This fundamental practice aims to regulate both the socio-economic and spiritual aspects of Muslim lives, with a significant impact on individuals and the community. It fosters a sense of brotherhood between the wealthy and the poor, encouraging people with the means to help those in need and purifying the hearts of the wealthy from greed and avarice, in accordance with the words of Allah in Surah At-Tawbah, verse 103:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُرَكِّبُهُمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَوةَنَاكَ سَكُنٌ لَّهُمْ وَاللَّهُ سَمِيعٌ عَلَيْهِمْ

Meaning: Take from their wealth 'O Prophet' charity to purify and bless them, and offer prayers on their behalf, –which is a source of comfort. And Allah is All-Hearing, All-Knowing. (QS. At-Tawbah: 103)

This verse stresses the transformative power of zakat in purifying the hearts of the less fortunate, helping to overcome negative emotions such as envy, jealousy, and resentment towards the wealthy. When the affluent give zakat to those in need, it fosters a deep sense of gratitude among the less fortunate. The act of the wealthy helping to fulfill the basic needs of the poor and their families creates a strong bond of appreciation. This practice of giving zakat not only instills love between these two groups but also nurtures a culture of mutual affection within society. Consequently, this loving behavior contributes to the promotion of peace and harmony in community life.

The Quran and Hadith clearly mandate that individuals who possess wealth exceeding the *nisab* must give zakat. Hadith further elaborates on the types of wealth subject to zakat, such as trade goods, agricultural produce, livestock, gold, and silver. In this modern era, many individuals accumulate wealth through professions and employment, a method that did not exist during the time of the Prophet or his companions. These individuals earn income from their jobs, which can often exceed the proceeds from farming or raising livestock. Given the absence of specific textual evidence in the Quran or Hadith regarding zakat on professional or employment income, contemporary scholars have exercised their academic effort to deduce certain decisions on such income sources. They have tackled several issues concerning zakat on professional income. These include determining whether income from employment exceeding the *nisab* is subject to zakat, calculating the zakat amount, defining the *nisab* for professional income, making adjustments for basic needs, exploring whether it should be assessed (qiyyas) based on the value of gold or agricultural produce and whether zakat on professional income requires the condition of a haul (a full Islamic lunar year).

RESULTS AND DISCUSSION

1. Definition of Zakat

Islamic jurists define zakat as a compulsory obligation, specifying particular assets to be allocated to specific beneficiaries at designated times.¹

2. Evidence for the Obligation of Zakat

a. Allah commanded:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُظَهِّرُهُمْ وَتُرْكِبُهُمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَوةَكَ سَكُنٌ لَّهُمْ وَاللَّهُ سَمِيعٌ عَلَيْهِمْ

Meaning: Take from their wealth 'O Prophet' charity to purify and bless them, while offering prayers for the people. (QS. At-Tawbah: 103)

b. The Hadith of the Prophet:

عَنْ أَبْنَى عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: بَنِي الإِسْلَامِ عَلَى خَمْسٍ شَهَادَةً أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ وَإِقَامُ الصَّلَاةِ وَإِيتَاءُ الزَّكَاةِ وَالْحَجَّ وَصَوْمُ رَمَضَانَ رَوَاهُ الْبَخَارِي (16)، وَمُسْلِمٌ.

Meaning: Islam is founded on five fundamental pillars, namely bearing witness (the Shahada), performing prayer (Salat), giving alms (Zakat), fasting during Ramadan, and, for those who are able, undertaking pilgrimage (Hajj) to the Kaaba in Mecca. (Bukhari and Muslim)

3. Scholars Opinions on the Requirement of Zakat on Professional Income and Salary.

Scholars hold varying opinions regarding the obligation of zakat on income earned from professions and salaries, and the differing arguments support their respective stances.

a. The majority of contemporary fiqh scholars, collectively known as *Jumhur ulama'*, stated that wealth acquired through professions and employment is subject to zakat. This comprises various professions like doctors, lawyers, engineers, consultants, and lecturers, as well as salaries received by government employees, private sector workers, and managers. Some of the prominent scholars who endorse the obligation of zakat on professional income include Sheikh Yusuf Al Qaradawi, Sheikh Muhammad Al Ghazali, Sheikh Husein Syahatah, Abu Bakar Al

