

PROGRESSIVE LAW-BASED PRODUCTIVE ZAKAT DISTRIBUTION MODEL BY BAZNAS FOR COMMUNITY ECONOMIC EMPOWERMENT

Zainab Ompu Jainah¹, Aqfala Arief Rahman²

¹Lecturer of the Doctoral Program in Law, University of Bandar Lampung Email: zainab@ubl.ac.id

²Student of the Doctor of Law Program at the University of Bandar Lampung Email: aqfalaarra@gmail.com

Abstract

Productive zakat is a strategic instrument in the economic empowerment of the ummah which requires a progressive law-based distribution model to optimize its impact. This study analyzes the productive zakat distribution model by BAZNAS in the perspective of progressive law for community economic empowerment. The problems studied include: (1) how the concept of progressive law can be integrated in the productive zakat distribution model by BAZNAS; (2) what are the obstacles to the implementation of productive zakat distribution based on progressive law; and (3) what is the ideal model of productive zakat distribution based on progressive law for community economic empowerment. This research uses normative legal research methods with a statute approach and a theoretical approach. The results of the study show that progressive law can be integrated through a dynamic interpretation of the provisions of productive zakat that are oriented towards substantive justice and sustainable empowerment. The obstacles faced include rigid regulatory aspects, limited institutional capacity, and a conservative understanding of zakat distribution. The recommended ideal model is a phased distribution model that combines a consumptive-productive approach with intensive mentoring, diversification of local potential-based programs, and participatory evaluation monitoring systems. This model emphasizes legal flexibility,

distributive justice, and alignment with mustahik as the subject of empowerment. The implementation of this model requires regulatory reformulation, strengthening the capacity of BAZNAS, and multi-stakeholder synergy to realize zakat as an instrument of equitable socio-economic transformation.

Keywords: *Productive Zakat, Progressive Law, BAZNAS, Economic Empowerment, Zakat Distribution*

A. INTRODUCTION

Zakat is one of the pillars of Islam that has spiritual and socioeconomic dimensions. As an instrument of wealth redistribution, zakat not only functions as a mahdah worship, but also as a mechanism for poverty alleviation and economic empowerment of the people. In the context of Indonesia as a country with the largest Muslim majority population in the world, the potential for zakat that can be collected reaches hundreds of trillions of rupiah every year. However, the realization of the collection and utilization of zakat is still far from the existing potential. Law Number 23 of 2011 concerning Zakat Management has provided a strong legal basis for the management of zakat in Indonesia through an official institution, namely the National Amil Zakat Agency (BAZNAS). This law mandates that zakat is not only distributed consumptive to meet the basic needs of mustahik, but can also be used productively for the economic empowerment of the community. The concept of productive zakat is an important strategy in changing the paradigm from charity to empowerment, from passive assistance recipients to independent productive economic actors.¹

However, in its implementation, the distribution of productive zakat by BAZNAS still faces various challenges. The normative provisions in laws and regulations have not fully accommodated the dynamics of complex and diverse economic empowerment needs. Rigid interpretation of the provisions of zakat ashnaf, bureaucratic distribution mechanisms, and lack of innovation in empowerment

¹ Ali, Mohammad Daud. Islamic Economic System Zakat and Waqf. Jakarta: UI Press, 2006. 1-3

programs cause the effectiveness of productive zakat to be suboptimal.² On the other hand, poverty and economic inequality continue to be structural problems that require innovative and transformative solutions. In this context, the progressive legal approach initiated by Satjipto Rahardjo offers a relevant alternative perspective. Progressive law emphasizes that law is for humans, not the other way around. The law must be able to present substantive justice, not just procedural justice. In the management of zakat, the progressive legal approach encourages BAZNAS not to be fixated on literal interpretations of regulations, but to dare to make legal breakthroughs that are oriented towards achieving the goals of zakat, namely the empowerment and welfare of mustahik.³

