

Developing Islamic Philanthropy for Human Rights: The Indonesian Experience

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Abstract—This paper deals with the Islamic philanthropic experience in relation to human rights in Indonesia. While existing studies contend that Islamic doctrine disagrees with human rights, for example in the field of male and female relations in both private and public affairs, this essay tries to demonstrate that Islamic philanthropy, i.e. *zakat* and *waqf*, has aided people regardless of their religious and/or ethnic backgrounds. After investigating the operations of some *zakat* agencies, it has become evident that *zakat* funds that have been used for poverty elevation have contributed to improve conditions for poor people in the social, economic, health and education sectors. This study concludes that valuing Islam as incompatible with human rights is an oversimplification. Since the textual dimension of Islamic teachings may have meaning in a general sense, they are in need of reinterpretation and have to be adapted in accordance with the objectives of the *sharia* (*maqasid al-sharia*) and the principles of humanity.

Keywords—*Zakat; Waqf; Islamic Philanthropy; Human Rights; Justice; Sadaqah.*

I. INTRODUCTION

In Islam, all life on earth is dedicated to the interests of human beings and thus all affairs in life are directed to the protection of human needs. Therefore, all people are equal and enjoy equal rights to have a good life wherever they live. The concept of human rights (Alamgir, 2014: 872-876) originates from the philosophical basis behind the objective of the *sharia* (*maqasid sharia*) and consists of necessity (*daruriyat*), need (*hajjiyat*) and supplements (*tahsiniyat*). *Daruriyat* stands for the fundamental bases of the *sharia* in protecting life which is religion, mind, progeny, respect and honor, wealth and property (Kamali, 2017: Johnston, 2007; Safi, 2010).

In the Universal Declaration of Human Rights (UDHR), all people are equal and entitled to enjoy freedom, justice, and peace in the world (Mayer, 1995). Article 22 of the UDHR states that "Everyone, as a member of society, has the right to the economic, social and cultural rights indispensable for his dignity and the free development of his personality" (Whelan and Donnelly, 2007: 915). This statement clearly affirms the fundamental rights of all people in the world and, therefore, UDHR's principles and Islamic teachings share the similar protection of individuals (Johnson, 2007: 151).

Compared with the UDHR as a legal instrument for protecting individuals against the tyranny of the state, in Islam, God automatically awarded people their rights as individuals ever since their lives started in their mothers' wombs. Each

individual is considered as an element of a collectivity called the *umma*/the community of believers. Everybody has their rights and duties (Tibi, 1989). The Islamic principles of human rights cover all matters of life and guarantee justice for both humans and non-humans in this world. Islamic philanthropy is concerned with this humanity and serves to support disadvantaged people.

II. ISLAMIC PHILANTHROPY

The main concept of Islamic philanthropy is found in Quranic verse Q. 9: 60 which states that the following parties are entitled to enjoy religious almsgivings: (1) the poor / *al-fuqara*; (2) the needy and very poor / *al-masakin*; (3) administrators / *amlyin*; (4) those whose hearts are made to incline [truth]/ *mu'allafah qulubuhum*; (5) those in bondage / *riqab*; (6) in debt / *gharimin*; (7) fight in the cause of God/ *fi sabilillah*; and (8) travelers / Ibn Sabil (Benthall: 1999, 30), (Saad, Aziz and Sawandi, 2014: 508-515). Basically, this verse refers to the obligatory almsgiving of *zakat* which means "to purify", "grow" and "clean" the wealth from others' rights. *Zakat* purifies not only the giver's wealth but also his heart and mind from miserliness, greed and all other selfish tendencies. The term *zakat* is also used interchangeably with "*sadaqah*" which is commonly used for voluntary and non-obligatory wealth donations. This religious injunction is meant to create justice among the people especially in the distribution of wealth. This basic teaching demonstrates that wealth in the Muslim community is to be disbursed among the poor and needy and should not only circulate among the rich.

Contemporary scholars reinterpret the distribution of *zakat* or *sadaqah* in accordance with the social needs of the community. Amin Rais, one of the leading Indonesian Muslim scholars, contended that the essence of *zakat* is that it is for social justice (Latief, 2014: 16-50). He suggested that *zakat* funds should be distributed in accordance with the needs of the poor in society. Therefore, *zakat* disbursement is flexible as it follows society's urgent and changing needs and the majority of Muslims allow the spending ratios to vary in accordance with these evolving social needs. As social needs develop and vary from one place to another, *zakat* beneficiaries vary to the actual needs in the surroundings where *zakat* funds are collected. Thus, the religious aspect of *zakat* needs is not be seen as the funds distribution's primary target.

