

Reactualization of Criteria of Wealth in Islam as a Condition for Paying Zakat Maal

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Abstract

This article examines the criteria of wealth in Islam as a mandatory requirement in paying zakat maal. The goal is that Muslims avoid being misled in carrying out material religious obligations, such as zakat, infaq, and alms. This research is normative by using a qualitative approach, in describing the results of the study. The results show that the criteria of wealth are defined as the benchmarks used by *syara'* in determining a Muslim is called wealthy (*Muzakki*), namely: First, if you have assets that exceed your basic needs and are free from debt; Second, a Muslim is considered rich, if he has more productive assets than consumptive assets; Finally, possession of property that reaches the *niṣab*, any type of property is equivalent to the gold *niṣab* of 20 *miṣqāl*.

Artikel ini mengkaji tentang kriteria kaya dalam Islam sebagai syarat wajib dalam membayar zakat harta. Tujuannya agar umat Islam terhindar dari salah kaprah dalam melakukan kewajiban-kewajiban agama yang bersifat kebendaan, misalnya zakat, infaq, dan sedekah. Penelitian ini merupakan normatif dengan menggunakan pendekatan kualitatif, dalam menggambarkan hasil penelitian. Hasil penelitian menunjukkan bahwa kriteria kaya diartikan sebagai tolok ukur yang digunakan *syara'* dalam menetapkan seorang muslim disebut kaya (*Muzakki*) yaitu: *Pertama*, jika memiliki harta kekayaan yang melebihi kebutuhan pokok dan terbebas dari utang; *Kedua*, begitu juga seorang muslim dipandang kaya, jika memiliki harta produktif lebih banyak dibanding harta konsumtif; *Terakhir*, kepemilikan harta yang mencapai *niṣab*, harta jenis apapun disetarakan dengan *niṣab* emas 20 *miṣqāl*.

Key words: *Islam; Criteria of Wealth; Niṣab; Reactualization; Zakat Maal.*

Introduction

Islam is a universal and perfect religion that contains various kinds of guidelines, rules and ways of life that regulate human life, both in relation to other human beings, as well as their relationship with Allah swt. Meanwhile, Muslims are people who embrace Islam. A Muslim is said to be perfect in Islam if he has carried out all religious commands, at least he has carried out and fulfilled the five pillars of Islam.

One of the five pillars of Islam is zakat. Zakat is a *māliyah* worship, it is obligatory for every Muslim who meets the requirements for it (wealthy). Regarding the conditions of wealth, there are criteria that must be met so that zakat is obligatory for a Muslim. The conditions for obligatory zakat are divided into two categories.

First, the requirements for being a *mukallaf* (a person who is burdened with the law) include the requirements as a Muslim, free, mature, and spiritually healthy. *Second*, the conditions for property ownership of a Muslim include lawful property, growing property (*al-nama'*), full ownership of property, reaching *niṣab*, excess assets over basic needs, free from debt and reaching *haul*.¹

The second category of conditions for paying zakat, such as being more than necessary and free from debt, productive assets, and *niṣab*. It is a standard in measuring the level of wealth of a Muslim, not in the sense of being rich, but rich in the standard sense. Wealth referred to in this article is wealth in relation to zakat, because zakat is the only institution that shows the criteria of wealth in Islamic law.²

The determination of the criteria of wealth in zakat maal is not something that is made up (without basis), but it is a *syara'* determination, it is just that in fiqh terms it is known as "conditions for paying zakat", which basically requires zakat only for wealthy people. Therefore, the criteria of wealth can be interpreted as a benchmark used by *syara'* in determining someone is called wealthy.

The urgency of the criteria of wealth to be traced in the form of research is to avoid being misguided in carrying out material religious obligations, such as zakat, infaq, and alms. Therefore, it is interesting to study what and how the standard criteria of wealth in Islam are. Because as already mentioned, zakat is only obligatory for wealthy people. On the other hand, those who are entitled to receive

¹Wahbah al-Zuhailiy, *Al-Fiqh al-Islāmi wa 'Adillatuhu*. Trans. Agus Efendi and Bahruddin Fananny, *Zakat: Kajian Berbagai Mazhab*. (Bandung: Remaja Rosdakarya Offset, 1997), p. 98-118

²Andi Sarjan, *Fikih Zakat dalam Kajian Normatif, Kontekstual, dan Kontemporer*, (1st Print; Yogyakarta: PRUDENT MEDIA, 2013), p. 27

zakat must be the poor and others (*mustahiq*), in accordance with the provisions of Allah swt. and Rasulullah (pbuh).