Progressive law in the distribution of productive zakat means providing flexibility in interpretation of the provisions for the utilization of zakat as long as it is in accordance with the maqashid sharia and the principles of justice. This includes flexibility in determining the type of empowerment program, the amount of funds allocated for productive zakat, distribution methods that are adjusted to local conditions, to the criteria for program success which are not only measured from quantitative aspects but also transformative impacts for mustahik. Several regions have shown good practices in the utilization of productive zakat with innovative approaches, such as micro-based productive zakat programs, mustahik business assistance programs, and revolving financing schemes. However, these good practices have not been systematized in a comprehensive model based on a progressive legal framework. Therefore, an in-depth study is needed to formulate a productive zakat distribution model based on progressive law that can be a reference for BAZNAS in optimizing the role of zakat as an instrument for community economic empowerment. This research is important to make a theoretical and practical contribution to the development of a more responsive, innovative, and equitable productive zakat distribution

² Sophisticated, Clarashinta, Khusnul Fikriyah, and Ach. Yasin. "The Potential and Realization of Indonesian Zakat Funds." *Al-Uqud: Journal of Islamic Economics* Vol. 1, No. 1 (2017): 14-26.

³ Asnaini. *Productive Zakat in the Perspective of Islamic Law*. Yogyakarta: Pustaka Siswa, 2008. 5

model. By integrating a progressive legal perspective in zakat management, it is hoped that it can encourage legal reform and zakat management policies that are more adaptive to the socio-economic dynamics of the community, so that zakat can truly be an effective social transformation instrument in alleviating poverty and empowering the people's economy.⁴

Based on the above background, the problems in this study are formulated as follows:

1. How can the concept of progressive law be integrated in the model of productive zakat distribution by BAZNAS for community economic empowerment?
2. What are the obstacles and challenges in the implementation of the distribution of productive zakat based on progressive law by BAZNAS from the regulatory, institutional, and social aspects of society?
3. What is the ideal model for the distribution of productive zakat based on progressive law by BAZNAS that can optimize the community's economic empowerment in a sustainable manner?

B. RESULTS AND DISCUSSION

1. Integration of Progressive Legal Concepts in the Productive Zakat Distribution Model by BAZNAS

Progressive law initiated by Satjipto Rahardjo is a school of legal thought that emphasizes that law is for humans, not humans for law. Progressive law rejects rigid and formalistic views of legal positivism, and encourages substantive justice-oriented law enforcement. According to Satjipto Rahardjo, the law should not be an autonomous institution that is independent of the interests of humans and society.⁵ The law must be able to serve the needs of humans and society, not the other way around. The basic principles of progressive law include: first, law is for human beings and humanity; second, the law does not exist for itself but for something

⁴ Ridwan, Muhammad. "Zakat-Based People's Economic Empowerment Model by the Regional Amil Zakat Agency." *Economica: Journal of Islamic Economics* Vol. 5, No. 2 (2014): 89-105.

⁵ Rahardjo, Satjipto. *Let the Law Flow: A Critical Record of Human Struggle and Law*. Jakarta: Kompas, 2007. 12-15

broader and greater; third, the law is an institution that continuously builds and transforms itself towards a better level of perfection; fourth, progressive law rejects the status quo and encourages change; Fifth, the presence of the law is not to serve itself but to provide human happiness and well-being.⁶

The relevance of progressive law to the management of zakat is very strong. Zakat is essentially an Islamic legal institution that aims to realize social justice and the welfare of the ummah. The main purpose of zakat is not in the procedures and mechanisms of its collection or distribution, but in the achievement of sharia maqashid, namely the protection of basic human needs (dharuriyat), especially the protection of property (hifdz al-mal) and soul (hifdz al-nafs) through poverty alleviation and economic empowerment. In the context of productive zakat distribution, a progressive legal approach means that BAZNAS should not be fixated on literal and rigid interpretations of normative provisions in laws and regulations. BAZNAS must dare to make legal breakthroughs and program innovations as long as they remain within the corridor of sharia maqashid and orientation to mustahik welfare. This is in line with the fiqh rule "taghayyur al-ahkam bi taghayyur al-azman wa al-amkan" which means that changes in the law follow changes in times and places. Law Number 23 of 2011 concerning Zakat Management is the main legal basis for zakat management in Indonesia. Article 27 paragraph (1) states that zakat can be used for productive business in the context of handling the poor and improving the quality of the people. This provision provides legal legitimacy for BAZNAS to allocate zakat funds not only for consumptive purposes but also for productive programs.⁷