In Islam, the objective of *zakat* is to relieve the poor who are in need of financial assistance. This is related to the notion

that one does not enjoy the ownership of the wealth possessed. Muslims are required to earn and spend their wealth in accordance with God's will. "O believers! Spend of the good things which you have earned, and of that which We have produced from the earth for you, and do not aim at that which is bad to spend from it" (Q. al-Baqarah/2: 267). This religious injunction strongly supports the fact that the poor are entitled to the wealth of the rich. The basic idea behind this is that wealth must not circulate only among the rich (Cohen, 2005: 351). The recognition of this entitlement of the poor in the community has two main consequences: the protection of the poor and the fair distribution of wealth in society. This philanthropic principle demonstrates the highest concern for human dignity and therefore the philosophy that economic rights and philanthropy bolster harmony among people as they enjoy a shared life and justice (Hart, 2007: 289; Amy: 2013: 355). As it is the social pillar of Islam intent to lead individuals towards a common goal, *zakat*'s main objective is to create justice and do away with class distinctions (Benthall, 1999: 36).

Another concept of justice in wealth is to maintain ownership balance among the people. Without a regulated ownership system, injustice and rampant exploitation will prevail. This principle is in essence designed to protect humanity; aspect students of human rights in Islam are mostly ignored (Mayer, 1995). In Islam, the human right to possess wealth is assigned to the state and to the people to ensure that the rich do not control the poor (Imara, 1989). In other words, this right neither deprives owners of their wealth and property nor does it leave all their wealth and property to them.

Islamic philanthropy, especially *zakat*, has a crucial role in maintaining social justice and economic balance. *Zakat* attempts to create a just and stable society and provides Muslims with a framework for justice for the poor and the disadvantaged in society. As clearly stated in the Quran, the Will of the Endower, Allah the Almighty, is to ensure kindness and charity from the rich to the poor: "Those who spend in charity, whether in prosperity or adversity, who restrain from anger and pardon people; God loves those who do good to others" (3:134). This spiritual dimension of *zakat* is closely related to empathy and caring for people. Islamic philanthropy, therefore, stands to regulate the distribution of wealth among people, especially by ensuring the protection of the destitute and needy. Through this mechanism, income and wealth circulate among the people proportionately and justly. The poor are not defined as a burden to society but rather as the part of the community that needs to be protected by transferring wealth from the rich to it. In Islamic teachings, this reciprocal relation in human life remains fundamental. Here lies the concept of proportional payment by providing social justice to those who are less fortunate (Iqbal, 1986: 181; Nanji, 2001: 165).

A. *Philanthropy for Humanity*

As Islamic philanthropy covers all aspect of human needs such as food, healthcare, education, housing and public services (Kuran, 2001: 850), *zakat* agencies in Indonesia develop their programs in accordance with these needs and alms are allocated to education, health, welfare and relief

(Alawiyah, 2013: 218; Amelia, 2008). *Zakat* allocation program's main concerns are education and healthcare issues as they form the primary needs of the people. In 2000, the Dompot Dhuafa (DD) Foundation, one of the leading *zakat* agencies in Indonesia, allocated its *zakat* funds to 300 stipends for university students at a total amount of Rp. 1 billion (around US\$ 76,923.00). Another *zakat* agency, YDSF (Yayasan Dana Sosial al-Falah, Social Trust Fund al-Falah, in Surabaya) spent Rp. 16 billion (US\$ 1,230,769.00) or 40% of its total funds for education programs and Rp. 182 million (US\$ 14,000) for orphanage programs. Cash assistance to the amount of around Rp. 1.8 billion (US\$ 138,461) has also been allocated to 3,628 poor people.

With regards to charity-based programs for basic need provision and relief programs for food, clothes, shelter, cash assistance and health services, in 2007, Rumah Zakat, for example, financed 118,330 free-health consultancies and built four clinics for mother and child health-care. This *zakat* agency also provided food, medical emergency services, and education rehabilitation programs in 2006 for residences in Yogyakarta after the earthquake disaster. Another *zakat* foundation PKPU (Pos Keadilan Peduli Umat, Justice Center for People Care) distributed Rp. 15.4 billion (US\$ 1,184,615.00) for relief programs in 2002.

In the category of welfare, *zakat* agencies provided funds for small-scale business to farmers, traders, and fishermen. In 2007, for example, Rumah Zakat supported 2,063 people to run small-scale business and in 2002 PKPU allocated Rp. 442 million (US\$ 34,000) to microfinance programs.