Methodology

This research is normative research, with a qualitative approach. The data in this study are secondary data sourced from primary legal materials in the form of the Qur'an and Hadith and sourced from secondary legal materials in the form of readings on fiqh books, such as the book of Fiqh of Zakat by Yusuf Qaradhawi, the book of Al-Amwāl by Abu Ubaid, the book of Al-Fiqh al-Islamy wa Adillatuhu by Wahbah Al-Zuhaili. The data were then processed using a qualitative descriptive method that described the results of the study.

Discussion

The Definition of Wealthy in Islam

Wealth is a factual term in society, which simply crosses a person's mind about wealth is the possession of adequate property for a person. In Arabic, the word *al-ghinā* is defined as wealth, while *ghaniy* means a wealthy (sufficient) person, one of which means sufficiency in property. Thus, a person is said to be rich if he no longer needs property other than the property he already has. In addition, in Arabic, the synonym of the word *al-ghinā* is the word *al-Yasār* which means ease, because between wealth and convenience are interrelated with one another.³

Meanwhile, the word *amwāl* which is the plural form of the word *mal* means wealth, which in terms is anything that humans want to store and possess. Yusuf Qarḍawiy quotes in *Lisan al-Arab*, saying that wealth is everything that is owned, whether it is in the form of money or in the form of goods.⁴

Wealth is something that is absolutely sought after by everyone, because it is a very important life support. Ownership of one's property according to Islam is to be sought with the belief that everyone has their own sustenance. In terms of obtaining wealth for someone, it turns out that it is different from one another. There are people who fulfill all their basic needs so easily. In addition, there are also people who fulfill their basic needs as they are, even among many people who are very limited in meeting their basic daily needs.

With the previous description of the condition of the community, it causes a grouping for someone as an established person, rich, poor, prosperous,

³Achmad Warson Munawwir, *Kamus al-Munawwir, Arab-Indonesia*, Ed. I, (Surabaya: Pustaka Progresif, 1997), p. 1021.

⁴Yusuf Qarḍawiy, *Fiqh al-Zakat*, Trans. Salman Harun dkk, *Hukum Zakat*, (2nd Print; Bogor: Pustaka litera AntarNusa, 2004), p. 123.

Reactualization of Criteria of Wealth in Islam...

Mustafa

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underprivileged and so on. The point is that there are people who easily meet all their needs, and there are also few, even very difficult to meet their basic needs. This condition can be simplified by calling people poor, affluent, and wealthy.⁵

In Islam, the previous categorization of the economic conditions of society can be found in QS al-Hasyr/59: 7, as follows.

... كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ...

The translation: ...so that wealth may not merely circulate among your rich...⁶

Likewise about people who like to keep wealth, such as gold and silver. Allah swt said in QS al-Taubah/9:34.

... وَالَّذِينَ يَكْتُمُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ

The translation: ... many rabbis and monks consume people's wealth wrongfully and hinder 'others' from the Way of Allah. Give good news of a painful torment to those who hoard gold and silver and do not spend it in Allah's cause⁷

The hadith that expresses the term rich can be found in the history of Abu Dawud, when the Prophet Muhammad (pbuh) sent a friend of Mu'az bin Jabal as governor in Yemen with one of the tasks of collecting zakat for the Muslims there. In this regard, the Prophet said.

... فَأَعْلَمُهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَعْيَانِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ... (رواه ابو داود)⁸

The meaning: ... So, tell them that Allah has made it obligatory for them to give alms from their wealth which was taken from their rich people and returned to the poor people among them...

