

DEFINING MUSTAHIQ: The Entangled Practice of *Zakat* and Religious Authority in Contemporary Madura, Indonesia

Abdul Wahed

Institut Agama Islam Negeri (IAIN) Madura, Indonesia
abdulwahed@ianmadura.ac.id

Corresponding Author: Abdul Wahed

Article history: Received: September 22, 2024 Revised: November 11, 2024 Published: December 23, 2024.

Abstract

This article deals with the Islamic legal reasoning behind the designation of Islamic religious leaders (kiai) in Madura as mustahiq zakat, highlighting the negotiation between fiqh, socio-political dynamics, and cultural interests in Indonesia's evolving Muslim society. The kiai play a central role in both religious and socio-political domains. This article explores the justification for their eligibility to receive zakat and their responses to this designation. Employing a qualitative approach, data were collected through participant observation, in-depth interviews, and document analysis. The findings reveal that kiai have engaged in an internalization process by interpreting the category of fi sabilillah as a legal basis to include themselves as mustahiq zakat. Their interpretation is constructed through three strategies: externalization, objectification, and internalization. Furthermore, as holders of religious authority, kiai expand this interpretation to legitimize their right to zakat within a broader socio-religious framework.

[Artikel ini mengkaji landasan hukum Islam di balik penetapan kiai di Madura sebagai mustahik zakat, dengan menyoroti negosiasi antara fikih, dinamika sosio-politik, dan kepentingan budaya dalam masyarakat Muslim Indonesia yang sedang berkembang. Para kiai memainkan peran sentral dalam ranah agama dan sosial-politik. Artikel ini mengeksplorasi justifikasi kelayakan mereka untuk menerima



Copyright: © 2024. The authors. Epistémé: Jurnal Pengembangan Ilmu Keislaman is licensed under a Attribution-NonCommercial-NoDerivatives 4.0.

zakat dan tanggapan mereka terhadap penetapan ini. Dengan menggunakan pendekatan kualitatif, data dikumpulkan melalui observasi partisipan, wawancara mendalam, dan analisis dokumen. Artikel ini berargumen bahwa para kiai telah melakukan proses internalisasi dengan menafsirkan kategori fi sabilillah sebagai dasar hukum untuk memasukkan diri mereka sendiri sebagai mustahik zakat. Interpretasi mereka dikonstruksi melalui tiga strategi: eksternalisasi, obyektivikasi, dan internalisasi. Selanjutnya, sebagai pemegang otoritas keagamaan, para kiai memperluas penafsiran ini untuk melegitimasi hak mereka atas zakat dalam kerangka sosio-keagamaan yang lebih luas.]

Keywords: *Kiai, Zakat, Religious Authority, Madura, Indonesia*

Introduction

Zakat (almsgiving), is a fundamental pillar of Islam and an obligatory annual charitable contribution required of Muslims whose wealth surpasses a specified threshold. As one of the five pillars of Islam, *zakat* serves as both a religious duty and a means of social welfare, ensuring the redistribution of wealth to those in need.¹ Islamic teachings mandate that *zakat* be collected by a trustworthy authority and distributed for the public benefit, with particular emphasis on assisting the poor.² Muslims believe that by enacting this alms they obtain values in this world and the afterlife.³ The Qur'an delineates eight categories of recipients, known as *mustahiq*, who are eligible to receive *zakat*, including the poor, those responsible for its distribution (*amil*), individuals in debt, and those

¹ Hilman Latief, "Marketizing Piety through Charitable Work: Islamic Charities and the Islamization of Middle-Class Families in Indonesia," in *Religion and the Morality of the Market*, edited by Daromir Rudnykyj and Filippo Osella (Cambridge: Cambridge University Press, 2017), 196–216.

² Jonathan Benthall, "Financial Worship: The Quranic Injunction to Almsgiving," *Journal of the Royal Anthropological Institute* (1999): 27–42; Amy Singer, *Charity in Islamic Societies* (Cambridge: Cambridge University Press, 2008).

³ Konstantinos Retsikas, "Multiplication through Division: Value, time, and Prosperity in Indonesia," *HAU: Journal of Ethnographic Theory* 8, no. 3 (2018): 656–671.

striving in the path of God (*fi sabilillah*), among others.⁴

However, the interpretation and implementation of these categories have been subject to scholarly debate across different historical periods and contexts. Some early Islamic scholars, such as Umar ibn al-Khattab, Hudhayfah, Ibn Abbas, and Sa'id ibn Jubayr, permitted the allocation of *zakat* to only one eligible group, an opinion later adopted by the Hanafi school of thought. Conversely, scholars such as 'Ikrimah, Az-Zuhri, and Umar ibn Abdul Aziz, following the Shafi'i school, argued that *zakat* should be distributed among all eight designated groups. These differing perspectives reflect the dynamic nature of Islamic jurisprudence in adapting *zakat* distribution to varying socio-economic conditions.⁵

The studies on *zakat* in Indonesia have been conducted by several scholars. The findings of the studies mostly focus on the relation between *zakat* and public benefit,⁶ social welfare,⁷ and the institutions of *zakat*.⁸ The rise of *zakat* collectors today in the forms of institutions and individuals indicate the rise of awareness among Muslims in Indonesia to pay *zakat*. Some Muslims prefer to pay their *zakat* to individual like popular preachers or *kiai* even though the government and Islamic organizations have institutions or special body to collect *zakat*.⁹ Nowadays, many Muslims pay their *zakat* through social media by

⁴ Imam Yahya, "Zakat Management in Indonesia: a Legal Political Perspective," *Al-Ahkam* 30, no. 2 (2020): 195-214.

⁵ Mohammad Nawawi Al Jawi, *Marah Labidz Tafsir Al Nawawi, Tafsir Al Munir* (Surabaya: Al-Hidayah, n.d.), 346.