However, Article 27 paragraph (2) provides a condition that the utilization of zakat for productive businesses is carried out if the basic needs of mustahik have been met. This provision gives rise to various interpretations and tends to limit the space for the utilization of

⁶ Hafidhuddin, Didin. *Zakat in the Modern Economy*. Jakarta: Gema Insani, 2002. 6-8

⁷ Suharto, Edi. *Building a Community Empowering the People: A Strategic Study of Social Welfare Development and Social Work*. Bandung: Refika Aditama, 2014. 7-9

productive zakat. The conservative interpretation sees that productive zakat can only be given after the mustahik gets consumptive assistance first. Meanwhile, the progressive interpretation understands that the fulfillment of basic needs does not have to be through consumptive assistance, but can also be through productive economic empowerment which ultimately makes mustahik able to meet its basic needs independently and sustainably. BAZNAS Regulation Number 2 of 2016 concerning Empowerment and Utilization of Zakat provides more detailed guidance on productive zakat. This regulation stipulates that the utilization of zakat can be carried out through educational, health, economic, da'wah, and socio-religious programs. In the economic sector, BAZNAS can provide business capital assistance, entrepreneurship training, business assistance, and the development of other productive sectors. Although existing regulations have provided space for productive zakat, their implementation still faces restrictive regulatory constraints. Provisions on the maximum amount of zakat funds that can be allocated for productive programs, complicated administrative procedures, and unclear criteria for program success are obstacles in optimizing productive zakat.

The integration of progressive law in the distribution of productive zakat by BAZNAS can be carried out through several dimensions:

- a. Legal Interpretation Dimension: BAZNAS needs to adopt a progressive legal interpretation method to the provisions of zakat utilization. Progressive interpretation means not fixating on the textual meaning of the regulation, but exploring the ratio legis and the purpose behind the provision. The provisions of Article 27 paragraph (2) of the Zakat Management Law, which requires the fulfillment of basic needs before productive zakat, must be interpreted substantively. The fulfillment of basic needs is not always synonymous with the provision of consumptive assistance, but can also be through the provision of productive business capital that enables mustahik to meet its basic needs in a sustainable manner.
- b. Distribution Policy Dimensions: BAZNAS needs to formulate a distribution policy that is flexible and adaptive to the real needs of mustahik. The distribution model does not have to be uniform

for all mustahik, but is adjusted to each condition, potential, and needs. For mustahik who have the ability and motivation to be entrepreneurial, productive zakat can be given directly without having to go through the stages of consumptive assistance first. On the other hand, for mustahik who are not ready, a combination of consumptive assistance and preparation programs towards economic independence can be given

- c. Program Innovation Dimension: Progressive law encourages innovation and creativity in empowerment programs. BAZNAS needs to develop various innovative models of productive zakat programs in accordance with local potential and the development of the times. Programs such as business incubators for mustahik, partnerships with business actors, zakat-based sharia financing schemes, and the digitization of mustahik businesses need to be developed. Program innovation does not have to wait for a regulation that explicitly regulates it, as long as it does not conflict with sharia principles and the purpose of zakat.
- d. Stakeholder Participation Dimension: The progressive legal approach emphasizes the importance of the participation of all stakeholders in the legal process. In the context of productive zakat distribution, BAZNAS needs to involve mustahik as an active subject in designing and implementing programs. In addition, synergy with local governments, universities, the business world, and civil society organizations needs to be improved to create a conducive empowerment ecosystem.
- e. Monitoring and Evaluation Dimension: The success of the productive zakat program is not only measured from administrative and quantitative aspects such as the amount of funds distributed or the number of mustahik received. Progressive law encourages substantive evaluation, namely a transformative impact on the life of mustahik. BAZNAS needs to develop success indicators that measure the improvement of welfare, economic independence, and the change in status from mustahik to muzakki.

