

## Demanding Agreement from Islamic Philanthropic Institutions in Indonesia: Reinterpretation of Poverty and Implementation of Zakat

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### ABSTRACT

*Zakat is still interpreted as a matter of ritual and fiqh that is limited to aborting obligations. The absence of agreement between Islamic-based philanthropic institutions and the absence of clerical support to produce contemporary fatwas related to zakat are challenges in terms of zakat management. The development of the times and the increasingly complex dynamics of society demand a reconstruction of poverty; definition, broader meaning, and implementation of praxis. The presence of specific fatwas has urgency, especially by considering zakat as one of the theological aspects closely related to the aqidah dimension. It is not easy to combine theological aspects with revolutionary and transformative new concepts in the praxis state. This research seeks to propose the concept of reinterpretation of poverty and its implementation, while encouraging policymakers from Islamic faith-based philanthropic institutions in Indonesia to agree to align strategies for alleviating 'new poverty' through zakat management. In the end, the fatwa plays a role in gathering the strength of a solid people so as to realize a sustainable maslahah and al-adalah (justice).*

*Keywords: zakat, poverty, philanthropy, social justice*

### INTRODUCTION

Islamic law is the most prominent system of all Islamic teachings, even for most Muslims, it is the most important part of the teachings (Schacht, 1992). As an area of study, Islamic law becomes an essential product for discussing the limitations, dynamics, and meaning of the relationship between God and man (El Fadl, 2003). Likewise, in this context, zakat is a product of Islamic law in providing solutions to problems that occur in society. However, the position of zakat in this jurisprudence is still considered a mere rituality. In the end, when jurisprudence becomes a consideration tool to provide labels and legitimacy for a person or group to assess the level of religiosity, then the meaning of religion becomes reduced and only becomes a formal or ritual aspect (Musthafa & Khunaini, 2020), as well as zakat.

Islamic law has a central and strategic position in determining the religious life of a Muslim. With Islamic law one can carry out an order or not carry out a prohibition. This central and strategic position often revolves around transcendental issues, while in a social context that is problem solving, not many references have been confirmed. Islamic law as the anchor of the life of Muslims will lose its relevance in life when it is unable to provide answers to social realities that can clearly be seen. Therefore, a progressive interpretation of Islamic law based on the main sources of teachings, namely the Quran and as-sunnah, is urgent to do.

Masdar (1993) sued zakat praxis so far which failed to carry out the ideals of justice and social benefit. Zakat, which is an important instrument of the Islamic

religion to show its social role in society, has forgotten the significance of the sacred duty of zakat worship itself for the commitment of social justice. In fact, there are absolutely no real implications of zakat worship for more concrete social justice realization efforts. Masdar proposed a new view of zakat. The view of Muslims towards zakat so far still cannot be separated from the paradigm of orthodoxy in understanding and interpreting religious teachings, so that the expected ideals of social justice are forgotten.

Social justice is still a utopia once it meets the condition of an Islamic society that is still shrouded in poverty and injustice. That poverty as a human condition as a human being who is incapable of access to welfare. Welfare can be interpreted as a condition for the fulfillment of a person's needs according to the standards that apply in his environment. Social welfare, therefore, is a condition for the fulfillment of one's main needs so that the person can carry out his social functions using normal in the midst of the people, especially the practice of worshipping God and carrying out commands and staying away from His prohibitions (Sodiq, 2005).

However, at this time the meaning of social justice was not enough to reach the theological realm alone. The main principles of Islam in minimizing inequality thus foster a culture of "social cohesion" and "creative cooperation" in which all members of society enjoy rights, justice, and the path to well-being. Therefore, Islam advocates "practical philanthropy" that we carry out in the form of zakat so that it can strengthen the meaning and scope of justice, growth and sustainable development while maintaining respect, values and centrality of human life (Hafandi & Helmy, 2021), thus social justice is not only about eliminating injustice or arbitrariness, but also an effort to carry out sustainable social construction.

Social welfare, which is the goal of a sustainable Islamic economy, must be able to answer social problems in society. The problem of society that is still a scourge is poverty that never fades in the community. Therefore, the role of religion in the economic aspect must immediately answer this problem. This is so that piety as a Muslim does not only depend on vertical aspects, but must also have a social meaning so that the Islamic economy is not only loud as jargon but has an impact in solving the main human problem, namely poverty.