⁶ Iim Halimatusa'diyah, "Zakat and Social Protection: The Relationship between Socio-Religious CSOs and the government in Indonesia," *Journal of Civil Society* 11, no. 1 (2015): 79-99.

⁷ Sri Herianingrum, et.al., "Zakat as an Instrument of Poverty Reduction in Indonesia," *Journal of Islamic Accounting and Business Research* 15, no. 4 (2024): 643-660.

⁸ Mari Adachi, "Discourses of Institutionalization of Zakat Management System in Contemporary Indonesia: Effect of the Revitalization of Islamic Economics," *International Journal of Zakat* 3, no. 1 (2018): 25-35.

⁹ Alvina Syafira Fauzia, Sri Mulatsih, and Findi Alexandi, "Mapping the Potential of Zakat Collection Digitally in Indonesia," *International Journal of Zakat* 6, no. 3 (2021): 1-22.

choosing institutions or individuals to whom they trust to collect their it.¹⁰

Using the sociological framework of social construction theory proposed by Thomas L. Berger and Peter L. Luckmann—which consists of the stages of externalization, objectivation, and internalization—this article examines the dialectical relationship between society and the individual. Through this theoretical lens, the article aims to illustrate how the perception and acceptance of *kiai* as *zakat* recipients have been shaped, institutionalized, and internalized within the social structure of Pamekasan.¹¹

In further, this article offer a distinct phenomenon by investigating the designation of *fi sabilillah* category to include *kiai* to receive *zakat* in contemporary Madura. Thus, this article seeks to uncover how the concept of *fi sabilillah* category in *kiai*'s viewpoint in Pamekasan and how their authority to construct the concept of *fi sabilillah* category in socio-political context of contemporary Madura, Indonesia.

Understanding *Fi Sabilillah* in the Concept of *Zakat*

Muslim scholars vary greatly in understanding the word *fi sabilillah* as *mustabiq zakat*. Al Birusawy emphasized that *fi sabilillah* is the poor who cannot join the war because of their poverty. If it is not associated with other words, *fi sabilillah* is defined as the poor who want to fight in war against unbelievers but unable to join because they do not have war equipment. He also emphasized by quoting Abi Yusuf's opinion that *fi sabilillah* refers to pilgrims whose provisions are cut off because of poverty.¹² Al Maturidy—by following Ibn Jarir and Abi Hatim's

¹⁰ Mohd Suki, Norbayah, Norazah Mohd Suki, and Muhammad Faiz Hussin Shokri, "Examining Youths' Intention to Use Social Media Networks for Understanding *Zakat* Online Campaigns that Use Creative Animation," *Journal of Islamic Marketing* 14, no. 7 (2023): 1696-1714.

¹¹ Doyle Paul Jonshon, *Sociological Theory: Classical Founders and Contemporary Perspective dalam Robert M.Z. Lavang* (Jakarta: Gramedia, 1986), 68.

¹² Al-Birusawy and Ismail Haqqy, *Tafsir Rubul Bayan*, Vol. 3 (Beirut: Ihya' Turats al Araby, n.d.), 404.

interpretation—stated that *fi sabilillah* is understood as the Muslim army. He also expressed the possibility that *fi sabilillah* can be meant as every form of obedience in the way of God, everyone who tries and struggles in all forms to God.¹³

Fi sabilillah can also be interpreted as the Muslim army who do not receive a payment from the government. According to Imam Ahmad, Hasan and Ishaq, *fi sabilillah* belongs to pilgrims. This opinion was supported by Sholah Muhammad Arafat and Muhammad Ibn Abdillah As Shingkity in their *Iktisbar* of *Tafsir Ibn Katsir*.¹⁴ This is also confirmed by As Zamakhshari in his *Tafsir Al Kasyaaf*.¹⁵

Al Jasshas explained at length about the criteria of *fi sabilillah* category in his *Abkaam al Qur'an* and the hadith narrated by Abi Ya'la which becomes its foundation who define *fi sabilillah* as the Muslim fighters either rich or poor. Further, Al Jasshas also categorizes pilgrims whose provisions are cut off as *fi sabilillah* also by relying on the hadith narrated by Ibn Abbas. Muchib Aman Aly elaborates that the word *fi sabilillah* itself literally means “in the path of Allah,” which means those who fight to defend and uphold Islam by fighting or spreading it and Islamic teachings.¹⁶

By citing *Tafsir Marah Labib* and *Qurratul 'Ain*, Muchib Aman Aly further divides the current *fi sabilillah* category into three groups: the Islamic army who do not receive a salary from the government, the educators who are not paid by the authorities, in the view of the Maliki schools, and facilities for Islamic education and worship. Thus, *fi sabilillah* category is understood as Muslims who fight for Islam in general including in the battlefield, *da'wah* (Islamic propagation), defending

¹³ Abi Mansur Muhammad Ibn Muhammad Ibn Mahmud Al-Maturidy, *Ta'wilat Abl Sunnah Al Maturidy*, Vol. 5 (Beirut: Dar al Kutub Al Arabiyah, 2005), 410.

¹⁴ Shalah Ibn Muhammad Arafat, et.al., *Al Yasir Fi Iktisbari Tafsir Ibn Kats* (Jeddah: Dar al Hudat Lin Nasyr, 1426 H), 819.

¹⁵ Abi Al Qasim Jaarullah Mahmud Ibn Umar Al Zamkhsyari Al-Khawarizmy, *Tafsir Al Kasyaf* (Beirut: Dar Al-Ma'rifah, 2009), 438.

¹⁶ Aly Muhib Aman, *Panduan Praktis Zakat Empat Mazhab* (Pasuruan: Pustaka Sidogiri PPS, 1429 H), 69.

Islamic law, opposing various types of attacks on Islam, and so forth.

