The Application of Dynamic Zakat Percentage by Yusuf al-Qaradawy on the Professional Zakat in Indonesian BAZNAS

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Abstract: This article explores the comparison of professional zakat acquisition at BAZNAS Indonesia between the zakat acquisition using a standard percentage and using the dynamic percentage offered by Yusuf Al-Qaradawi. Currently, professional and mal zakat at BAZNAS Indonesia has provided the largest income of all existing zakat acquisition. The percentage of professional zakat is using standard percentage, 2,5% of someone professional income. With using the payroll system, all muzakkys have the same amount of zakat, no matter how much they earn. It is not fair to those who have a small income. Can the application of a dynamic percentage of zakat on professional zakat increase the zakat acquisition and fulfil the justice? It is based on professional zakat data obtained from the National UPZ Collection Division of BAZNAS, and the data is simulated using dynamic percentages. The result shows that the dynamic zakat percentage is more fulfilling legal justice than the standard percentage and the zakat acquisition—that application of the dynamic zakat percentage-- has increased by 16.9% compared to the application of the standard percentage that used by BAZNAS today.

Keyword: professional zakat, BAZNAS; dynamic zakat percentage

Abstrak: Artikel ini memaparkan perbandingan perolehan zakat profesi di BAZNAS Indonesia antara perolehan menggunakan persentase tetap dengan perolehan menggunakan persentase dinamis yang ditawarkan oleh Yusuf al-Qaradawi. Zakat mal dan profesi di BAZNAS Indonesia saat ini telah memberikan income terbesar dari keseluruhan perolehan zakat yang ada. Persentase zakat profesi yang digunakan adalah persentase tetap yaitu 2,5% dari pendapatan profesi seseorang. Melalui sistem payroll, seluruh muzakky disamakan tanpa memandang besar kecilnya penghasilan mereka. Hal ini dipandang tidak adil bagi mereka yang berpenghasilan kecil. Mampukah penerapan persentase zakat dinamis atas zakat profesi lebih mendatangkan keadilan dan dapat meningkatkan perolehan zakat profesi? Data yang digunakan adalah data zakat profesi yang diperoleh dari Divisi Pengumpulan UPZ Nasional BAZNAS yang menggunakan persentase tetap, kemudian data tersebut disimulasikan dengan menggunakan persentase dinamis. Hasilnya menunjukkan bahwa penerapan persentase zakat dinamis lebih memenuhi keadilan hukum dibandingkan presentase zakat tetap. Selain itu, pengumpulan dana zakat dengan menggunakan persentase zakat dinamis mengalami peningkatan sebesar 16,9% dibandingkan penerapan persentase tetap yang digunakan oleh BAZNAS saat ini.

Kata kunci: zakat profesi; BAZNAS; persentase zakat dinamis

Introduction

The Indonesia National Zakat Board or Badan Amil Zakat Nasional Indonesia (BAZNAS) was established based on a Presidential Decree No. 8 of 2001. Its main task is as an official state institution that manages zakat and other social donations. Over time, this institution has become stronger with the support from various government regulations. In 2011, Law No. 23 concerning Zakat Management which regulates to improve the effectiveness and collected amount of zakat was stipulated. This law is the legal basis for BAZNAS for the further development of zakat. In addition to the law, Director General of Taxes Regulation Number Per-33/PJ/2011 concerning Agency/Institution established by the government determined as Zakat Recipient was issued.

In 2014, after 4 years of disseminating Law No. 23 of 2011, the government issued a Government Regulation No. 14 of 2014 concerning the Implementation of Law No. 23 of 2011. Furthermore, this was confirmed by the issuance of Presidential Instruction No. 3 of 2014 concerning Optimization of the Collection of *Zakat* in Ministries/Institutions, Secretariat of State Institutions, Secretariat General of State Commissions, Regional Governments, State-Owned Enterprises, and Regional Owned Enterprises through the BAZNAS. This Presidential Instruction was guided by the issuance of Regulation of the Minister of Religion of the Republic of Indonesia No. 52 of 2014, which regulates the procedure for calculating zakat which will be applied to state institutions.