2. Obstacles to the Implementation of Productive Zakat Distribution Based on Progressive Law

a. Obstacles from the Regulatory Aspect

Zakat management regulations in Indonesia still have several weaknesses that hinder the implementation of optimal productive zakat distribution. First, the restrictive provisions in Article 27 paragraph (2) of the Zakat Management Law which requires the fulfillment of basic needs before productive zakat. This provision is often interpreted rigidly so as to limit the allocation of funds for productive programs. Second, there is no clear provision on the maximum or minimum amount of zakat funds that must be allocated for productive programs. This causes huge variations between regions in the allocation of productive zakat.⁸ Some BAZNAS allocate less than 10% for productive programs, while others can reach 30-40%. The absence of this standard leads to inconsistencies and legal uncertainty. Third, complicated and bureaucratic administrative procedures in the distribution of productive zakat. Various document requirements, multi-layered verification processes, and lengthy disbursement mechanisms cause inefficiencies and hinder the accessibility of mustahik to productive zakat programs. This complicated procedure is actually contrary to the principle of zakat which must be quickly distributed (*fauriyah*) and easily accessible by those who are entitled. Fourth, the insynchronization between central and regional regulations. Some regional regulations on zakat management have different provisions and even contradict regulations at the national level. This creates a conflict of norms and legal uncertainty in implementation. Fifth, weak sanctions against the management of zakat that is not accountable. Although the Zakat Management Law regulates criminal and administrative sanctions, in practice the enforcement of

⁸ Qadir, Abdurrachman. *Zakat in the Mahdhah and Social Dimensions*. Jakarta: Raja Grafindo Persada, 2001. 12

sanctions is very weak. This leads to weak accountability and transparency in zakat management.⁹

b. Obstacles from Institutional Aspects

BAZNAS as a zakat management institution faces various institutional obstacles. First, the capacity of human resources is still limited. The management of productive zakat requires special competencies in the fields of economic empowerment, entrepreneurship, and business assistance. However, most of the amil zakat do not have this competence. Training and capacity building are still very limited. Second, inadequate infrastructure and information technology systems. Effective productive zakat management requires an integrated mustahik database system, a computerized program monitoring and evaluation system, and a digital platform to facilitate mustahik access to programs. However, many BAZNAS, especially in areas that do not have an adequate IT system. Third, the limitation of the operational budget. Although BAZNAS can use zakat funds for operational costs of a maximum of 12.5% according to the provisions, in practice many BAZNAS cannot optimize this allocation due to various administrative constraints. Limited operational budgets cause empowerment programs to not be carried out intensively and sustainably. Fourth, weak coordination between zakat management institutions. In Indonesia, there are BAZNAS and LAZ (Amil Zakat Institute) that run independently without good coordination. This leads to duplication of programs, inefficiency, and even the potential for misuse of mustahik data that receives assistance from various institutions. Fifth, there is not optimal synergy with other institutions. BAZNAS needs to collaborate with local governments, universities, the business world, Islamic financial institutions, and civil society organizations to optimize productive zakat programs. However, this

⁹ Qardawi, Yusuf. *Zakat Law: A Comparative Study of the Status and Philosophy of Zakat Based on the Quran and Hadith*. Bogor: Pustaka Litera Antar Nusa, 2011. 6-9

collaboration is still very weak due to various factors including sectoral egos and differences in vision.¹⁰