The verses of the Qur'an and the hadith of the Prophet (pbuh) mention the terms rich and poor in various contexts. Psychologically, rich people can be understood as people who are prosperous and happy in their lives because they are supported by very adequate materials. On the other hand, poor people can be interpreted as people who experience life misery due to not having adequate assets.⁹

Apart from the psychic point of view that gives a little idea about who is called the rich and poor, what is equally important is the point of view of

⁵Andi Sarjan, *Fikih Zakat*, p. 11-12

⁶Departemen Agama RI, *al-Qur'an dan Terjemahnya*, (Semarang: CV. Toha Putra, 1989), p. 916

⁷Departemen Agama RI, *al-Qur'an dan Terjemahnya*, p. 283

⁸Abu Dāwud al-Sijistāni, *Sunan Abi Dāwud*, Vol. I, (3rd Print; Beirut: Dār al-Kutub al-Ilmiyah, 2011), p. 460

⁹Andi Sarjan, *Fikih Zakat*, p. 13

calculating the amount of property owned to categorize measurably, whether someone is considered rich or poor. The verse and hadith mentioned earlier do not explain in detail how much wealth a person has, so he is called wealthy.¹⁰ In this regard, the relevant question asked is what standard is used by *syara'* in determining someone is wealthy?

Criteria of Wealth in Zakat Maal

1. Excess wealth over basic needs and free from debt

The first standard criterion of wealth is the excess of assets over basic needs. With the theory of *al-Hājat al-Aṣliyah*, Hanafi school scholars provide an explanation of the purpose of this basic need, namely a need for the preservation of life. Such as, daily shopping, housing, clothes used to protect the body from heat and cold, work equipment, household furniture, vehicles and science books for the benefit of the family. Likewise, debts that need to be paid in order to escape from attachment.¹¹

Therefore, if a person has a number of assets that need to be spent to meet the needs mentioned earlier and there is no excess, then he is not a rich person, so he has no obligation to pay zakat. Similarly, the law of *tayammum* becomes permissible because the water in it he gives to someone who is thirsty.¹²

Basic human needs are indeed different and can change from time to time according to the situation and conditions at that time. However, what is emphasized is the basic needs of people who are subject to the obligation of zakat, as well as the needs of people under their dependents, such as wives, children, parents, and family members living under their dependents regardless of the amount, their needs are be a necessity too.¹³

Allah swt. requires zakat from one's property which is more than necessary, because a person must prioritize the needs of himself and his family over the needs of others. Therefore, the Shari'a does not demand that he issue something he needs. This is based on evidence from the Qur'an. Allah swt. said in QS al-Baqarah/2: 219, as follows.

¹⁰Andi Sarjan, *Fikih Zakat*, p. 14

¹¹Yusuf Qarḍawiy, *Fiqh al-Zakat*, Trans. Salman Harun et al., p. 150

¹²Yusuf Qarḍawiy, *Fiqh al-Zakat*, Trans. Salman Harun et al., p. 152

¹³Oleh Mustafa, "AL-HĀJAT AL-AṢLIYYAH DAN HARTA TERBEBAS HUTANG SEBAGAI SYARAT WAJIB ZAKAT MĀL," *AL-KHARAJ* 1, no. 2 (November 5, 2021): 142-150, accessed May 10, 2022, <https://mail.jurnal.iain-bone.ac.id/index.php/alkharaj/article/view/1961>.

... وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ ۗ قُلِ الْعَفْوَ ...

The translation:... They 'also' ask you 'O Prophet' what they should donate. Say, "Whatever you can spare."¹⁴

2. Growing assets (productive)

In the verses of the Qur'an and hadith mentioned earlier, it is not explicitly stated about the type of property that makes a person called rich, but there is an indication that needs to be observed. If you pay attention to the word of Allah swt. and the hadiths of the Prophet (pbuh), there are indications that only productive assets can make a person rich. With productive assets, it can be used as trading or investment capital, so that one's assets allow the number to increase.

There are many types of productive assets introduced by Allah swt. and His Messenger (pbuh). For example, gold, silver, livestock, agricultural products, and trade goods. This kind of property is also declared by Allah swt. and His Messenger (pbuh) has the potential as a source of zakat. These productive assets are developed in order to bring in new assets so that they do not have the potential to be consumed by zakat every year if they have reached the *niṣab*.¹⁵

Therefore, a person who has consumptive assets, even though there are many in number, does not view the owner as a rich person, so he is not obliged to pay tithe. This is because, such assets will eventually suck up the maintenance budget and have no profitable after-sales value. In this case it can be concluded that the ideal property ownership for a person is to have more productive assets than consumptive assets. If only consumptive property is owned, it is certain that the owner is in the category of people who are vulnerable to poverty and in turn less prosperous.¹⁶ Regarding the amount of productive assets that make a person considered wealthy from the *syara'* side, it will be explained in the next standard criteria of wealth.