These government policies are the basis and guide for the BAZNAS, which requires providing proof of zakat payment to each *muzakki*.¹ With the presence of BAZNAS and LAZ, the collected zakat funds are allocated to meet and assist parties that are not protected by the government from existing public revenues, to realize public welfare and poverty reduction. This objective is expressly stated in a Presidential Instruction No. 3 of 2014.² Based on this rule, all UPZ (Unit Pelayanan Zakat/Zakat Service Unit) in government institutions collect professional zakat by deducting 2.5% of a person's income.

Compared to the potential of zakat in Indonesia, its acquisition by the BAZNAS is still relatively small. Based on the BAZNAS research in collaboration with the Bogor Agricultural Institute (IPB), Indonesia's zakat potential could have reached 217 trillion per year, while its collection in 2017 was only 3 trillion: the achievement was less than 1.5% of the existing zakat potential. With such great potential, the inclusion of zakat in public income can be allocated specifically for the empowerment of the poor; zakat should positively influence reducing poverty.

The following article presents the acquisition of professional zakat received by the BAZNAS with a standard percentage of 2.5%, which is now valid. The achievement of standard zakat compared with the achievement of dynamic zakat percentage of 2.5%, 5%, 10%, or 20% depending on the amount of one's income from the minimum limit of obligatory zakat (*Nisab*). When its applied, which one of zakat percentage that fulfilled the justice?

¹ Article 23 (paragraph 1), Law no. 23 of 2011 concerning Management of Zakat.

² Initial Section of Presidential Instruction, in Presidential Instruction of the Republic of Indonesia No. 3 of 2014, about Optimizing the Collection of Zakat.

 $^{^3}$ As revealed by Bambang Sudibyo, the chairman of BAZNAS for the 2015-2019 period in the Zakat magazine issued by BAZNAS, February 2017 edition M / 1438 H, 6.

The ideas of Yusuf al-Qaradawi as stated in his book of *Fiqh* az-Zakah⁴ are chosen as the main reference. It is then strengthened by the Minister of Religious Affairs of the Republic of Indonesia Regulation No. 52 of 2014 which regulates the procedures for calculating zakat.

Yusuf al-Qaradawi hinted that the basis for determining the percentage of zakat is not a standard provision that will apply forever, and may be subject to change according to changing conditions of the times, places and conditions.⁵ When discussing professional zakat, Yusuf al-Qaradawi mentioned that the percentage of zakat is adjusted to the size of the workload and whether or not the implementation is heavy.⁶

In fact, in his other works, Yusuf al-Qaradawi asserted that a simple figure determines the percentage of zakat, i.e., 2.5% in gold, silver and other valuables, 5% for plants watered using paid tools such as those rent from other persons or those using fuel in significant amount, 10% for plants watered without using paid tools, and 20% for *rikaz* and mining goods. This means that the percentage of zakat is based on the efforts that have been done by a Muslim that the bigger the effort, the lighter the zakat.⁷

There have been many studies on zakat, which emphasize the role of zakat in society,⁸ management problems and the importance of zakat management also the development of the meaning of the zakat

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⁴ This statement can be seen from each answer referred by BAZNAS accessed in the public media of BAZNAS itself (Pusat.baznas.go.id), besides Yusuf al-Qaradawi, other ulemas such as Abdul Wahab Khalaf, Ibn Qudamah, etc.

⁵ Yusuf al-Qaradawi, *As-Sunnatu Masdaran li al-Ma'rifati wa al-Hadarati*, (Cairo: Dar ash-Syuruq, 2005), p. 57-58.

⁶ Yusuf al-Qaradawi, Fiqh az-Zakah Dirasat Muqaranah Li Ahkamiha wa Falsafatiha fi Daw'i al-Quran wa as-Sunnah, ed. 1st, (Beirut: Dar al-Irshad, 1969), I: p. 374.