The following is an explanation of the differing scholarly opinions on the interpretation of the term *fi sabilillah* as mentioned in *Surah At-Taubah* (9:60). These interpretations can be classified into four categories.¹⁷ The first perspective holds that *fi sabilillah* refers specifically to military forces engaged in warfare for the sake of Islam. Ibn Ashur, in a brief explanation, stated that there is no disagreement among scholars that *fi sabilillah* primarily denotes war. According to this view, soldiers in need within a war zone are eligible to receive *zakat*, even if they are wealthy in their home country. However, wealthy soldiers present in the war zone are not entitled to *zakat* under *fi sabilillah*, as upheld by many scholars. This opinion is shared by scholars from the Maliki, Shafi'i, and Ishaq schools of thought. Conversely, Abu Hanifah argued that it is not permissible to distribute *zakat* to such individuals.¹⁸

According to Ath-Thabari, the *mustabiqs* who are called *fi sabilillah* are efforts to defend the religion of Allah by fighting against the disbelievers. He presents a few arguments to support his opinion. In his description, Ath-Thabari elaborated that Ibn Zaid, for example, said that *fi sabilillah* is a person who fights in the way of Allah. Ath-Thabari said, "what is meant by the words of God is spending in defense of the religion of Allah, the way of His teachings and the sharia prescribed for His servants by fighting the enemies of His enemies, which means the war against the disbelievers."¹⁹

The view expressed by the two exegetical scholars above has become the mainstream view among most of the schools of jurists. The scholars who fall into this category are Abu Yusuf of the Hanafiyah, the Malikiyah, the Shafi'iyah and one narration from the Hanbalis that was

¹⁷ *Ibid.*, 4-8.

¹⁸ Asyur Muhammad At-Tahir, *At-Tabrir Wat Tanwir* (Beirut: Muassasah At-Tarikh Al-Arabi, 2000), 247-248.

¹⁹ Muhammad bin Jarir At-Thabari, *Jami' Al-Bayan Fi Tafsir Al-Qur'an* (Beirut: Dar Al-Fikr, 1398), 319-320.

refined by Ibn Qudamah Alau ad-Din al-Kasani said: Abu Yusuf was of the view that what is meant is the poor soldiers of war, because the word *sabilillah*, when used in its absolute meaning, is war.²⁰

An-Nawawi explained the principle of the Shafi'i *maḥab* regarding the *mustabiq* of *ḥaḳat fi sabilillah*: "Our *maḥab* is of the view that share of *fi sabilillah* mentioned in the noble verse is intended for war soldiers who do not have official salaries in the government, they fight as volunteers. This is the view of Abu Hanifah and Malik.²¹ Meanwhile, according to As-Sa'di, one of the Hanbali scholars in the explanation of his *tafsir* said that *fi sabilillah* in this verse is: volunteer soldiers who do not have a fixed salary from the state. They are given *ḥaḳat* property to help their combat duties, in the form of buying weapons, combat vehicles, living expenses for themselves and their families so that they can be fully *jihad* in a state of guarantee.²²

According to Al-Qurṭubī, the phrase *fi sabilillah* primarily refers to soldiers and border guards who are eligible to receive *ḥaḳat* for their participation in battle, regardless of their financial status. However, he also cited the opinion of Ibn 'Umar, who interpreted *fi sabilillah* as referring to pilgrims performing Hajj and Umrah.²³ In his *tafsir*, Ibn Katsir noted that Imām Aḥmad, Al-Ḥasan, and Ishāq also included Hajj within the category of *fi sabilillah*.²⁴ Similarly, Ismā'īl Ḥaqqī, in his work *Rūḥ al-Bayān*, explained that *fi sabilillah* refers to impoverished combat soldiers, as stated by Abū Yūsuf. These individuals are unable to join the Muslim army due to their financial constraints, including the lack of sustenance and combat

²⁰ Ala Ad-Din Al-Kasani, *Badai'u Ash-Shana'i Fi Tartib As-Syarai'i*, Vol. 2 (Beirut: Dar Al-Kutub Al-Ilmiyyah, 1986), 46.

²¹ Yahya Bin Syaraf An-Nawawi, *Al-Majmu' Syarh Al-Muhadzdzab*, Vol. 6 (Beirut: Dar Al-Kutub Al-Ilmiyyah, 2011), 212.

²² Abdurrahman Bin Nashr As-Sa'di, *Taisir Al-Karim Ar-Rahman Fi Tafsir Kalam Al-Mannan*, Vol. 1 (Riyadh: Muassasah Ar-Risalah, 2000), 341.

²³ Muhammad Bin Ahmad Al-Qurthubi, *Al-Jami' Li Ahkam Al-Qur'an*, Vol. 8 (Beirut: Dar Ihya At-Turats Al-Arabi, 1985), 185.

²⁴ Ismail Bin Umar Bin Katsir, *Tafsir Al-Qur'an Al-Adzim*, Vol. 4 (Beirut: Dar Al-Kutub Al-Ilmiyyah, 1419), 169.

equipment. Consequently, they are eligible to receive *zakat* funds, even if they are employed, as their work prevents them from participating in *jihad fi sabilillah*. While *fi sabilillah* carries a broad meaning that encompasses all acts of obedience to Allah, its dominant interpretation pertains to combat. In contrast, according to the opinion of Muhammad, the term refers to Hajj pilgrims who lack sufficient provisions and means of transportation.²⁵

Several scholars of *tafsir*, including Ar-Razi and Al-Qasimi, have put forward this interpretation. Ar-Razi argued that the apparent meaning (*dẓāhir lafadʿ*) of Allah's words *fi sabilillah* should not be restricted solely to soldiers. In support of this view, Al-Qaffal, as cited in his *tafsir*, referred to certain *fūqaha* who permitted the distribution of *zakat* for all forms of charitable and virtuous causes. These include providing shrouds for the deceased, constructing fortifications, and building mosques, as the phrase *fi sabilillah* encompasses all aspects of goodness.²⁶ Al-Kasani endorsed this opinion but limited its application to those in need. The phrase *na fi sabilillah*, therefore, represents all acts of devotion (*taqarrub*) to Allah, including any form of striving in obedience to Him and any charitable endeavor, provided that the recipients are in need.²⁷

Al-Maraghi stated that *fi sabilillah* refers to the path leading to Allah's pleasure and reward. According to his interpretation, this includes those who engage in *jihad*, prepare themselves for battle, and undertake the Hajj pilgrimage, as supported by a narration from Imām Aḥmad. Furthermore, *fi sabilillah* encompasses all endeavors that contribute to the general welfare of the Muslim community and uphold both religion and the state. However, it does not extend to individual matters, such as providing shrouds for the deceased, constructing bridges, building hospitals, fortresses, or mosques, or ensuring the safety of pilgrimage

²⁵ Ismail Haqqi Al-Khulwati, *Rub Al-Bayan*, Vol. 3 (Beirut: Dar al Kutub Al Arabiyah, 1990), 454.