¹ Ibnu Qudamah, 1417 H. *Al Mughni*. Dar alami al Kutub. 2: 273

Jazairi, Muhammad Said Wahbah, Sheikh Abdul Aziz, Sheikh Muhammad Kamal Atiah, Mahmud Afif al-Bana, Yahya Ahmad Mustofa Qalali, and Muhammad Jum'at Maki.²

According to these individuals, assuming wealth obtained through salaries and professional income meets the *nisab* threshold, then it is subject to zakat, based on the following arguments³:

1). Based on their interpretation of the Quranic verse Al-Baqarah (2:267), Allah instructed believers who possess wealth exceeding the *nisab* to give a portion of their good earnings and the produced from the earth. The verse stated that:

يَأَيُّهَا الَّذِينَ آمَنُوا إِذْنُ اللَّهِ مُكْبِرٌ وَمَمَّا أَخْرَجْنَا لَكُمْ مِنَ الْأَرْضِ ۖ وَلَا تَنِمُّوا الْخَيْثَرَ مِنْهُ
تُنْفِقُونَ وَلَسْتُمْ بِاَخْذِنِي لَآنْ تُعْمَضُوا فِيهِ ۖ وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ حَمِيدٌ

Meaning: " O believers, when you give in charity, offer the finest of your earnings and the best of what has been produced from the earth. Do not donate worthless items, which are only accepted with closed eyes. And remember that Allah is Self-Sufficient, Praiseworthy." (QS. Al Baqarah: 267).

This verse explicitly states that believers must donate a portion of the income earned through their efforts, regardless of the source, whether it is from businesses, farming, or professional work. Therefore, income from professions and salaries that exceed the *nisab* are subject to zakat, similar to those from business, farming, or livestock.

2). Based on a hadith narrated by Imam Bukhari, the Prophet Muhammad stated:

قَالَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : - عَلَى كُلِّ مُسْلِمٍ صَدَقَةٌ . رواه البخاري

"Every Muslim is obligated to give sadaqah (zakat). (Imam Bukhari)"

² Muhammad al Aqlah, 1402 H. *Ahkam al Zakat wa al Shadaqat*. Amman: Maktabah al Risalat al H a d i s a t

³ Yusuf al Qurdhawi, 1406. *Fiqh al Zakah*. Beirut: Mu'assasah al Risalah

This hadith clearly stated that every Muslim who possesses wealth surpassing the *nisab* threshold is obliged to give zakat, regardless of the source, whether it is trade goods, gold, silver, or livestock.

- 3). Islam is recognized for its commitment to justice and the fair imposition of obligations on its followers. For instance, in the case of zakat, Islam requires Muslim individuals with wealth exceeding the *nisab* threshold to fulfill this obligation. To illustrate this fairness, consider a farmer who harvests 653 kg of rice, worth Rp10,000 per kilogram. This farmer is obliged to pay zakat, amounting to Rp.653,000. In contrast, professionals such as doctors earning a monthly income of 50 million or managers making 100 million in a month are not under the same obligation. This illustrates that, in accordance with the principles of justice in Islam, wealth earned through professions or salaries reaching the *nisab* threshold has the same zakat obligation as those derived from businesses, farming, or livestock.
- b. Some scholars, however, have a different perspective, stating that wealth acquired through professions and salaries is not subject to zakat. One prominent scholar who adhered to this viewpoint is Sheikh Kautsar Al Abji, and the following arguments supported this perspective:⁴
 - 1). The Khulafa'ur rasyidin (caliphs) and zakat collectors received salaries from their professions but failed to pay zakat.
 - 2). Income earned from professions and salary did not exist during the time of Prophet Muhammad. Therefore, there is no historical precedent for paying zakat on such earnings.
 - 3). Mandating zakat on professional income resembles a form of income tax similar to Dhribah, which is considered haram (forbidden) in Islamic jurisprudence. Therefore, income earned from professions and salaries is not subject to zakat.
 - 4). Governments already mandate that professionals and employees pay taxes, and including zakat, would impose a significant financial burden on them.
- c. Analysis of the Arguments of Two Groups