⁷ Yusuf al-Qaradawi, Malamih al-Mujtama 'al-Muslim, ed. 1st, (Solo: Era Adicitra Intermedia, 2013), p. 348, language transfer by Abdul Salam Mazkur and Nurhadi from the original Malamih al-Mujtama 'al-Muslim al-lazi Nunsyiduhu.

⁸ Abd. Salam Arief, "Zakat, Tanggung Jawab Sosial, dan Pemberdayaan Ekonomi Umat". *Asy-Syir'ah* 50, no. 2 (2016): p. 341-353. DOI: http://dx.doi.org/10.14421/asy-syir'ah.2016.502-02.

instrument.⁹ With regard to the thought of Yusuf al-Qaradawi as a recognized Muslim intellectual--especially studying about zakat fiqhhas also been done.¹⁰ But that applies Yusuf al-Qaradawy's thoughts, specifically about the dynamic zakat percentage, nothing has been done yet.

In the theory of increasing norms in ushul fiqh,¹¹ positive laws--in this case the positive law regarding the presentation of zakat profession-- may very well experience changes when the law no longer fulfils the sense of justice. This is because justice is one of the basic principles (*al-mabadi al-asasiyah*) or basic values (*al-qiyam al-asasiyah*), which is the basis of positive law.¹² Gustav Radburch that was referred by Suwardi Sagama said that the law in its application could not be separated from justice, certainty and expediency, both passive (laws and regulations) and active (the judge's decision in court).¹³

⁹ Muh. Said, "Problema UU Zakat Indonesia (Refleksi Misi al-Siyasah al-Syar'iyyah)". *Asy-Syir'ah* 43, no. 2 (2009): p. 471-494. DOI: http://dx.doi.org/10.14421/asy-syir'ah.2009.%25x. Also, Fuadi, "Urgensi Pengaturan Zakat: Evaluasi Zakat Sebagai Pengurang Pajak Penghasilan Terhutang (Taxes-Credit) dalam Undang-undang Nomor 11 Tahun 2006 Tentang Pemerintahan Aceh". *Asy-Syir'ah* 48, no. 2, (2014): p. 425- 449. DOI: http://dx.doi.org/10.14421/asy-syir'ah.2014.%25x.

¹⁰ Yasmin Hanani Mohd Safian, "The contribution of Yusuf Qaradawi to the development of Figh?". *Ejimel: Electronic Journal of Islamic and Middle Eastern Law* 4, (2016): p. 45-53. https://www.zora.uzh.ch/id/eprint/124518/1/YASMIN QARDAWI.pdf. Euis Nurlaelawati, "Zakat and the Concept of Ownership in Islam: Yusuf Qaradawi's Perspective on Islamic Economics", *al-Jami'ah: Journal of Islamic Studies* 48, no. 2 (2010): p. 365-385, DOI: https://doi.org/10.14421/ajis.2010.482.365-385.

¹¹ Syamsul Anwar, "Pengembangan Metode Penelitian Hukum Islam" in Amin Abdullah (*et.all*), *Mazhab Jogja* (Yogyakarta, Fakultas Syari'ah IAIN Sunan Kalijaga dan Ar-Ruzz, 2002), p. 147-167. Also see, Syamsul Anwar, *Studi Hukum Islam Kontemporer Bagian Dua*, (Yogyakarta: UAD Press, 2020), 20-31.

¹² Ihid

¹³ Suwardi Sagama, "Analisis Konsep Keadilan, Kepastian Hukum dan Kemanfaatan dalam Pengelolaan Lingkungan", *Mazahib:Jurnal Pemikiran Hukum Islam*, Vol. XV, No, 1 (Juni 2016), p.22. (DOI: http://dx.doi.org/10.21093/mj.v15i1.590).