To achieve social justice that can actually solve the problems faced by the community not only Muslims but also humanity universally, Indonesia actually has a fairly strong capital. With a Muslim-majority population of 237.53 million, 91 Amil Zakat Institutions (LAZ) on a national scale to regencies/cities officially recorded by the government, the two largest Islamic mass organizations, namely Nadhatul 'Ulama and Muhammadiyah, as well as support from the authority of the Ministry of Religious Affairs and the Indonesian Ulema Council (MUI), social justice pursued through zakat management is very likely. But what happened?

Table 1. MUI Zakat Fatwa Product Association

No	Types of MUI Fatwas About Zakat
1.	Year 1982: Intensification of Zakat Implementation
2.	Year 1982: Establishing Zakat Funds for Productive Activities and Public Benefit
3.	Year 1996: Giving Zakat for Scholarships
4.	No. 3 of 2003 : Zakat Income
5.	No. 4 of 2003: the Use of Zakat Funds for Istitsmar (Investment)

No	Types of MUI Fatwas About Zakat
6.	Ijtima Ulama Decree of the 3rd Indonesian Fatwa Commission in 2009 on Issues Related to Zakat
7.	No. 8 of 2011: Amil Zakat
8.	No. 13 of 2011: the Law of Zakat on Illicit Property
9.	No. 14 of 2011: Distribution of Zakat Assets in the Form of Managed Assets
10.	No. 15 of 2011: Withdrawal, Maintenance and Distribution of Zakat Treasures
11.	No. 1 Munas 2015: the Utilization of Zakat Assets, Infaq, Alms & Waqf for the Construction of Clean Water and Sanitation Facilities for the Community
12.	Decree of the 6th Ijtima Ulama Fatwa Commission in Indonesia in 2018 concerning Zakat Mal for Legal Aid
13.	Decree of the 6th Ijtima Ulama of the Indonesian Fatwa Commission in 2018 concerning the Responsibility and Authority of Ulil Amri in the Implementation of Zakat Payment Obligations
14.	Decision of the 6th Ijtima Ulama of the Fatwa Commission throughout Indonesia in 2018 concerning Paying Zakat Income Before Fulfilling Mandatory Conditions
15.	Decree of the 6th Ijtima Ulama of the Fatwa Commission in Indonesia in 2018 concerning the Object of Zakat Income
16.	MUI Fatwa No. 23 of 2020: the Utilization of ZIS Property for Overcoming the Covid 19 Outbreak and Its Impact
17.	Ijtima Ulama Decree of the 7th Fatwa Commission in Indonesia in 2021 concerning Corporate Zakat
18.	Decision of Ijtima Ulama 7th Fatwa Commission in Indonesia in 2021 concerning Zakat Shares
19.	Ijtima Ulama Decree of the 7th Indonesian Fatwa Commission in 2021 concerning Zakat in the form of Al-Qardh al-Hasan

Source: Majelis Ulama Indonesia (2021)

The researcher noted that in the set of fatwas on zakat shown by Table 1 there is a "missing gap", that is, there is no most basic fatwa on the definition of poverty that is mutually agreed upon. It has actually been explicitly mentioned through Surat At-Taubah: 6 regarding the groups entitled to receive zakat, but poverty as well as social justice today has expanded its meaning and developed into multidimensional poverty. The MUI fatwas are still dominated by rules at the level of administration and have not referred to a single meaning of poverty that is mutually agreed upon.

The cohesiveness of the definition is important in view of the large number of Indonesian resources in terms of zakat management. Thus, zakat management can run more measurably, systematically, and adaptively. The characteristics of definitions that are progressive and applicable and in accordance with the dynamics of the times and social problems must be answered immediately. Therefore, this study seeks to propose the concept of reinterpretation of poverty and its implementation, as well as encourage policymakers from Islamic faith-based philanthropic institutions in Indonesia to agree to harmonize strategies for alleviating 'new poverty' through zakat management.