When the views of two groups of scholars were analyzed, namely those who require zakat on professional income and salary, and the oppositions, a prevailing and strong opinion emerged, asserting that zakat is obligatory on wealth obtained through professions and employee salaries. This position is substantiated by the following arguments:

⁴ Mahmud Abu Su'ud, 1421 H. *Fiqh al Zakat al Mu'ashir*. Kuait: Dar al Qalam: 127

- 1). The Quranic verse Al-Baqarah (2:267) and a hadith from Imam Muslims explicitly stated that zakat is mandatory for every Muslim who possesses wealth exceeding the *nisab*. These sources refrain from specifying the types of wealth subject to zakat. Therefore, wealth earned through professions or as employee salary should be subject to zakat, assuming it reaches the *nisab* threshold. This interpretation is in line with the principle in usul al-fiqh that am (general terms) are used in a general context in the absence of a particular specification (takhsis). In reality, there is no evidence in the Quran or hadith that confines zakat to particular types of wealth.
- 2). During the time of the Prophet and the Sahaba, there was a companion who was obligated to pay zakat on incomes earned from employment. This historical account is conveyed through a hadith transmitted by Imam Malik bin Anas, who cited Ibn Shihab as the source, stating that Ma'afa was the first person to collect zakat from salary incomes.
- 3). In the time of Prophet Muhammad, individuals employed on farms or in businesses typically had limited incomes, often not reaching the *nisab* threshold. This is why there are no historical reports of the Sahaba who worked as employees or in various professions being obliged to pay zakat during that period. However, during the Umayyad dynasty, the landscape changed, with many employees earning substantial incomes, some reaching as high as 25,000 dirhams. In this context, they were indeed required to pay zakat. This historical shift strongly indicates that wealth earned through professions or as employee salaries become subject to zakat when it meets the *nisab* threshold.

4. Procedure for Zakat on Professional Income and Employee Salary

The procedure for issuing zakat on professional and employee salaries is as follows:

a. *Nisab* for Zakat on Professional Income and Employee Salary

The determination of *nisab* for zakat on professional income and employee salaries has sparked diverse opinions among scholars. These opinions mainly revolve around three distinct viewpoints⁵:

- 1). Some scholars reported that the *nisab* for zakat on professional income and employee salaries should be consistent with that of crops (*zuru'*), defined as five "ausuk" or 653 kg of rice or wheat. According to this perspective, professionals and employees are

⁵ Mahmud Athif al Banna, 1403 H. *Nidzam al Zakat wa al Dhara'ib fi al Mamlakah al Arabiah al Su'udiah*. Riadh: Dar al Ulum: 219

obliged to pay zakat, assuming their annual salary reaches the equivalent value of 653 kg of rice. For example, assuming the current price of rice is Rp10,000 per kilogram, then the *nisab* for zakat would be worth Rp653,000.⁶

2). Some scholars stated that the *nisab* for zakat on professional income and employee salary is the same as that of gold and silver. This amounted to 20 mitsqal of gold (dinar) or 200 dirhams of silver. However, 20 mitsqal of dinar is equivalent to 85 grams of gold. Assuming the price of gold is one million rupiahs per gram, then 85 grams would be worth 85 million rupiahs. Professionals or employees with an income of Rp85,000,000 or more in a year would be obligated to pay zakat on their salaries.

b. Calculating Professional Income and Employee Salary After Basic Needs.

The majority of scholars from the Hanafi, Maliki, Shafi'i, and Hanbali schools of thought stated that when calculating the *nisab* for professional income and employee salary, it should be realized after deducting the cost of basic needs. These basic needs include the necessities required to support the profession of the individual, as well as the well-being of oneself, spouse, children, and dependents, considering the minimum standards applicable to their respective social class.⁷

c. Amount of Zakat to be Paid.