In this case, the further explanation concerning the results of this comparison is needed: Which one is fairer (fulfils a sense of justice) between the percentage of standard zakat and dynamic zakat? And can dynamic percentage increase the acquisition of zakat?

This must be presented well because Islam wants social justice in terms of the distribution of assets and wealth in society. Islam does not make complete income equality as the main and final goal of the distribution and economic development system. Still, it is an effort to eliminate the income gap among people.¹⁴

The above is based on al-Quran 59: 7. According to most mufassir, it is the explanation of the previous verse (verse 6) concerning the nature of al-fay', that is, all movable wealth that is captured from the disbelievers without a fight and without mobilizing troops. In verse seven, the allocation of al-fay' is explained, i.e., Li Allah wa Rasulihi (for Allah and His Messenger), for zi al-qurba (relatives of the Prophet), al-yatama (orphans), al-masakin (the poor), ibn as-sabil (people who run out of provisions on trips that are not immoral trips). In addition, Allah willow this verse also explains 'illah (since it is ruled) or the law regarding al-fay', i.e, "so that it will not be a perpetual distribution among the rich from among you".

Suppose the community experiences a high gap between the rich and the poor. In that case, there will be inequality in income distribution. Then the state is obliged to create a balance in society, especially in the distribution of income, to avoid the gap.¹⁵ This is

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¹⁴ Nurul Huda, Ekonomi Pembangunan Islam, (Jakarta: Kencana, 2017), 36-37.

¹⁵ Approaches and measurements that are often used to measure inequality or inequality of income distribution are Gini Coefficient and assisted by the Lorenz curve. Gini Coefficient is a measurement or indicator that explains the distribution of actual income, consumption expenditure or other variables related to distribution where everyone receives the same and identical parts. Bappenas, 2000 Population Census, Potential Statistics of Indonesian Villages, (Jakarta: BPS, 2000), introduction. The Lorenz curve is a curve that describes the quantitative relationship between the percentage of the population receiving the income and the percentage of the total income actually obtained during a certain period of time. Nurul Huda, *Economi* ..., 19.

where zakat's role in Islam is the state's obligation to take zakat from the rich to be distributed to those who have the right to receive it.

The balance made into reality by the state is not a perfect balance, because it has become *sunnatullah* that there will always be a deficit party and there is a surplus party. However, the gap between these communities must be eliminated. The state must encourage the community to achieve the minimum to meet basic needs and then strive to achieve a standard of living that is above the ownership of *Nisab* assets. The scholars assume sufficiency standards for living as a point of differentiation from the disadvantaged, and Islam recognizes these limitations as everyone's right (Muslims) to be provided by individual, social and state authorities. Islam directs a mechanism based on spiritual morals (zakat) in the maintenance of social justice in every economic activity, because the imbalance in the distribution of wealth is the basis for almost all individual and social conflicts, and Islam does not want this to happen.

The Rationale for Dynamic Zakat Percentages

Yusuf al-Qaradawi did not use much fiqh analysis in the percentage of zakat he proposed but rather used the science of hadith approach. He stated his opinion that the Prophet's traditions about the percentage of zakat are in the position of him as a head of state or as a community leader. As a community leader, Muhammad, blessings of God be upon him, and his family and peace determined something that was important for his community.

To reinforce this argument, Yusuf al-Qaradawi has written his own book about the position of the *sunnah* of the Prophet when it becomes a source of civilization. In this book, Yusuf al-Qaradawi explains that sometimes the *sunnah* is sharia law; it is generally accepted, absolute and eternal. However, sometimes the *sunnah* is not as sharia law; not absolutely adapted to certain times, places and

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¹⁶ Mustafa Edwin Nasution et al, *Pengenalan Eksklusif Ekonomi Islam*, ed. 1st, (Jakarta: Kencana, 2006), p. 151-152. Also in Nurul Huda, *Ekonomi Pembangunan Islam*, (Jakarta: Kencana, 2017), p. 36.