3. Has Reached *Niṣab*

The provisions on assets subject to zakat obligations must reach the *niṣab*, it is understood that the *niṣab* of zakat is a benchmark (criteria) for wealth for owners of assets. *Niṣab* is the minimum amount that has been determined by the *syara'*. Wahbah al-Zuhailiy explained that the *niṣab* for certain types of property is the standard of wealth for the owner so that he is obliged to pay zakat. According to Wahbah al-Zuhailiy, broadly speaking, the *niṣabs* in question is 20 *miṣqāl* for gold

¹⁴Departemen Agama RI, *al-Qur'an dan Terjemahnya*, p. 53

¹⁵Andi Sarjan, *Fikih Zakat*, p. 15

¹⁶Andi Sarjan, *Fikih Zakat*, p. 16

wealth, 200 dirhams for silver wealth, five *wasaq* (653 kg) for agricultural products, 40 heads for goats, five tails for camels, 30 heads for cows.¹⁷

Yusuf Qarḍawiy explained, the presence of the Prophet. determine the *niṣab* of agricultural products as much as five *wasaq* (653 kg) because that amount can meet the food needs of a number of families throughout the year, which consists of husband, wife, children, and assistants. A person's food budget is one *mud*, so that the *niṣab* is sufficient for their food needs in a year. Yusuf Qarḍawiy further explained that the *niṣab* of silver was set at 200 dirhams because this amount can meet household budgets throughout the year under normal conditions of price for necessities, this is the amount of needs that are common to many countries.¹⁸ The criteria of wealth for a Muslim is a very urgent matter, which is related to the *syara'* obligations with his wealth. The urgency of the criteria of wealth is mainly related to the obligation of zakat. The limits of *niṣab* that indicate this can be shown in the following hadith:

عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَيْسَ فِيهَا أَقْلٌ مِنْ خُمْسَةِ أَوْسُقٍ صَدَقَةٌ وَلَا فِي أَقْلٍ مِنْ خُمْسَةِ مِنَ الْإِبِلِ
الدُّودِ صَدَقَةٌ وَلَا فِي أَقْلٍ مِنْ خُمْسِ أَوْاقٍ مِنَ الْوَرَقِ صَدَقَةٌ (رواه البخاري)¹⁹

The meaning: from the Prophet (pbuh) said: "There is no zakat on crops of less than five *wasaq*s, no zakat on camels of less than five heads and no zakat on assets (money) of less than five *wasaq*s."

With the determination of the *niṣab* of a number of sources of zakat mentioned in the previous hadith, with *uslub* negation, it gives birth to the understanding that people who have the property less than the *niṣab* that has been determined by the Prophet (pbuh) are poor people who are not prosperous in life, so there is no obligation of zakat on them.

As stated, *syara'* is very careful in determining whether someone is classified as rich, prosperous, or even poor. It turns out that the *niṣab* of zakat contains an interpretation of the level of economic stability of a Muslim, because the *niṣab* itself is a certain amount as an excess of all household expenditures. With this understanding, a Muslim has been declared to have been at a level of economic stability, so that he gains prosperity in his life.²⁰

¹⁷Wahbah al-Zuhailiy, *Al-Fiqh al-Islāmi wa 'Adillatuhu*. Trans. Agus Efendi and Bahruddin Fananny, *Zakat: Kajian Berbagai Mazhab*, p. 102

¹⁸Yusuf Qarḍawiy, *Fiqh al-Zakat*, Trans. Salman Harun et al., p. 149

¹⁹Muhammad bin Isma'il al-Bukhāri, *Ṣaḥih Bukhāri*, Chapter III, (3rd Print; Beirut: Dār al-Kutub al-Ilmiyah, 2005), p. 366

²⁰Andi Sarjan, *Fikih Zakat*, p. 19

Rasulullah (pbuh) in the hadith has determined the *niṣab* of a certain amount of wealth at a time with a different nominal. It turns out that behind this difference, the jurists, especially the Hanafi sect, have concluded that the purchasing power of the rich people from various circles, such as farmers, breeders, traders, owners of gold and silver wealth, is the same. They argue that all rich people meet the standard criteria, namely the possession of a wealth of 200 dirhams or 20 dinars.²¹ This is known as the unitary theory of *niṣab* (the theory of conversion zakat).