²⁶ Muhammad Bin Umar Ar-Razi, *Mafatibul Ghaib At-Tafsir Al-Kabir*, Vol. 16 (Beirut: Dar Ihya' At-Turats Al-Arabi, 1420), 87.

²⁷ Al-Kasani, Ala Ad-Din, *Bada'u Ash-Shana'i Fi Tartib As-Syarai'i*, 46.

routes. Additionally, it does not apply to individual pilgrims, as the obligation of Hajj is limited to those who possess the necessary means to undertake the journey.²⁸

Mahmud Syaltut emphasized that the interpretations found in *fiqh* literature on this issue are often unsatisfactory. In his view, the term *fi sabilillah*, as mentioned in the verse alongside the categories of *zakat* recipients (*mustabiq zakat*), is associated with *maṣlahah ʿāmmah* (public welfare) and should not be understood as an individual's property right. By *public welfare*, Syaltut refers to the establishment of a strong military force to ensure national defense and safeguard the honor of the nation, encompassing personnel, accommodation, and equipment. Additionally, he extends the concept to include the development of infrastructure aimed at enhancing the well-being of citizens, such as the construction of hospitals, bridges, schools, and transportation facilities. Furthermore, all initiatives related to the propagation (*syiar*) of Islam that require widespread dissemination, including the need for competent *da'wah* speakers, are also considered efforts contributing to the broader public good.²⁹

Kiai, Zakat, and Religious Authority in Madura

In Pamekasan Madura, *kiai* play a crucial role as social figures and agents of social change. They are regarded as key leaders and role models within society. The Muslim community in Pamekasan frequently seeks their guidance and assistance on various matters, ranging from prenatal blessings and childbirth to marriage and funeral rites. Additionally, *kiai* are consulted on economic and religious affairs. As a fundamental pillar of Islamic economic development in Madura, *zakat* is both regulated

²⁸ Ahmad Mustofa Al-Maraghi, *Tafsir Al-Maraghi* (Beirut: Dar Al-Fikr, 2006); Anshori Umar Sitangga, *Terjemahan Tafsir Al-Maraghi* (Semarang: Toha Putra, 1993).

²⁹ Ahmad Zulfikar, "Konsep *Sabilillah* dalam Pandangan Syekh Mahmud Syaltut dan Implementasinya dalam Hukum Islam Kontemporer," *Journal of Islamic Civilization* 2, no. 1 (2020): 47.

and interpreted by *kiai*, particularly in Pamekasan, where their influence extends to shaping its implementation and significance within the community.³⁰

The fact that *kiai* in Pamekasan position themselves as *mustabiq* of *zakat* under the category of *fi sabilillah* is a sociologically significant phenomenon. How does this process emerge and develop into a widespread practice within the community? This is partly attributed to the strong influence of religious authority in Madura.

In defining authority, Max Weber uses the term domination in which he defines dominance as the possibility of an actor in a social relationship being able to carry out his own will without resistance from other parties. In other words, authority can be defined as the possibility that a certain order will be obeyed by a certain group of people.³¹

Hannah Arendt argue that authority is a hierarchical relationship that connects a group of people with a past that they recognize to be foundational, thereby endowing those in authority with the capacity to transmit and transform that past into examples for the present. Authority “rests neither on common reason nor on the power of the one who commands,” but on the recognition of the hierarchy deemed by all parties involved to be right and legitimate. Arendt’s definition of authority is helpful to think with for the present purpose of comprehending Islamic religious authority, as it highlights three constitutive elements that make up authority. These are the notion of and connection to a temporal foundation, the capacity to transform that foundation into examples, and the ability to effect obedience without coercion. The authority of Islamic religious leaders is premised on the recognition of their connection to the Prophetic past and hinges on a hierarchical relationship that allows them to articulate Prophetic teachings for others without resorting to

³⁰ Zainal Abidin, *Jihad Ekonomi, Dinamika Strategi dan Spiritualitas Kiai dalam Bisnis* (Bandung: Remaja Rosda Karya, 2021), 104.

³¹ Max Weber, *Economy and Society: An Outline of Interpretative Sociology* (Berkeley: University of California Press, 1978), 212.

coercion. This, in turn, suggests that the formation of authority demands ongoing labors of (re)producing and maintaining such a relationship. A relationship is an achievement, an outcome of contingent and precarious labor, and not a given. The labor cannot stop if the relationship is to endure and develop into a durable community.³²

The concept of religious authority mentioned above is related to the fact that in Pamekasan, the *kiai* holds strong religious legitimacy and authority in interpreting *fi sabilillah* as a category of *mustahiq zakat*. In this context, *fi sabilillah* is interpreted as encompassing all efforts and struggles to uphold Islam, including both physical warfare against non-believers and *jihad* in the development of Islam. This interpretation is closely linked to the influence of Pamekasan cleric (*ulama*), particularly KH. Abdul Majid bin Abdul Hamid bin Itsbat from *Pesantren Al-Hamidy Banyuanyar*.