¹⁷ See Yusuf al-Qaradawi, Fiqh az-Zakah Directed in Muqaranah Li Ahkamiha wa Falsafatiha fi Daw'i Al-Quran wa as-Sunnah, (Beirut: Dar al-Irsyad, 1969), I: p. 190-191 in the cover of camel alms.

circumstances.¹⁸ The Prophet's decree regarding the percentage of zakat contained in the traditions is not a stipulation of sharia law.

То this strengthen argument, Yusuf al-Oaradawi compromised two conflicting narrations¹⁹, about substituting zakat when the age difference occurs between the camel that is supposed to be issued the zakat with the camel owned by muzakki. First, from Ali, it is replaced with 2 goats or 10 dirhams, while the second narration from Abu Bakr, it is replaced with 2 goats or 20 dirhams. Ten dirhams and twenty dirhams are two different numbers if not said to be contradictory. The compromise made by Yusuf al-Oaradawi is that the two narrations are not contradictory, meaning that the price of goats in Ali's time was lower than that of the Prophet Muhammad. Ali did not violate the Prophet Muhammad; he followed the Prophet by adjusting to his time price.

The Prophet's determination, blessings of God be upon him and his family and peace, comparing goats with dirhams, in the understanding of Yusuf al-Qaradawi, is intended not to apply eternal because the value of the dirham will always change. In this case, Yusuf al-Qaradawi uses the method of *al-waqi'i* fiqh (fiqh of reality). The Prophet's action comparing the goats with the reality of the Dirham was intended that law is easy to implement, and this would have implications that the provisions of the law are not fixed.

The Prophet's provisions regarding agricultural zakat also became Yusuf al-Qaradawi's argument in stipulating that the greater a person shows efforts to get his wealth, the lighter he must pay his zakat.²¹ This also shows that the percentage of zakat is not fixed; it

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¹⁸ Yusuf al-Qaradawi, *As-Sunnatu Masdaran li al-Ma'rifati wal Hadarati*, ed. 4th (Cairo: Dar ash-Syuruq, 2005), p. 81. The indicators indicate the sunnah is shari'ah was proposed by Yusuf al-Qaradawi after presenting several previous scholars who also introduced the same division.

¹⁹ This compromise (*jam'u wa at-taufiq*) is a method of fiqh when two opposing propositions occur, also used to understand the hadith when there are two conflicting traditions. Mukhtar Yahya and Fathur Rahman, Fundamentals of Developing Islamic Fiqh Law, ed. 4th (Bandung: al-Ma'arif, 1997), p. 477.

²⁰ Yusuf al-Qaradawi, *Fiqih Praktis Bagi Kehidupan Modern*, over Abdul Hayyie al-Kattani et al., ed. 1st (Jakarta: Gema Insani Press, 2002), p. 13

²¹ Yusuf al-Qaradwi, *Malamih al-Mujtama' al-Muslim*, translated by Abdul Salam Mazkur and Nurhadi (Solo: Era Adicitra Intermedia, 2013), p. 348.

changes depending on the level of one's efforts to get his wealth. The percentage change in simple calculations exemplified by the Prophet Muhammad is from the smallest 2.5% to the largest 20%.

If the percentage zakat is dynamic, is there no standardization in terms of zakat? For Yusuf al-Qaradawi, the zakat must meet three conditions, and this will apply permanently. *First*, it must be in a certain amount determined by *syara*', i.e., 20%, 10%, 5% or 2.5%. *Second*, it must be with a specific intention, i.e., to get closer to Allah. *Third*, it must be given to certain targets, i.e., eight beneficiaries of zakat (*asnaf*) determined by sharia.²² According to Yusuf al-Qaradawi, this is one thing that makes zakat not able to be equated with the official tax issued by the government.