c. Obstacles from the Social Aspect of Society

Social barriers are also very significant in the implementation of productive zakat. First, the public's understanding of zakat is still conservative. Most muzakki and mustahik still understand zakat from a purely consumptive perspective.¹¹ Zakat is understood as alms given to meet momentary needs, not as an instrument of economic empowerment. This understanding causes resistance to the productive zakat program both in terms of muzakki and mustahik. Second, the negative stigma against mustahik. Mustahik is often seen as a passive object that is weak and helpless, rather than as an active subject that has the potential to be empowered. This stigma causes the empowerment program to not run optimally because there is no confidence in the ability of mustahik to turn into productive economic actors. Third, instant culture and dependence. Some mustahik have become accustomed to receiving consumptive assistance so that they are less motivated to participate in productive programs that require a long process and hard work. This culture of dependency is difficult to change and requires an intensive education and mentoring approach. Fourth, low financial literacy and entrepreneurship. Many mustahik do not have the knowledge and skills to manage a business, make simple bookkeeping, or access capital. This low literacy causes a high risk of business failure financed from productive zakat. Fifth, cultural and structural factors of poverty. Poverty is not only an economic problem but also a cultural and structural problem. Poverty is often caused by unfair socioeconomic systems, unequal access to resources, and discriminatory practices. Productive zakat alone is not enough to overcome this structural poverty without changes to the broader system.

¹⁰ Muhammad. Professional Zakat: Discourse of Thought in Contemporary Fiqh. Jakarta: Salemba Diniyah, 2002. 56

¹¹ Mardani. Legal Aspects of Islamic Financial Institutions in Indonesia. Jakarta: Prenadamedia Group, 2015. 12-16

3. Ideal Model of Progressive Law-Based Productive Zakat Distribution for Community Economic Empowerment

a. Basic Principles of the Model

The ideal model of productive zakat distribution based on progressive law must be built on several basic principles. First, the principle of substantive justice. The distribution model must be oriented towards achieving true justice for the mustahik, not just procedural justice. Substantive justice means giving every mustahik equal opportunity to access the program according to their needs and potential, and ensuring that the program truly has a transformative impact on the life of the mustahik. Second, the principle of flexibility and adaptability. The distribution model must be flexible and adaptive to local conditions, mustachik characteristics, and the dynamics of the times. There is no one size fits all. The model must be adaptable to the local economic potential, community culture, and the specific needs of each mustahik. Third, the principle of participation and empowerment. Mustahik should be placed as an active subject in the empowerment process, not a passive object. The distribution model must involve mustahik in every stage from planning, implementation, to program evaluation. This participation will increase the sense of ownership and sustainability of the program. Fourth, the principle of sustainability. Productive zakat programs must be designed to provide long-term impacts, not just short-term solutions. The distribution model must ensure that the assistance provided can permanently change the economic condition of mustahik so that they do not return to mustahik and even turn into muzakki. Fifth, the principles of accountability and transparency. The distribution model must ensure that each zakat fund is managed in an accountable and transparent manner. The reporting, monitoring, and evaluation mechanism must be designed to ensure that there is no irregularity and misuse of zakat funds.

b. Phased Distribution Model Scheme

The ideal model of productive zakat distribution based on progressive law uses an integrated phased approach. These stages include:

- 1) Stage 1: Identification and Selection of Mustahik: This stage identifies and selects mustahik who will be recipients of the productive zakat program. The identification is carried out comprehensively not only looking at economic aspects but also the potential, motivation, and readiness of mustahik to participate in the empowerment program. BAZNAS needs to develop a valid assessment instrument to measure the feasibility and readiness of mustahik. In the perspective of progressive law, the selection criteria should not be discriminatory and should provide equal opportunities to all mustahik.¹²
- 2) Stage 2: Fulfillment of Basic Needs and Preparation: For mustahik who have not met their basic needs, this stage provides consumptive assistance to meet basic needs while preparing them to participate in productive programs. Preparation includes basic entrepreneurship training, motivation strengthening, and business group formation. This stage is important to ensure that mustahik is really ready to participate in a productive program.
- 3) Stage 3: Capital Provision and Technical Training: This stage is the core of the productive zakat program. Mustahik is given business capital according to the type of business to be run. The amount of capital is determined based on business feasibility studies, not based on uniform standards. Along with providing capital, mustahik also receives technical training according to its field of business, such as production, marketing, business management, and simple bookkeeping. In the perspective of progressive law, capital provision does not have to wait for all administrative procedures to be completed if the condition of mustahik requires immediate handling.
- 4) Stage 4: Intensive Mentoring: Mentoring is the key to the success of a productive zakat program. BAZNAS needs to provide a companion or mentor who will help mustahik in running his business. Assistance is carried out for at least the first 6-12 months, including technical, managerial, and market access assistance. The companion must have competence in his field