Historical records indicate that KH. Abdul Majid bin Abdul Hamid bin Itsbat son, KH. Ach. Baqir Ibn Abdul Majid, while resisting Dutch colonial rule, frequently received Islamic charitable contributions such as infaq, sedekah, *zakat*, and wakaf land to finance the struggle against the colonizers. This model of receiving *zakat* aligns with the interpretation of *fi sabilillah* as outlined in *Surah At-Taubah* (9:60). Such traditions persisted across generations, including the practice of *zakat* payment, particularly from agricultural harvests. A well-known custom among the people of Pamekasan district is the *tong sapolo* system, in which one-tenth of the harvest is allocated as *zakat*. This portion is given directly to the *kiai* at the time of harvest, even before calculating the total yield.

Today, this tradition remains practiced within the community, particularly in Pamekasan. The custom of *zakat* to *kiai* continues despite the transition from the colonial era to the independence and reformation periods. Over time, *kiai* who were once classified as *mustahiq* of *zakat* due

³² Ismail Fajrie Alatas, *What Is Religious Authority? Cultivating Islamic Communities in Indonesia* (Princeton & oxford: Princeton University Press, 2021), 4.

to their economic hardship have been reclassified under the *fi sabilillah* category. This process of externalization, which includes *kiai* in the *fi sabilillah* category, is perceived as a fair recognition of their role.

This interpretation aligns with the perspectives of medieval *fiqh* scholars. Various models of reform are supported by both classical and contemporary scholars, who hold differing views on the meaning of *fi sabilillah*. Some interpret it as *jihad* within a specific context, limiting its application to soldiers in Islamic armies, based on the historical circumstances of early Islamic *jihad*. Others adopt a broader interpretation of *jihad*, encompassing non-military struggles for the advancement of Islam. The restrictive interpretation, which confines *fi sabilillah* to its historical military context, presents challenges in identifying eligible *mustahiq* for *zakat* under this category in the contemporary era.

Meanwhile, interpreting *fi sabilillah* in a broader context to include all forms of charity and activities that bring an individual closer to God risks becoming overly subjective and detracting from the original purpose of *zakat*. Furthermore, from the perspective of *tafsir*, the term *fi sabilillah* does not inherently imply an expanded meaning that encompasses all righteous deeds leading to spiritual closeness to God. Rather, interpretations of verses related to *fi sabilillah* indicate a specific context of *jihad*, along with the associated implications and consequences.³³ The *fatwas* issued by Sheikh Syaltut regarding his interpretation of *fi sabilillah* state that *zakat* may be allocated for the construction of mosques. However, he stipulates certain conditions under which *zakat* can be used for this purpose—specifically, if it is the only mosque in the area or if the existing mosque is insufficient to accommodate the congregation. This interpretation is based on *Surah At-Taubah* (9:60).³⁴

³³ Muhammad Sarbini, “Tafsir Fi Sabilillah dan Implikasinya Bagi Cakupan Fi Sabilillah Sebagai Mustahik Zakat,” *Al-Maslahah* 6, no. 1 (2018): 2-3.

³⁴ Mahmud Syaltut Al-Fatawa, *Dirasah Li Musykilah Al-Muslim Al-Mu'ashir Fi Al-Hayah Al-Yaumiyah Al-'Ammah* (Cairo: Dar El-Shorouq, 2004), 128-129.

In issuing his *fatwa*, Sheikh Syaltut emphasized that the phrase *fi sabilillah* is not exclusively limited to combatants engaged in warfare. He referenced the narration of Al-Qaffal, which draws from the views of several scholars across various Islamic legal schools. This suggests that the original meaning of *fi sabilillah* has been preserved since its initial usage. In other words, the conditions, pillars, and ethical guidelines of warfare, along with its necessary provisions, are encompassed within the broader framework of *sabilillah*. Based on this interpretation, Syaltut also permits the allocation of state revenues from *zakat* for the procurement of defense equipment or for national defense projects.³⁵

In *Al-Qital wa Al-Qur'an*, Mahmud Syaltut classifies warfare into two categories: conflicts with non-Muslim adversaries and internal conflicts among Muslims or between groups residing within the territorial boundaries of a Muslim state. Within the category of internal conflicts among Muslims, Syaltut further conceptualizes what he refers to as domestic war. In his analysis, he distinguishes between conflicts that arise between different groups within a Muslim state and those that occur between the populace and the government. In both types of domestic conflicts, the state is responsible for resolving the disputes. If all peaceful efforts have been exhausted, the state may resort to the use of force, either as a direct party to the conflict or as an intermediary (*mediator*) to restore stability.³⁶

In short term, the allocation of *zakat* distribution is divided into two major groups; some are of a special personal nature and some are of general benefit. In this general benefit group, Syaltut states that this *sabilillah* is the door for the state or government to collect funds for the development of public infrastructure and infrastructure, such as hospitals, schools, roads and so on. Strictly speaking, *sabilillah* in the concept of Syaltut is everything

³⁵ Mahmud Syaltut Al-Fatawa, *Tafsir Al-Qur'an Al-Karim Al-Ajza' Al-'Asyrah Al-Ula* (Cairo: Dar El-Shorouq, 2004), 449.

³⁶ Mahmud Syaltut Al-Fatawa, *Al-Qur'an Wa Al-Qital* (Cairo: Dar Al-Kitab Al-'Arabi, 1951), 24.

that is urgent for the establishment of the Muslim government.