The obligation of zakat is also different from other government levies that existed before Islam, because the obligation of zakat has the concept of *Nisab* (minimum threshold of zakat), *miqdar* (tariff or percentage of zakat), *zakawi mal* (zakat object), and *haul* (due date), and all determined by the authorities, based on the benefit of *muzakki* and *mustahiq* for the happiness of the world and the hereafter.²³

Percentage of Standard and Dynamic Zakat at Indonesian BAZNAS.

From the 2015 and 2017 BAZNAS annual report, zakat contributes to the largest collection of BAZNAS. The percentage used is a standard percentage of 2.5%.

Professional charity is taken from 2.5% of a *muzakki*'s gross income, which of course exceeds the *Nisab* income. Even when a *muzakki* wants to pay the zakat of his profession in excess of 2.5% as determined by the BAZNAS, it 'refuses' to accept the zakat but puts the excess for the income as *infaq*. It will give the *muzakki* two invoices, the first as zakat invoice, which is worth 2.5% determined by the BAZNAS, and the second as *infaq* invoice, which is the excess

²² al-Qaradawi, Fiqh az-Zakah Dirasat ... II: p. 1107.

²³ Masdar F. Mas'udi, "Zakat: Etika Pajak dan Belanja Negara Untuk Rakyat" in Syamsul Anwar et.al., Antologi Pemikiran Hukum Islam di Indonesia: Antara Idealitas dan Realitas, ed. 1st (Yogyakarta: Syari'ah Press, 2008), p. 54-55.

of the determined zakat value.²⁴ This shows that 2.5% of the percentage of zakat applied by the BAZNAS is a standard figure that is difficult to change. The solution to give two invoices given by a *muzakki* will be detrimental for *muzakki*, because the *infaq* invoice cannot be used to reduce the tax value as zakat invoice.

The BAZNAS does not want to receive zakat in excess of the determined amount because there has not been a legal umbrella governing it yet. In addition, BAZNAS is still in the process of promoting 2.5% of professional zakat, because the achievement of its acquisition is still far below the national zakat potential. It is feared that, if more than 2.5%, the target of increased acquisition and socialization of zakat through the BAZNAS becomes difficult to fulfil. Therefore, the reason to maintain 2.5% for professional zakat is that the target of the BAZNAS today is still in promoting people to pay zakat through BAZNAS. However, when asked further about a dynamic percentage of zakat adjusted to the benefit of the community, the BAZNAS (in this case Faisal Qasim, Chairman of the National UPZ Collection Division at the National BAZNAS Center) agreed on the idea.

The following is a comparison of standard and dynamic percentages. For comparison of the zakat percentage, a sample of professional zakat data is used by *muzakki* from 2 *Unit Pelayanan Zakat* or UPZ (Zakat Service Units), one from a private institution, i.e., UPZ PT. Brantas Abipraya and the other one from a governmental agency, i.e., UPZ of the Ministry of Cooperatives and SMEs. The following data were obtained from the *Muzakki* of Indonesian BAZNAS Central Service Unit. The two UPZ data would be processed to be compared with the acquisition of zakat by using the percentage of dynamic zakat offered by Yusuf al-Qaradawi. The results are obtained as follows:

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²⁴ Interview with Mr. Faisal Qosim, Head of the National BAZNAS UPZ Collection Division, on May 21, 2018.

²⁵ Ibid.

Recapitulation of the Acquisition of Zakat from January 2016 to August 2018 UPZ PT. BRANTAS ABIRAJA (Private)						
Year	Numb er of month s	Number of Muzakki transactio ns	Muzak ky Less than the nisab	Muzak ki 10 time of nisab above	Amount of Zakat with 2.5%	Amount of Zakat with Dynamic percentage
2016	11	2089	68	67	717,015,16 6	861,783,49 4
2017	11	1907	53	73	686,918,88 7	825,328,08 8
2018	8	1478	58	85	567,936,12 7	722,085,47 4
TOTA	30	5,474	179	225	1,971,870,1	2,409,197,0

The data processed from the Collection Division of UPZ of the BAZNAS

From the table, there were 5474 *muzakki* transactions submitted by UPZ PT Brantas Abiraja, with a total of obtained zakat Rp.1,971,870,180. Data reported to the BAZNAS were 30 months which should be 32 months.