## DISCUSSION

### *Reviewing the Status Quo: Poverty Terminology*

The World Bank in its publication, World Development Report 2000/2001: Attacking Poverty, defines poverty as a state in which a decent standard of living is not achieved. Furthermore, the World Bank uses the insufficiency of clothing, food, and boards; inability to access health care; and low access to education, as an indicator to mark a person as poor or not. Meanwhile, the United Nations (UN) in its publication, The World Situation Report 1997, describes poverty as a condition related to the

inability to meet basic needs. Like the World Bank, the UN also proposes several technical indicators that can be used as a marker of a person's poor or not, such as malnutrition, illiteracy, poor health, poor clothing and housing, and helplessness.

In Indonesia, BPS noted that as of March 2022 poverty in Indonesia still reaches 26.16 million people. Poverty is constantly discussed and presented but there is no proper method to overcome the phenomenon (U. A. Aziz, 1969). Discussions on poverty issues usually include the definition of poverty, causal factors, effects and methods for overcoming it. There are differences of opinion about the meaning of poverty from conventional and Islamic perspectives.

A study conducted by Anggoro and Asmak (2016) that explored indicators in determining the poor based on the al-Kifayah Zakat boundary, stated that a person who does not meet the al-Kifayah limit, will be recognized as a poor person. This is because the limit of al-Kifayah is the level of economic sufficiency for a person in ensuring his survival. According to Anggoro and Asmak (2016), the assessment in determining the boundaries of Al-Kifayah consists of six categories, namely, (1) residence, which includes all expenses such as rent, bills, and basic household requirements, (2) aspects of food and water (3) aspects of clothing used by households such as daily wear, school uniforms, clothing for work, (4) Medical needs including medical care and prescription of medicines in pharmacies, (5) education, and also (6) transportation, including gasoline, vehicle insurance and any form of paid transportation. Anggoro and Asmak (2006) also suggest that indicators in determining the poor are also determined by the status of homeownership.

While in the Quran also repeatedly mentions the poor. The two main terms used when referring to people living in poverty are fakir and poor. For Imam Shafi'i

fakir is a person who has no private property of any kind, while the poor are people who barely have enough money to meet his very basic needs; however, Imam Abu Hanifa had the opposite view, in that the poor are the ones who do not have any private property, while the fakir is the one whose ownership allows the fulfillment of very basic needs that are almost insufficient; instead of contradicting each other, Ibn al-Arabi posits that these two terms are identical (Nizami, 2011).

In the approach that has been presented both conventional and Islamic, there is a similarity of indicators between the two: namely what is referred to as poverty is referring to the powerlessness to meet the basic needs of life in the form of clothing, food, and shelter.

From an Islamic perspective, charity and zakat are Islam's defense against poverty. Zakat is also an important act of worship in addition to prayer and is actually a symbol of Islamic economic equality by providing guarantees of equitable and trustworthy equal distribution of wealth. Therefore, the ideal distribution of zakat will have a direct impact on the balance of wealth distribution in society. This is in accordance with the meaning of the word zakat, which is to add, water, burn and soothe (Al-'ayni, 1972). However, the focus of zakat should not only rely on its distribution activities but also need to pay attention to how the concept of poverty is reproduced so that zakat can produce a better impact.

### *Redefining Poverty for Zakat*

The Quran describes the quintessence of the poor as people "who are stuck in the way of Allah, unable to travel in the land" (2:273). The clear distinction given in the Koran to identify the poor is the characteristic that they are held in the way of Allah. It can be said that in the human context, "the way of God" signifies a way of life prescribed by God. The Quran explicitly states that the

purpose of man's creation was to worship Allah, and this obedience to worship is classified as human well-being in this life and in the hereafter. Worship here is used in a broader sense and not only signifies the physical worship prescribed in Islam but also worship through the observance of the rights, duties and responsibilities imposed on Muslims through their covenant with Allah.

Khaleel (2016) argues that the verse can be understood as the inability of the individual to achieve "well-being in this life and in the hereafter". In addition, the verse goes further and outlines that the individual's lack of ability to travel. The limitation of the capacity to achieve well-being, due to the lack of ability to travel, signifies that, this characteristic of incompetence is purely based on worldly limitations and does not include divine dimensions, such as hidayah (divine guidance), which can also influence the expansion in which an individual can achieve well-being. Consequently, the poor can be defined as people who are limited by worldly means, to influence that, they may not have the capacity to achieve well-being for this life and for the hereafter. This opinion is in line with the opinion of Ibn Qayyim who stated that, "Shari'a" is based on wisdom and achieves human well-being in this life and the hereafter" (Auda, 2008).