Mahmud Syaltut asserts that there is no coercion in religion. In other words, the only legitimate method of *da'wah* is through wisdom and eloquent discourse. The connection between *da'wah* and the “way of God,” referred to in the Qur'an as *sabili rabbika*, emphasizes that calling others to Islam must not involve force or coercion. If coercion occurs, the act can no longer be considered as being in the way of Allah.³⁷

Mahmud Syaltut took an expansive approach to the interpretation of *Surah An-Nisa* (4:75), moving beyond its lexical meaning. He argued that fighting in the way of Allah entails protecting the weak and promoting the well-being of humanity—essentially, striving to eliminate all harmful and destructive forces. According to Syaltut, war is not solely about taking up arms, engaging in combat, or facing death. More importantly, it involves elevating the status of the oppressed and preventing harm. Explicitly, he emphasized that combating poverty, eradicating ignorance, improving public health, and fostering societal well-being are forms of *jihad* that deserve greater attention, particularly in times of peace. He reasoned that in the contemporary context, these efforts represent the most relevant and practical applications of the concept of *fi sabilillah*.³⁸

It is important to note that *kiai* are classified under the *fi sabilillah* category because they actively preach Islam within their communities and position themselves as *mustabiq* (eligible recipients of *zakat*). In this regard, Berger and Luckmann employ the concepts of externalization, objectivation, and internalization to describe the dialectical relationship between society and the individual—specifically, in this context, between the *kiai* and the community in Madura. Externalization refers to the process through which individuals express and project their subjective meanings into the social world. Objectivation occurs when these expressions take on an independent and objective existence, confronting

³⁷ Al-Fatawa, *Dirasah Li Musykilah Al-Muslim Al-Mu'ashir Fi Al-Hayab Al-Yaumiyah Al-'Ammah*, 128.

³⁸ Al-Fatawa, *Al-Qur'an Wa Al-Qital*, 42.

individuals as external reality. Internalization is the process by which this external reality is absorbed into an individual's consciousness, shaping their perceptions and behaviors. Within the Madurese context, this framework helps explain how the religious authority of *kiai* and their classification as *mustahiq* are socially constructed and sustained over time.³⁹

In analyzing the perspectives of *kiai* in Pamekasan regarding the interpretation of the *fi sabilillah* category as a legitimate *mustahiq* of *zakat*, it is essential to consider their life biographies, which provide the social context in which they internalize social realities. The informants in this article are *kiai* who are alumni of *pesantren* and have assumed significant social roles within their respective communities. In addition to being recognized as *kiai* in the formal sense within Pamekasan society, these individuals include lecture, administrator of *pesantren*, and administrators of professional organizations. Some among them hold positions at the Indonesian Ulama Council (Majelis Ulama Indonesia, MUI) in Pamekasan and professors at the State Islamic Institute (Institut Agama Islam Negeri/IAIN) Madura.

The selection of these criteria is based on the three dimensions of social construction as proposed by Berger and Luckmann, as previously discussed. Sulaiman, the former Regent of Pamekasan, a member of the House of Representatives (DPRD) of Pamekasan, and the lead of *Pesantren* Matsraratul Huda, underwent a process of externalization through his creative initiatives. His creative endeavors have been shaped by the internalization of his life experiences, including his place of birth, education, and personal development, all of which have led him to dedicate himself to *'izzul islām wal muslimīn* (serving Islam and its followers). Sulaiman is the grandson of KH. Zaini Mun'im, the founder of *Pesantren* Nurul Jadid in Paiton, Probolinggo, East Java, who was a high-ranking freedom fighter in the Laskar Sabilillah Hizbullah unit

³⁹ Doyle Paul Jonshon, *Teori Sosiologi Klasik dan Modern* (Jakarta: Gramedia, 1986), 68.

against Dutch colonial rule. In articulating his perspective, as part of the objectivation process in constructing the meaning of *fi sabilillah* as a *mustabiq* of *zakat*, he stated:

The interpretation of *fi sabilillah* as a legitimate *mustabiq* of *zakat* should be broadened to encompass all forms of initiatives that contribute to the struggle for upholding and elevating Islam. Moreover, this expansion of meaning should not be limited to the classification of *mustabiq* alone; it must also be considered at the level of *maal zakawi*, where a distinct and necessary reinterpretation is required.⁴⁰

Sulaiman briefly illustrates the process of internalization that influenced his perspective by referencing *qaul qadim* (earlier rulings) and *qaul jadid* (later rulings) of Imam al-Shafi'i regarding *zakat* on trade (*zakat al-tijarah*). He emphasizes that political will must support this interpretation, as even a small amount of authority can be more effective in transforming reality than numerous policies.

Sulaiman consistently emphasizes the importance of adopting a progressive approach in interpreting religious texts and their contextual applications. He argues that religious teachings should not be understood rigidly but should instead prioritize the underlying spirit and purpose of the teachings. As an example, he highlights the case of *zakat*, advocating for an emphasis on its social dimension to ensure that its benefits extend beyond the wealthy and reach the underprivileged, the poor, and those in need. Among the key moments of internalization, he notes that the *pesantren* he leads has long received *zakat* from agricultural products, such as grain and corn, which serve as capital for the school's local development. Furthermore, he stresses that the contextual development of religious studies should not be limited to *zakat* but should also extend to other disciplines, including *mu'amalah* (economic transactions), politics, and the arts. Fundamentally, he argues that religious scholarship requires reconstruction to align with contemporary realities.⁴¹

⁴⁰ Interview with Sulaiman, Pamekasan, 22 April 2023.