The processed data on the *Nisab* of zakat in these months were worthy of Rp. 3,550,000, assuming a one-year *Nisab* is worthy of 85 grams of gold and 1 gram of gold is worthy of Rp.500,000. (gold price in 2018). Of the 5474 zakat transactions for 30 months from the private UPZ, 179 transactions were originating from *muzakki* whose income was less than the monthly *Nisab*. In addition, there were also 225 transactions originating from *muzakki* whose monthly income exceeded a ten-time of *Nisab*, more than Rp.35,500,000, and as many as 29 transactions out of 225 were from monthly income which was more than 20 times of *Nisab*, more than Rp.71,000,000.

However, with the payroll system carried out on average by the treasurer at UPZ, any income will be subject to a discount of 2.5% of an employee's gross income. Therefore, with, for example, an income of Rp. 2,131,120, the zakat that should be paid is Rp.53,278 that is less than one *nisab* to be obliged to issue zakat. However,

because there are indeed rules for issuing zakat, the employee is finally taken for zakat. In addition, there are also employees whose income reaches Rp. 103,100,000/month but it also subjects to 2.5% zakat, a total of Rp.2,577,500.

When the dynamic zakat percentage model is used, the calculation will be: the greater the income, the greater the zakat. In the above simulation, the rules for income reaching 1000% of the *Nisab* are used (10 x *Nisab* = Rp.35,500,000), and then a 5% zakat is used. When the income exceeds 2000% (20 x *Nisab* = Rp.71,000,000), the *zakat* is then subject to 10%, and when the income exceeds 100 x Nisab or Rp.355,000,000, 20% *Zakat* is then imposed. However, on the contrary, when the income is less than *Nisab*, a person is not subject to *Zakat*.

The results show that the acquisition of *zakat* increased by Rp. 437,326,876, from the previous acquisition which was only Rp.1,971,870,180 To Rp. 2,409,197,056, even though 179 transactions had been issued from *muzakki* whose income was less than *Nisab*. This also shows that, in addition to increasing the acquisition of zakat, it is also more equitable because employees who have a large income also pay bigger, while those whose income does not reach *Nisab* are excluded from the zakat payer group, or the zakat is not taken.

The following is a recap of the application of the dynamic zakat percentage from the government institutions. The Ministry of Cooperatives and SMEs' data were also taken from the same months as the private institution. If the total months from January 2016 to August 2018 were calculated, it should have been 32 months. However, it was 18 months used.

Recapitulation of the Acquisition of Zakat from January 2016 to August 2018							
UPZ of THE MINISTRY OF COOPERATIVES AND SMEs (Civil Servants)							
Year	Numb er of month s	Number of <i>Muzakki</i> transactio ns	Muzak ky Less than the nisab	Muzak ky 10 time of nisab above	Amount of Zakat with 2.5%	Amount of Zakat with Dynamic percentage	
2016	12	1865	736	0	192,623,2 86	150,543,45 2	

2017	4	552	224	0	56,512,76 9	43,861,958
2018	2	141	43	0	18,936,14 8	16,142,518
TOTA L	18	2558	1003	0	268,072,2 03	210,547,92 8

Data processed from Collection Division of UPZ of the BAZNAS

From the data processed, there were many incomes less than *Nisab*, but the zakat was still taken; it was still deducted 2.5% of the income and was deposited to the BAZNAS, even when the income was less than one million per month. The number of zakat payers drawn from non-Nisab income was 1003 transactions out of total zakat transactions, i.e., 2558. This means that almost 39.2% of transactions came from those who were not supposed to issue zakat.