Conventionally, the concept of multidimensional poverty was proposed by the Human Development Report Office (HDRO) under the United Nations Development Program (UNDP) and the Oxford Poverty and Human Development Initiative (OPHI) at Oxford University, UK, in 2010. This concept is a correction to the criticism of poverty measurement using a monetary approach, which is considered less thorough. Since 2010, the publication of the Human Development Report has always included the progress of the Multidimensional Poverty Index indicators globally.

The Multidimensional Poverty Index looks at the concept of poverty not only in units of money, but also by trying to understand whether there are other aspects that are also related. The Multidimensional Poverty Index identifies that disadvantaged communities typically have difficulty accessing three important dimensions of life, namely health, education, and well-being which are outlined in ten indicators. People who feel unable to access at least 30 percent of these indicators will be categorized as disadvantaged communities.

Table 2. Dimensions and Indicators of the Multidimensional Poverty Index

Dimension	Indicator	Description
Health	Nutrients	There are adults over 70 years old or there are young children whose nutritional needs are not enough.
	Child Death	There were children who died within five years of the survey.
Pendidikan	Length of Schooling	No family member aged 10 and over has completed six years of primary education.
	School	There are school-age children who do not attend school according to the level equivalent to the eighth grade of the school.
Standard of Living	Cooking Fuel	Households cook with wood, charcoal or coal.
	Sanitation	Household sanitation facilities have not experienced a significant increase (according to the SDGs) or if they



Dimension	Indicator	Description
		have increased, they are shared with other households.
	Drinking Water Source	Do not have access to a source of safe and quality drinking water (according to the SDGs) or if they have access, households must walk at least 30 minutes from their place of residence.
	Electricity	It has no electricity.
	Housing	The material used as the roof, walls and floor in a residential house was not considered less feasible. For example, it still uses natural materials such as soil or other simple materials.
	Asset Ownership	It does not have more than one asset such as radios, televisions, telephone planes, computers, farm animals, bicycles, motorcycles, refrigerators, and cars.

Source: OPHI (2015)

Poverty needs to be redefined through these two approaches, which conventionally use the latest poverty measurements, namely multidimensional poverty and religious meaning from qur'anic sources. The welfare of the world is used as a bridge to the well-being of the hereafter, therefore the meaning of poverty and prosperity in the world must be clearly interpreted in a measured way.

The main difference between conventional basic needs and this approach is that conventional basic needs focus only on expanding each resource necessary for life, while this approach proposes that each of the resources mentioned should be calculated not only on the requirements for life but must also include the requirements to meet theological aspects (Khaleel, 2016). For example, the need for clean water within the threshold of poverty must include the consumption of clean water, but not only that, but also water is needed to maintain the level of cleanliness, to perform prayers; Similarly the level of nutrition should be such that the person will be healthy and able to carry out fasting during the month of Ramadan. Furthermore Khaleel (2016) explains that the minimum absolute threshold of cloth, water, shelter, food and protection necessary for a person to live and to regularly perform worship and obedience as a servant, can be used as a factor to determine the threshold of poverty.

#### *Towards a Solid and Progressive Implementation of Praxis*

At a later stage, practices are needed that align with the values of the new definition of poverty and well-being. Kuntowijoyo (2008) mentioned that there are two forms of social transformation carried out by the Prophet, namely the liberation of humans (individuals) and the transformation of society as a whole (collective). The complexity of people's lives demands a more adaptive space for zakat implementation, so as to improve the degree of life of the weak in accordance with the challenges that are being faced. A ukhuwah approach is needed that respects and respects the dignity and dignity of people and humanizes people.

Zakat for transformative society does not only rely on conventional meanings with the aim of strengthening aspects of people's religiosity, but also to

strengthen the fundamental base and religious fatwas so that social transformation is realized. In this context, Islamic religious authorities and philanthropic institutions not only spread proselytizing about the importance of zakat and its implementation but also provide community assistance to social issues that have the potential to cause suffering, discrimination, and poverty such as corruption, the environment, evictions, women's rights, health, interfaith conflicts and other humanitarian social issues.