Since 2001, Dompot Dhuafa's main program also focuses on healthcare clinics, the so-called LKC (Layanan Kesehatan Cuma-cuma, Free Health Services). It provides healthcare services for the poor and needy who have limited access to state-run hospitals. Rp. 2,804,740,088 (US\$215,749) was allocated to this service in three regions, Ciputat, Cipulir and Jakarta. Health services' beneficiaries include low-income patients such as housewives, housemaids, and teenagers. From 1993 to 2002, DD allocated funds to health services to the amount of Rp. 5,913,475,390.00 (US\$ 454,883) (Latief, 2010: 16-19). This health service is now centered in Parung in West Java under the name Rumah Sehat Terpadu (Integrated Services for Health Care) funded by *zakat* and *waqf*.

B. *Philanthropy for Community Development*

We will illustrate philanthropy for community development by looking at the way it is run by the *zakat* agency, Dompot Dhuafa (DD), in one village in West Java. One of the target regions is Sukawijaya village in the sub-district of Tambelang, Bekasi district, West Java which consists of nine small villages inhabited by 3427 people (in 2000) in 844 family groups living on a land area of approximately 440 hectares. Most residences are laborers who cultivate land that belongs to rich people who live in cities such as Jakarta, Karawang, and Bogor. Only 17 % of the total land in the region is owned by members of the local population. This means that more than 80 % of the land is owned by non-local people who hamper the local people's opportunities to improve their living conditions.

After a preliminary study of the area, DD decided to adopt this village for a target program for community development. It was selected for two reasons: first, despite the fact that the local residents are poor, they have potencies to improve their individual skills; second, it was selected to free the local residences from the burdens of the interest-based loan debts they have with local money lenders. DD initially started by offering *zakat*-based charity donations through the distribution of rice among the villagers. This prior step was to learn about the residents' nature and character before the program was to be launched. During the next step, DD appointed an assistance team (*pendamping mandiri*) to visit the target area to select the people suitable for this program through a preliminary assessment (Studi Kelayakan Mitra, SKM). This approach received a significant response in the sense of the way people can be enabled to free themselves from their debt burdens due to the rooted tradition among the people (Hidayat, 2005). For this program, the target was divided into 11 groups, 84 % consisting of women and 16 % of men between 18 and 70 years of age.

The funds allocated to this program were divided into two categories: the first was for capacity building. It was designed to enhance the recipients' ability to manage the financial parts of their businesses, including such things as in and out funding, cash-flow administration and all other basic skills needed to develop their businesses and to fund their expenses. The second part was that profit sharing (*musyarakah*) and sales contracts (*murabahah*) were also introduced. The program also offered instruction in the supported skill of how to write business financing proposals and business plans.

When the program started, funds were allocated to three categories. The first was for small retail businesses; the second was farming and the third was livestock breeding. In retail, each recipient received around Rp. 500.000 to Rp. 1.500.000 (US\$ 38.5-US\$ 115.4) under a credit-system-based contract (*ba'y bi thaman ajil*) and interest-free loans (*qard hasan*). In livestock breeding and farming, the funds amounted to Rp. 3.300.000 (US\$ 253.8) to Rp. 6.000.000 (US\$ 461.5). As the project runs with intensive assistance and monitoring, it directly impacts on the recipients' economic and social conditions.

As mentioned above, Islamic philanthropy serves to protect and improve human life. Dompot Dhuafa's programs are geared to that. Because the members of the targeted group in Sukawijaya enjoyed the benefits of philanthropic funds, their economic and social lives improved. The recipients' incomes and living standards became twice as high as before. For example, the recipients' gross income almost weekly doubled from Rp. 83,000 (US\$ 6.5) to Rp. 149,000 (US\$ 11.5) whereas the income they derived specifically from this program weekly started from Rp. 70.000 (US\$ 5.4) to 114,000 (US\$ 8.8) (Hidayat, 2005).

III. CONCLUSION

Looking at the religious injunctions in both the Quran and the Sunna, Islamic philanthropy is fundamental in securing human rights. This principle is highly relevant in view of the statement in the UDHR that, among others, affirms social and

economic access for people. Islamic philanthropy, however, goes beyond this moderate statement by formulating the close relationship between the rich and the poor and by fulfilling the ultimate goal of social justice.

The practice of Islamic philanthropy in Indonesia clearly shows that religious almsgiving, such as *zakat* and other voluntary donations has contributed significantly to social justice and to the people's welfare. Islam, therefore, secures human rights as one of the fundamental bases of its teachings. It is too simple to generalize Islam as being opposed to human rights by limiting it merely to such things as the equality of women and men by ignoring, instead, Islamic philanthropy as part of human rights considerations.

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