⁴¹ *Ibid.*

Hosein serves as the Chairman of the MUI of Pamekasan and is the first alumnus of Ma'had Aly at *Pondok Pesantren Salafiyah Syafi'iyah Asembagus*, Situbondo, East Java. Prior to studying in Asembagus, he pursued his education at *Pesantren Miftahul Ulum Panyeppen* in Pamekasan under the guidance of RKH Mudatsir Badruddin, a senior cleric in Pamekasan and a member of the Advisory Council of the Central Board of Nahdlatul Ulama (NU). During the process of externalization, Hosein emphasized that his perspective was significantly shaped by the opinions of his teacher. In the stage of objectivation, he asserts that the expansion of the *fi sabilillah* category as a legitimate *mustahiq* of *zakat* should encompass all forms of *sabil al-khayr* (paths of good deeds) in the pursuit of God's cause. His view aligns with that of his teacher, who is also an alumnus of *Pondok Pesantren Sidogiri* in Pasuruan, East Java. In the process of internalization, as the chairman of the MUI in Pamekasan, he feels a responsibility to instill this expanded interpretation of *fi sabilillah* among MUI members in the region. He argues that this broader understanding is necessary in light of contemporary developments and current conditions, where there is no longer a physical war against non-believers (*kufar*). In support of this perspective, he cites the principle of Islamic jurisprudence (*qā'idah fiqhīyyah*), which states that legal rulings evolve in accordance with changing circumstances and conditions.⁴²

Ubaidillah serves as the Chairman of Lembaga Pengkajian dan Penerapan Syariat Islam (LP2SI)⁴³ Pamekasan, emphasizes that LP2SI, as an affiliate of the Pamekasan district government, should be granted a more significant role, particularly in advancing the understanding and implementation of *zakat* and its related components. His process of externalization aligns with that of KHAR, as both are alumni of Ma'had Aly at *Pesantren Salafiyah Syafi'iyah Asembagus*, Situbondo, East Java. However, what he highlights during this stage is his creative role

⁴² Interview with Hosein, Pamekasan, 25 April 2023.

⁴³ Institution responsible for overseeing the study and development of Islamic *sharia* in Pamekasan Regency.

as the Chairman of LP2SI Pamekasan. In his capacity as chairman, he expresses deep regret that the Pamekasan government appears to have recently neglected the noble principles of *Gerbangsalam*, which serve as a fundamental framework for establishing *zakat* as a key pillar of Pamekasan's economic system.⁴⁴

Furthermore, Hasyim, a Professor of *‘Ulūm al-Qur’ān* at IAIN Madura, emphasized the need for a more discerning approach in interpreting both the text and context when determining the rightful *mustahiq* of *zakat*. According to him, *fi sabilillah* is a broad and general category, unlike the other specific classifications of *mustahiq*. He argues that if this generality is not properly understood, then all allocations of *zakat* to the other seven categories could theoretically fall under *fi sabilillah*. Due to its broad scope, this category has the potential to serve as a flexible post that accommodates *zakat* distribution beyond the seven traditionally designated groups, whereas the other categories are more explicitly tied to specific individuals. His process of internalization is reflected in his commitment to teaching and fostering a more comprehensive understanding of the text and context of the Qur'an. This pedagogical approach is implemented at both undergraduate and postgraduate levels at IAIN Madura, where he seeks to cultivate a nuanced and contextual interpretation of *zakat* within contemporary Islamic scholarship.⁴⁵

In conclusion, the transformation of these three dialectical moments will continue to evolve within the social life of a community, shaped by collective agreements and understandings. In analyzing the perspectives of the *kiai* informants, this study finds that their interpretations are largely influenced by the institutions where they received their religious education prior to engaging with the broader community. The religious understanding of the people of Pamekasan is deeply shaped by the *pesantren* where they studied.

⁴⁴ Interview with Ubaidillah, Pamekasan, 26 April 2023.

⁴⁵ Interview with Hasyim, Pamekasan, 21 April 2023.

Regionally, the northern part of Pamekasan is predominantly influenced by alumni of *Pesantren* Banyuwanyar and Bata-Bata, which tend to uphold a more conservative approach to religious interpretation. In contrast, the southern part of Pamekasan is characterized by *pesantren* affiliated with NU, which generally promote a more moderate religious perspective. However, when it comes to interpreting the concept of *fi sabilillah* as a *mustahiq* of *zakat*, a more moderate stance is observed across both the northern and southern regions of Pamekasan. While slight differences persist in textual and contextual interpretations between these groups, the concept is largely understood in accordance with contemporary circumstances.

This interpretation may encompass armed struggle in defense against external threats, as suggested by *Kiai* Moh. Adnin from Waru, Pamekasan, or it may be extended to include all forms of service and contributions to Islam. A particularly noteworthy perspective is offered by Sulaiman. He asserts that not only does the concept of *fi sabilillah* require reconstruction, but other *mustahiq* categories, as well as the assets subject to *zakat*, should also be reexamined. This, he argues, necessitates government intervention to ensure its practical implementation. Such intervention would facilitate social transformation in the administration of *zakat*, allowing it to function more effectively as a component of the Islamic monetary system and accelerating its realization in contemporary society.

Based on the above discussion, the perspective of the *kiai* in Pamekasan on constructing *fi sabilillah* as a *mustahiq* of *zakat* necessitates government support—particularly from the Pamekasan district government—whether through Baznas Pamekasan or other relevant policies that facilitate its implementation. From Max Weber's perspective, this need aligns with the concept of rational-legal authority, rather than relying solely on the traditional or charismatic authority of the *kiai*.⁴⁶

⁴⁶ Weber, *Economy and Society: An Outline of Interpretative Sociology*.

While *kiai* hold significant religious authority within their respective communities, the effectiveness of a social construction is contingent upon institutional backing from the government. In this context, the role of Baznas Pamekasan and LP2SI—an institution under the Pamekasan Regency Government responsible for the study and development of Islamic society—is crucial in ensuring the structured and sustainable application of *zakat* policies in the region. This is not surprising, given that *kiai* in Madura hold a higher level of authority compared to those in Java. In Madurese, *kiai* are regarded as scholars with exceptional expertise in religious matters and are deeply respected for their knowledge and leadership.⁴⁷

Although some *kiai* in Pamekasan believe that government involvement in *zakat* management is unnecessary, they nonetheless advocate for a broad interpretation of *fi sabilillah* to encompass all aspects of Muslim welfare. In particular, they emphasize the inclusion of educational institutions and students in *pesantren*, as these individuals inherently fall under the *fi sabilillah* category by virtue of their dedication to the pursuit of religious knowledge and their efforts to uphold and elevate Islam.