Fuqaha explained, dinars (gold coins) can be exchanged for dirhams (silver money), and vice versa. Based on the explanation of the fuqaha, 20 dinars are worth 200 dirhams. The comparison of this value is based on the level of zakat on gold and silver which has been determined by the Prophet. with the stipulation that every 20 dinars the zakat is paid 0.5 dinars, and every 200 dirhams the zakat is paid five dirhams. The zakat rate for gold and silver is 2.5%. Thus, if the ratio of the zakat levels of gold and silver is rounded up, so that the dinar to dirham exchange rate is 1:10. This means that 1 dinar can be exchanged for 10 dirhams, and vice versa.²²

This provides an understanding of equality for the *muzakki*. That for farmers who have a harvest of five *wasuqs*, that means it is worth 200 dirhams, for livestock owners, 5 camels are worth 200 dirhams, 40 goats are worth 200 dirhams, 10 cows are worth 200 dirhams.²³

The provisions of zakat mal in detail have been determined by Allah swt. and the Prophet (pbuh) in the second year of hijriyah, among these provisions was the *niṣab* of a number of wealth which was the source of zakat at that time. Thus, *niṣab* is a stipulation of *syara'* and not the result of *ijtihad* fuqaha. The consequence is, Muslims must obey what is and as it should be, by not adding and not subtracting.

Nevertheless, there are things that need to be observed, namely the monetary influence on the *niṣab* of zakat which is the criteria of wealth. However, the wealth must be valued in money, so that the owner of the wealth can know its purchasing power. The *niṣab* of zakat which was determined by the Prophet (pbuh) more than 14 centuries ago should be analyzed from a monetary point of view, so that those who pay tithe are really wealthy people.²⁴

²¹Andi Sarjan, *Fikih Zakat*, p. 20

²²Andi Sarjan, *Fikih Zakat*, p. 20

²³Al-Sarkhasi, *Al-Mabsuth*, Chapter III, (Beirut: Dār al-Fikr, 1989), p. 3.

²⁴Andi Sarjan, *Fikih Zakat*, p. 20

Regarding this earlier. Hasbi Ash-Shiddieqy stated, regarding this *niṣab*, it is necessary to review it so that people who are subject to zakat collections really meet the requirements as wealthy people. Because this *niṣab* is a stipulation of *syara'* itself, not the result of *ijtihad*, it cannot change due to changing times and developments in the necessities of life. It should only be emphasized that the determination of *niṣab* must be in gold, not with paper money. Banknotes are valued in gold at 20 *miṣqāl*.²⁵

Hasbi Ash-Shiddieqy's thoughts are in line with the provisions for *muzakki* that he is really wealthy. This orientation of thought is very reasonable as time passed by the determination of the *niṣab* by the Prophet. which is quite long. So that changes in the Islamic financial system are very likely to occur. In fact, Islam in the past, which adhered to coins with a bimetallic system of gold and silver, has now been abandoned.²⁶

Niṣab as a stipulation of *syara'* must apply for all time, but it has the potential to cause inflation which results in a decrease in the purchasing power of *muzakki*. The result that can arise is the camouflage of the criteria of wealth as a result of the textual understanding of the *niṣab* number symbol since it was stipulated by the Prophet. until now. TM. Hasbi Ash-Shiddieqy with the concept of the unity of *niṣab* with gold, emphasized that there is no other way except that all *niṣab* of wealth must be measured by gold as much as 20 *miṣqāl*/dinar.²⁷ For the measurement of 20 *miṣqāl*, there are jurists who set it as 85 gr., there are also those who specify 90 gr. and 96 gr. pure gold.²⁸ To clarify the unity of the *niṣab* with gold as much as 20 *miṣqāl* with an estimated weight of 85 gr, it is good to pay attention to the table below:

Table 05. The union of *niṣab* with gold²⁹

No	The type of wealth that is the source of zakat	<i>Niṣab</i>	<i>Niṣab</i> value based on unit price	Gold purchasing power	Description
1	Gold	85 gr	Rp. 970.000/g Rp. 82.450.000	85 gr.	The standard <i>niṣab</i> is 85 gr.