Social justice phililanthropy focuses on the elimination of social injustices that are assumed to be the root of poverty and injustice. It observes bridges because it associates the gap between the rich and the poor with mobilizing philanthropic resources in society. In pursuit of its goals, social justice philanthropy is organized by the collective action of social movement organizations. In Islam, the organization of philanthropic social movements is represented by the position of 'âmil (zakat administrator). 'Âmil as a link between the poor and the rich can mobilize well philanthropic resources in society with the motive to maintain and develop the future of society (Fuadi, 2012).

Islamic-based philanthropy called ZISWAF (Zakat, Infaq, Alms, Waqf) has great potential (Kharima, 2021). Through philanthropic instruments including zakat, infaq, shadaqoh, waqf and free assistance (Akbar & Tarantang, 2021). But only zakat is of a higher degree than others, because the command of zakat is always side by side with the command of prayer (QS. Al-Baqarah: 43) and for a Muslim zakat is an obligation (QS. At Taubah: 103). So far, the motive for Islamic philanthropic practices for the sake of social justice has not been seen as an important aspect because of people's understanding to practice Islamic philanthropy as a purely religious goal (Bakar & Bamualim, 2006).

Faith-based social justice philanthropy orients its objectives through

institutional and systematic reconstruction in which the resource base is strengthened and then collected and distributed towards activities that will support social movements. The principles of social justice philanthropy involve ways to improve rights and obligations within the basic institutions of society and appropriately distribute benefits and problems through social organization, advocacy and public education (Hasan, 2007). Social justice philanthropy tries to solve social problems by attacking the root causes of poverty in society. In this paper, researchers argue that the absence of a clear and measurable definition of poverty, and the absence of mutual agreement in the form of fatwas are the root of the poverty problem. Therefore, the most fundamental thing about social justice philanthropy is to interpret poverty and social justice with a broader goal to be further managed by religious philanthropic institutions.

## CONCLUSION

The position of zakat in this jurisprudence is still considered a mere rituality. The view of Muslims towards zakat so far still cannot be separated from the paradigm of orthodoxy in understanding and interpreting religious teachings, so that the expected ideals of social justice are forgotten. Social justice is still a utopia once it meets the condition of an Islamic society that is still shrouded in poverty and injustice. The meaning of social justice is not enough to reach the theological realm alone. To achieve the social justice in question, Indonesia actually has a fairly strong capital. With a Muslim-majority population of 237.53 million, 91 Amil Zakat Institutions (LAZ) on a national scale to regencies/cities officially recorded by the government, the two largest Islamic mass organizations, namely Nadhatul Ulama and Muhammadiyah, as well as support from the authority of the Ministry of Religious Affairs and the Indonesian Ulema Council

(MUI). However, these potentials have not synergized the movement. The researcher noted that in the set of fatwas on zakat there is a "missing gap", that is, there is no most basic fatwa on the definition of poverty that is mutually agreed upon. It has actually been explicitly mentioned through Surat At-Taubah: 6 regarding the groups entitled to receive zakat, but poverty as well as social justice today has expanded its meaning and developed into multidimensional poverty.

In the poverty approach that has been presented both conventional and Islamic, there is a similarity of indicators between the two: namely what is referred to as poverty is referring to the helplessness to meet the basic needs of life in the form of clothing, food, and shelter. The focus of zakat should not only rely on its distribution activities but also need to pay attention to how the concept of poverty is reproduced so that zakat can produce a better impact. This main difference between conventional and religious approaches not only focuses on expanding every resource necessary for life, but must also include requirements to meet theological aspects. For example exemplified on the measurement of the minimum absolute threshold of cloth, water, shelter, food and protection necessary for a person to live and to regularly perform worship and obedience as a servant, can be used as a factor to determine the threshold of poverty.

Social justice philanthropy tries to solve social problems by attacking the root causes of poverty in society as a whole. In this paper, researchers argue that the absence of a clear and measurable definition of poverty, and the absence of mutual agreement in the form of fatwas are the root of the poverty problem. It is an important note of this study that Islamic philanthropy in this era is not only traditionally functioned to solve the problem of poverty for short-term goals. But it is also focused on solving the

problem of poverty for long-term goals through the principles of social justice.

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