Scholars have varying opinions regarding the percentage of zakat applicable to professional income and employee salaries:

- 1). Some scholars stated that the zakat applicable to professional income and employee salaries should be fixed at 2.5% of the total wealth, similar to that of gold and silver. This argument is based on the premise that the *nisab* for professional income and employee salaries is equivalent to that of gold and silver.
- 2). Other scholars advocated for a 5% zakat rate on professional income and employee salaries. They stated that employees, like farmers, work hard and have significant expenses. This 5% rate is similar to that of agricultural crops (*zuru'*). In contrast, zakat on professional income is usually set at 10% because it is similar to that on crops without associated costs. Professionals like lawyers, doctors, and consultants are exempted from the challenges faced daily by laborers.

d. Zakat Conditions for Haul in Professional Income and Employee Salary

⁶ Muhammad al aqlah, 1402 H. *Ahkam al Zakat wa al Shadaqat*. Amman: Maktabah al Risalat al Hadisat: 43

⁷ Yusuf al Qurdhawi, 1406. *Fiqh al Zakah*. Beirut: Mu'assasah al Risalah. 2: 517

Scholars have differing opinions on whether wealth acquired from professional income and salaries is subject to the haul condition (a one-year period), similar to crops (*zuru'*) and trade (*tijarah*).

1). Some scholars reported that wealth acquired from professional income and employee salaries should adhere to the haul condition⁸. This means that the wealth must be accumulated over one year, and when it reaches the *nisab*, zakat becomes obligatory in the subsequent year. For instance, supposing the income of a professional or employee over the year is equivalent to the value of 85 grams of gold, zakat becomes obligatory at a rate of 2.5% of their total earnings. On the other hand, scholars who base the *nisab* for professional income and employee salaries on *zuru'* propose that when their earnings are equivalent to the value of 653 kilograms of rice, zakat becomes obligatory in the following year. This opinion is based on a hadith narrated by Siti Aisyah, stating that wealth is not subject to zakat until it is accumulated for a year.

لَا زَكَاةٌ فِي مَالٍ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ. أَخْرَجَهُ أَبْنُ مَاجَةَ

Meaning: Wealth becomes eligible for zakat only after it has met the haul condition, which requires a one-year accumulation. (Ibn Majah)

2). Other scholars stated that zakat on professional income and employee salaries should not be reliant on the haul condition.⁹ According to this viewpoint, assuming the income of an individual reaches the *nisab* within a single year, zakat becomes obligatory without delay. For example, assuming their income is equivalent to the value of 85 grams of gold or 653 kilograms of rice, zakat must be paid without waiting for the subsequent year. The rationale for eliminating the haul condition is to ensure the timely realization of the main purpose of zakat, which is the immediate purification of the wealth of the prosperous and the support of the less fortunate. In this interpretation, when an individual amasses wealth through their profession or employment that meets the *nisab* within one year, zakat should be promptly paid without waiting for the following year.

CONCLUSION

Zakat was an obligatory right pertaining to specific wealth allocated to particular groups at certain times. The majority of contemporary fiqh scholars stated that wealth acquired through professions and employee salaries was subject to zakat. This interpretation was based on a general understanding of the Quranic verse in Surah Al-Baqarah (2:267). The *nisab* for professional

⁸ Sultan Muhammad. Tt. *Al Zakat Tathbiq Muhasibi*. Riadh:Dar al Murih: 103

⁹ Muhammad kamal athiah, 1408. *Halat Tathbiqah fi al Zakat*. Alesandaria: Mansya'at al ma'arif

income and employee salaries was set to be the same as that of gold and silver, specifically 20 mitsqal Dinar (gold) or 200 dirham (silver). The calculation for *nisab* was made after deducting basic needs. Zakat for professional income and employee salaries amounted to 2.5% of the total wealth. Wealth acquired from professional income and employee salaries was subject to the haul condition.

Author's Contribution

Abdul Wadud Nafis, Abdul Rokhim: Contribute to formulating research ideas, collecting data, processing data, and interpreting data, systematics, research methods, analyzing interpretation results, and the language proofread.

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Declaration of Competing Interest

The author declares that there is no conflict of interest.

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