Conclusion

The understanding of *kiai* in Pamekasan regarding *fi sabilillah* as a category of *mustabiq* has undergone a profound process of internalization. The *kiai* informants in this article unanimously agreed on broadening the interpretation of *fi sabilillah* beyond physical warfare against non-believers to encompass all forms of struggle aimed at upholding Islam in various domains. In particular, religious leaders, as key figures in the dissemination of religious knowledge, are considered eligible to receive *zakat* under the concept of *fi sabilillah*. This interpretation is deeply embedded in the Pamekasan community's religious obedience and their

⁴⁷ Endang Turmudzi, *Perselingkuhan Kiai dan Kekuasaan* (Yogyakarta: LKiS, 2004).

reciprocal sense of gratitude toward their teachers.

The construction of *fi sabilillah* as a *mustabiq* category by the *kiai* of Pamekasan occurs through three key phases: externalization, objectivation, and internalization. While the authority of the *kiai* in Pamekasan in constructing *fi sabilillah* as a category of *mustabiq zakat*, based on these three phases, constitutes a substantive authority in the development of religious knowledge. However, in the process of internalization and broader social transformation, the *kiai* require the involvement of the government, which holds formal legal authority. The government plays a crucial role in the regulation, development, and empowerment of *zakat* distribution in accordance with legal frameworks through authorized agencies and institutions.

References

- Abidin, Zainal. *Jihad Ekonomi, Dinamika Strategi dan Spiritualitas Kiai dalam Bisnis*. Bandung: Remaja Rosda Karya, 2021.
- Al-Birusawy, and Ismail Haqqy. *Tafsir Ruhul Bayan*. Beirut: Ihya' Turats al Arabi, n.d.
- Al-Fatawa, Mahmud Syaltut. *Al-Qur'an Wa Al-Qital*. Cairo: Dar Al-Kitab Al-'Arabi, 1951.
- . *Dirasah Li Musykilab Al-Muslim Al-Mu'ashir Fi Al-Hayah Al-Yaumiyah Al-'Ammah*. Cairo: Dar El-Shorouq, 2004.
- . *Tafsir Al-Qur'an Al-Karim Al-Ajza' Al-'Asyrah Al-Ula*. Cairo: Dar El-Shorouq, 2004.
- Al-Kasani, Ala Ad-Din. *Bada'u Ash-Shana'i Fi Tartib As-Syarai'i*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 1986.
- Al-Khawarizmy, Abi Al Qasim Jaarullah Mahmud Ibn Umar Al Zamkhsyari. *Tafsir Al Kasyyaf*. Beirut: Dar Al-Ma'rifah, 2009.
- Al-Khulwati, Ismail Haqqi. *Rub Al-Bayan*. Beirut: Dar al Kutub Al Arabiyah, 1990.
- Al-Maraghi, Ahmad Mustofa. *Tafsir Al-Maraghi*. Beirut: Dar Al-Fikr, 2006.
- Al-Maturidy, Abi Mansur Muhammad Ibn Muhammad Ibn Mahmud. *Ta'wilat Abl Sunnah Al Maturidy*. Beirut: Dar al Kutub Al Arabiyah, 2005.
- Al-Qurthubi, Muhammad Bin Ahmad. *Al-Jami' Li Ahkam Al-Qur'an*. Beirut: Dar Ihya' At-Turats Al-Arabi, 1985.
- Aman, Aly Muhib. *Panduan Praktis Zakat Empat Mazhab*. Pasuruan: Pustaka Sidogiri PPS, n.d.
- An-Nawawi, Yahya Bin Syaraf. *Al-Majmu' Syarh Al-Muhadzdzab*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 2011.
- Ar-Razi, Muhammad Bin Umar. *Mafatihul Ghaib At-Tafsir Al-Kabir*. Beirut: Dar Ihya' At-Turats Al-Arabi, 1420.
- Arafat, Shalah Ibn Muhammad. *Al Yasir Fi Iktishari Tafsir Ibn Kats*. Jeddah: Dar al Hudat Lin Nasyr, n.d.

- As-Sa'di, Abdurrahman Bin Nashr. *Taisir Al-Karim Ar-Rahman Fi Tafsir Kalam Al-Mannan*. Riyadh: Muassasah Ar-Risalah, 2000.
- At-Tahir, Asyur Muhammd. *At-Tabrir Wat Tanwir*. Beirut: Muassasah At-Tarikh Al-Arabi, 2000.
- At-Thabari, Muhammad bin Jarir. *Jami' Al-Bayan Fi Tafsir Al-Qur'an*. Beirut: Dar Al-Fikr, n.d.
- Ismail Fajrie Alatas. *What Is Religious Authority? Cultivating Islamic Communities in Indonesia*. Princeton & Oxford: Princeton University Press, 2021.
- Al Jawi, Mohammad Nawawi. *Marah Labidz Tafsir Al Nawawi, Tafsir Al Munir*. Surabaya: Al-Hidayah, n.d.
- Jonshon, Doyle Paul. *Sociological Theory: Classical Founders and Contemporary Perspective dalam Robert M.Z. Lawang*. Jakarta: Gramedia, 1986.
- Katsir, Ismail Bin Umar Bin. *Tafsir Al-Qur'an Al-Adzim*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 1419.
- Sarbini, Muhammad. "Tafsir Fi Sabilillah dan Implikasinya Bagi Cakupan Fi Sabilillah Sebagai Mustahik Zakat." *Al-Maslahah* 6, no. 1 (2018).
- Turmudzi, Endang. *Perselingkuhan Kiai dan Kekuasaan*. Yogyakarta: LKiS, 2004.
- Weber, Max. *Economy and Society: An Outline of Interpretative Sociology*. Berkeley: University of California Press, 1978.
- Zulfikar, Ahmad. "Konsep Sabilillah dalam Pandangan Syekh Mahmud Syaltut dan Implementasinya dalam Hukum Islam Kontemporer." *Journal of Islamic Civilization* 2, no. 1 (2020): 47.