The total acquisition of zakat for the period from January 2016 to August 2018 was Rp. 268,072,203. The total value was collected from 18 months, which should have been 32 months. When the dynamic zakat percentage was applied, the collected zakat decreased from Rp. 268,072,203 to Rp. 210,547,928, down by Rp. 57,524,275. This happened because a total of 1003 (39.2%) transactions originated from income that did not reach *Nisab*. In addition, there were no income ten-times the amount of *Nisab*.

Although the acquisition of zakat was declining but it was felt fairer because there were incomes that were not required to pay zakat due to *Nisab*. There wa also no tyranny, taking zakat from those who were not yet obliged to issue zakat, because the principle of zakat is different from taxes. Zakat is only taken from those who are able to pay it, whereas taxes do not see this.

From the recap of the two data results, when a dynamic percentage is applied, this will fulfil the sense of justice/more fairer and further increase the acquisition of zakat.

Recapitulation of the Acquisition of Zakat from January 2016 to August 2018

UPZ PT. Brantas Abipraja (Private Employees) and UPZ of The Ministry of Cooperatives and SMEs (Civil Servants)

UPZ	Number of	Zakat	with 2.5%	Zakat with Dynamic Percentage		
	months (32)	Muzakk i	Acquisition	Muzakk i	Acquisition	
PT. BAP	30	5,474	1,971,870,18 0	5,295	2,409,197,05 6	
Ministry	18	2,558	268,072,203	1,555	210,547,928	
TOTAL		8,032	2,239,942,38	6,850	2,619,744,98 4	

From the two UPZ data above, when compared to the total acquisition of zakat using the fixed model of 2.5% (IDR.1,971,870,180 + 268,072,203 = IDR.2,239,942,383) with the total zakat acquisition using a dynamic percentage (IDR.2,409. 197,056 + 210,547,928 = IDR. 2,619,744,984), there was an increase in the acquisition of zakat in the amount of Rp. 379,802,601 or around 16.9%.

In fact, the number of *muzakki* was reduced from 8,032 to 6,850, because it was reduced by the number of *muzakki* whose income was less than *Nisab*, by 1,182 (1003 from UPZ Ministry of Cooperatives + 179 from PT Brantas Abiraja). Therefore, there was a decrease in the number of *muzakki* by 14.7%, which came from those whose income did not reach the *Nisab*.

This shows that, although the number of *muzakki* is reduced, the total national zakat acquisition can increase by applying a dynamic percentage. At the same time by applying a dynamic percentage in the zakat of the profession, the *maqasid asy-shari'ah*, i.e., *hifzu ad-din* (preserving religion like the value of justice) which is *doruriy* will also be realized. By applying dynamic percentages, the basic values of religion itself will be protected and realized.

Conclusion

Several conclusions can be found in this study. The percentage of zakat is not a standard percentage. This percentage can change according to the benefit of the community at a certain time and place. The percentage of zakat is dynamic and moves in values that are simple and easy to apply, such as 2.5%, 5%, 10% and 20%: zakat is adjusted to the effort that has been spent by someone in earning their income. The author strengthens Yusuf al-Qaradawi's opinion because, in the analysis of the traditions about the percentage of zakat or the rules on zakat, it is in the capacity of the Prophet, blessings of God be upon him and his family and peace, as a community leader or head of state. It means that it can be binding or not, according to the benefit of society. The application of dynamic zakat percentage for professional zakat in Indonesian BAZNAS turns out to increase the acquisition of zakat, and is more equitable and fairer (fulfil law purposes) compared to the application of the 2.5% standard zakat percentage currently taking place at UPZ within the BAZNAS environment.

From the results of this study, the author suggests that the BAZNAS, from central, provincial to district and city level should explore data more accurately about the potential for dominant zakat in each region. They should then formulate a detailed percentage of zakat that is easily understood and implemented by the BAZNAS itself or other zakat management institutions in an area. The government is then expected to issue the law.

That is all the concluding words in this paper, and only to God the author says a prayer, "Allah, please give me the opportunity to obtain two rewards: the reward of *ijtihad* and the reward of being right in opinion." Aamiin.

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