²⁵TM. Hasbi Ash-Shiddieqy, *Beberapa Permasalahan Zakat*, (1st Print; Jakarta: Tintamas, 1976), p. 31

²⁶Andi Sarjan, *Fikih Zakat*, p. 22

²⁷TM. Hasbi al-Shiddieqy, *Pedoman Zakat*, (5th Print; Jakarta: Bulan Bintang, 1984), p. 111

²⁸Wahbah al-Zuhailiy, *Al-Fiqh al-Islāmi wa 'Adillatuhu*. Trans. Agus Efendi and Bahruddin Fananny, *Zakat: Kajian Berbagai Mazhab*, p. 127

²⁹Daftar harga dari berbagai sumber website per Mei 2022, See <https://market.bisnis.com/read/20220510/235/1531471/harga-emas-24-karat-antam-hari-ini-selasa-10-mei-2022-anjlok-rp7000>, Accessed on 10 May 2022

Reactualization of Criteria of Wealth in Islam...

Mustafa

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2	Camel	5	Rp. 20.000.000/ekor Rp. 100.000.000	103 gr	Corrected Positive 18 gr.
3	Cow	10	Rp. 10.000.000/ekor Rp. 100.000.000	103 gr	Corrected Positive 18 gr.
4	Goat	40	Rp. 2.000.000/ekor Rp. 80.000.000	85 gr	Relevant
5	Agricultural products (rice)	653 Kg	Rp. 12.000/Kg Rp. 9.795.000	10,42 gr	Corrected Negative 74.57 gr
6	Silver	200 gr	Rp. 65.339 Rp. 13.067.800	13,90 gr	Corrected Negative 71.09 gr

Based on the table previously presented, it can be seen that some of the *niṣab* such as agricultural products and silver were negatively corrected in their purchasing power, in accordance with the *niṣab* that had been set by the Prophet when all the *niṣab* of wealth was fixed with gold at this time. Thus, it is very natural that care must be taken in determining someone as a *muzakki* to avoid all of one's wealthy status. For example, the purchasing power of *muzakki* was sharply corrected by the farmers and silver wealth owners. However, the *niṣab* of livestock was corrected positively. This is due to the high prices of meat in Indonesia.

Based on access to information about rich terminology, it can be concluded that the only institution that shows the criteria of wealth in Islamic law is zakat. In addition to this, the *niṣab* of zakat is a measurable standard to determine someone to be rich, and for today, the determination of the criteria of wealth in zakat maal must be determined based on the gold *niṣab* of 20 *miṣqāl*/dinar. So that *muzakki* really meet the requirements to be called rich people according to Islamic law.³⁰

Conclusion

The determination of the criteria of wealth in zakat maal (*māl*) is not something that is made up (without basis), but it is a stipulation of *syara'*, it's just that in fiqh terms it is known as 'conditions for paying zakat', which basically requires zakat only for people -the rich. Therefore, the criteria of wealth can be interpreted as a benchmark used by *syara'* in determining someone is called rich. Namely, such as: excess of basic needs and freedom from debt, productive assets, and assets reaching *niṣab*, are standards in measuring the level of wealth of a Muslim, not in the sense of being rich, but rich in the standard sense. Wealth referred to in this study is wealth in relation to zakat, because zakat is the only

³⁰Andi Sarjan, *Fikih Zakat*, p. 27

institution that shows the criteria of wealth in Islamic law. Therefore, the criteria of wealth should be re-actualized and become one of the shar'i considerations in determining the obligation of zakat for the Muslim community. The criterion of wealth in question is the unity of the gold *niṣab* of 20 *miṣqāl* and is excluded from net income.

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Reactualization of Criteria of Wealth in Islam...

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