¹² Stupid, Irfan Syauqi. "Analysis of the Role of Zakat in Reducing Poverty: A Case Study of Dompét Dhuafa Republika." *Journal of Thought and Ideas* Vol. 2 (2009): 45-53.

and be able to build an empathetic relationship with the mustahik.

- 5) Stage 5: Monitoring, Evaluation, and Development: Monitoring and evaluation are carried out periodically to ensure that the business runs well and identify the obstacles faced. The evaluation does not only look at financial aspects but also social aspects such as changes in family welfare, independence, and empowerment. For mustahik whose business is developing well, further business development assistance can be provided such as capital expansion, wider market access, or improvement of production technology.
- 6) Stage 6: Graduation and Regeneration: The final stage is graduation where mustahik who have become economically independent are declared to have graduated from the program and are expected to become muzakki. The graduation process must be carried out with good appreciation to motivate other mustahik. The funds that have been rolled out can be used to finance new mustahik (regeneration) so that the program can be sustainable.

c. Participatory Monitoring and Evaluation System

The ideal model requires a monitoring and evaluation system that is not only top-down but also participatory involving mustahik. The system includes:

- 1) Multidimensional Success Indicators: The success of the program is not only measured by economic indicators such as increased income or business turnover, but also social indicators such as changes in consumption patterns, children's access to education, family health conditions, social participation, and changes in mindset from recipient to giver. This multidimensional indicator reflects the transformative impact that is the goal of productive zakat.
- 2) Technology-Based Monitoring: BAZNAS needs to develop a digital application for program monitoring that facilitates reporting from mustahik, companions, and amil. The application can record business developments, obstacles faced, and photo and video documentation. This digital monitoring is more efficient and real-time than manual systems.

- 3) **Participatory Evaluation:** The evaluation is not only carried out by BAZNAS but also involves the mustahik itself to assess the program. Group discussion forums, testimonials, and joint reflections are empowering evaluation methods. The results of this participatory evaluation are input for the improvement of the sustainable program.
- 4) **Social Audit:** BAZNAS needs to conduct a social audit involving independent parties to assess the social impact of the productive zakat program. This social audit will increase accountability and public trust in the management of zakat.

d. Strengthening the Institutional Capacity of BAZNAS

The ideal model will not run optimally without strengthening the institutional capacity of BAZNAS. Some aspects that need to be strengthened:

- 1) **Amil Human Resources Development:** BAZNAS needs to carry out sustainable amil capacity development through training, professional certification, comparative studies, and internship programs at economic empowerment institutions. Amil must have competence not only in zakat fiqh but also program management, community empowerment, and entrepreneurship.
- 2) **Strengthening Information Technology Systems:** BAZNAS needs to develop an integrated zakat management information system ranging from muzakki databases, mustajik databases, online zakat collection systems, distribution systems, to monitoring and reporting systems. Digitization will increase the efficiency, transparency, and reach of the program.
- 3) **Strengthening Governance and Accountability:** BAZNAS needs to apply the principles of good governance in zakat management. This includes transparency in fund management, public accountability through periodic reports, stakeholder participation in decision-making, and an effective complaint and complaint handling system.
- 4) **Strengthening Research and Development:** BAZNAS needs to have a research and development unit that conducts continuous studies on program effectiveness, zakat potential mapping, feasibility studies of new programs, and innovation

development. The results of the research are the basis for evidence-based policies.

e. Multi-stakeholder Synergy

The implementation of the ideal model of productive zakat management is highly dependent on the creation of strategic synergy between BAZNAS and various stakeholders to maximize the impact of empowerment. Cooperation with the Regional Government through the Social Service and MSMEs is a crucial step in synchronizing mustahik data to avoid overlapping programs. On the other hand, the involvement of universities and the business world provides a new dimension in the form of technical research, business incubation, and CSR fund support that expands market access for mustahik products. This collaboration creates a strong support ecosystem, where mustahik not only receives capital assistance, but also ongoing professional mentoring. To complement the ecosystem, integration with Islamic Financial Institutions and Civil Society Organizations is an important pillar in the mustahik transition to economic independence. Through Islamic banks or BMTs, mustahik are introduced to formal financial systems and advanced financing that educate them in sound financial management.¹³ Meanwhile, NGOs and community organizations are spearheading policy advocacy and providing field mentors who understand the local context in depth. This synergy ensures that the empowerment approach carried out is multidimensional and has a methodology that continues to be enriched by expertise from various sectors.¹⁴

The success of this synergy must certainly be overshadowed by a regulatory framework that is progressive and adaptive to the dynamics of the times. The revision of the Zakat Management Law, especially Article 27 paragraph (2), is urgent to provide flexibility for BAZNAS in managing productive zakat without being hampered by rigid interpretation. Regulations at the executive level should also

¹³ National Amil Zakat Agency. *National Zakat Statistics 2020*. Jakarta: BAZNAS, 2021.

¹⁴ Aedy, Hasan. "The Theory and Application of Economic Development from an Islamic Perspective: A Comparative Study." *APPLICATION: Journal of Religious Sciences Application* Vol. 10, No. 2 (2009): 163-184.

emphasize general principles rather than technical ones that are too detailed, so that BAZNAS in each region has room for innovation to adapt programs to the economic potential of each region. Finally, strengthening the legality aspect must be accompanied by the development of accreditation standards and the provision of attractive fiscal incentives for muzakki. The existence of the standard certification of the productive zakat program will be a barometer of quality as well as a tool to increase public trust in the transparency and effectiveness of BAZNAS. As a complement, the government needs to provide more significant tax incentives for people who distribute their zakat through official institutions. With the support of favorable regulations and real incentives, the volume of zakat collection will increase rapidly, which automatically increases the funding capacity for productive programs in the future.

C. CONCLUSION

Based on the analysis that has been carried out, it can be concluded as follows:

1. The concept of progressive law can be integrated in the productive zakat distribution model by BAZNAS through substantive and justice-oriented legal interpretations, flexibility of distribution policies that are adaptive to mustahik needs, empowerment program innovations that are not fixated on formal provisions, active participation of stakeholders in designing and implementing programs, and evaluation monitoring systems that measure transformative impacts not only administrative aspects. Progressive legal integration means placing the welfare and empowerment of mustahik as the primary orientation, with the law as an instrument to achieve that goal, not as a barrier.
2. Obstacles in the implementation of productive zakat distribution based on progressive law include three main aspects. From the regulatory aspect, obstacles are in the form of restrictive provisions, bureaucratic administrative procedures, insynchronization of central and regional regulations, and weak enforcement of sanctions. From the institutional aspect, obstacles are in the form of limited human resource capacity, inadequate infrastructure and IT systems, limited operational

budgets, weak coordination between zakat institutions, and lack of optimal synergy with other stakeholders. From the social aspect, obstacles are in the form of a conservative public understanding of zakat, a negative stigma against mustahik, a culture of dependence, low financial literacy and entrepreneurship, and complex structural factors of poverty.

3. The ideal model of productive zakat distribution based on progressive law for community economic empowerment is a model built on the principles of substantive justice, flexibility and adaptability, participation and empowerment, sustainability, and accountability and transparency. This model uses a phased distribution scheme that includes identification and selection of mustahik, fulfillment of basic needs and preparation, provision of capital and technical training, intensive mentoring, monitoring and evaluation, to graduation and regeneration. This model also develops diversification of programs based on local potential, innovative financing mechanisms such as revolving funds and social investment, participatory evaluation monitoring systems, strengthening BAZNAS institutional capacity, multi-stakeholder synergy, and supported by a progressive and adaptive regulatory framework.

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